

Attachment 1

Director-General's Environmental Assessment Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number
05_0076
Project
A Project Application for the following: <ul style="list-style-type: none"> Residential Subdivision of the land to create 121 lots; Vegetation clearing, earthworks and filling of the site; and Construction of associated services and infrastructure, and access to the site.
Location
Lot 2 DP 840016, Pacific Highway, Emerald Beach, Coffs Harbour local government area
Proponent
Pridel Investments Pty Limited
Date Issued
20 October 2006
Date Amended
11 December 2008
General requirements
<p>The Environmental Assessment (EA) for the Project Application must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. An outline of the scope of the project including: <ul style="list-style-type: none"> any development options; justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; outline of the staged implementation of the project if applicable; 3. A thorough site analysis including constraints mapping and description of the existing environment; 4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans; 5. Consideration of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; 6. Consideration of impacts, if any, on matters of National Environmental Significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act); 7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 8. An assessment of the key issues specified below and a table outlining how these key issues have been addressed; 9. The plans and documents outlined in Attachment 2; and 10. A signed statement from the author of the Environmental Assessment certifying that the information

contained in the report is neither false nor misleading.	
Key Issues	
The EA must address the following key issues:	
1. Strategic Planning	
1.1	Justify the proposal with reference to relevant local, regional and State planning strategies, and provide justification for any inconsistencies with these planning strategies.
2. Flora and Fauna	
2.1	Assess the potential impacts on flora and fauna taking into consideration impacts on any threatened species, populations, endangered ecological communities and/or critical habitat and any recovery plan, in accordance with the <i>Guidelines for Threatened Species Assessment</i> (DECC, 2005). Provide measures for the conservation of flora and fauna, where relevant.
2.2	Outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land.
2.3	Address the relevant controls within Coffs Harbour City Council's Koala Plan of Management.
2.4	Assess the potential impacts of the loss of 'wet heath' vegetation including in its regional and sub-regional context (particularly for Coffs Harbour and adjoining LGAs) and the impacts of development for fauna that may rely on this habitat, in particular Common Planigale, Wallum Froglet, and Eastern Blossom Bat.
2.5	Address impacts on migratory species, RAMSAR wetlands and species listed under Section 18 and 18A of the EPBC Act.
3. Conservation Areas and Reserves	
3.1	Address and outline the long-term management and maintenance of any areas of open space, conservation / bushland and drainage corridors, including ownership and control, management and maintenance funding, public access, revegetation, rehabilitation works, and bushfire management.
3.2	Address any likely impacts on Coffs Coast Regional Park, Coffs Coast Reserve and Emerald Beach, including issues such as controlled access routes, fencing, car-parking, emergency access, and measures for dune and vegetation rehabilitation and management.
4. Water Cycle Management	
4.1	Address and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles which addresses impacts on the surrounding environment, drainage and water quality controls for the catchment, and erosion and sedimentation controls at construction and operational stages.
4.2	Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site, including impacts on watercourses, wetlands and the waters of Solitary Islands Marine Park.
5. Traffic and Access	
5.1	<p>Prepare a traffic impact study in accordance with Table 2.1 of the RTA's <i>Guide to Traffic Generating Developments</i> which addresses, but is not limited to the following matters:</p> <ul style="list-style-type: none"> • Adequate and appropriate site access, to accommodate two way traffic, pedestrian and bicycle and implications of the RTA's Coffs Harbour Highway Planning (Sapphire to Woolgoolga section); • The suitability of proposed site access to and from the Pacific Highway and to and from Fishermans Drive via the right of carriageway over lot 32 DP 1038983 and through an adjacent unformed Crown road; • Total impacts on the existing road network and measures to improve existing road junctions and infrastructure; • Internal road design, turning paths and sight distance requirements; and • Provision for service vehicles, emergency access/vehicles, public transport, bicycles,

