

June 2009

Volume 1 MODIFICATION TO CONCEPT PLAN

# Sapphire

## ENVIRONMENTAL ASSESSMENT REPORT

# Report





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**MODIFICATION TO  
CONCEPT PLAN**

**ENVIRONMENTAL ASSESSMENT  
REPORT**

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## CERTIFICATION

This Environmental Assessment Report has been prepared by Janet Thomson Planning Consultant on behalf of Sapphire beach Development Pty Ltd.

The Environmental Assessment Report has been prepared in accordance with the Environmental Assessment Requirements issued by the Director General of the Department of Planning under part 3A of the Environmental Planning and Assessment Act.

In accordance with the Environmental Assessment Requirements issued by the Director General it is certified that the information contained in this environmental assessment is neither false or misleading.



**Janet Thomson**

June 2009

# 1 Executive Summary

## 1.1 Background

On 9 May 2007, the Minister for Planning approved a concept plan for a site on the Pacific Highway Coffs Harbour. The concept plan provided for the development of the site for a mixed tourist/residential development comprising open space, dwellings and residential flat buildings. The concept plan approval also included an approval regime for the future applications for the site. This provided that Stage 1 of the proposal relating to demolition, subdivision works and the construction of beachfront houses and buildings would continue to be a Part 3 matter and therefore require the approval of the Minister for Planning. All other applications would be dealt with under Part 4 of the Environmental Planning and Assessment Act and require the approval of Coffs Harbour Council.

It has now been decided to make some amendments to the concept plan to remove the tourist element from the development and to replace the residential flat buildings with dwellings. These uses are permissible under the current zoning of the site.

## 1.2 The Site

The site is located fronting the Pacific Highway at Coffs Harbour approximately 6km north of Coffs Harbour. The site has frontage to the Highway and stretches from the highway to Campbells Beach.

The site comprises the following:

- Lot 100 DP 629555
- Lot 101 DP 629555
- Lot 2 DP 800836

The site has an area of 41503m<sup>2</sup>.

The site is currently developed with buildings and structures comprising a 114 suite resort. Use of the resort ceased in 2007. There is a disused restaurant building and car park on the higher part of the site and the main resort buildings are approximately halfway down on the lower level of the site. The resort recreation facilities, including a swimming pool, are on the lower ground behind the beach.

### 1.3 Existing Concept Plan Approval

This Concept Plan was approved on 9 May 2007. The approval was for a mixed tourist and/or residential development comprising a maximum total gross floor area of 24,020m<sup>2</sup> (an additional 5945m<sup>2</sup> of balconies could be provided) The maximum number of bedrooms allowable was 338. The development included:

- Communal facilities including an office, reception area, commercial kitchen, pool and gymnasium
- Communal open space of 3715m<sup>2</sup>
- Subdivision of the site into 26 lots in a community title scheme
- A maximum of 270 car parking spaces
- Access roads and
- Revegetation and rehabilitation works

The Concept Plan approval provided for the following staging:

**Stage 1** will comprise demolition of the existing buildings, general clearing of the site of all structures, fencing of the dunes and 7A zoned vegetation, subdivision, the construction of the northern block of beachfront villa housing and buildings 9 and 10 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront villa housing.

**Stage 2** will comprise construction of buildings 2, 4a and 4b (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and rehabilitation of the 7A zoned vegetation

**Stage 3** will comprise construction of southern block of beachfront villa housing and building 8 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and dune rehabilitation in front of the southern beachfront villa housing

**Stage 4** will comprise the construction of buildings 1,3,5,6 and 7 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and application of the final 25mm of bitumen to the central access road

Stage 1 is to be constructed first. The order of subsequent stages was not prescribed.

The Concept Plan consent provided that future applications, apart from Stage 1 and Stage 3 which were to be determined under Part 3A of the EPA Act, were to be determined under Part 4 of the EPA Act.

#### Additional Conditions

Modifications to the Concept Plan

##### Building Height

- Block 10 not to exceed 14m in height
- Beachfront villas to be a mix of single and two storey dwellings

##### Subdivision

- Strata titling of apartments and town houses restricted to buildings and private courtyards
  - All remaining gardens open space and roads to be managed as one lot under the community scheme
- Revegetation and Rehabilitation

All revegetation and rehabilitation of the dunes behind Campbell's Beach to be undertaken as part of Stage 1 works.



# 1 Executive Summary

## **Future Applications**

### **Coastal Hazard**

Prior to the commencement of works a registered surveyor must determine the location of the 100year coastal hazard planning line (as per Willing and Partners, Map 1 Campbell's Beach Hazard Lines September 1999) on the property and all buildings must be constructed landward of this line.

### **Works Seaward of the Foreshore Building Line**

The front yards of the beachfront housing must be extensively landscaped to integrate with the adjoining communal open space. Any fencing proposed seaward of the 100 year hazard line is to be of permeable materials.

### **Dune Management Plan**

A Dune Management Plan providing detail of the proposed dune rehabilitation behind Campbell's Beach is to be submitted with the development application for the Stage 1 works.

### **Line marking of Access**

Access way to site to be line marked to provide right and left turning lanes and plans approved by the RTA.

### **Demolition Management Plan**

Report re asbestos and lead based paint to be lodged to Council with the Stage 1 development application for the site. If present a Demolition Management Plan is to be prepared.

### **Stormwater Management Plan**

Detailed designs of the upgrading of the stormwater system must be submitted to and approved by Council with the Stage 1 development application for the site.

## **Geotechnical Assessment**

Assessment to accompany each application for the construction of buildings.

## **Aboriginal Heritage**

Assessment to be approved by DECC prior to the lodgement of the first development application for the site.  
Indigenous Cultural Heritage Induction  
All construction personnel to undergo an indigenous cultural heritage induction

## **Public Access to Campbell's Beach**

The complete length of access to Campbell's beach to be established as a right of way when subdividing the site.



## 1.4 Proposed Changes to the Concept Plan

The proposed amendments to the approved concept plan are as follows:

- Removal of the tourist component of the use of the site
- Removal of the residential flat buildings and their replacement with detached dwellings
- Reduction in the number of dwellings from approximately 122 to 39
- Alteration of the beachfront houses from 16 to 14 and from attached to detached dwellings
- Removal of the communal facilities (including an office, reception area, commercial kitchen, pool and gymnasium)
- Increase in the number of lots subdivided on the site from 26 to 42 (39 residential lots and 3 community title lots for the roads, conservation area and open space)
- Inclusion of some common areas related to the residential flat buildings into the individual lots
- Reduction in the number of car parking spaces from 270 to 78
- Reduction in the gross floor area of the development by approximately 10,000m<sup>2</sup>
- Reduction in the approximate number of bedrooms by approximately 168 to 170
- Minor changes to the lot shapes and sizes
- Other minor changes related to the above
- Changes to the approvals regime for the site to provide for all future applications to be dealt with under Part 4 of the Environmental Planning and Assessment Act

All other works on the site will remain generally as in the concept plan approval.

## 1.5 Key issues

### 1.5.1 Strategic Planning

The proposed changes to the concept plan have been assessed against the relevant planning controls applying to the site and have been found to generally comply with the controls. There are some minor inconsistencies with the zoning objectives and the objectives of the development control plan applying to the site relating to tourist development. These are considered to be justified however, in view of the location of the site, the amount of tourist land and accommodation available in the area, and the general decline in tourist development in the Coffs Harbour area. The proposal is generally consistent with all state and regional planning controls applying to the site.

### 1.5.2 Consistency with Character of the Area

The site is located on the Pacific Highway between existing two and three storey single dwelling houses to the south and three and four storey multi-level apartments to the north. The proposal for the site is generally consistent with this character of the area.

### 1.5.3 Controls for Development

A set of design guidelines has been developed for the site. These guidelines will be further developed and the final document will accompany the development application for the subdivision of the site.

The major objectives of the guidelines will be to:

- Ensure a high standard of design of dwellings on the site
- Ensure some consistency in the design and appearance of the dwellings on the site
- Establish an Australian coastal architectural style for the site
- Define and protect view corridors through the site

# 1 Executive Summary

- Provide for a high standard of landscaping on the individual sites
- Provide measures relating to sustainability, acoustics, access and privacy

The design guidelines will provide specific controls in relation to setbacks, heights, floor space, open space, landscaping, materials, colours and architectural character for individual lots and built form of houses. Controls relating to sustainability, acoustics and bushfire requirements will also be contained in the guidelines.

## 1.5.4 Consistency with Design Guidelines

The proposed development has been assessed against the relevant New South Wales and North Coast coastal design guidelines applying to the site and has been found to be consistent with these as follows:

- The settlement has as compact a footprint as the topography will allow to reduce land take.
- Blocks and streets are walkable and safe.
- Buildings address the street.
- Lot sizes and configurations are designed to support a range of housing types that integrate into the street pattern and the location of functions throughout the settlement.
- Residential areas consist of detached houses
- Buildings are designed to suit the climate and use environmentally sustainable building design and materials.
- Housing types optimise visual and acoustic privacy, integrate passive solar design principles, minimise water use, and seek to achieve architectural distinction and excellence.
- Residential buildings are generally one to three storeys.
- Heights are subject to urban design guidelines.

## 1.5.5 Subdivision

There will be 39 residential development lots on which individual dwellings will be built once the Community Scheme has been registered.

## 1.5.6 Staging

The development will take place in stage as follows:

**Stage 1** demolition of existing buildings and site preparation

**Stage 2** subdivision of the site including earth works and stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront housing and rehabilitation of the 7A zoned vegetation

**Stage 3** erection of dwellings on the individual lots

## 1.5.7 Open Space

There are no changes proposed to the open space network in the amendment to the approved concept plan. The open space network will continue to comprise:

- landscaped buffers to the Pacific Highway
- landscape areas along the central spine road including the landscape stormwater basin
- communal open space behind the dunes
- communal land with road frontages
- private open space within each lot
- retained 7a vegetation and dune vegetation

## 1.5.8 Visual

There will be minor changes in view impacts from the proposed development because heights are reduced on some areas of the site. The view of the site from the highway will be improved with the reduction in the height of the buildings there. Views across the site on the lower levels will remain unchanged and views from the water will be similar but with a reduction in the intensity of the development because of the removal of the residential flat buildings.

### 1.5.9 Traffic and Transport

A comprehensive Traffic Report was prepared for the original concept plan application and forms part of the approval. The conclusions were reviewed on the basis of the proposed amendment. There is no change to the combined access and the developer's previous commitment to formalize the two-lane exit to the access road remains.

An analysis of the revised traffic flows generated by the amended application was undertaken and a comparison made with the traffic flows generated by the previous proposal. It was concluded that the amended application for a 39 lot development has a significantly reduced traffic impact compared to the 122 dwelling proposal.

### 1.5.10 Hazard Management Coastal Processes

In recognition of the recent NSW DECC Draft Sea Level Rise Policy and steeper slope at the southern end of Campbells Beach, opposite the site, and the slightly increased shoreline recession prediction for the southern end, the likely 100-year recession line offset from the dune scarp has been calculated at 50.5m. While this recession is slightly less than predicted by Willings Partners, it is proposed to adopt the Willings Partners defined 100-year recession line for conservatism, and confirm that the development is landward of this predicted future 100-year recession line as proposed in the approved concept plan for the site.

Willings and Partner recommend an oceanic inundation planning level of 7m AHD, which does not make provision for sea level rises on account of climate change. However it is evident that this predicted inundation comprises a number of combined probabilities, constituting an extremely rare event. For example, it is considered

extremely rare that a 100-year still water level would occur at the same time as a 100-year offshore significant wave height. In addition, that at levels of 7m AHD, one would conceivably expect that the majority of wave energy is dissipated and any inundation is minor, being at the upper end of the wave run-up. On this basis, it is proposed to maintain platform and dwelling floor levels as previously specified and approved, however to also make provision for risk adaptive management throughout the project life (up to 2100). In addition, the foundations of the first row of residential dwellings will be designed to withstand wave run up.

Given that the site is located landward of the 100-year recession line and the extremely rare probability that a 100-year still water level event would occur at the same time as a 100-year offshore significant wave height, an Adaptive Risk Management Approach is proposed for the site. The approach is twofold comprising protection of the buffer area between the dunes and proposed dwellings and through the proclamation of a Sea Rise Protection Zone (SRPZ), within the property boundary parallel to the beach. This zone will be 15 m wide, to allow for the future construction of a range of amelioration measures to combat the effects of possible sea level rise. The SRPZ will be in the location of the 50-year hazard line, and will make land available should it be required to manage beach inundation or recession due to sea level rise in the future. The SRPZ will be located in the Community Property whereby it can be managed through the Community Association and governed by special provisions in the Community Management Statement and By-laws. The cost of the amelioration measures will be provided through a sinking fund and special levy depending on the timing and the amelioration measure adopted.

# 1 Executive Summary

## Bushfire

The proposed development will comply with the minimum requirements for:

- Asset Protection Zones detailed in Table A2.6 (Minimum Specifications for Asset Protection Zones for Residential and Rural Residential Subdivision Purposes (for class 1 and 2 buildings) in FDI 80 Fire Areas.
- Access in accordance with section 4.1.3-2 (Property Access) in the manual for Planning for Bushfire Protection (RFS, 2006).

### 1.5.10.1 Measures

A Bushfire Management Plan has been prepared for the site. Its purpose is to:

- Identify the level of bush fire risk for human habitation.
- Identify strategies which will be implemented to manage the identified bush fire risk
- Identify persons responsible for the implementation and the maintaining of the Bush Fire Risk Management Plan (BFRMP).

## Geotechnical

The conclusions in the original EAR Geotechnical report are still applicable to the proposed development. The risk of slope instability against the previous development was assessed to be moderate. This assessment was based on the assumption that the apartment buildings were to be piered and the excavations supported by engineered retaining walls. The risk of slope instability under the proposed development is slightly less than before. However, it will be necessary to assess the risk of individual lots after the subdivision is built and prior to registration of the lots.

## Noise

A revision of the original EAR Acoustic Report was

prepared. It concluded that the noise issue was still related to the proximity of some dwellings to the Pacific Highway. The alteration to the concept plan however did not alter these impacts and the mitigation measures recommended in the original report were endorsed for this amendment.

### 1.5.11 Water Cycle Management

A stormwater strategy has been proposed for the site, which incorporated elements of Water Sensitive Urban Design element and satisfies Coffs Harbour Council's requirements. This strategy incorporated a basin, a subsurface stormwater network of pipes, rainwater tanks, bio-retention swales, pit baskets and a Gross Pollution Trap. A basin concept design has been developed to attenuate flows and allow integration with the existing downstream stormwater pipes discharging to Campbells Beach, with some upsizing of the outlet pipe. A DRAINS stormwater model has confirmed pipe sizes and basin size to adequately manage stormwater to the 100-year ARI event.

### 1.5.12 Archaeology

Davies Heritage Consultants Pty Ltd has reviewed the proposed modification to the original Concept Plan for the site and advises that these modifications do not alter the recommendations of the report.

As a result of the above there are no changes in relation to the matter of Archaeological matters as a result of the proposed amendment to the concept plan.

### 1.5.13 Social and Economic

The social impacts of the development in relation to services and facilities will be decreased because of the reduction in accommodation provided on the site. The resident population is likely to be reduced from an estimated 235 to 100.

All social infrastructure in the area would appear to be adequate for the proposed development and this small increase in population.

The major economic issues associated with the proposed amendment to the concept plan are the removal of the tourist element from the development and the reduction in the number of residential dwellings, which will be accommodated on the site. The site was developed as The Pelican Beach Resort, which comprised 114 suites in a building that stepped down the steep slope to the beachfront. It included a swimming pool, tennis courts, outbuildings, grassed area and direct access to the beach. However, the building became very dated, and did not trade profitably, it would require major reinvestment to remain competitive as tourist accommodation. There is also former restaurant building, now vacant, on the 'top' of the site adjacent to the Pacific Highway (western boundary).

The Pelican Beach Resort ceased trading in 2007 as it was not trading profitably. The original concept plan approval provided for its demolition and replacement with a mixed tourist and/or residential development including communal facilities. It is now proposed to develop the site as a residential development. The closure of the original resort has been addressed and it has been concluded as follows:

- The closure of the hotel will be more likely to shift demand to other hotels in the region operating below capacity, with net loss of jobs likely to be about 10. Total tourist visitation to Coffs Harbour is unlikely to be affected. The additional clientele gained by the remaining hotels may contribute to their ability to reinvest and upgrade their establishments.
- The conference and events sector will lose only 3-4% of the delegate days capacity with event displaced

captured by the remaining venues, although 1% of events may be lost.

