

Part 3A Preliminary Assessment

In relation to

**Proposed Extension to Existing Eco Tourist Facility
(Caravan Park)**

**Lot 34 DP 600591 Eggins Close,
Arrawarra**

August 2008

Ref 807

Prepared for:

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TABLE of CONTENTS

1 INTRODUCTION	2
1.1 BACKGROUND.....	2
1.2 SITE DESCRIPTION	2
1.3 ADJOINING DEVELOPMENT	3
1.4 PROJECT DESCRIPTION	3
2 PLANNING PROVISIONS	4
2.1 STATE ENVIRONMENTAL PLANNING POLICIES	4
2.1.1 State Environmental Planning Policy (Major Projects) ..	4
2.1.2 State Environmental Planning Policy No. 14 – Coastal Wetlands.....	4
2.1.3 State Environmental Planning Policy No. 21 Caravan Parks.....	5
2.1.4 State Environmental Planning Policy No 44 Koala Habitat Protection	7
2.1.5 State Environmental Planning Policy No 55 Remediation of Land.....	7
2.1.6 State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71)	7
2.2 NORTH COAST REGIONAL ENVIRONMENTAL PLAN.....	8
2.3 COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN	8
2.4 COFFS HARBOUR KOALA PLAN OF MANAGEMENT	10
2.5 DEVELOPMENT CONTROL PLAN – WASTE MANAGEMENT	10
2.6 LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVABLE DWELLINGS) REGULATION 2005	10
3 CONSULTATION	11
3.1 COFFS HARBOUR CITY COUNCIL	11
3.2 OTHER AGENCIES	12
4 KEY ISSUES	12
4.1 BUSHFIRE.....	12
4.2 FLORA & FAUNA	13
4.3 NOISE.....	14
4.4 TRAFFIC.....	14
4.5 FLOODING	14
4.6 ACID SULFATE SOILS.....	15
5 CONCLUSION	16

Appendix A - Minister's Determination

Appendix B - SEPP14 Wetland Map

Appendix C - Flood Level Plan

Appendix D - Acid Sulfate Soils Map

Appendix E - Plans of Proposed Development

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1 INTRODUCTION

Coastplan Consulting has been engaged by AWP Holdings to prepare this preliminary assessment for proposed additions to the existing eco tourist facility on their land at Lot 34 DP 600591 Eggins Drive, Arrawarra. The Minister has confirmed that the project is a Part 3A Major Project and that a Project Application may be lodged with the Director General (a copy of the Minister's determination is provided in Appendix A of this Preliminary Assessment). This Preliminary Assessment accompanies the Project Application to assist the Director-General in the preparation of environmental assessment requirements for the proposed development.

1.1 BACKGROUND

Existing Eco Tourist facility has operated on the land since the early 1970's and since that time there have been a number of development consents issued by Council and the Department of Planning to increase the number of sites within the existing caravan park. At present, the park is approved under the Local Government Act for a maximum of 116 sites comprising 54 long term sites, 56 short term sites and 6 camp sites. The effluent generated by the park has been connected to Council's sewer which recently became available to the site.

1.2 SITE DESCRIPTION

The site is a long elbow shaped parcel of land extending from Eggins Close, in the west to the coastal reserve and Corindi Beach to the east. The site has an area of 11.51 hectares and is separated from Eggins Close by an existing 10m wide access handle to the existing land to the south. The site is situated on a low lying area between Arrawarra Headland and Corindi Beach adjacent to the Pacific Ocean. The land falls gradually from the south western corner to the north and east with the levels varying from 6.8m to 2.23m AHD. A SEPP 14 Coastal Wetland extends across the eastern portion of the site and covers a large area between the subject site and the urban settlement of Corindi to the north of the subject site.

There are a number of dams which have been constructed within the subject site.