5.2	and pedestrians to through and within the site. Protect existing public access to and along the beach and coastal foreshore and provide, where appropriate, new opportunities for controlled public access, beachside car parking and access for the disabled.
6. Hazard Management and Mitigation	
<i>Coastal Processes</i>	
6.1	Address coastal hazards and the provisions of the Coastline Management Manual. In particular consider impacts associated with wave and wind action, coastal erosion, sea level rise and more frequent and intense storms. Define appropriate 50 and 100 year hazard lines.
<i>Contamination</i>	
6.2	Identify any contamination on site and appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.
<i>Acid Sulfate Soils</i>	
6.3	Identify the presence and extent of acid sulfate soils on the site, address impacts of earthworks and filling and, where relevant, provide details of appropriate mitigation measures.
<i>Bushfire</i>	
6.4	Address the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS).
<i>Geotechnical</i>	
6.5	Provide an assessment of any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations that address these limitations.
<i>Flooding</i>	
6.6	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the <i>NSW Floodplain Development Manual</i> (2005) including: <ul style="list-style-type: none"> • impacts of any earthworks and filling on the flood regime of the site and adjacent lands; • impacts from and to the catchment, including Fiddamans Creek; • potential blockages to the proposed access roads/culverts; and • requirements for emergency access and evacuation.
6.7	Assess the potential impacts of sea level rise and an increase in rainfall intensity on the flood regime of the site and adjacent lands with consideration of <i>Practical Consideration of Climate Change – Floodplain Risk Management Guideline</i> (DECC, October 2007).
7. Subdivision Design, Layout and Desired Future Character	
7.1	Demonstrate the consistency of the proposed subdivision design and layout with the <i>Coastal Design Guidelines for NSW (2003)</i> , <i>NSW Coastal Policy 1997</i> and SEPP 71 – Coastal Protection, and that it will provide for appropriate energy efficiency, safety, accessibility, housing diversity, landscaping, open space, and utility servicing.
7.2	Demonstrate the consistency of the proposal with the character of existing development, integration and appropriate connections to existing urban areas, and Emerald Beach village, and provision of a continuous network for vehicles (including bicycles) and pedestrians to, within and from the site.
7.3	Address visual impacts and relevant mitigation measures, in the context of adjoining and surrounding development, and the setting of the site, from all publicly accessible coastal locations (such as beaches and headlands).
7.4	Identify the type of subdivision proposed across the site ie. Community, Torrens, strata.
7.5	Provide details of potential building envelope, built form and design quality controls and the means for implementing them.
7.6	Provide details of any staging that demonstrates the lots will be released in an orderly and coordinated manner.

8. Noise and Amenity	
8.1	Address potential noise impacts, in particular road traffic noise, for future residents, and appropriate mitigation measures.
8.2	Demonstrate that the proposal will be designed, constructed, operated and maintained so that there are no adverse impacts on amenity of the locality.
9. Infrastructure Provision	
9.1	In consultation with relevant agencies, address the existing capacity and requirements of the development for sewerage reticulation, water supply, electricity, waste disposal and telecommunications services. Identify and describe staging, if any, of infrastructure works.
9.2	Address and provide the likely scope of a planning agreement and/or developer contributions with Council and/or Government agencies.
10. Heritage and Archaeology	
10.1	Identify whether the site has any items or areas of Aboriginal significance and identify appropriate measures to preserve any significance. The assessment must address the information and consultation requirements of the draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> and the <i>Interim Community Consultation Requirements for Applicants</i> .
10.2	Identify any items of European heritage significance and, where relevant, provide measures for the conservation of such items.
Consultation	
<p>You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:</p> <p>(a) <i>Agencies or other authorities:</i></p> <ul style="list-style-type: none"> • Commonwealth Department of the Environment, Water, Heritage and the Arts; • Coffs Harbour City Council; • NSW Department of Water and Energy; • NSW Department of Environment and Climate Change; • NSW Department of Primary Industries; • NSW Department of Lands; • NSW Rural Fire Service; • State Emergency Service; • NSW Roads and Traffic Authority; • Solitary Islands Marine Park Authority; • Northern Rivers Catchment Management Authority; • Local Aboriginal Land Council/s; and other Aboriginal community groups; and • Relevant infrastructure providers. <p>(b) <i>Public:</i></p> <p>Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy.</p> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>	
Deemed Refusal Period	
60 days	