- As total visitor numbers are not expected to be affected significantly by the closure, employment and turnover in restaurants, attractions, transport, retail and other tourism supported activities are likely to remain unchanged.
- Given the small overall change from the closure, the multiplier effects of the closure are also expected to be negligible.

These same arguments can be applied to the removal of the tourist element from the concept plan although it should be noted that the tourist element proposed provided a much lower employment generation than the existing resort.

#### 1.5.14 Flora and Fauna

The original EAR Flora and Fauna report has been reviewed and the Vegetation Management Plan for the site updated. The proposed amendments to the concept plan have not altered the conclusions in the original EAR Flora and Fauna Report.

#### 1.5.15 Consultation

During the preparation of this application consultation was carried out with the Department of Planning, Coffs Harbour City Council (planning staff), service (water & sewer) and subdivision engineers, Roads and Traffic Authority, Department of Environment and Climate Change and Country Energy.

No public consultation has been carried out on the proposed amendment as it was considered that the changes were minor and would be publicly exhibited

# 1 Executive Summary

## 1.6 Environmental Assessment

The proposal has been assessed against the requirements of s709c of the Environmental Planning and Assessment Act and has been found to generally comply with all requirements and has been judged to be in the public interest.

## 1.7 Compliance with the DGR's

The following table indicates the location of the matters referred to in the Director General's Requirements for the Environmental Assessment of the project:

MATTER	LOCATION IN EAR
Executive Summary	Sec 1
Description of the changes	
• Development options	Sec 4.4
• Justification	Sec 4.2
• Staging	Sec 4.20
Site Analysis	Sec 3
Statutory and non statutory provisions	Sec 5.1, 5.4, 6.2
Environmental Planning and Assessment Act objects	5.1, 6.2
Impacts of the project	Sec 5, sec 6.3
Statement of Commitments	Sec 7
Plans	Plans A3 Volume
Surveyors Certificate of Cost	Attached

<b>KEY ISSUES</b>	
Strategic Planning	
• Planning strategies	Sec 5.1, 6.2
Subdivision Design layout and Desired Future Character	
• Consistency with character of existing development	Sec 5.2
• Consistency with Residential DCP	Sec 5.1.6
• Consistency with Coastal Guidelines	Sec 5.4
• Type of subdivision	Sec 4.21, 5.5
• Staging	Sec 4.20, 5.6
• Management and maintenance of open space	Sec 4.11, 4.12, 5.7
• Interface between public and private open space	Sec 5.7
Visual impact	Sec 5.8
Traffic Management and Access	
• Traffic impact on area	Appendix 3, Sec 5.9
• Public Access to beach	Sec 5.9.4
Hazard Management and Mitigation	
• Coastal Processes	Appendix 7, Sec 5.10.1
• Bushfire	Appendix 5, Sec 5.10.2
• Geotechnical	Appendix 6, Sec 5.10.3
Integrated Water Cycle Management	
• Change in Impacts	Appendix 9, Sec 5.11
• Modified Plan	Appendix 9, 5.11 A3 plans
Flora and Fauna	
• Impacts on flora and fauna	Appendix 12, Sec 5.14
• Modification to vegetation	Appendix 12, 13, Sec 5.14
Acoustic/Noise	
• Road traffic noise	Appendix 14, Sec 5.10.4
Socio-economic Impacts	
• Social impact assessment	Appendix 4, Sec 5.13
Consultation	Sec 5.15



# 2 Introduction

## 2.1 Background

On 9 May 2007, the Minister for Planning approved a concept plan for a site on the Pacific Highway Coffs Harbour. The concept plan provided for the development of the site for a mixed tourist/residential development comprising open space, dwellings and residential flat buildings. The concept plan approval also included an approval regime for the future applications for the site. This provided that Stage 1 of the proposal relating to demolition, subdivision works and the construction of beachfront houses and buildings would continue to be a Part 3 matter and therefore require the approval of the Minister for Planning. All other applications would be dealt with under Part 4 of the Environmental Planning and Assessment Act and require the approval of Coffs Harbour Council.

It has now been decided to make some amendments to the concept plan to remove the tourist element from the development and to replace the residential flat buildings with dwellings. These uses are permissible under the current zoning of the site.

## 2.2 Site Location

The site is located fronting the Pacific Highway at Coffs Harbour approximately 6km north of Coffs Harbour. The site has frontage to the Highway and stretches from the highway to Campbells Beach.

## SITE LOCATION



## 2 Introduction

### 2.3 Legal Description

The site comprises the following:

- Lot 100 DP 629555
- Lot 101 DP 629555
- Lot 2 DP 800836

The site has an area of 41503m2.

### 2.4 The Applicant

The Applicant for the proposal is Sapphire Beach Development Pty Ltd as trustee for the Sapphire Beach Development Unit Trust. The Applicant is the owner of the land.

### 2.5 The Process

Under the provisions of s75W of the Environmental Planning and Assessment Act (EPA Act) an application may be submitted which amends a concept plan to provide for changes to the scheme for the site. The Director General of the Department of Planning was notified of the applicant's intention to amend the concept plan in December 2008 and on 12 April 2009 Director General's Requirements were received for the preparation of the Environmental Assessment Report (EAR) to accompany the amendment to the concept plan. A copy of these is included in Appendix 1 to this report.

This EAR has been prepared to address these requirements and it, together with the plans and revised consultant reports form the application for the amendment. This amendment will be exhibited by the Department of Planning for public comment before consideration is given to the proposal.

### 2.6 Consultant Team

The EAR is based on information provided by the following:

<b>Cox Richardson</b>	Architects
<b>Sue Davies</b>	Archaeology
<b>GHD</b>	Traffic and Engineering
<b>Bushfire Safe</b>	Flora and Fauna and Bushfire
<b>Jackie Amos</b>	Landscape
<b>SGS</b>	Economics and Social
<b>David Lane</b>	Contamination and Banana Plantation Assessment

### 2.7 Consultation

During the preparation of this application consultation was carried out with the Department of Planning, Coffs Harbour City Council (planning staff), service (water & sewer) and subdivision engineers, Roads and Traffic Authority, Department of Environment and Climate Change and Country Energy.

## 2.8 Documentation

The documents referred to in this report are as follows:

- Sapphire Environmental Assessment Report PTW Planning August 2006, Vols 1, 2 and 3 Including the following Appendix consultant Reports:
  - Flora and Fauna Assessment
  - Sapphire Draft Plan of Management
  - Bushfire Risk Management Plan
  - Assessment of Historic Values  
Pelican Beach Resort
  - Letter from Coffs Harbour &  
District Local Aboriginal  
Land Council
  - Economic Impact Assessment
  - Coastal Hazards, Water Management  
and Services Assessment
  - Planning Stage Acoustic Assessment
  - Preliminary Traffic Study
  - Landscape Master Plan
  - Phase 1 Preliminary Site Investigation

(These reports are referred to throughout this report as  
“Original EAR and name of the report”)

- Sapphire Preferred Project Report and Statement of  
Commitments Report PTW Planning February 2007
- Concept Plan Approval No 06-0148 dated 9 May 2007  
and Statement of Commitments

(Referred to as concept plan approval).

### 3.1 Existing Site Conditions and Use

The site lies between the Pacific Highway and Campbell's Beach. The landscape in the area is undulating with the Korora basin to the west of the highway. The basin includes a series of natural drainage lines that ultimately drain under the highway and to the ocean. The site is located between two ridgelines approximately 450m apart. The first traverses the northern part of Coachman's Close, south of the site. The second ridgeline runs west to east from the highway at Sapphire Beach Apartments. Located below the highway and below the ridgeline much of the site is tucked into a depression.

There is a fall from 27.00m AHD at the Highway to 6.00m AHD on the foreshore.

The site is currently developed with buildings and structures comprising a 114 suite resort. Use of the resort ceased in 2007. There is a disused restaurant building and car park on the higher part of the site and the main resort buildings are approximately halfway down on the lower level of the site. The resort recreation facilities, including a swimming pool, are on the lower ground behind the beach.

Access to the site for vehicles is via a shared driveway from an intersection with the Pacific Highway. This access way is shared with residential properties and the Nautilus Resort. The Roads and Traffic Authority is planning an upgrade of the highway at this location and the intersection, which provides this access, is to be upgraded.

Access through the site is via a road down the southern side of the site to the front of the resort building and car parking area. There are car parking areas at the upper

level of the site, in the centre of the site and along the southern boundary of the site. There are currently a total of 134 car parks on the site and a parking space for a coach.

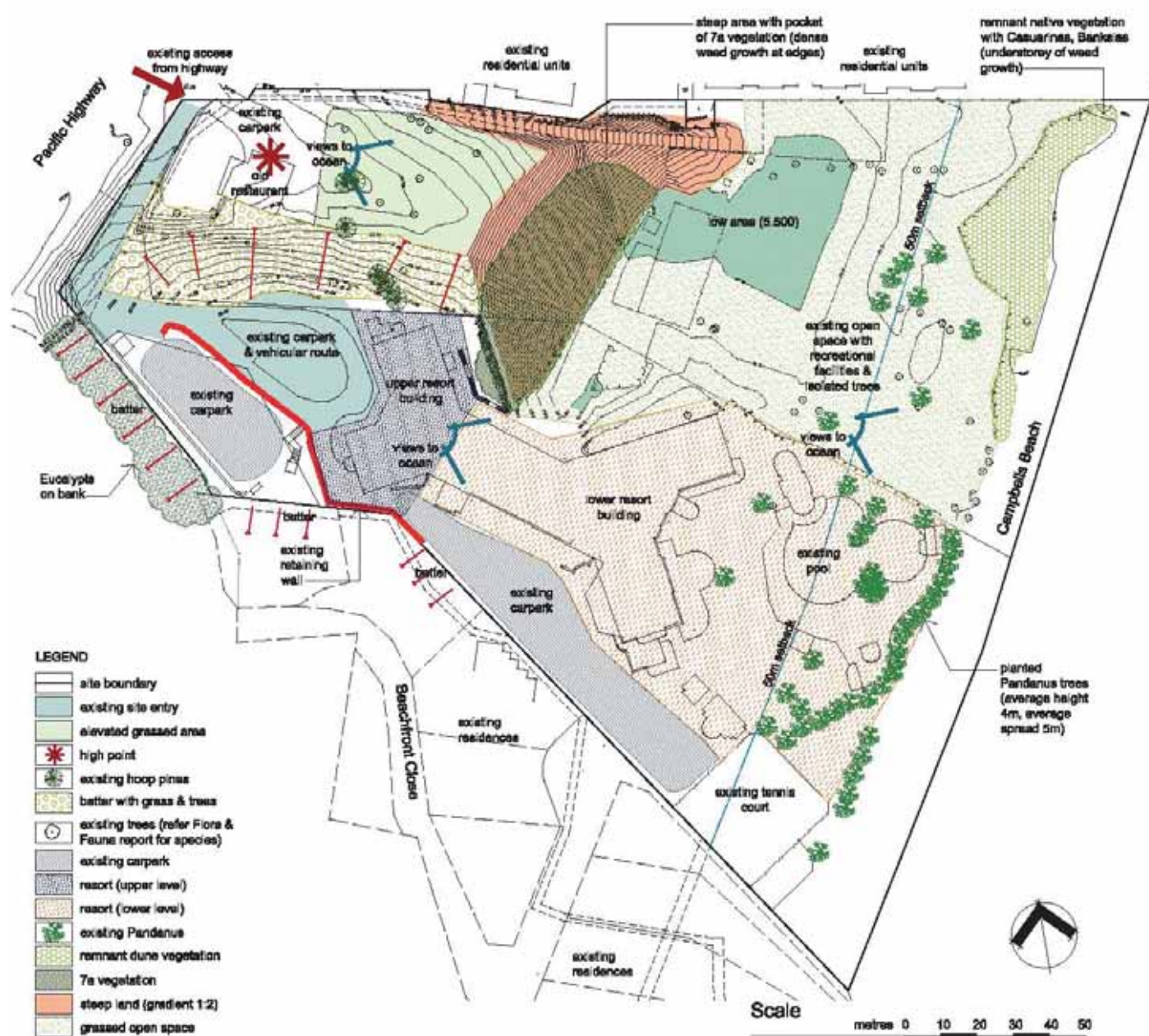
There is also a steep access road way along the northern boundary of the site (which is an easement for access to the Coffs Harbour Council sewerage pumping station) but vehicles rarely use this. It does provide pedestrian access from the Highway to the beach area but is not a designated public access route.

Pedestrian access is available through the site and along the beach although there are currently no public access routes through the site.

There is an area in the centre of the site, which is steeply sloping and heavily vegetated and zoned as an environment protection area.



## EXISTING SITE CONDITIONS AND USE



# 3 The Site & the Existing Concept Plan

## 3.2 Approved Concept Plan

The Concept Plan resulted from detailed site investigations. These showed that the site was steeply contoured in places with significant vegetation located both on the steepest part of the site and dune area adjacent to the beach. The site was also visually prominent when viewed from the water and some adjoining sites as well as from the highway.

The urban design objective was to retain the significant features on the site, linking them with the proposed 'green' corridors. The principle organizing element was to be a visual corridor extending east/west from the highway to the water creating a green open space spine. This spine incorporated green areas running north/south along the contours. Building zones were organized within the development screened by vegetation.

An area on the water was to be the principle common open space for the community at Sapphire Beach. The urban design structure was reinforced by water sensitive urban design principles.

Built form was to be integrated into the landscape structure noted above. Buildings were within the 14metre height limit and tree canopy. Lightweight roofs were grouped along the tree canopy. The buildings were to be predominantly lightweight with generous overhangs, sun shading and lightweight construction. Colours were to compliment the tropical vegetation.

This Concept Plan was approved on 9 May 2007. The approval was for a mixed tourist and/or residential development comprising a maximum total gross floor area of 24,020m<sup>2</sup> (an additional 5945m<sup>2</sup> of balconies could be provided) The maximum number of bedrooms allowable was 338.

The development included:

- Communal facilities including an office, reception area, commercial kitchen, pool and gymnasium
- Communal open space of 3715m<sup>2</sup>
- Subdivision of the site into 26 lots in a community title scheme
- A maximum of 270 car parking spaces
- Access roads and
- Revegetation and rehabilitation works

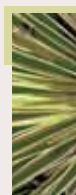


## EXISTING CONCEPT PLAN



*Sapphire*

## SK.01 Landscape Masterplan



Jackie Amos landscape architect

# 3 The Site & the Existing Concept Plan

## 3.3 Studies Supporting the Concept plan

### 3.3.1 Coastal Foreshore

The building development was proposed to be sited landward of the 100year Hazard Line as identified along the coastal area by Coffs Harbour City Council.

A Vegetation Management Plan was prepared which set out a process for the restoration and ongoing management of the foreshore areas and 7A conservation area on the site. This was to be an ongoing process in consultation with the Council and the local community. Public access was to be provided along the northern boundary of the site to the beach to join to the coastal walk along the beach area.

### 3.3.2 Flora and Fauna

The proposal did not result in any loss of native vegetation and no threatened species would be impacted on by the proposals. A Vegetation Management Plan was prepared to provide for the revegetation and on going management of the 7A area and the dune area on the site.

The desired outcomes of the plan were:

- To conserve biodiversity and maintain ecosystem function of the reserve
- To rehabilitate and maintain the land to its natural state and setting;
- To provide for appropriate linkages with vegetation & access corridors;
- To ensure that the use and management of the foreshore and 7(a) areas is in keeping with NSW Coastal Policy 1997, The Guiding Principles of Ecologically Sustainable Development and other relevant legislation and policies
- To provide for community use of and access to the land in such a manner that will facilitate the ecologically

sustainable use of the foreshore and to minimise and mitigate any disturbance on the foreshore caused by community use;

- To maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area;
- To ensure the principal values of the foreshore are protected and enhanced environmental, cultural heritage, recreational, visual, scenic tourism

### 3.3.3 Bushfire Hazard Assessment

A Bushfire Risk Management Plan was prepared for the development of the site and it concluded that the development could be safely carried out on the site and that it complied with the requirements for Asset Protection Zones and that access was in accordance with the requirements in Planning for Bushfire Protection 2001.

### 3.3.4 Contamination

There were no acid sulphate soils on the site and the site was considered to be suitable for the proposed development in terms of contamination issues.

A Phase 2 Environmental Assessment has been carried out. This includes a Banana Plantation Assessment and is included in Appendix 15.

### 3.3.5 Visual and Landscape Assessment

The development was to be constructed to the highest standards of design and the proposals adopted the principles of sustainability both in relation to the layout of the site and the design of the buildings. The buildings were to be predominantly light weight with generous overhangs and sun shading devices. Light weight roofs would be grouped along the tree canopy. Colours used would complement the tropical vegetation.