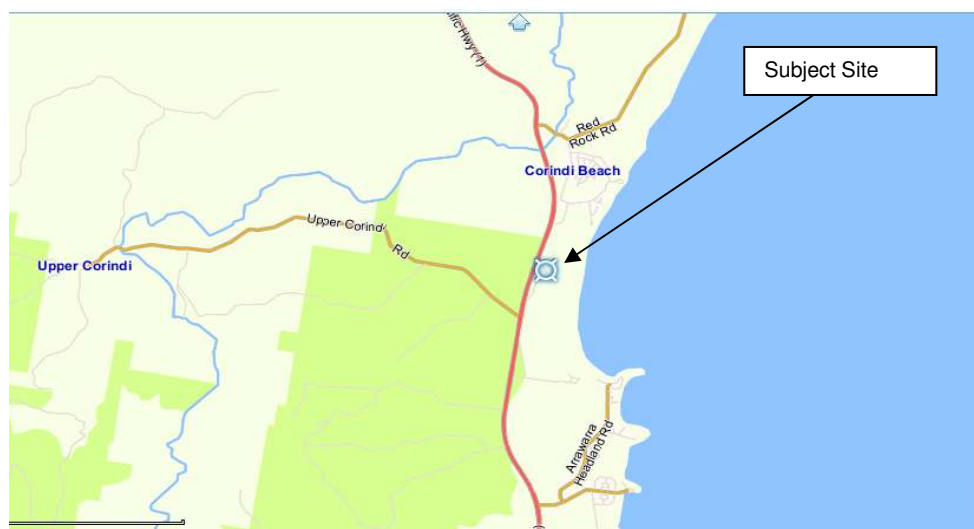


Figure 1 Location Plan

1.3 ADJOINING DEVELOPMENT

The site is bounded by a partially constructed cabin development to the north, coastal reserve and Corindi Beach to the east, a vacant allotment and another caravan park to the south and the Pacific Highway and rural land to the west.

1.4 PROJECT DESCRIPTION

The proposal provides for alteration to the layout of the exiting eco tourist development and for the provision of additional sites. The alteration to the existing site layout includes the following:

- The existing fifty two (52) ensuite sites located in the south western side of the site will be converted to thirty two (32) larger sites,
- The existing five (5) sites in the triangular section of land near the existing swimming pool will be reduced to two (2) sites,
- The existing six (6) camp sites will be relocated from their present location to the area adjacent the pool and BBQ and the area that was used for camp sites will be used for long terms sites.
- The existing eight (8) sites on the northern side of the ensuite sites will be reduced to six (6) sites

The new sites will comprise

- Nineteen (19) sites to the west of the existing tennis court and manager's residence.
- Eighteen (18) sites around the existing dams in the northern part of the site.

- Twenty five (25) sites in the south western corner of the site.

The proposed development will comprise a total of 155 sites made up of 98 long term sites 51 short term sites and 6 camp sites.

The following plans have been attached to this Preliminary Assessment:

- Existing layout
- Proposed layout
- Short and long term and camp sites
- Area affected by 1% flood level

2 PLANNING PROVISIONS

This chapter discusses the relevant planning provisions for the site and proposed development. The discussion below indicates the proposal consistency with these planning provisions.

2.1 STATE ENVIRONMENTAL PLANNING POLICIES

2.1.1 State Environmental Planning Policy (Major Projects)

State Environmental Planning Policy (SEPP) (Major Projects) identifies certain developments that are major projects under Part 3A of the Environmental Planning and Assessment Act. The Minister for Planning must confirm that these projects are major projects for the purposes of Part 3A of the Environmental Planning and Assessment Act. The Minister has confirmed that in his opinion, the proposed development is a Part 3A Major Project. The letter is Appendix A.

2.1.2 State Environmental Planning Policy No. 14 – Coastal Wetlands

SEPP 14 applies to the eastern portion of the site as indicated on the applicable SEPP 14 Wetland map which is Appendix B of this report. The proposed sites will be situated on the western part of the allotment, a considerable distance away from the area identified on the site as SEPP 14 Wetland.

SEPP 14 Clause 7(1) clearly outlines the restrictions on the development of land which the SEPP applies.