Attachment 2

Plans and Documents to accompany the Application

Plans and Documents of the development	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application:</p> <ol style="list-style-type: none"> 1. The existing site survey plan is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> • the location of the land, the measurements of the boundaries of the land, the size of the land and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. 2. An aerial photograph of the subject site with the site boundary superimposed. 3. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc.). 4. A locality/context plan drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space, water courses and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes; and • The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation. 5. Subdivision plans are to show the following:- <ul style="list-style-type: none"> • The location, boundary dimensions, site area and north point of the land, and names of roads fronting the land; • Title showing the description of the land with lot and DP numbers etc; • Existing and proposed subdivision pattern including all measurements and sites areas of existing and proposed allotments; • Location and details of all proposed roads and footpaths; • Location of all structures proposed and retained on site; • Cross sections of roads, including gradients, widths, road names, footpaths etc. • Existing and proposed finished levels in relation to roads, footpaths and structures; • Location and details of access points to the subdivision; • Existing vegetation on the land and vegetation to be retained; • Location of services and infrastructure, and proposed methods of draining the land; • Any easements, covenants or other restrictions either existing or proposed on the site;
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	<ul style="list-style-type: none"> Type of subdivision proposed (Torrens, strata and/or community title). <ol style="list-style-type: none"> Stormwater Concept Plan - illustrating the concept for stormwater management from the site and must include details of any major overland flow paths through the site and any discharge points to the street drainage system. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided; Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; Landscape Concept Plan – plan or drawing that shows the basic detail of planting design and plant species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc); Construction Management Plan – a plan which outlines traffic and pedestrian management during construction and management of impacts on amenity of adjoining properties and appropriate mitigation measures including noise, dust and sediment and erosion controls; View analysis – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.
Specialist advice	<p>Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practicing consultants in relation to issues including, but not limited to, the following:</p> <ul style="list-style-type: none"> Flora and Fauna; Bushfire; Landscaping; Geotechnical and/or hydro geological (groundwater); Stormwater/drainage; Urban Design/Architectural; Contamination in accordance with the requirements of SEPP 55; and Acid Sulphate Soil Management Plan.
Documents to be submitted	<ul style="list-style-type: none"> 10 hard copies of the Environmental Assessment; 10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below); and If the Environmental Assessment is bulky and lengthy in volume, you will be required to package up each Environmental Assessment ready for distribution by the Department to key agencies.
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> All files must be no bigger than 5 Mb. Large files of more than 5 Mb will need to be broken down and supplied as different files. <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>

Attachment 3

State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not all of these guidelines may be relevant to your proposal.

The majority of these documents can be found on the relevant Departmental Websites, on the NSW Government's on-line bookshop at <http://www.bookshop.nsw.gov.au> or on the Commonwealth Government's publications website at <http://www.publications.gov.au>.

Aspect	Policy /Methodology
Biodiversity	
Flora and Fauna	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Department of Planning 2005)
Fish and Aquatic Ecosystems	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Threatened Species Management Manual (NPWS, 1998)
Coastal Planning	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, NSW Government, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, February 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
Contamination of Land	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
Rehabilitation	
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"

Aspect	Policy /Methodology
Safety and Hazards	
	Electrical Safety Guidelines (Integral Energy)
Soils	
	Acid Sulfate Soil Manual (ASSMAC)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
Traffic & Transport	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
Urban Design: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	
	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
Groundwater	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - “The Blue Book”
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
EPBC Act	
For a Controlled Action	Commonwealth Environment Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW: March 2007