A Landscape Master Plan was prepared for the proposal which provided for landscaping which would soften the built form and contribute to the overall setting of the proposal. The landscaping was to be carried out in distinct zones related to the natural features of the site. The 7A area and the dune area were integrated into a vegetated core which ran through the site with fingers stretching along the access ways to the buildings..

Although the development would have some visual impact it would be seen in the context of the landscaping on the site and the green escarpment behind. There would not be any blocking of views of the beach and the water from public viewpoints around the site.

### 3.3.6 Heritage/Archaeology

There are no heritage items on the site and there are no items of cultural heritage on the site.

### 3.3.7 Traffic and Transport

The current access to the site is shared with other developments and it was proposed that this would continue to be the access point to the site. Although it was unlikely that there would be significant increases in traffic generated by the site over that, which existed at the time, there was an issue with the operation of the intersection of the site and the Pacific Highway. This

intersection operated extremely poorly during the am and pm peak periods due to insufficient gaps for traffic turning at the intersection. The Roads and Traffic Authority (RTA) was at that time formulating the Coffs Harbour Pacific Highway Planning Strategy and had prepared a number of options for improvements to the highway. The upgrade programme was to be staged over a number of years. Interim measures suggested at the time included:

- Construct a continuous median at the intersection to provide left-in, left-out movements for Campbell Close and Pelican Beach Resort access. Consideration to be given for U-turn facilities either side of this location;
- Restrict movements from Campbell Close and Pelican Beach Resort access to left only. Again, consideration was to be given for U-turn facilities either side of this location, and;
- Provide a “seagull” intersection layout. This would eliminate the cross highway movement at the intersection in addition to limiting access to/from Campbell Close to left in, left out. The provision of this arrangement was included in one of the two upgrade options developed by the RTA as part of the Coffs Harbour Pacific Highway Planning Strategy.

As the planning of this development progressed it was proposed that ongoing discussions would be held with the RTA in relation to this issue.

Subsequent to the exhibition of the concept plan, discussions were ongoing with the RTA. However it was proposed in the Preferred Project Report to fund the formalisation of two lane exit from the site through line marking.

### 3.3.8 Service Capability

As the site was already developed with 114 tourist suites and associated facilities infrastructure was available to the

## 3 The Site & the Existing Concept Plan

site. This was considered sufficient for the development proposed in the concept plan.

### 3.3.9 Urban Context

The site is located along the coastal strip to the north of Coffs Harbour. There are several settlements along this area as follows:

- Korora
- Opal Cove Resort
- Hills Beach Reserve
- Residential area accessed from Coachman's Close
- Nautilus Resort
- Sapphire Beach Apartments
- Sapphire to the north
- Korora Basin accessed from the Old Coast Road

Generally these are a mixture of residential and tourist developments built with access to the foreshore area and occupying the land between the Highway and the beach. Most of the developments are well established with large residential lots and substantial hotel/motel buildings set in vegetated landscapes.

### 3.3.10 Social and Economic Context

The new development was to have created 3 – 20 jobs associated with the visitor accommodation after completion offsetting the 10 direct jobs lost in the existing Pelican Beach hotel and not picked up by other hotels. There would have been 225 direct jobs created during the construction of the development.

The new development would also have provided housing for up to 235 persons in 122 dwellings and additional holiday unit accommodation in Coffs Harbour, which was a growth sector of the holiday accommodation market at that time.

The development was thought likely to attract high net worth individuals and this would further contribute to the economic development of the region. Generally the redevelopment of the site was expected to have positive economic and social impacts in the Coffs Harbour area

### 3.4 Staging

The Concept Plan approval provided for the following staging:

**Stage 1** will comprise demolition of the existing buildings, general clearing of the site of all structures, fencing of the dunes and 7A zoned vegetation, subdivision, the construction of the northern block of beachfront villa housing and buildings 9 and 10 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront villa housing.

**Stage 2** will comprise construction of buildings 2, 4a and 4b (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and rehabilitation of the 7A zoned vegetation

**Stage 3** will comprise construction of southern block of beachfront villa housing and building 8 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and dune rehabilitation in front of the southern beachfront villa housing

**Stage 4** will comprise the construction of buildings 1,3,5,6 and 7 (as shown on drawing SK27 – Key Plan Heights – Building and Balcony GFA's), and application of the final 25mm of bitumen to the central access road



Stage 1 is to be constructed first. The order of subsequent stages was not prescribed.

### 3.5 Approvals Regime

The Concept Plan consent provided that future applications, apart from Stage 1 and Stage 3 which were to be determined under Part 3A of the EPA Act, were to be determined under Part 4 of the EPA Act.

### 3.6 Additional Conditions

#### 3.6.1 Modifications to the Concept Plan

##### Building Height

- Block 10 not to exceed 14m in height
- Beachfront villas to be a mix of single and two storey dwellings

##### Subdivision

- Strata titling of apartments and town houses restricted to buildings and private courtyards
- All remaining gardens open space and roads to be managed as one lot under the community scheme

##### Revegetation and Rehabilitation

All revegetation and rehabilitation of the dunes behind Campbell's Beach to be undertaken as part of Stage 1 works.

#### 3.6.2 Future Applications

##### Coastal Hazard

Prior to the commencement of works a registered surveyor must determine the location of the 100year coastal hazard planning line (as per Willing and Partners, Map 1 Campbell's Beach Hazard Lines September 1999) on the property and all buildings must be constructed landward of this line.

##### Works Seaward of the Foreshore Building Line

The front yards of the beachfront housing must be extensively landscaped to integrate with the adjoining

communal open space. Any fencing proposed seaward of the 100 year hazard line is to be of permeable materials.

##### Dune Management Plan

A Dune Management Plan providing detail of the proposed dune rehabilitation behind Campbell's Beach is to be submitted with the development application for the Stage 1 works.

##### Line marking of Access

Access way to site to be line marked to provide right and left turning lanes and plans approved by the RTA.

##### Demolition Management Plan

Report re asbestos and lead based paint to be lodged to Council with the Stage 1 development application for the site. If present a Demolition Management Plan is to be prepared.

##### Stormwater Management Plan

Detailed designs of the upgrading of the stormwater system must be submitted to and approved by Council with the Stage 1 development application for the site.

##### Geotechnical Assessment

Assessment to accompany each application for the construction of buildings.

##### Aboriginal Heritage

Assessment to be approved by DECC prior to the lodgement of the first development application for the site.  
Indigenous Cultural Heritage Induction  
All construction personnel to undergo an indigenous cultural heritage induction

##### Public Access to Campbell's Beach

The complete length of access to Campbell's beach to be established as a right of way when subdividing the site.

#### 4.1 Introduction

The proposed amendments to the approved concept plan are as follows:

- Removal of the tourist component of the use of the site
- Removal of the residential flat buildings and their replacement with detached dwellings
- Reduction in the number of dwellings from approximately 122 to 39
- Alteration of the beachfront houses from 16 to 14 and from attached to detached dwellings
- Removal of the communal facilities (including an office, reception area, commercial kitchen, pool and gymnasium)
- Increase in the number of lots subdivided on the site from 26 to 42 (39 residential lots and 3 community title lots for the roads, conservation area and open space)
- Inclusion of some common areas related to the residential flat buildings into the individual lots
- Reduction in the number of car parking spaces from 270 to 78
- Reduction in the gross floor area of the development by approximately 10,000m<sup>2</sup>
- Reduction in the approximate number of bedrooms by approximately 168 to 170
- Minor changes to the lot shapes and sizes
- Other minor changes related to the above
- Changes to the approvals regime for the site to provide for all future applications to be dealt with under Part 4 of the Environmental Planning and Assessment Act

All other works on the site will remain generally as in the concept plan approval.

#### 4.2 Significance of Proposed Changes

The proposed amendments alter the development of the site from a mixed tourist/residential development to a residential development. Further, the removal of the residential flat buildings, alters the concept of the development from a generally strata titled comprehensive development to the subdivision of the site into residential lots which can be sold for individual development.

The major issues of significance brought about by the proposed changes to the concept plan are as follows:

- Decrease in the availability of tourist accommodation in the area
- Reduction in the number of dwellings on the site
- Alteration in the mix and range of dwellings on the site
- Alteration in the possible urban design outcomes of the development
- Alteration in views to and from the site
- Changes in required cut and fill on the site

There are also some additional matters, which need to be considered because of changes in planning controls and policies since the approval of the original concept plan.

These are:

- Draft Sea Level Rise Policy
- Mid North Coast Sub Regional Strategy
- Approval of the Sapphire/ Woolloogoolga section of the Pacific Highway
- Publication of North Coast Urban Design Guidelines
- Introduction of New South Wales Housing Code Guide to Complying Development

Further, the Director General's Requirements requested the consideration of additional matters namely the social impact of the proposal.





# 4 Proposed Changes to the Concept Plan

Additionally as part of the review of the development of the site some changes have been made to the landscaping proposed on the site, stormwater, bushfire and vegetation management. These changes are minor and do not alter the overall impact of the development.

## 4.3 Additional Studies Carried Out

As a result of the proposed changes proposed to the concept plan and the Director General's Requirements, additional consultant studies were carried out for the preparation of this EAR. These were:

- Revision of the Traffic Report
- Revision of the Visual and Landscape Report
- Revision of the Bushfire Report
- Revision of the Archaeology Report and production of final report
- Revision of the Vegetation Management Plan
- Revision of the Design Guidelines
- Revision of the Social and Economic Impact Report
- Revision of Traffic Noise Report
- Revision of Engineering Reports

These have been prepared and are included in the Appendix to this EAR. Where no significant changes are proposed which will impact the findings of the original studies, such as the Original EAR Flora and Fauna Report, the original report remains unchanged and has not been attached to this EAR.

## 4.4 Development Options

Before the original development concept for the site was approved several options were considered in relation to the future development of the site. These included:

- The Refurbishment of the existing resort
- The conversion of the existing resort to another use
- The development of a new hotel on the site
- A residential development on the site
- A medium density development on the site

The resort on the site was trading well below its capacity and part of the reason for this was the run down state of the buildings and the fact that they did not offer up to date state of the art resort accommodation for guests. As a result, it was necessary to consider options for the future of the site. The refurbishment of the existing resort would have been an expensive option and it would have been unlikely to increase proportionally the visitation rates to the resort for the amount of money spent. The original EAR Economic Study, showed that there was currently no growth in the tourism market in the area and that many hotels in the area were operating below capacity. As a result, it seemed that the investment in the refurbishment of the resort would not provide economic benefits to the area. This situation has worsened considerably since that time and the resort on the site has closed down and ceased trading.

The possibility of converting the resort to a residential use was also investigated but the layout and location of the existing buildings was such that this was not a viable alternative for the site.

As the original EAR Economic Study had shown a downturn in tourism in the area and a change in the type of accommodation tourists sought, away from hotels

and more towards apartments, it was decided that the construction of another hotel on the site would not provide for demand and would detract from the trade of the existing hotels in the Coffs harbour area.

A residential only development was also considered but the land is within the Residential Tourist 2E zone in the Coffs Harbour Local Environmental Plan (LEP) and as such the land is zoned to encourage tourism development. At the time of the original application it was considered that the development should include a tourist element. Since that time tourist numbers in the area for this type of accommodation have dropped further and the original proposal is not considered to be sustainable.

The zoning of the site also permits residential development and in fact the approval of the concept plan was for a tourist and/or residential development of the site. There are 391 hectares of land zoned Residential Tourist 2E in Coffs Harbour and all of this is located primarily along the Pacific Highway. This site represents just over 1% of the land zoned in this way and is part of the waterfront land zoned for these purposes. The zoning of the site does not provide that every site should have a mixture of residential and tourist on it. It is assumed that the zoning, as with mixed use zones, provides that this mix should occur in the overall zoned area. As a result it was decided that a residential only development could satisfy the objectives of the zone, was consistent with the existing approval and would not detract from the tourist potential in the area.

The original EAR Economic Study had shown that tourist development was also permitted in many other zones in Coffs Harbour especially in the Business Zone, which permits a similar range of uses to the 2E zone. Given the scope of areas where tourist development is permitted in Coffs Harbour it was considered that the loss of the

small amount proposed on this site would be of little consequence to the future development of the tourist industry in Coffs Harbour.

#### 4.5 Development Objectives

The development objectives adopted for the changes to the concept plan are as follows:

- Provide for a sustainable design for the subdivision of the site into dwelling lots
- Ensure there are no adverse impacts on the areas of conservation value on the site
- Continue to protect and enhance the dunal area on the site
- Provide an outline of design guidelines for the development of dwellings on the site
- Establish an Australian coastal architectural character for the buildings within a dominant landscaped setting
- Retain pedestrian and vehicular access routes to and from the site and the foreshore
- Ensure that the proposed changes to the concept plan continue to comply with the relevant planning controls applying to the site
- Ensure there are no adverse environmental impacts on the surrounding environment, including the Marine Park, from the proposals

# 4 Proposed Changes to the Concept Plan

## 4.6 Sustainability Development Principles

The approved concept plan was based on principles of Water Sensitive Urban Design including the provision of water tanks for single dwellings, town houses and apartments, water efficient plumbing and fittings.

All dwellings were oriented to ensure solar access to private open space and living areas in mid winter, protection from the sun in summer through generous eaves and balconies and cross ventilation and were to incorporate energy efficient lighting, gas cooking and gas boosted solar hot water systems.

The detailed planning of the development was to ensure that the proposals would comply with the requirements of SEPP 65 and the Residential Flat Design Code and BASIX.

The development is located on an existing bus route on the Pacific Highway and has direct pedestrian access to the coastal walk. Landscape material was to be selected to minimise the need for water.

The amendment to the plan will also follow these principles with the removal of the residential flat buildings providing the opportunity to provide a residential subdivision, which allows optimum positioning of dwellings to achieve the sustainability principles. The proposed Design Guidelines allocate a building envelope to each individual lot and require compliance with BASIX requirements and other sustainability principles.

It has also been decided to recycle material from the demolition of existing buildings and structures for site filling as a further measure.

## 4.7 Subdivision Layout

The amendment to the approved concept plan provides for the subdivision of the site into 42 lots as follows:

- 14 Beachfront lots (lots 1-14)
- 11 Beach Garden lots (lots 15-25)
- 8 Hillside lots (lots 26-33)
- 6 Hilltop lots (lots 34-39)
- 3 communal lots (lots 40, 41, 42) (conservation area, road reserves, communal open space)

Each of the 39 residential lots will be for a residential dwelling.

These lots occupy the same site area as in the approved concept plan apart from minor boundary adjustments in some areas. The larger lots which formerly contained residential flat buildings have been further subdivided thus increasing the number of proposed lots on the site from 26 to 42.

The lots are orientated east/west to maximise solar areas and cross ventilation to individual houses and to provide opportunities for ocean views from each house.

Access to the lots has not been altered from the approved concept plan and is provided through a centrally located east/west spine road connected to a north/south road providing access to the beachfront and beach garden lots.

Lot sizes range from 400m<sup>2</sup> to over 900m<sup>2</sup>.



Residential		Residential		Hillside		Hillside		Conservation Area	
1	803.5m <sup>2</sup>	15	455.1m <sup>2</sup>	26	803.1m <sup>2</sup>	34	520.3m <sup>2</sup>	40	912.1m <sup>2</sup>
2	554.4m <sup>2</sup>	16	462.3m <sup>2</sup>	27	654.3m <sup>2</sup>	35	558.1m <sup>2</sup>		
3	558.2m <sup>2</sup>	17	458.0m <sup>2</sup>	28	547.8m <sup>2</sup>	36	524.4m <sup>2</sup>		
4	558.2m <sup>2</sup>	18	458.0m <sup>2</sup>	29	547.8m <sup>2</sup>	37	524.4m <sup>2</sup>		
5	558.2m <sup>2</sup>	19	458.0m <sup>2</sup>	30	547.8m <sup>2</sup>	38	552.2m <sup>2</sup>		
6	558.2m <sup>2</sup>	20	458.0m <sup>2</sup>	31	554.4m <sup>2</sup>	39	775.7m <sup>2</sup>		
7	558.2m <sup>2</sup>	21	447.3m <sup>2</sup>	32	481.2m <sup>2</sup>	40	775.7m <sup>2</sup>		
8	558.2m <sup>2</sup>	22	458.0m <sup>2</sup>	33	701.3m <sup>2</sup>				
9	558.2m <sup>2</sup>	23	458.0m <sup>2</sup>						
10	558.2m <sup>2</sup>	24	458.0m <sup>2</sup>						
11	558.2m <sup>2</sup>	25	458.0m <sup>2</sup>						
12	558.2m <sup>2</sup>								
13	558.2m <sup>2</sup>								
14	558.2m <sup>2</sup>								

TOTAL FOR LOTS 22244m<sup>2</sup>

NOTE -  
LOT 42 - ROAD AND ROW  
(RIGHT OF WAY) COMMUNITY LOT

# 4 Proposed Changes to the Concept Plan

## 4.8 Uses

The uses proposed for the site are residential, (single dwellings), roads, open space and conservation.