7(1) In respect of land to which this policy applies, a person shall not – (a) clear that land; (b) – construct a levy on the land; (c) drain the land; or (d) fill the land except with the consent of the Council and the concurrence of the Director.

The proposed extension of the Caravan Park will not impact upon the land identified as SEPP 14 Wetland.

2.1.3 State Environmental Planning Policy No. 21 Caravan Parks

SEPP 21 Caravan Parks relates to land in the state that is within a local government area.

Under the provisions of the SEPP development for the purposes of a caravan park may be carried out only with the development consent of the Council.

Clause 8(2) of the SEPP requires that before granting development consent to the use of land for the purposes of a caravan park, a council must determine:

- a) The number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993 , and
- b) The number of sites (if any) within that land that the Council considers are not suitable for long-term residence, but are suitable for short-term residence, within the meaning of that Regulation.

Under the provisions of Clause 10 of the SEPP the Council must take into consideration the following:

- a) whether, because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence,
- b) whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist

accommodation will be displaced by the use of sites for long-term residence,

- c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,
- d) whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park,
- e) any relevant guidelines issued by the Director, and
- f) the provisions of the *Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993*.

In relation to these matters:

- a) The land is relatively level and generally cleared of native vegetation. The part of the land to be redeveloped has been used as part of the existing caravan park and is located in close proximity to the beach. Therefore it is considered to be suitable for use as a caravan park for tourists and long term residence.
- b) There is adequate provision of tourist accommodation in the locality of the subject site with a large caravan park being located immediately to the south of the subject site and development consent has been issued by Council for a caravan park on the adjoining site to the north. This consent has been physically commenced.
- c) The Coffs Harbour Council Social and Community Strategic Plan 2006-2010 has identified the need to increase the supply of affordable housing. The proposed development will provide additional affordable housing by providing additional long term sites within the caravan park.
- d) A small shop is provided within the caravan park and adequate transport, medical, recreational, shopping, educational and support services are provided in Woolgoolga approx 8km to the south and Coffs Harbour 30km to the South. Therefore, it is considered that there is adequate community facilities provided.
- e) There are no relevant guidelines issued by the Director.
- f) The proposed development generally complies with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwelling) Regulation 2005.

2.1.4 State Environmental Planning Policy No 44 Koala Habitat Protection

A Comprehensive Koala Plan of Management (CKPoM) has been prepared by Council under the statutory provisions of State Environmental Planning Policy 44 - Koala Habitat Protection (SEPP 44). The adoption of a CKPoM which covers the whole Coffs Harbour Local Government Area (LGA) replaces the requirement under SEPP 44 for developments in Coffs Harbour LGA to address koala issues individually, and sets out a framework for conserving koalas in Coffs Harbour LGA.

2.1.5 State Environmental Planning Policy No 55 Remediation of Land

Under the provisions of Clause 7 of the SEPP a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

There is no evidence on the site or from the history of the use of the land that would suggest that the land has been used for any use that would have caused any contamination of the land.

2.1.6 State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71)

SEPP 71 applies to land within the coastal zone of New South Wales. The subject lands are located within the coastal zone and the provisions of this policy therefore apply.

The provisions of Clause 8 of the SEPP will have to be taken into consideration when assessing a Development Application. The proposal is generally consistent with the requirements of this Clause.

2.2 NORTH COAST REGIONAL ENVIRONMENTAL PLAN

The provisions of the North Coast Regional Environmental Plan (NCREP) will apply to the proposed development. The NCREP specifies objectives for development of land in the region and specifies regional policies for the control of development in the region.

A number of sections of the NCREP are relevant to the proposed development and will have to be addressed in the assessment of the application.

Compliance with these requirements will not prevent the proposed development from proceeding.

2.3 COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN

The subject land is zoned 7(a) Environmental Protection and Catchment Zone under the provisions of Coffs Harbour Local Environmental Plan 2000. The proposed development is for the purpose of an Eco-Tourism Facility which is permissible within the zone with Development Consent.

Under the provisions of the LEP “Eco-Tourism Facility” means a building or place used primarily for tourist accommodation or recreation or both and may include holiday cabins, camp and caravan sites, that is in a natural setting and involves education and interpretation of the natural environment and does not have a deleterious affect on the ecology of its location.

The proposed development is consistent with this definition.

A preliminary assessment of the proposal indicates that the proposed development is not likely to have any a deleterious affect on the ecology of its location.

The objectives of the 7(a) Habitat and Catchment Zone are:

- to protect habitat values and water quality and enable development which does not adversely impact upon these

- to enable development that is within the environmental capacity of the land and can be adequately serviced.

The proposed development will be consistent with the objectives of the zone in that the proposed development will not impact on the habitat values of the land as the land is generally cleared of natural vegetation. A Flora and Fauna Assessment will be carried out for the proposed development. The proposed development will not impact on the water quality within the area. A detailed drainage strategy will be prepared for the proposed development. The proposed development will be within the environmental capacity of the land and all relevant services are available to the land.



Figure 2 Zoning Map

2.3.1 Draft Coffs Harbour Local Environmental Plan Amendment No. 23

The objective of the draft plan is:

- To provide for the conservation of vegetation and the protection of koalas and their habitat.

Under the provisions of the draft plan, clearing of vegetation can only be carried out with development consent and must only be carried out in accordance with the Koala Plan of Management and the Vegetation Conservation Development Control plan adopted by Council.

2.4 COFFS HARBOUR KOALA PLAN OF MANAGEMENT

This Comprehensive Koala Plan of Management (CKPoM) was prepared under the statutory provisions of State Environmental Planning Policy 44 - Koala Habitat Protection (SEPP 44). The adoption of a CKPoM which covers the whole Coffs Harbour Local Government Area (LGA) replaces the requirement under SEPP 44 for developments in Coffs Harbour LGA to address koala issues individually, and sets out a framework for conserving koalas in Coffs Harbour LGA.

The requirements of Coffs Harbour Koala Management Plan will have to be considered in the assessment of the application for additional sites as part of the site has been mapped as secondary koala habitat.

Preliminary fauna survey indicated that there were no koalas recorded on the site.

2.5 DEVELOPMENT CONTROL PLAN – WASTE MANAGEMENT

This Development Control Plan only applies to all residential commercial and tourist accommodation. The existing garbage storage area will be sufficient to accommodate the waste generated from the proposed development. A commercial contractor is currently engaged to collect the waste from the existing premises. This arrangement will continue.

The proposal will generally comply with the requirements of this DCP.

2.6 LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVABLE DWELLINGS) REGULATION 2005

The regulation contains the standards for the design for manufactured home estates, caravan parks and camping grounds, the standard for the design and construction of movable dwellings and for their siting, and standards for the safety and amenity for the occupants of manufactured homes and other movable dwellings.

A preliminary assessment of the proposed development indicates that the proposal will comply with the relevant provisions of the Regulation in relation to

the design of caravan parks and camping grounds and the provision of facilities within caravan parks .

2.7 NSW COASTAL POLICY 1997

The NSW Coastal Policy applies to the proposed development as it is located within the Coastal Zone. The Policy contains a number of strategic actions that are relevant to the development. A preliminary assessment of the proposed development indicates that it will generally be consistent with the strategic actions contained in the policy. Specific details for development in the north coast region are contained in the North Coast Design Guidelines. A full assessment will be provided with the environmental assessment of the proposed development.

2.8 OTHER MATTERS

Environment Protection and Biodiversity Conservation (EPBC) Act, 1999, Fisheries Management Act, 1994, Marine Parks Act, 1997, National Parks and Wildlife Act, 1974, Native Vegetation Conservation Act, 1997, Threatened Species Conservation Act, 1995, Water Management Act, 2000, NSW Coastal Policy 1997, North Coast Design Guidelines, Native Vegetation Act 2003, Protection of the Environment Operations Act. All these matters would be addressed where relevant as part of the environmental assessment for the proposed development.