## 4.9 Bedrooms

The proposed 39 dwellings could produce up to 170 bedrooms.

## 4.10 Height of Buildings

The buildings on the site will be primarily a maximum of 2 storeys. However, on 9 lots adjacent to the Pacific Highway and below the 7A zone 3 storeys will be permitted.

## 4.11 Open Space

The major open space areas will remain as in the approved concept plan as follows;

- the pedestrian pathway along the main road;
- the public pedestrian access to Campbells Beach along the northern extent of the site;
- the landscaped parkland at the central beach link;
- the landscaped area to the west of the dune;
- the protected and rehabilitated 7(a) zone; and
- the public open space at the nearby Campbells Beach.

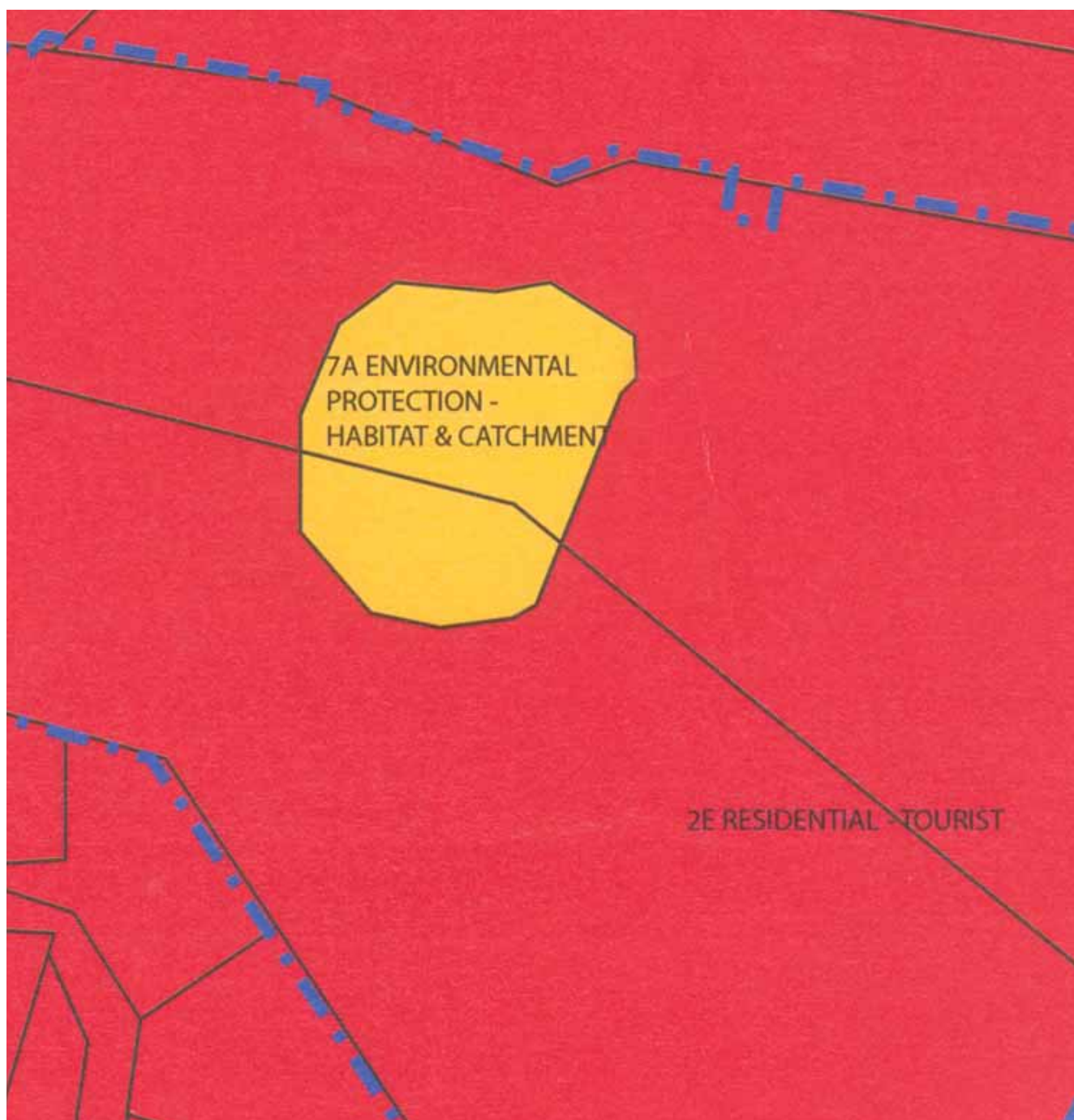
The communal open space has an area of 9224m<sup>2</sup>. The 7A conservation zone measures 2368m<sup>2</sup>.

## 4.12 Conservation Areas

There are no changes to the Conservation Area proposed in this amendment. This area is the area of the site, which is zoned 7A, and it will be conserved as provided for in the approved concept plan.

A comprehensive Vegetation Management Plan was prepared for the proposed concept plan and this has been reviewed in relation to the amendment. A copy of this is included in Appendix 12 to this EAR. Some minor changes have been made to the plan in relation to the treatment of the vegetation in the dunal area to ensure that the area is properly stabilised.

CONSERVATION AREA





# 4 Proposed Changes to the Concept Plan

## 4.13 Residential Areas Built Form

The eventual built form on the site will be determined by the Design Guidelines which provide information for lot owner in relation to the location, design and style of housing which will be acceptable on the lots.

The proposed development of the lots will comprise 39 two and three storey single detached dwellings in four distinct precincts as follows:

### 4.13.1 Beachfront Housing

Beachfront houses will respond to the unique location with a distinctive built form in a vernacular style representative of NSW North Coast beach architecture, consistent with the NSW Department of Planning North Coast Urban Design Guidelines 2009 and Coastal Design Guidelines for NSW. Individual buildings are to be a maximum of two storeys and provide for view corridors to facilitate ocean views from the first floor of the Beach Garden Precinct dwellings through the incorporation of a single storey element within the building envelope.

### 4.13.2 Beach Garden Housing

The Beach Garden Houses are to complement the architectural style and character of the Beachfront Houses with a distinctive form representative of Australian vernacular styles of beach architecture consistent with the NSW Department of Planning North Coast Urban Design Guidelines 2009 and the Coastal Design Guidelines for NSW.

Individual buildings will be designed to take advantage of the view corridor provided by the Beachfront Houses and may be up to three storeys in height on nominated lots.

### 4.13.3 Hillside and Hilltop Housing

Hillside and Hilltop houses will respond to the variations in

topography and changes in level along the central spine road from the beachfront to the highway. Individual houses will be sited and designed to maximise views of the water to the east by overlooking of building roofs at lower levels and/or view corridors between buildings at lower levels and along the central access road.

The houses are to reflect a distinctive vernacular built form representative of Australian North Coast Australian beachside homestead architecture incorporating elements such as verandahs, raised ground level floors, metal roofs, and painted weatherboard cladding in an open sub-tropical landscape setting.

## 4.14 Landscape

A Landscape Master Plan was prepared for the approved concept plan and this has been updated to deal with the proposed changes to the plan. A copy of the revised document is included in Appendix 13 to this EAR. The landscape guidelines included in this plan will be included in the Design Guidelines for the site.

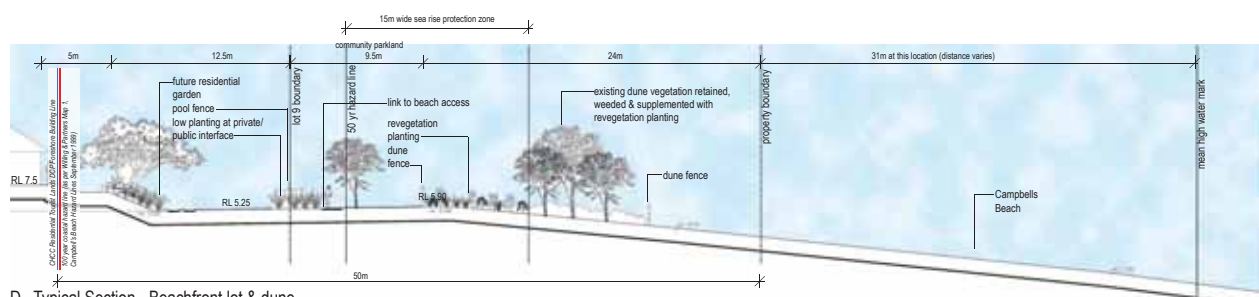
The Landscape Master Plan is based on the following principles.

- the retention of the 7a vegetation and dune vegetation
- the rehabilitation and strengthening through buffer planting of retained indigenous vegetation
- the creation of a development with a high visual amenity
- providing for community access to the beach
- providing for public access to the 'Coastal Walk' and Campbells Beach
- providing communal parkland to the development
- the creation of an environmentally and visually appropriate interface between private and communal space

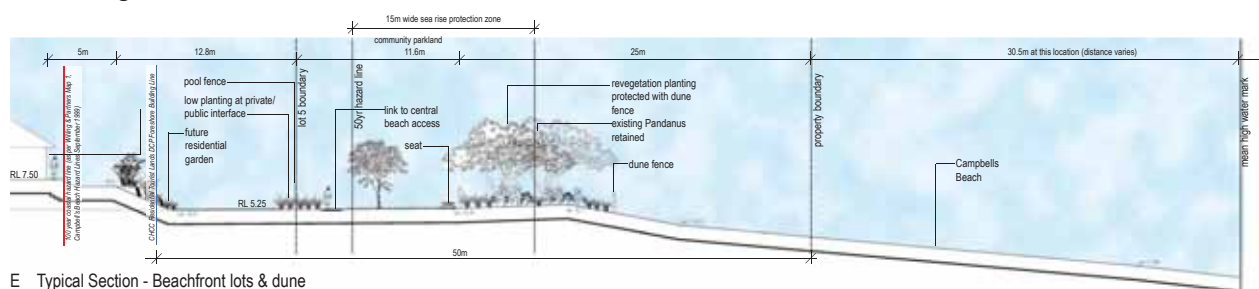


- the integration of landscape strategies with storm water management
- the use of indigenous plant species within landscape works.

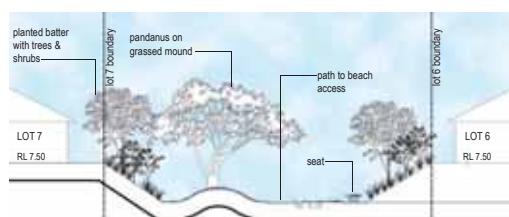
## LANDSCAPE



D Typical Section - Beachfront lot & dune  
Scale 1:250 @ A3



E Typical Section - Beachfront lots & dune  
Scale 1:250 @ A3



F Typical Section - parkland

## sapphire

Landscape Cross Sections

Scale  
metres 0 1.2 2.4 3.6 4.8 6



# 4 Proposed Changes

## to the Concept Plan

### 4.15 Site Services

The issue of the supply of services to the site has been reviewed and a copy of this advice is included in Appendix 11 to this EAR.

As the site was developed with 114 tourist suites and associated facilities infrastructure is available to the site. This was considered sufficient for the development proposed in the concept plan. The proposed change to the concept plan will slightly reduce the demand on services for the site and the original conclusions in relation to the adequacy of services has been validated.

A revised stormwater plan has been prepared for the site and this is discussed in s4.11 of this EAR.

### 4.16 Access and Car Parking

Access to the site from the Pacific Highway will remain as it is in the approved concept plan.

Vehicular and pedestrian access will then be provided to each lot from a main spine road extending from the Hilltop to the beach front connected to a north/south road on the lower part of the site designed as a share way, providing access to the Beachfront and Beach Garden lots. These roads are the same as those in the approved concept plan.

A secondary access will be provided from the main entry to the Hilltop lots through the upgrading of the existing right of way along the northern boundary connected to a north/south right of way servicing the 6 lots.

Alternative access for emergency vehicles will be provided utilising the existing right of way to the sewer pump station and connected to the north south beachfront share way road. All of these roads and connections are as in the approved concept plan.





# 4 Proposed Changes to the Concept Plan

## 4.17 Pedestrian Access and Bikeways

As provided for in the approved concept plan, pedestrian access will be available through the site along the main road joining the site entry to the beachfront and joining up with the coastal walk. There will also be a public access route through the site along the northern side of the site to the beach. The original pedestrian connection to Coachmans Close through the landscape buffer along the western boundary interface with the Pacific Highway has been maintained to contribute to the development of the Coastal Walk

It will be possible for cyclists to use the access ways on the site.

## 4.18 Design Guidelines

It is proposed that detailed Design Guidelines will be prepared for the site and will accompany the development application for the subdivision of the site. An outline of the contents of these has been prepared to accompany this application and this is attached in Appendix 8 to this EAR.

The principal aim of the Design Guidelines is to create high quality dwellings within a distinctive North Coast beachfront landscape setting Sapphire apart as a special place to live. The controls are intended to produce a consistent image while maintaining opportunities for diversity of product and variety in design within each part of the community. This strategy will help guide the Council and developer, when approving development, to protect the values of property and provide ability for variation in building concepts within the context of an integrated community.

The key purposes of the guidelines are to:

- Assist purchasers, designers and builders in selecting, designing, and building detached dwellings that are well suited to the lot, taking maximum advantage of ocean views, open space and internal planning.
- Produce detached dwellings that create streetscapes, which maximise the amenity and attractiveness of the public domain, including streets and beachfront open space and cars and garages do not dominate that.
- Distinguish particular places and frontages where a defined treatment should be incorporated such as along main entry routes.

While the document will set out a definitive set of guidelines, it will be carefully formulated to offer a wide range of choice in form and materials, allowing diversity.

The major objectives of the guidelines are to:

- Ensure a high standard of design of dwellings on the site
- Ensure some consistency in the design and appearance of the dwellings on the site
- Establish an Australian coastal architectural style for the site
- Define and protect view corridors through the site
- Provide for a high standard of landscaping on the individual sites
- Provide measures relating to sustainability, acoustics, access and privacy

#### 4.19 Consent Authority

It has been discussed with the Department of Planning that they no longer wish to be involved in the project once the concept plan is amended. The original consent provided for Stage 1 and Stage 3 of the project to be subject to Part 3A of the Act. Stages 2 and 4 were to be subject to Part 4.

##### **Stage 1 comprised**

Demolition of the existing buildings, general clearing of the site of all structures, fencing of the dunes and 7A zoned vegetation, subdivision, the construction of the northern block of beachfront villa housing and buildings 9 and 10, stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront villa housing

##### **Stage 3 comprised**

The construction of the southern block of beachfront villa housing and building 8 and dune rehabilitation in front of the southern beachfront villa housing

As it is now proposed to subdivide the land as the initial stage of the development and then allow the development subject to design guidelines which will form part of the approval of the revised concept plan it would seem more appropriate that applications for this be dealt with by Coffs Harbour City Council. If the matter were subject to Part 3A of the Environmental Planning and Assessment Act the Department would be reliant on the advice of the Council in relation to the subdivision application and as a result it would be time saving for the Council to deal with the matter. It is considered that once the amendment of the concept plan is approved there will no longer be any matters of State or Regional significance involved in

the proposal and the matter should be dealt with by the Council.

It is proposed that a Part 3A project application under the original concept plan approval will be lodged at the same time as this amendment to enable the demolition of existing buildings on the site and the general clearing of the site and fencing of the dunes as provided for in the consent conditions. All approvals after this should be dealt with under the provisions of Part 4 of the Act.

#### 4.20 Staging

The staging for the proposal will be as follows:

**Stage 1** demolition of existing buildings and site preparation

**Stage 2** subdivision of the site including earth works and stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront housing and rehabilitation of the 7A zoned vegetation

**Stage 3** erection of dwellings on the individual lots

#### 4.21 Subdivision

The subdivision for Sapphire will be a Community Scheme developed and managed in accordance with the Community Land Development Act 1989 and the Community Land Management Act 1989.



# 5 Environmental

## Assessment Key Issues

### 5.1 Strategic Planning

#### 5.1.1 Introduction

#### 5.1.2 Commonwealth Matters

There are no Commonwealth matters, which need to be considered in relation to this change to the concept plan. The Environment Protection and Biodiversity Act is not activated by the proposals.