3 CONSULTATION

3.1 COFFS HARBOUR CITY COUNCIL

Preliminary discussions have been held with Coffs Harbour City Council in relation to potential redevelopment of the subject site, particularly in relation to part of the site of the proposed development being identified as flood prone land. Preliminary discussions indicate that any proposed development will have to comply with Council's Flood Prone Land Management Plan.

Discussions have also taken place with Council's Water and Sewer Section in relation to the connection of the proposed development to the existing pump station to the south of the site. Preliminary discussions indicate that it is

possible to connect the sewer from the proposed development to the existing pump station or the provision of a small pump station in the lower section of the site.

3.2 OTHER AGENCIES

No other agencies have been directly approached in relation to the proposal given the scale of development proposed. It is likely that the following agencies will have some input into the proposed development and their views may be sought through the environmental assessment. Those agencies are:

- Department of Water and Energy
- Department of Environment and Climate Change
- The Roads and Traffic Authority
- Rural Fire Service
- Northern Rivers Catchment Management Authority
- Emergency Services

4 KEY ISSUES

This Section identifies key issues that have emerged from assessment of the project against relevant planning instruments, policies and codes as well as a desktop review of the land.

The key issues to be discussed are as follows:

4.1 BUSHFIRE

The subject site is identified as bushfire prone land on Council's Bushfire Prone Land Map. An assessment will need to be carried out in accordance with Planning for Bushfire Protection 2006. A copy of the Bushfire Prone Land Map is Figure 3 below.



Figure 3 – Bushfire Prone Map

4.2 FLORA & FAUNA

The site is generally clear of natural vegetation, however, minor clearing will be required. The proposed development is in close proximity to two (2) existing dams which may contain threatened species. A Flora and Fauna Assessment including a seven (7) part test will be required in accordance with Part 5A of the Environmental Planning and Assessment Act and will address the provisions of the Environment Protection and Biodiversity Conservation (EPBC) Act, 1999, Fisheries Management Act, 1994, Marine Parks Act, 1997, National Parks and Wildlife Act, 1974, Native Vegetation Conservation Act, 1997, Threatened Species Conservation Act, 1995.

A small part of the site has been identified as secondary koala habitat. The location of the koala habitat is indicated on the plan contained in Figure 4. The area is a small isolated area of vegetation in the middle part of the site. Koalas have not been sighted in this area and due to the isolated nature of the site it is unlikely to provide viable habitat for koala. The impact of the proposed development on the koala habitat will be assessed as part of the Flora and Fauna assessment.

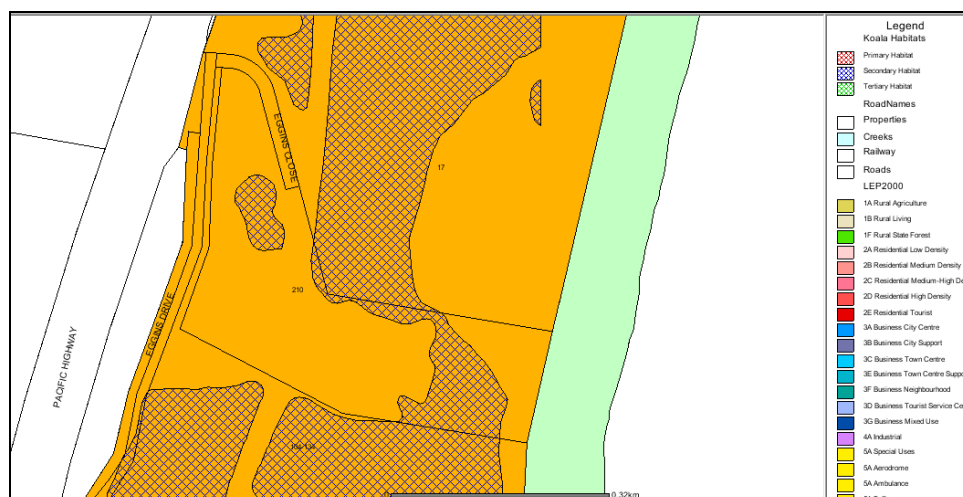


Figure 4 - Location of secondary koala habitat on the site

4.3 NOISE

The subject site adjoins the Pacific Highway which has noise impact on the site. The proposed development will be within close proximity to the highway. The RTA intend to upgrade this section of highway as part of the Woolgoolga to Wells Crossing upgrade. A noise assessment will be necessary to determine the impact of the noise on the proposed development.

4.4 TRAFFIC

The proposed development will result in a minor increase of the traffic generated by the development. The additional traffic generated by the development is not likely to impact on the existing road infrastructure including the safety of the existing intersection at Egges Drive and the Pacific Highway. The RTA plans to upgrade the section of the Pacific Highway that passes the proposed development. This section of the upgrade is included in the Woolgoolga to Wells Crossing section of the Pacific Highway upgrade. Any work that will affect the intersection of the Pacific Highway and Egges Drive and any impact from any additional traffic will have to be taken into consideration in the assessment of the application.

4.5 FLOODING

Council has prepared a number of Flood Risk Maps and Flood Management Plans, however, the subject site is not identified by any of these Maps or plans. Notwithstanding this, it has been established that part of the site has been

identified as flood prone land. The approval for the caravan park on the subject site indicates that the 1% flood level on the subject site is 2.8m AHD. The part of the site that is to be developed that is below the 2.8m AHD flood level is indicated on the plan contained in Appendix C.

There are a number of flood studies that have been carried out for the catchment that includes the subject site. These include Anthony Tod and Partners 1980 and GHD 1994 and July 1995. The GHD Reports relate to the land to the north of the subject site.

An assessment of flood hazard on this site indicated that the site is generally classified as “low hazard – flood fringe” in accordance with the provisions of the NSW Government “Flood Plain Development Manual”. As the subject site has similar characteristics to the adjoining land to the north it can be concluded that the subject site would also be classified as “low hazard – flood fringe”.

The report indicated that development of the adjoining site to the north, the ground levels of which were below the 1% flood level, was considered to be reasonable within low hazard – flood fringe situation where appropriate development techniques are employed. These would include establishing floor levels a minimum of 0.5m above the determined flood levels and constructing main internal access roads so as to be trafficable under the 1% probability flood event, thereby enabling the safe evacuation of visitors if necessary.

The proposed development will be carried out in accordance with Council’s Flood Plain Management Plan which will require a minimum floor level of any relocatable home of 3.3m AHD. As the land will not be filled, the proposed development is unlikely to impact on the existing 1% flood level.

4.6 ACID SULFATE SOILS

The subject site is identified as being a high risk, low risk and no risk on the Acid Sulfate Soil maps held by Council. A copy of the Acid Sulfate Soil map is Appendix D. Part of the development will be located on the land that is high risk. The development in this part of the site will be limited to minor excavation for footing for moveable dwelling and roads. The development in this part of the

site should be carried out in accordance with an Acid Sulfate Soils Management Plan that should be prepared for this purpose.

5 CONCLUSION

This assessment identifies the issues that should be addressed during the planning and design of the proposed development. The key matters that require further investigation as part of the environmental assessment report are considered to be:

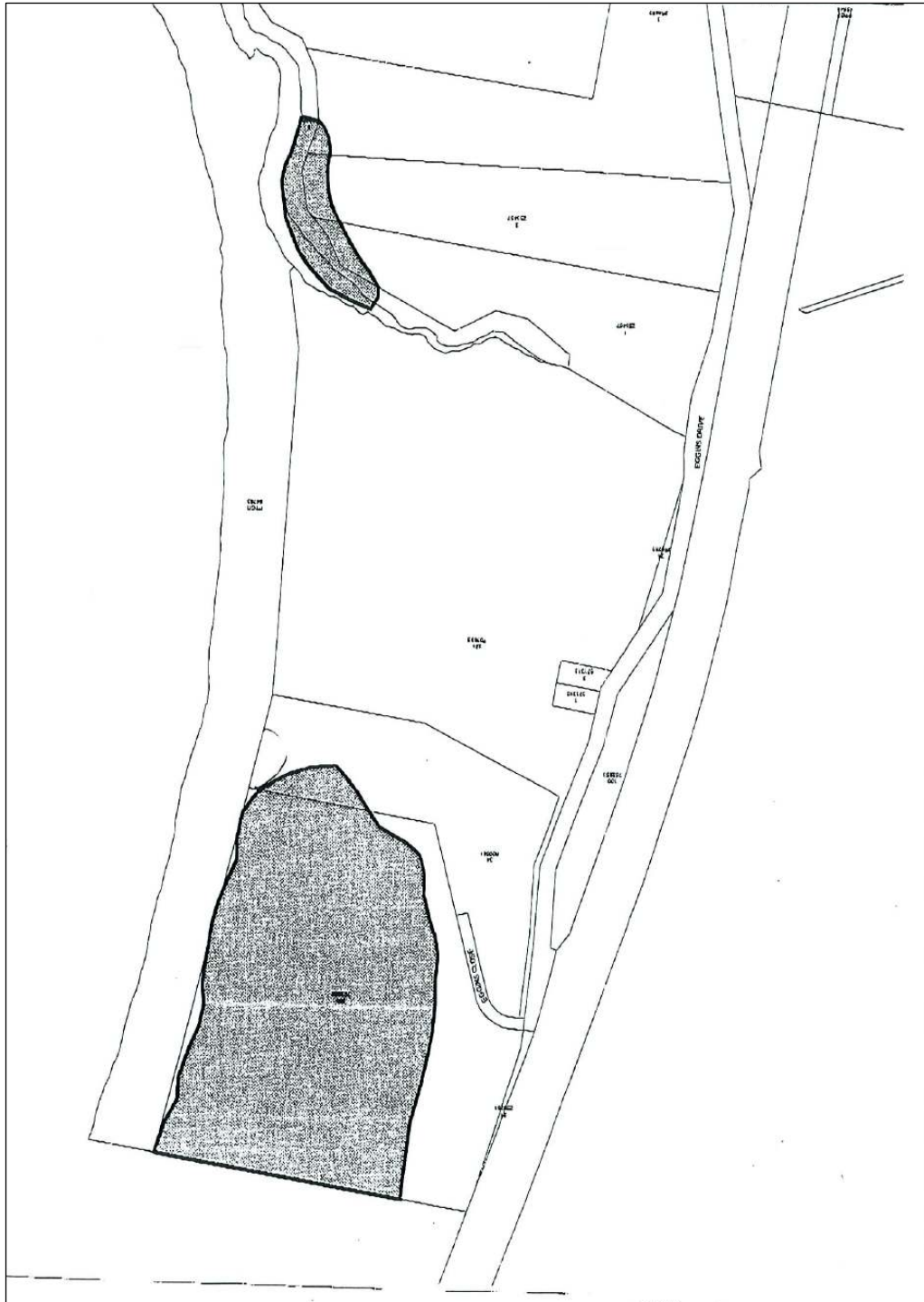
- The requirements of Coffs Harbour Local Environmental Plan.
- The likely impact of the proposed development on threatened species, populations and endangered ecological communities.
- Compliance with the provisions of Planning for Bush Fire Protection 2006.
- The impact on the proposed development from existing traffic noise from the Pacific Highway.
- The impact of the proposed development on the existing road network.
- The impact of flooding on the proposed development.
- The risk to the development from acid sulfate soils.
- Compliance with the requirements of the Local Government (Manufactured Homes, Caravan Park and Camping Grounds) Regulation.

APPENDIX A

MINISTER'S DETERMINATION

APPENDIX B

SEPP14 WETLAND MAP



APPENDIX C

FLOOD LEVEL PLAN

APPENDIX D

ACID SULFATE SOILS MAP

APPENDIX E

PLANS OF PROPOSED DEVELOPMENT