#### 5.1.3 State Planning Strategies

##### **Environmental Planning and Assessment Act**

S 5A of the Act provides that in dealing with development, consent authorities have to take into account whether there is likely to be a significant effect on threatened species, populations or ecological communities or their habitats.

*Part 3A of the Act sets out the procedures for dealing with applications for major projects.*

The proposed change to the Concept plan does not alter the compliance of the development with these provisions. The areas on the site considered of environmental conservation value are to continue to be protected as set out in the approved concept plan

##### **State Environmental Planning Policy 2005 Major Projects**

*This policy defines certain developments that are major projects under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning.*

Under the provisions of this policy, the redevelopment of the Pelican Beach Resort is a major project as it is within the coastal zone and involves a subdivision of over 25

lots. As a result any development on the site is determined under the provisions of Part 3A of the EPA Act by the Minister for Planning. This amendment to the concept plan is also being dealt with by the Minister under the provisions of Part 3A of the EPA Act. Coffs Harbour City Council will deal with subsequent applications.

##### **State Environmental Planning Policy 55 Remediation of Land**

*The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.*

A detailed site assessment has been prepared and there is no contamination on the site.

##### **State Environmental Planning Policy 71 Coastal Protection**

*SEPP 71 aims to protect and manage the attributes of the New South Wales Coast. It applies to the coastal zone. The policy defines significant coastal development as including development greater than 13m in height and subdivision of land in a residential zone into more than 25 lots. The minister is the consent authority for significant coastal development. Where it is proposed to provide for the subdivision of land within the coastal zone into more than 25 lots, a master plan (which can now be a concept plan under the provisions of Part 3A of the EPA Act ) is required to be prepared and approved before consent can be granted to any application.*

The development of the site is to consider the provisions of SEPP71 and the proposal falls into the category of matters to be considered under the provisions of the policy

*SEPP 71 also provides that the following matters are to be taken into consideration when considering development proposals in the coastal zone:*

*(a) the aims of this Policy set out in clause 2,*

The proposed development generally complies with the aims of the policy and the proposed amendment does not alter the compliance of the proposal with these aims.

*(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,*

There are no changes proposed in relation to public access to and along the coastal foreshore.

*(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,*

There are no changes proposed to the provision of access to the foreshore in the concept plan. The approved concept plan provides for access through the site and along the edge of the site to the coastal walk

*(d) the suitability of development given its type, location and design and its relationship with the surrounding area,*  
The proposed change is to a residential development, which is permissible under the zoning of the site. The proposed dwellings will be similar to those, which currently exist in adjacent coastal sites. Design Guidelines will ensure a high standard of design on the site

*(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,*

The approved concept plan did not result in any such impacts and the proposed amendments will reduce the scale and bulk of the proposed development

*(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,*

The proposed change to the concept plan will not alter in any significant way the appearance of the development from the water and its setting in the landscape of this area of the coast.

*(g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995 ) and plants (within the meaning of that Act), and their habitats,*  
The proposed amendment will not result in any loss of native vegetation and no threatened species will be impacted on by the proposals. The Management Plan has been updated to provide for the revegetation and on going management of the 7A area and the dune area on the site.

*(h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994 ) and marine vegetation (within the meaning of that Part), and their habitats*

There will be no impacts as a result of the amendment

*(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,*  
The proposed change to the concept plan will not alter the following:

# 5 Environmental Assessment

## Key Issues

- all buildings are to be built landward of the 100year hazard line
- the lower section of the site is to be filled to 7.0m AHD with finished floor levels to 7.5m AHD.

A sea rise protection zone has been added forward of the 100 year hazard line (based on the precautionary principle) in which mitigation measures can be constructed if required in the future.

*(k) measures to reduce the potential for conflict between land-based and water-based coastal activities,*

There are no changes proposed in relation to the relationship of the land use to the foreshore area over that proposed in the approved concept plan.

*(l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,*

A detailed Archaeological Report and procedures have been developed to deal with any matters, which might arise. The site however, is considered not to contain any significant cultural artefacts.

*(m) likely impacts of development on the water quality of coastal waterbodies,*

There are no coastal water bodies on the site. A detailed stormwater management plan has been prepared to deal with stormwater from the site and to prevent any run off issues associated with stormwater.

*(n) the conservation and preservation of items of heritage, archaeological or historic significance,*

There are no heritage items on the site

*(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,*

Not relevant. The land is zoned for the proposal

*(p) only in cases in which a development application in relation to proposed development is determined:*

*(q) the cumulative impacts of the proposed development on the environment, and*

The site is zoned for the development and cumulative impact have been explored in regional and local planning strategies

*(r) measures to ensure that water and energy usage by the proposed development is efficient.*

Detailed sustainability principles have been adopted for the development and measure to reduce water and energy use will be implemented. All houses will have rainwater tanks and will be required to comply with the provisions of BASIX.

### **State Environmental Planning Policy Exempt and Complying Development**

*Provides that certain uses are exempt or complying development providing they comply with certain requirements.*

Some of the proposed housing development on the site may be complying development. In these cases however, the proposed Design Guidelines will still apply to proposals to ensure a comprehensive design approach to the development of the site.

#### 5.1.4 Regional Planning Strategies

##### Mid North Coast Regional Strategy

###### Purpose

*This was adopted in 2009 and has the primary purpose of ensuring that adequate land is available and appropriately located to accommodate the projected housing and employment needs of the Region's population over the next 25 years.*

The proposed amendment to the concept plan provides a housing development on land already zoned for this purpose in the region.

###### Environment

*The Region contains a wealth of natural features, resources and landscapes. The coastal landscapes have long been an attraction for tourists and these areas are now in demand for settlement.*

Every effort has been made in the original concept plan and in this amendment to ensure that the environmental features of the site, which are of conservation significance such as the beachfront and dunal area and the 7A Conservation area, are conserved and enhanced as part of the proposal. A comprehensive Vegetation Management Plan has been prepared to oversee and manage these measures.

###### Population and Housing

*This has been one of the fastest growing areas in New South Wales. The strategy is based on a potential population increase of 94000 between 2006 and 2031 and the greatest population growth will be around Coffs Harbour, Port Macquarie and great lakes/Taree. New initiatives to manage coastal growth will be necessary to accommodate the expected growth while protecting coastal values. By 2031, an additional 59600 dwellings will be required to satisfy population growth and there will*

*need to be a greater proportion of multi unit dwellings in the future.*

The proposed development of this site will provide an additional 39 houses in the Coffs Harbour area. Although the original approval for the site provided for up to 122 dwellings (some of which were to be tourist accommodation) subsequent experience has shown that the medium density proposals for the site were not a marketable commodity. This is because of the location of the site away from the main centre of Coffs Harbour. The site is located in an area characterised by single unit dwelling development with few more dense developments. Coffs harbour Council has been encouraging higher density developments closer to the city centre and easily accessible to the services and facilities that the town centre has to offer. The location of the Sapphire beach site away from these facilities and not served by public transport would suggest a lower density of development would be acceptable here.

###### Economic Development and Growth

*The Regions economy is largely based on service industries, manufacturing, construction and agriculture. Tourism is a significant component of the regions economy. The economic challenges for the region relate to the creation of employment capacity.*

This development will provide some economic stimulus through the provision of jobs during the construction phase of the development. With the removal of the tourist element from the proposal, as provided for in this amendment, it is expected employment generated will be in the lower range of the estimate in the original EAR Economic Study (3 – 20 jobs)

# 5 Environmental Assessment

## Key Issues

### Settlement Strategy

*The Strategy identifies that Coffs Harbour has significant capacity to grow during the life of the strategy. And that 19200 dwellings have been planned for on the Coffs Coast. Settlement areas will be identified in local growth management strategies prepared by the local Councils.*

Land may be rezoned for urban purposes if it is consistent with a local growth management strategy agreed between the Council and the Department of Planning.

The site for this development is already zoned and approved for residential development.

### Settlement Character and Design

*Future built form is to reflect the existing positive design aspects of character, streetscape and landscape. Building heights will be established to reflect the future form and function of the settlement and manage visual impacts in urban and coastal areas. New development will include a range of well designed housing choices and an urban form based on "neighbourhood planning principles" which maximise pedestrian access across the settlement areas and provide easy access to services and facilities. A network of open space within and between settlements will cater for recreation, nature conservation and social interaction.*

The proposed amendment to the concept plan for this site has provided a subdivision pattern for the site, which is based on neighbourhood planning principles. The site will be accessed from the highway by a central spine road which will run through the site and provide access to the housing lots. There will be pedestrian access through the site to the beach and through the beachfront open space. The location and design of the housing will be controlled through Design Guidelines formulated for the site. The

major aim of the design of the housing is to provide a settlement within agree setting with fingers of open space stretching into the housing areas. Heights will be limited to 2 storeys on the waterfront and 3 storeys further back on the site and buildings sited to protect view corridors. There will be no overshadowing of open space or the beachfront.

### Environment and Natural Resources

The Strategy ensures that areas of high value will be protected from future urban development. Natural resource management policy and plans will be developed and implemented in the a The Strategy ensures that areas of high value will be protected from future urban development. Natural resource management policy and plans will be developed and implemented.

There are two major conservation/natural areas on the site. These are the 7A area and the beachfront dunal area. A detailed flora and fauna study has been carried out of both areas and a Vegetation management Plan prepared to provide for their conservation and on going maintenance. Any significant trees on the remainder of the site will also be protected.

### Transport

*The Regional Strategy identifies the regional transport corridors and hubs which link the Region's major urban centres and destinations/origins outside the region. The Pacific Highway will be the primary inter/intra region road corridor. The efficiency and safety of this corridor will be protected. Planning and construction of the Pacific Highway upgrades through the region will continue to completion.*

The site is accessed from the Pacific Highway and the intersection has been carefully designed to ensure there are no conflicts with the flow of traffic on the highway. Although



there is currently no public transport available to the site the continued development in this area will hopefully encourage the provision of a bus route past the site in the future.

#### **The North Coast Regional Environmental Plan 1988**

Although the North Coast Regional Environmental Plan is still in operation, its policies have generally been repeated in the Mid North Coast Regional Strategy. The proposed amendment to the concept plan will generally comply with the aims, objectives and policies of this plan.

#### **5.1.5 Local Planning Strategies**

##### **Coffs Harbour Local Environmental Plan Aims and Objectives**

The aims of the plan are:

- (a) to provide a single local environmental plan for the City of Coffs Harbour, and*
- (b) to encourage sustainable economic growth and development within the City, and*
- (c) to recognise the need to provide for, and to provide for, development within the City in an ecologically sustainable manner, and*
- (d) to provide a quality lifestyle within the City.*

The objectives of the plan are:

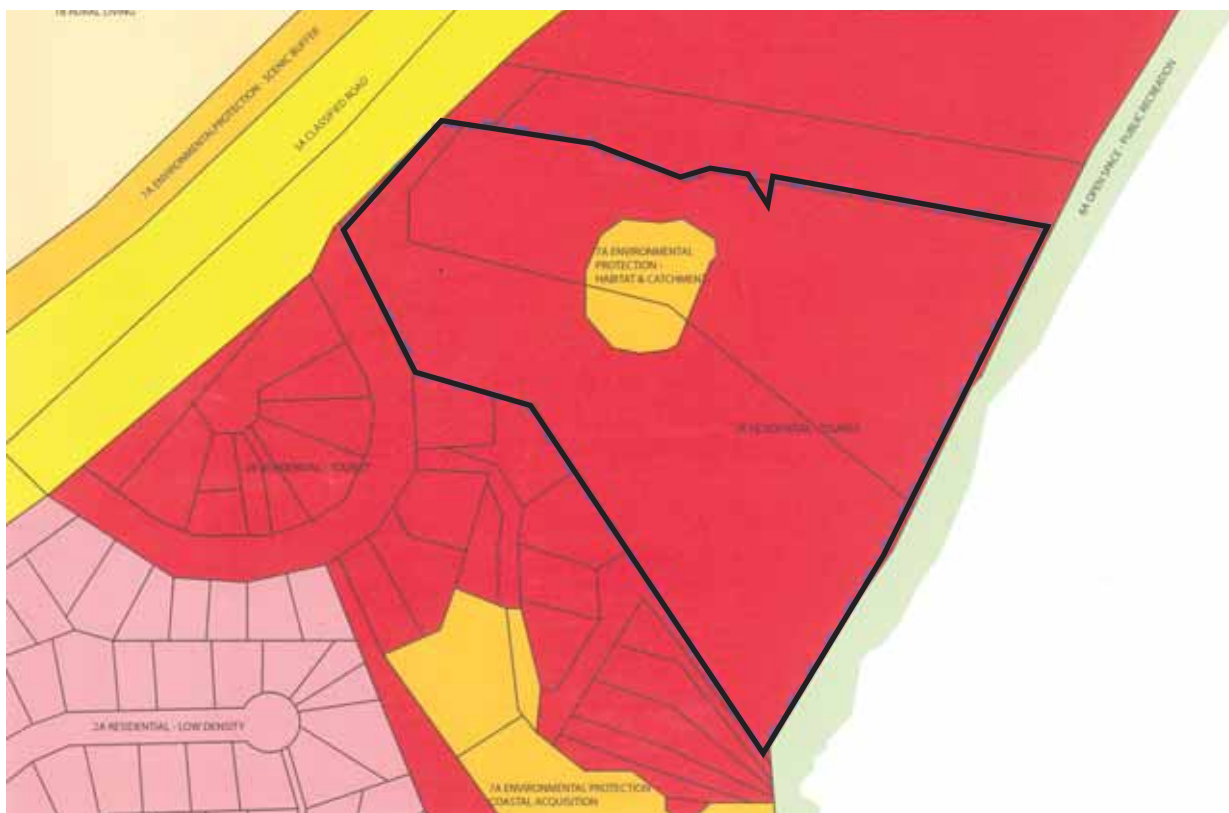
- (a) to provide a policy framework for the preparation of more detailed development control plans, and*
- (b) to identify areas for compatible development opportunities, and*
- (c) to protect environmentally sensitive areas and the City's heritage, and*
- (d) to allow for the equitable provision of social services and facilities for the community.*

The approved development of this site implemented the aims and objectives of the LEP and will continue to do so when amended. The proposal complies with the zoning of the site and is a sustainable development, which applies conservation principles to this important beachfront site. The design of the proposal and the ongoing plans for its implementation and management will ensure that this will be a quality development providing a quality lifestyle for future residents.

# 5 Environmental Assessment

## Key Issues

### ZONING



### Zoning

The land has 2 zones applying to it as follows:

- Residential 2E Tourist Zone
- 7 A Habitat and Catchment

Provisions of the zones are as follows:

#### **Residential 2E Tourist**

##### **Aim**

To provide for tourist accommodation and recreational land uses.

##### **Objectives**

- to enable tourist development and other development that is compatible with the surrounding environment.
- to provide for development that is within the

environmental capacity of a high density residential environment and can be adequately serviced.

*Permissible without development consent*

*Development for the purpose of:*

bed and breakfast establishments; environmental protection works; home industries; home occupations; special care homes.

*Permitted with development consent*

*Development for the purpose of:*

attached dual occupancies; boarding houses; camp or caravan sites; car parks; child care centres; communications facilities; community facilities; convenience stores; dams; demolition; detached dual

occupancies; dwelling-houses; eco-tourism facilities; educational establishments; entertainment facilities; environmental facilities; forestry; group homes; helicopter landing sites; hotels; housing for aged or disabled persons; motels; multi-unit housing; places of worship; recreation areas; recreation facilities; restaurants; roads; service stations; tourist facilities; utility installations. Subdivision of land.

*Any other development is prohibited.*

In assessing the compliance of the proposed amendment to the concept plan with the aims and objectives of the LEP, at the outset it should be recognised that the approved concept plan was approved as a "mixed tourist and/or residential development" and therefore provided for a residential only development of the site.

The proposed amendment to the concept plan removes the tourist element from the proposal and lowers the density of the development from that approved. There are several reasons for this. The currently approved development incorporating tourist accommodation in residential flat buildings has been found to be economically unsustainable on this site. The original EAR Economic Study showed that the real estate market in Coffs Harbour has slowed in volume and prices have slowed with recent evidence suggesting some prices have fallen.

Some recent developments of residential apartments have been converted to serviced apartments due to poor market acceptance as residential accommodation. This and other market evidence suggests that, the market for apartments may have been met in the area for the foreseeable future. Some properties on an adjacent site to the north have remained unsold for years.

The new areas of demand for tourist accommodation

relate more to the purchase of a holiday house on the coast where the family can visit and where permanent residence may eventuate. This demand, in this area away from the city centre is also more likely to be for a house than an apartment.

The objectives of the zone definitely encourage tourist development on this zone but development for the purposes of dwelling houses is a permissible use and there is no requirement that it should be attached to a tourist development. There are currently 391 ha of land zoned tourist residential in the Coffs Harbour LEP and this site represents less than 1% of the area so zoned. It is considered that the zoning provisions relate to the overall provision of tourist accommodation in the zoned area and do not provide that each site in the area should provide tourist accommodation. Residential development is a permitted use in the zone and a residential development has been approved on the site. The proposed changes to the concept plan do not alter this aspect of the development. There are still substantial tourist developments in the general area along the Pacific Highway including the Pacific Bay Resort, which has approved plans for a substantial increase in accommodation on that and the adjacent site. Further, the removal of the tourist accommodation from this site will provide additional business for existing tourist businesses in the area most of which are currently finding trading conditions very difficult.

In relation to the density of the development proposed it was found that there was very little demand for residential flat buildings in this area and as a result the development was altered to dwelling houses. The original development proposed on the site did cause some concern in relation to the visual impacts of the proposal especially from the beach and from the highway. The reduction in the density

# 5 Environmental Assessment

## Key Issues

of the development on the site will resolve these concerns.

### **Environmental Protection 7A Habitat and Catchment Zone**

#### **Aim**

To protect and enhance sensitive natural habitat and waterway catchments.

#### **Objectives**

- 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.

#### *Permitted without development consent*

Development for the purpose of:  
agriculture (which does not involve the clearing of bushland or construction of buildings); environmental protection works; home industries; home occupations.

#### *Permitted with development consent:*

Development for the purpose of:  
agriculture (which involves the clearing of bushland or the construction of buildings); aquaculture; attached dual occupancies; bed and breakfast establishments; dams; demolition; dwelling-houses; eco-tourism facilities; environmental facilities; forestry; recreation areas; roads; utility installations. Subdivision of land.

#### *Prohibited Development:*

Development that is not permitted.

There are no changes proposed to the proposals for the land in the 7A Zone. The area will be conserved and rehabilitated where necessary as provided for in the objectives of the zone.

### **Foreshore Building Line**

There is a foreshore building line shown on the site and the following provision applies:

Regardless of any other provision of this Plan, buildings shall not be erected, without development consent, between the foreshore building line and a bay, river, creek, lake, lagoon, harbour or ocean in respect of which the line is fixed.

There are no changes to the approved concept plan in relation to this matter. No buildings are proposed within the foreshore building line area.

### **Other Matters**

#### **Tree Preservation**

##### *Objective of provision*

To enable preservation of trees to maintain the amenity of the City.

The trees to be preserved on site are identified in the Landscape Master Plan Report.

#### **Koala habitat**

##### *Objective of provision*

To provide for the protection of koalas and their habitat.

There is no koala habitat on the site.

#### **Landform Modification**

##### *Objective of provision*

To control soil erosion, sedimentation, tree loss and drainage impacts associated with landform modification.

The amount of excavation proposed on the site will be reduced with the removal of the residential flat buildings. There will be some filling on the site to comply with controls relating to coastal hazards. This will be carefully

designed and controlled to ensure that there are no adverse impacts from landform modification on the site.

#### **Waterways**

##### *Objective of provision*

To ensure there are not adverse impacts from development on the Solitary Islands Marine Park

A detailed stormwater plan has been prepared for the site and the outcome is that there will be no increase in runoff and therefore no impacts on the Solitary Island Marine Park

#### **Environmental Hazards**

To ensure that environmental hazards are considered relating to development

Environmental hazards relating to bushfire, coastal processes and site contamination have all been considered in this EAR. The conclusion is that the changes proposed to the development will not be subject to adverse issues. There are no acid sulphate soils or flooding issues in relation to the site.

#### **Services**

##### *Objective of provision :*

To ensure that all development has adequate water and sewage services.

All services are provided to the site and are adequate for the development proposed.

#### **5.1.6 Coffs Harbour Residential Tourist Lands Development Control Plan**

The objectives of this DCP are:

- To encourage tourist development
- To ensure the scale and intensity of residential and tourist development is appropriate to the environmental characteristics of the land and locality
- Promote ecologically sustainable development

In relation to the objectives of the DCP, the proposed change to the concept plan will not contravene the encouragement of tourist development in the area. The removal of the tourist element from this specific development will only marginally impact on the supply of tourist accommodation in the area, which is zoned 2E and may protect the viability of neighbouring tourist developments. Further, tourists who wish to have a permanent base in the Coffs Harbour area without necessarily living permanently in the area may well buy the lots on the site.

It is considered that the scale and density of development proposed in this amendment to the concept plan better suits the environmental characteristics of the area than the approved development. Generally development in the area is single dwelling houses and the higher density forms of development are better suited to areas closer to the centre of Coffs Harbour where there are facilities and transport available for the new inhabitants. This area provides a landscaped beachfront setting for lower density development. The removal of the residential flat buildings allows the extensive site landscaping proposed to reach into the residential area and become a dominant element on the site.

The development proposed for the site and the amendments to it have always been planned to implement



## 5 Environmental Assessment

### Key Issues

the principles of ESD. The subdivision has been designed to ensure maximum sun access to the future dwellings and there will be substantial landscaping on the site to provide climate control for the future dwellings. The proposed Design Guidelines will include measures to ensure that all new dwellings comply with the requirements of BASIX and that dwellings are well sited on their individual lots to ensure privacy and sun and light access and cross ventilation. Materials will be selected on the basis of ESD principles.

*This DCP applies only to that part of the site which is zoned 2E and not to the 7A part of the site. Relevant controls are as follows:*

- In hilly or undulating country ridges should not be built on

No development is proposed on the ridges. The development along the Pacific Highway which is the highest part of the site will be reduced from 4 to a maximum of 3 storeys as a result of the proposed amendment to the concept plan

- Developments which include pedestrian access to beaches shall make provision to protect natural sand dunes by addressing dune care and bushland protection issues

Pedestrian access to the beach is proposed through the site in two areas. A detailed Vegetation Management Plan has been prepared to address the issue of dunal revegetation and protection and this will be implemented as part of the development proposed. The bushland area on the site will be protected enhanced and managed into the future.

- Building Design – design of buildings shall reflect the nature of the character statement for the area in terms of views and be in keeping with the natural setting

The design of buildings on the site will be influenced by the proposed Design Guidelines, which it is proposed will be adopted by the body corporate of the completed development. These will encourage a building design on the site which will reflect Australian coastal architecture. The guidelines will recommend materials and colours for the future buildings and will encourage the use of design professionals in the design and siting of the buildings on the sites. A detailed Landscape Master Plan has also been prepared for the site and this will provide for the development of a residential area in a green setting with fingers of bush and trees stretching into the developed areas. There will be extensive areas of open space on the site including the 7A Conservation Area and the beachfront area.

- Character Statement – Development is to provide a medium density style accommodation which will promote coastal views with a design in keeping with the natural environment, being beaches and coastal bushland setting

The proposal is to provide 39 dwellings on the site and although this could probably not be considered medium density, the subdivision has been designed to promote coastal views and does provide a design in keeping with the natural setting. The two major conservation areas on the site, the 7A area and the beachfront dunal area have been carefully conserved and no development will occur in these areas. Further views to and from these areas will be protected by the careful arrangement of the dwellings on their individual lots. These building envelopes have been designed to protect view corridors through the site and to

enable the landscaping to soften the impact of the dwellings on the site.

- Density/Subdivision – Tourist 1 unit/150m<sup>2</sup>, Residential 1 Dwelling/200m<sup>2</sup>

The site has an area of 41503m<sup>2</sup> of which 11487m<sup>2</sup> will be set aside as open space and conservation area. Another 7767m<sup>2</sup> will be set aside for road reserves, rights of way, vegetation buffers and public access to the beach. This leaves a total of 19256m<sup>2</sup> to be developed with 39 lots giving an approximate average area of 570m<sup>2</sup> per lot. There are no lots of less than 200m<sup>2</sup>.

- Setback Front 20m to Pacific Highway, 6m to local roads. Side and rear assessed on merits

There is a 20m setback from the Pacific Highway.

- Height limit 14m

The maximum height on the site will be 3 storeys or a maximum of 11m above ground level. Further it is a condition of the development consent for the concept plan that the beachfront dwellings are to be a mixture of 1 and 2 storeys.

- Site constraint – any proposed development between the 50m Foreshore Building Line and the shoreline requires development consent

Any works proposed in this area will be subject of development consent. Further it is a condition of the development consent for the site that the front yards of dwellings are to be extensively landscaped and that any fences be of permeable materials. The consent requires that details of this must be provided with subsequent applications.

- Solar Access – buildings should be designed to allow at least 2 hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9am and 3pm on 22 June.

The Design Guidelines will provide that such sun access must be provided for in the design of the dwellings on the individual lots

- Stormwater is to be directed to the street drainage system or inter allotment drainage easement where available

The stormwater system for the site directs the flow to the inter allotment drainage system

#### **5.1.7 Coffs Harbour Off-Street Parking Development Control Plan**

*This DCP contains provisions relating to design and safety of car parking areas and car parking provisions. Parking provisions are:*

*Dwellings: 1 space per dwelling of 100m<sup>2</sup> or less and 2 spaces per dwelling of 100m<sup>2</sup> or more*

2 spaces will be provided for each dwelling giving a total of 78 car parking spaces. Visitor parking will be available in the driveways to the houses and 6 spaces will be provided on community property.

# 5 Environmental Assessment

## Key Issues

### 5.1.8 Coffs Harbour Subdivision Development Control Plan

*This DCP provides standards for subdivision design and servicing. The minimum lot size in the 7A Zone is 40ha.*

The subdivision will comply with this DCP and details will be submitted with the development application for the subdivision.

### 5.1.9 Coffs Harbour Access and Mobility Development Control Plan

*Provides requirements for access and mobility in the design of developments.*

Compliance with this DCP will be dealt with in the subdivision application and the Design Guidelines will provide that compliance is required for the individual dwellings.

## 5.2 Consistency with Character of Existing and Approved Development

### 5.2.1 Locality

The site is located on the Pacific Highway between existing two and three storey single dwelling houses to the south and three and four storey multi-level apartments to the north. There are no known approvals in this area. A detailed description of the existing character of the area is included in the Landscape Report in Appendix 13.

### 5.2.2 Street Frontages Pacific Highway

Houses with a frontage to the Pacific Highway may be up to three storeys within a building envelope and a maximum roof level of AHD 34 to 38. Houses will be setback 20 metres from the Pacific Highway property boundary, which will incorporate the main access road and a landscape buffer area consistent with existing single dwelling

residential development to the south and apartment development to the north.

### Internal Streets

The internal street will be private roads and buildings will be setback along these roads to provide for landscaping, vehicular access, pedestrian access and a high quality streetscape.

### 5.2.3 Building Envelopes

Building envelopes have been prepared for each lot, which identify setbacks, building heights, maximum roof AHD roof levels, and location of principle private open space. Within the envelopes standards are provided for site coverage, maximum floor space (F.S.R), landscaped area, and private open space.

### 5.2.4 Aesthetics

The overall character of the development will respond to the unique location and topography of the site providing for a range of single dwellings through a distinctive built form in a vernacular architectural style representative of NSW North Coast beach architecture. There will also be extensive landscaping on the site. The proposal is consistent with the NSW Department of Planning North Coast Urban Design Guidelines 2009 and the Coastal Design Guidelines for NSW.

## 5.3 Controls for the Development

### 5.3.1 Design Guidelines

An outline of the design guidelines to be prepared and adopted for the site is included in Appendix 8 to this EAR. These guidelines will be further developed and the final document will accompany the development application for the subdivision of the site.

The major objectives of the guidelines will be to:

- Ensure a high standard of design of dwellings on the site
- Ensure some consistency in the design and appearance of the dwellings on the site
- Establish an Australian coastal architectural style for the site
- Define and protect view corridors through the site
- Provide for a high standard of landscaping on the individual sites
- Provide measures relating to sustainability, acoustics, access and privacy

The Design Guidelines will provide specific controls in relation to setbacks, heights, floor space, open space, landscaping, materials, colours and architectural character for individual lots and built form of houses. Controls relating to sustainability, acoustics and bushfire requirements will also be contained in the guidelines.

### 5.3.2 Implementation and Management

The guidelines will be implemented by way of a s88b instrument on the title of the individual lots with a Design Review Panel appointed by the Community Association having the power to agree that any proposed dwelling complies with the guidelines.



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## Key Issues

In some cases where a proposal to construct a house on a site comes within the definition of complying development and complies with the relevant requirements, then the Design Review panel approval will still be required.

The Design Guidelines are not intended in any way to replace state government and local government planning legislation policies and controls. All development will need to comply with all current legislation, policies and controls. The Guidelines will provide an additional level of control on the site.

### 5.4 Coastal Design Guidelines

#### 5.4.1 Consistency with Guidelines New South Wales Coastal Design Guidelines

The proposed development of the site has been designed taking into consideration the New South Wales Coastal Design Guidelines. The proposal:

- respects the ecological issues on the site and its context
- has been developed with careful consideration for landform and views from public areas.

It has been difficult in this area to provide alternative transport option from private car use, however the possibility exists for a public transport system to service the area when there is sufficient demand.

The retention of the 7A conservation area on the site and the proposed revegetation of the dunal area has meant that the proposed public domain relates to the geographic location and topography of the area.

The components of the public domain on the site include:

- The 7A Conservation Area
- The foreshore and dune area

- The internal roads providing access to the dwellings and to the public foreshore walkways and open space areas

The proposal for the development of the site has avoided areas of ecological value and respects the setbacks between natural areas. Existing mature trees, and natural features are incorporated into the green space, reserve areas, and foreshore areas.

Aboriginal and European places, relics and items will be protected if found on the site.

Degraded natural areas on the site will be rehabilitated.

#### Built Form

The pattern of land development has been designed to provide amenity through the following measures:

- The settlement has as compact a footprint as the topography will allow to reduce land take.
- Blocks and streets are walkable and safe.
- Buildings address the street.
- Lot sizes and configurations are designed to support a range of housing types that integrate into the street pattern and the location of functions throughout the settlement.
- Residential areas consist of detached houses
- Buildings are designed to suit the climate and use environmentally sustainable building design and materials.
- Housing types optimise visual and acoustic privacy, integrate passive solar design principles, minimise water use, and seek to achieve architectural distinction and excellence.
- Residential buildings are generally one to three storeys.
- Heights are subject to urban design guidelines.

New development is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement. Buildings avoid overshadowing of public open spaces before 4pm midwinter and 7pm Summer Daylight Saving Time.

### **Building Design**

The proposed guidelines for the development of buildings on the site will ensure that:

- The buildings footprint will relate to the subdivision pattern
- Vegetation and deep soil zones will be maintained between buildings.
- On-site car parking requirements are related to the steepness of the site.
- The impact of new development when viewed from the coastal area is minimised

### **North Coast Urban Design Guidelines**

North Coast Urban Design Guidelines provide guidelines for a range of coastal settlements, Part 04 Coastal Villages; refers to settlements, which are typically established near a headland, beach or river mouth, such as the Sapphire site. The guidelines identify the following:

#### **Key Characteristics**

Settlement patterns within coastal villages established near headlands typically respond to the topography of the headland and coastal edge.

The streets along the coast and headlands offer a strong visual connection to the coast. Built form largely comprises detached dwellings with the occasional small scale apartment building or dual occupancy residence. Specific reference is made to a Coastal Village located between

two headlands with beach access.

### **Key positive landscape elements**

- Buildings are mostly setback from the coastal edge and are one to two storeys in height
- Expansive areas of hardy, indigenous vegetation characterise the coastal edges, punctuated by rows of significantly larger trees such as Norfolk Island pines
- Residential gardens are comprised generally of indigenous coastal habitat, low lying plants with exotic palms, conifers and few larger mature trees
- Views to the ocean are accessible from properties on elevated sites; many residences located on lower lying land have introspective 'valley' views only
- Natural landscape of hinterland is largely intact N.A.

### **Buildings**

- Residential buildings are elevated and positioned to take advantage of the views and sea breezes; these buildings are often irregularly sited, with inconsistent but generous side setbacks
- Residential buildings in the lower and flatter parts of the landscape have a more regular and consistent siting and setback
- There is an eclectic mix of housing styles throughout the village providing a richer overall character
- Eaves, verandas, profiled steel roofs, timber cladding types are all common elements

The proposed residential development of the site has implemented the coastal design parameters in the relevant guidelines.



# 5 Environmental Assessment

## Key Issues

### 5.5 Subdivision

#### 5.5.1 Type of Subdivision

There will be 39 residential development lots on which individual dwellings will be built once the Community Scheme has been registered.

#### 5.5.2 Common Areas

There are 3 community property lots in the Community Scheme, which will be managed for the owners of the development lots through the Community Association.

#### 5.5.3 Community Management

The 3 community property lots are;

- Roads –all roads will be community roads
- 7A Environmental Zone – this is bushland on the escarpment and zoned separately to the residential parts of the site. After the initial removal of weeds and revegetation by the developer, the Community Association will be responsible for the maintenance of the area.
- Beachfront dune reserve, community park and public access – this area encompasses the dunes, community park behind and the lower section of the public access to the beach. After the initial removal of weeds revegetation and dune stabilisation by the developer, The Community Association will responsible to for the maintenance of the area. This are also includes the Sea Rise Protection Zone in which mitigation measures may be placed in the future and for which the Community Association will be responsible to construct and fund through contribution or levy.

All services will be provided for and owned by the service authorities (Coffs Harbour City Council - water & sewer,

Country Energy, Telstra) and easements will be provided as necessary. The services generally will run in the road reserve.

Stormwater drainage system will be owned by the Community Association and conveyed by pipes in Community Property through a detention basin to the downstream network off-site.

The Community Association will appoint and engage service contractors to perform the necessary maintenance work associated with Community Property or services.

There will not be any community recreational facilities.

#### 5.5.4 Design Controls

The Community Association, through the By-laws of Community Management Statement (CMS), will administer the Design Guidelines. While Sapphire Beach Development Pty Ltd owns a community development lot it may exercise the rights of the Community Association under the By-Laws

The Guidelines relate to all Community Development Lots not Community Property. The Guidelines will survive after Sapphire beach Development Pty Ltd ceases ownership of any community development lots and will include provisions for renovations and alterations into the future once all the houses are complete. The Guidelines can only be changed by special resolution of the Community Association.

The Community Association can retain the services of an independent consultant to advise and assist the executive Committee in reviewing and approving plans and specifications. For further control there will be a restricted covenant drafted into the 88b Instrument registering the

Guidelines on the title of each community development lot.

All plans for a dwelling, landscaping or any other works to be constructed on a community development lot must first be lodged with the Community Association for approval before being lodged with Coffs Harbour City Council.

## 5.6 Staging

The development will take place in stage as follows:

**Stage 1** demolition of existing buildings and site preparation

**Stage 2** subdivision of the site including earth works and stormwater management, all services and roads and rehabilitation of the dunes in front of the beachfront housing and rehabilitation of the 7A zoned vegetation

**Stage 3** erection of dwellings on the individual lots

## 5.7 Private and Public Open Space

There are no changes proposed to the open space network in the amendment to the approved concept plan.

The open space network will continue to comprise:

- landscaped buffers to the Pacific Highway
- landscape areas along the central spine road including the landscape stormwater basin
- communal open space behind the dunes
- communal land with road frontages
- private open space within each lot
- retained 7a vegetation and dune vegetation

The landscape strategies, which will be adopted for the open space, are based on the following principles:

- to retain, enhance and protect the 7(a) vegetation and dune vegetation;
- to reflect the coastal setting;
- to incorporate Water Sensitive Urban Design Principles;

- to create a landscape of high visual amenity;
- to consider the broader site setting;
- to provide for internal circulation and to provide links to the surrounds including the “Coastal Walk”;
- to provide for appropriate bushfire protection and management areas as required by the NSW Rural Fire Service;
- to provide connections to Campbells Beach;
- to provide opportunities for outdoor passive and active recreation; and
- to utilise indigenous plant species.

### 5.7.1 Interface

The approved concept plan provided for strategies to deal with the interface between the private open space areas on the site and the beachfront public open space areas. This was to be dealt with through the use of planting, signage and fencing where necessary.

### 5.7.2 Management

The open space areas will form part of the community management scheme and will be separate lots under the scheme.

# 5 Environmental Assessment

## Key Issues

### 5.8 Visual

#### 5.8.1 Impacts on Surrounding Development

The impacts of the development on the surrounding area will be changed slightly over that in the approved concept plan because of the reduction in the amount of housing on the site and the reduction in the scale of some of the buildings. However, setbacks from the side boundaries of the site remain similar to those which were shown on the approved plan.

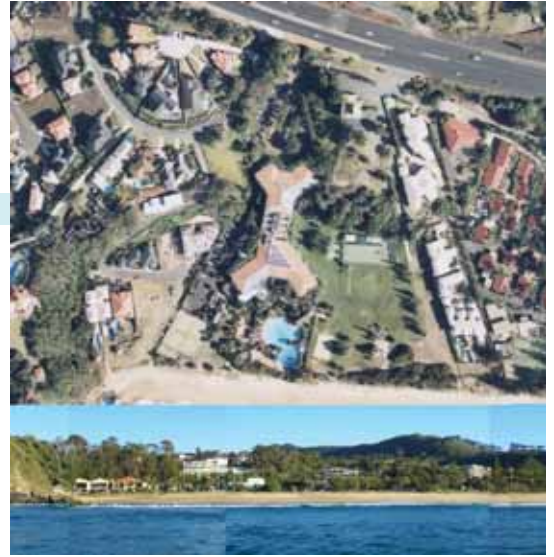
#### 5.8.2 Amenity of the Foreshore

There will be no change in the amenity of the foreshore as a result of the proposed amendment. The development along the foreshore remains similar to that in the approved concept plan.

#### 5.8.3 View Impacts

There will be minor changes in view impacts from the proposed development because heights are reduced on some areas of the site. The view of the site from the highway will be improved with the reduction in the mass and height of the buildings there. Views across the site on the lower levels will remain unchanged and views from the water will be similar but with a reduction in the intensity of the development because of the removal of the residential flat buildings.







# 5 Environmental Assessment

## Key Issues

### 5.8.4 Shadow Impacts

There were no shadow impacts outside the site as a result of the development proposed in the approved concept plan and this will not be changed by the proposed amendment.

## 5.9 Traffic and Access

### 5.9.1 Introduction

A comprehensive Traffic Report was prepared for the original concept plan application and forms part of the approval. The Traffic consultant has reviewed the conclusions on the basis of the proposed amendment and details of his conclusions are included in a letter in Appendix 3.

### 5.9.2 Impact on Traffic and Transport

There is no change to the combined access and the developer's previous commitment to formalize the two-lane exit to the access road remains.

An analysis of the revised traffic flows generated by the amended application was undertaken and a comparison made with the traffic flows generated by the previous proposal. It was concluded that the amended application for a 39-lot development has a significantly reduced traffic impact compared to the 122-dwelling proposal.

The amended application does not change the arrangements for connections to existing transport services. As currently approved, the developer proposes to facilitate the erection of a bus stop and shelter adjacent the entrance to the development.

### 5.9.3 Interface with Pacific Highway Upgrade

The amended application does not change the previously proposed arrangement for interface with the upgraded

Pacific Highway and has reduced traffic impacts.

A timeline illustrating the timing of the construction of the proposed development relative to the estimated construction programme for the Pacific Highway Upgrade was also prepared.

### 5.9.4 Public Access to Beach and Foreshore

There are no changes to the currently approved arrangements for public access to and along the beach and coastal foreshore.

### 5.9.5 Cyclists Pathways

The amended application does not change the proposed connection to the 'Coastal Walk' or the proposed pedestrian/cyclist connection to adjoining areas via Coachman's Close. The proposed development is consistent with the possible future location of a cycleway along the planned service road (existing Pacific Highway).

## 5.10 Hazard Management and Mitigation

### 5.10.1 Coastal Processes

#### 5.10.1.1 Introduction

The issue of the relationship of the proposed development to the coastal area was examined in detail in the original concept plan application. A report was prepared by GHD (Coastal Hazards, Water Management and Services Assessment August 2006) which accompanied the Environmental Assessment Report for the site. As a result of the examination of the issue, the Department of Planning placed the following condition on the concept plan approval:

*C1 100 Year Coastal Hazard Planning Line*

### 5.9.2 Impact on Traffic and Transport

#### Comparison of Additional Generated Traffic

Year	AM PEAK TRAFFIC LEAVING THE SITE		PM PEAK TRAFFIC ENTERING THE SITE	
	122 Dwelling Proposal	39 Lot Proposal	122 Dwelling Proposal	39 Lot Proposal
Year 1	39	7	22	7
Year 2	50	14	32	14
Year 3	59	20	41	20
Year 5	70	26	52	26

### 5.9.3 Interface with Pacific Highway Upgrade

#### Comparison of construction timelines for proposed development and highway Upgrade

	2010				2011				2012				2013			
	Jan	Mar	Jun	Sep	Jan	Mar	Jun	Sep	Jan	Mar	Jun	Sep	Jan	Mar	Jun	Sep
<b>Proposed Residential Development</b>	DA approved		Commence House Construction			Construction of first 10 houses										Progressive development of remaining 29 house
<b>Sapphire – Woolgoolga Pacific Highway Upgrade</b>	Commence construction			Completion of southern section of highway					Upgraded highway open to traffic							



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## Key Issues

*Prior to the commencement of works for Stages 1 and 3, a registered surveyor must determine the location of the 100-year coastal hazard planning line (as per Willings and partners Map 1 Campbells Beach Hazard Lines September 1999) on the subject site. All buildings must be constructed landward of this line.*

Since the concept plan approval was granted, the issue of climate change has been of concern and DECC has produced its draft Sea Level Rise Policy and Guidelines. As a result of these concerns the issue of coastal processes has been further examined in relation to the approved concept plan by GHD. The following paraphrases their advice, a complete copy of which is contained in Appendix 7 to this EAR.

### 5.10.1.2 Coastal Erosion

The development recognises the NSW DECC Draft Sea Level Rise Policy and supporting scientific basis of the 2009 sea level rise benchmark draft technical note. This nominates (based on 1990 baselines) a sea level rise of 0.4m to 2050 and 0.9m to 2100. On the recommendations of Council, the original proposal relied on the Willings Partner Campbell's Beach Coastal Management Study and the definition of the 100-year hazard line as defined in this report. For Campbell's Beach this study adopted the pre- NSW DECC Draft Sea Level Rise Policy sea level rise estimates and used these to define the "in general" 100-year recession line. The calculation also adopted a general 1:20 beach slope, which resulted in a 51m offset from the back beach crest for the 100-year recession line.

### 1. Definition of original 100-year Hazard Line for Campbells Beach

Item	Horizontal Offset Distance (m)	Comment
Storm Bite	10 m	
100-year recession	30m	0.3m/yr
Sea level rise impact	11 m	Based on 1:20 beach slope and 0.55m sea level rise scenario
<b>TOTAL</b>	51 m	

The Willings Partner report also defines beach slope for three individual beach blocks along Campbell's Beach. These slopes were determined through photogrammetry of 9 historic beach profiles and the site is located in beach Block 1. The 100-year recession line adopted by Willings was based on a mean beach slope of 1 in 20.

### 2. Campbells Beach Shoreline Slope & Recession

Beach Block	Slope	Shoreline Recession
Beach Slope Block 1	1: 10	0.35m/yr
Beach Slope Block 2	1: 20	0.13m/yr
Beach Slope Block 3	1: 50	0.00m/yr
<b>Adopted Mean Beach Slope</b>	1: 20	0.30m/yr

For the proposed amendment to the concept plan, and in recognition of the recent NSW DECC Draft Sea Level Rise Policy and steeper slope at the southern end of the

beach, opposite the site, and slightly increased shoreline recession prediction for Block 1, the following calculation is determined as the likely 100 year recession line offset from the dune scarp.

<b>3.100-year Hazard Line for Campbell's Beach at the Site</b>		
<b>Item</b>	<b>Horizontal Offset Distance (m)</b>	<b>Comment</b>
<b>Storm Bite</b>	10 m	
<b>Recession to 2100</b>	31.5m	0.35m/yr shoreline recession for Block 1 x 90 years
<b>Sea level rise impact</b>	9 m	Based on 1:10 beach slope for Block 1 and a 0.9m sea level rise scenario as per the recent NSW DECC Draft Sea Level Rise Policy
<b>TOTAL</b>	50.5 m	

While this recession is slightly less than predicted by Willings Partners, it is proposed to adopt the Willings Partners defined 100-year recession line for conservatism, and confirm that the development is landward of this predicted future recession.

#### 5.10.1.3 Oceanic Inundation

Willings and Partners recommend an oceanic inundation planning level of 7m AHD. From their report, this value is calculated as described in 4. From the table it does not appear that Willings and Partners make provision for sea level rises on account of climate change. However it is evident that the predicted inundation comprises a number of combined probabilities, constituting an extremely rare event. It is therefore considered extremely rare that a 100 year still water level would occur at the same time as a 100-year offshore significant wave height. In addition, that at levels of 7m AHD, one would conceivably expect that the majority of wave energy is dissipated and any inundation is minor, being at the upper end of the wave run-up. On this basis, it is proposed to maintain platform levels at 7m AHD and dwelling floor levels at 7.5m AHD as previously specified however, adopting a precautionary approach, make provision for risk adaptive management throughout the project life (up to 2100). This provides a 0.5m freeboard to dwelling floor levels.

# 5 Environmental Assessment

## Key Issues

### 4. Coastal Inundation

Component	NSW Government Coast Management Manual (m)	Inundation adopted by Willings Partners (m)	Comments
<b>Astronomical tides</b>	1.1	1.5	Still water level (ie excluding wave effects), based on a 100-year event at Fort Denison
<b>Barometric set up</b>	0.2 - 0.4		
<b>Wind set up</b>	0.1 - 0.2		
<b>Wave set up</b>	0.7 - 1.5	1.26	Based on 10 to 15% of the 100-year offshore significant wave height
<b>Wave run up</b>	3.0 – 6.0	4.24	Based on the 100-year offshore significant wave height
<b>TOTAL</b>	5.1 – 9.2	7.0	

#### 5.10.1.4 Adaptive Risk Management Approach

Given that the site is located landward of the 100-year recession line and the extremely rare probability that a 100 year still water level event would occur at the same time as a 100 year offshore significant wave height, an Adaptive Risk Management Approach is proposed for the site. The following approach is proposed:

The buffer area between the dunes and proposed dwellings will be protected and heavily vegetated. The stability of the dunes has been raised as a concern and subsequently, a number of options have been considered. These options include, but are not limited to, the planting of appropriate species, rock protection and beach renourishment. The applicant has provided a comprehensive Plan of Management for the Dune Area and the 7A Environmental Zone as part of the approved concept plan, ('Sapphire Plan of Management' located in Volume 1, Appendix 8 of the Environmental Assessment Report). It is worth noting the northern dunal area is already heavily vegetated and the Plan of Management, as well as the Landscape Masterplan, indicates the southern dunal area will be revegetated and stabilised.

The dune rehabilitation work and ongoing management plan has been adopted for the whole of the dune area in accordance with the 'Coastal Dune Management Manual' prepared by NSW Department of Land and Water Conservation 2001.

To alleviate concerns regarding potential oceanic inundation during storm events in regards to this matter, the foundations of the first row of residential dwellings will be designed to withstand wave run up; and Proclamation of a Sea Rise Protection Zone (SRPZ) within the property boundary parallel to the beach. This zone will be 15 m wide, to allow for the future construction of a range of amelioration measures to combat the effects of possible sea level rise. These measures include but are not limited to the following;

- Dune anchoring & revegetation (including fencing to restrict access);
- Dune replenishment / renourishment;
- Wave inundation protection devices / wall;
- Oceanic recession protection seawall;

The SRPZ will be in the location of the 50-year hazard line, and will make land available should it be required to manage beach inundation or recession due to sea level rise in the future. The strategy would extend the SRPZ to include protection measure along the north and south boundaries of the property if required. The SRPZ will be located in the Community Property whereby it can be managed through the Community Association and governed by special provisions in the Community Management Statement and By-laws. Our client has advised that the cost of the amelioration measures will be provided through a sinking fund and special levy depending on the timing and the amelioration measure adopted.

The decision on the appropriate measure to be adopted will be dependent on the severity and frequency of events in the future. Having a specific SRPZ in which to adopt an Adaptive Risk Management Approach allows the owners through the Community Association in conjunction with the local authorities to instigate the appropriate measures as and when required. The normal oceanic process will replenish the beach over time, however if required, "soft" beach protection techniques such as dune anchoring through revegetation (Spinifex runners, fabric mesh to fencing, protective brush matting) would be used after large storm events. In the future, if rare probability events require more advanced protection techniques, such as sand renourishment, wave run up protection or boulder seawall construction, they can be instituted if required in the SRPZ.

There will be access to the SRPZ through Community Property therefore no individual lot on the site will be affected. In the future, if wave run up or seawall construction are found to be necessary, the designs will need to prevent impact to neighbours' property. This could

be achieved by considering design parameters available in the future, amongst others, predominant wind/wave directions and offshore profiles will determine the design.

The SRPZ at the 50-year hazard line offers the opportunity for the authorities to adopt and further develop the strategy for the section of Campbell's Beach immediately adjacent the property. The properties on either side of the site have freehold land available seaward of the 100-year hazard line, in which to adopt a similar strategy. If this were to occur the protection along the north and south boundaries of the site would not be required.

#### 5.10.1.5 Conclusion

In recognition of the recent NSW DECC Draft Sea Level Rise Policy and steeper slope at the southern end of Campbells Beach, opposite the site, and the slightly increased shoreline recession prediction for the southern end, the likely 100-year recession line offset from the dune scarp has been calculated at 50.5m. While this recession is slightly less than predicted by Willings Partners, it is proposed to adopt the Willings Partners defined 100-year recession line for conservatism, and confirm that the development is landward of this predicted future 100-year recession line as proposed in the approved concept plan for the site.

Willings and Partner recommend an oceanic inundation planning level of 7m AHD, which does not make provision for sea level rises on account of climate change. However it is evident that this predicted inundation comprises a number of combined probabilities, constituting an extremely rare event. For example, it is considered extremely rare that a 100-year still water level would occur at the same time as a 100-year offshore significant wave height. In addition, that at levels of 7m AHD, one would conceivably expect that the majority of wave energy is

# 5 Environmental Assessment

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dissipated and any inundation is minor, being at the upper end of the wave run-up. On this basis, it is proposed to maintain platform and dwelling floor levels as previously specified and approved, however to also make provision for risk adaptive management throughout the project life (up to 2100). In addition, the foundations of the first row of residential dwellings will be designed to withstand wave run up.

Given that the site is located landward of the 100-year recession line and the extremely rare probability that a 100-year still water event would occur at the same time as a 100-year offshore significant wave height, an Adaptive Risk Management Approach is proposed for the site. The approach is twofold comprising protection of the buffer area between the dunes and proposed dwellings and through the proclamation of a Sea Rise Protection Zone (SRPZ), within the property boundary parallel to the beach. This zone will be 15 m wide, to allow for the future construction of a range of amelioration measures to combat the effects of possible sea level rise. The SRPZ will be in the location of the 50-year hazard line, and will make land available should it be required to manage beach inundation or recession due to sea level rise in the future. The SRPZ will be located in the Community Property whereby it can be managed through the Community Association and governed by special provisions in the Community Management Statement and By-laws. The cost of the amelioration measures will be provided through a sinking fund and special levy depending on the timing and the amelioration measure adopted.

### 5.10.2 Bushfire

#### 5.10.2.1 Planning for Bushfire Protection

A revised Bushfire Report, which revises the original EAR Bushfire Report, has been prepared for the development and is included in Appendix 5.

The Bushfire Risk Assessment was conducted through an onsite inspection and using the methodology set out in Planning for Bushfire Protection 2006. The onsite assessment included traversing the subject property and all lands within 140 metres from the proposed development sites. The bushfire risk assessment identified an Open Forest on the southern aspect of the proposed development as the dominate bushfire vegetation. The NSW Rural Fire Services document (Guidelines for Bushfire Land Mapping) identifies all lands within 100 metres from any category 1 bushfire vegetation shall be identified as Bushfire Prone Lands. As the identified category 1 bushfire vegetation occurs at a distance of 60 metres from the property it is considered as bushfire prone and is required to comply with the recommendations outlined in Planning for Bushfire Protection 2006.

The Coffs Harbour Bushfire Prone Land map also identifies the vegetation to the south of the property as bushfire prone. After assessing the site, it was found that the vegetation was an Open Forest community. The terrain in relation to the Open Forest vegetation on the southern elevation of the development was assessed as having an upslope of greater than 10° for a distance of approximately 50 metres followed by generally flat terrain.

The proposed residential development will have access via the Pacific Highway which has a two-way trafficable bitumen surface, formed verges with ample room for off road parking/passing which complies with Planning for Bushfire Protection Section 4.3.1 (Access).

The designated building envelopes for the proposed Lots 1, 2, 25 – 27 & 29, 31 along the southern boundary were identified as being within a “Medium” bushfire attack category. They have a current lateral separation (APZ) of greater than 60m but less than 100m from the open forest vegetation occurring on an upslope terrain. The remaining lots were identified as being within a Low a bushfire attack category as they are further than 100 metres from the identified bushfire vegetation.

The building envelopes proposed for the development can achieve a lateral separation (APZ) of greater than 60 metres from the identified Open Forest which meets the minimum recommended APZ outlined in Planning for Bushfire Protection 2006 table A2.4 (Minimum Specifications for Asset Protection Zones for Residential and Rural Residential Subdivision purposes (for class 1 and 2 buildings) in FDI 80 Fire Areas).

The proposed development will comply with the minimum requirements for:

- Asset Protection Zones detailed in Table A2.6 (Minimum Specifications for Asset Protection Zones for Residential and Rural Residential Subdivision Purposes (for class 1 and 2 buildings) in FDI 80 Fire Areas.
- Access in accordance with section 4.1.3-2 (Property Access) in the manual for Planning for Bushfire Protection (RFS, 2006).

#### 5.10.2.2 Measures

A Bushfire Management Plan has been prepared for the site and this is included in Appendix 5. Its purpose is to:

- Identify the level of bush fire risk for human habitation.
- Identify strategies which will be implemented to manage the identified bush fire risk
- Identify persons responsible for the implementation and the maintaining of the Bush Fire Risk Management Plan (BFRMP).

#### 5.10.3 Geotechnical

A Geotechnical Report prepared by Network Geotechnics (G26029/1-A of 16 March 2006) accompanied the original EAR for the site. Network Geotechnics have examined the proposed changes to the development proposal and have provided advice (Appendix 6).

They have concluded that the conclusions in the original report are still applicable to the proposed development. The risk of slope instability against the previous development was assessed to be moderate. This assessment was based on the assumption that the apartment buildings were to be pierced and the excavations supported by engineered retaining walls. The risk of slope instability under the proposed development is slightly less than before. However, it will be necessary to assess the risk of individual lots after the subdivision is built and prior to registration of the lots.



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## Key Issues

### 5.10.4 Noise

#### 5.10.4.1 Potential Noise Impacts

A revision of the original EAR Acoustic Report has been prepared and is included in Appendix 14 to this EAR. It concluded that the noise issue was still related to the proximity of some dwellings to the Pacific Highway. The alteration to the concept plan however did not alter these impacts and the mitigation measures recommended in the original report were endorsed for this amendment.

#### 5.10.4.2 Mitigation Measures

The proposed mitigation measures are as follows:

- Potential shielding
- Architectural design treatment of buildings
- Detailed noise level predictions
- Preparation of a site Construction Noise and Vibration Management Plan for the site

### 5.11 Water Cycle Management

#### 5.11.1 Stormwater Management Strategy

Because of changes proposed to the layout and scale of the proposed development of the site, a revised stormwater management strategy has been prepared and is included in Appendix 9.

The management of stormwater the site has been separated into the following key areas, namely:

- Area A, which represents the steeper areas of the site and foreshore areas located to the north of the internal access road; and
- Area B, which represents the foreshore areas to the south of the internal access road.

The site discharges to the existing 750 mm diameter stormwater pipe at the southern boundary of the site. This 750mm pipe is connected to further 750mm stormwater pipe and 900mm stormwater pipe draining the development to the south of the site. These two pipes merge into a single 750mm pipe and discharge to Campbells Beach. The stormwater strategy follows the *Coffs Harbour City Council Development Specification Design 0074 (Stormwater Drainage Design)* and the *procedures of Australian Rainfall and Runoff* and incorporates a number of Water Sensitive Urban Design (WSUD) facilities. As per Council's requirements, an underground stormwater system has been designed to safely pass flows having a minimum average recurrence interval ARI of 5 years. Storm events in excess of the 5-year ARI event are routed overland via the internal road system. Referring to the attached figure, the stormwater strategy comprises the following:

- Minor flows from Area A are routed to a small basin on the site. This is achieved via a subsurface stormwater system comprising pits and pipes. In areas where slopes are less than 4%, flows are routed to the stormwater system via bio-retention swales;
- Minor flows from Area B are routed directly to the 750mm diameter stormwater pipe at the southern boundary of the site. This is again achieved via a subsurface stormwater system comprising pits and pipes. In areas where slopes are less than 4%, flows are routed to the stormwater system via bio-retention swales;
- Overland flows from areas A and B are routed to the basin via the internal road system and the bio-retention swales;
- The sewerage pumping station (SPS) to the north will remain at the current grade. Bunding will be provided, to ensure that overland flow does not inundate the sewerage pumping station. The SPS is designed with

## STORMWATER MANAGEMENT



a backup pump and emergency storage capacity for approximately 8 hours, so it is unlikely that any surcharging will occur once the stormwater has been diverted away from the SPS. The current overflow path from the sewerage pumping station to the beach will be maintained;

- The small basin will be located in the 7A environmental zone between proposed dwellings and the escarpment. This small basin will attenuate the outflow from the site. The basin concept design includes a high-early-discharge pit to maximise the available detention volume. The basin drains to the 750mm diameter stormwater pipe at the southern boundary of the site;

- Downstream of the site, the 750mm pipe connects with a 900mm pipe carrying flows from an external catchment of approximately 1.1Ha. These external flows combine with site outflows and currently discharge through an existing 750mm diameter pipe to Campbells beach. As part of the stormwater works, this outlet pipe will be upgraded to 1200mm diameter;
- Gross pollutants will either be captured by a Gross Pollutant Trap at the basin outlet, or using pit insert baskets, or a combination of both;
- Key WSUD strategies to be implemented at the site include on-lot rainwater tanks, bio-retention, gross pollutant trap systems (GPT) and sediment settlement

# 5 Environmental Assessment

## Key Issues

areas, as follows:

- Rainwater tanks are recommended throughout. The size of the tanks will be decided as part individual lot development. Even though the purpose of rainwater tanks is for roof water harvesting, they also detain the stormwater flows to a certain extent;
- The nature of the development site landform is such that there are areas throughout the site that lend themselves suitable for bio-retention swales. Bio-retention is a stormwater treatment measure that filters runoff through a vegetated swale and allows for the percolation of runoff through an underlying prescribed filter media. The filtered stormwater will then be collected at the base of the filter media in sub soil pipes and conveyed to the small basin; and
- It is proposed to incorporate a gross pollutant trap (GPT) at the basin. The inclusion of this structure will allow for some removal of gross pollutants and coarse sediment from runoff prior to discharge from the site. The small basin will further assist in the removal of coarse sediment, increasing the effectiveness of the stormwater quality treatment train. In addition to the basin outlet GPT, additional gross pollutant capture systems ('pit baskets') will be installed in pits in the upper catchment that are too steep to be served by bio-retention swales. These will remove sediments and nutrients from the stormwater before it enters the pipe network and basin. A pit basket will also be provided at the outlet of the southern bio-retention swale, which drains directly to the site outlet pipe.

### 5.11.2 Basin Design Concept

A DRAINS hydrologic and hydraulic routing model was compiled to simulate runoff from the site, including the proposed detention system and the existing stormwater network downstream of the site. The concept detention basin and associated outlet pipe have been sized to attenuate flows such that minimal upgrade to the downstream stormwater network is required. In extreme events (rarer than the 100-year ARI event) the basin will overflow to the internal road and community property leading to the beach. Basin concept design parameters are outlined in Table 1.

Table 1	Detention Basin Concept Design Parameters
Side Slopes	1V:2H
Volume to Overflow	980 m <sup>3</sup>
Peak Water Level (100-year ARI)	6.9 m AHD
Surcharge Level	7.0 m AHD
Outlet Pipe Diameter	750 mm
Outlet Invert Level	4.8 m AHD
Plan Area at Crest Level	770m <sup>2</sup>
Peak Basin Outflow (100-year ARI)	1.1 m <sup>3</sup> /s
High Early Discharge Pit Internal Weir level	5.5 m AHD

This basin reduces peak flows in the existing the 750mm diameter stormwater pipe at the southern boundary of the site, as tabulated in Table 2.

<b>Table 2</b>	<b>Flow in Existing 750mm Site Discharge Pipe</b>
<b>750 mm Pipe Capacity</b>	1.6 m <sup>3</sup> /s
<b>Peak 100-year Flow Without Basin</b>	2.1 m <sup>3</sup> /s
<b>Peak 100-year Flow With Basin</b>	1.2 m <sup>3</sup> /s

As part of the stormwater strategy, the pipe outlet to Campbells Beach will be upgraded to 1200 mm diameter, to accommodate the site discharges and the development area to the south of the site. Table 3, shows the design capacities.

<b>Table 3</b>	<b>Downstream Ocean 100-year ARI Outlet Flows</b>
<b>Site Peak Outflow</b>	1.2 m <sup>3</sup> /s
<b>External Catchment Flow</b>	1.6 m <sup>3</sup> /s
<b>Combined Capacity Requirement</b>	2.8 m <sup>3</sup> /s
<b>Current 750mm Diameter Capacity</b>	1.6 m <sup>3</sup> /s
<b>Proposed 1200mm Diameter Capacity</b>	3.8 m <sup>3</sup> /s

### 5.11.3 Conclusion

A stormwater strategy has been proposed for the site, which incorporated elements of Water Sensitive Urban Design element and satisfies Coffs harbour Council's requirements. This strategy incorporated a basin, a subsurface stormwater network of pipes, rainwater tanks, bio-retention swales, pit baskets and a Gross Pollution

Trap. A basin concept design has been developed to attenuate flows and allow integration with the existing downstream stormwater pipes discharging to Campbells Beach, with some upsizing of the outlet pipe. A DRAINS stormwater model has confirmed pipe sizes and basin size to adequately manage stormwater to the 100-year ARI event.

## 5.12 Heritage and Archaeology

### 5.12.1 Significance to Aboriginal Cultural Heritage

A copy of the Archaeological Report prepared and updated for the development is included in Appendix 10 to this EAR.

Since the approval of the concept plan for the site an up-to-date version of the Archaeological Assessment Report was forwarded on the 7th May, 2009, to the NSW Department of Environment and Climate Change as required as a condition of the 9th May 2007 concept plan approval.

Point 8(a) of the approved Statement of Commitments stated:

*Community consultation will be undertaken with the Aboriginal community in line with the draft Guidelines for Aboriginal Cultural Heritage impact Assessment before the commencement of construction of the project.*

Consultation with the Aboriginal community was undertaken following the Department of Environment and Climate Change Interim Community Consultation Requirements.

Point 8(b) of the approved Statement of Commitments stated:

*A search of the Department of Environment and*

# 5 Environmental Assessment

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*Conservation (now Department of Environment and Climate Change) Heritage*

Information Management System will be undertaken prior to the commencement of construction of the project.

A search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken by Davies Heritage Consultants Pty Ltd and the results of this search are documented in the report in Appendix 10.

Davies Heritage Consultants Pty Ltd has reviewed the proposed modification to the original Concept Plan for the above mentions lots, and advises that these modifications do not alter the recommendations of the report.

As a result of the above there are no changes in relation to the matter of Archaeological matters as a result of the proposed amendment to the concept plan.

### 5.12.2 Heritage

There are no items of heritage significance on the site.

## 5.13 Social and Economic issues

### 5.13.1 Introduction

The economic and social impacts of the closure of the Pelican Beach Resort, Sapphire, and the development of a combined residential and tourist development were assessed in the Economic Impact Assessment, (June 2006, SGS Economics & Planning) which was included in the Environmental Assessment Report for the original concept plan application. SGS have now produced an additional report which addresses the social infrastructure requirements of the proposed amendment to the concept plan. A copy of this report is included in Appendix 4. The social impacts of the development in relation to services and facilities will be decreased because of the reduction in accommodation provided on the site. The resident population is likely to be reduced from an estimated 235 to 100.

### 5.13.2 Population and Housing Impacts

The population of Coffs Harbour has grown considerably due to the immigration of lifestyle seekers. Coffs Harbour had a population of over 70,000 in 2008. Growth rates have been above the area's average and the state's average from 1991 to 2004, although the gap in growth rates is narrowing. It is expected the population of Coffs Harbour will continue to grow considerably in the future. The draft Settlement Strategy 'Our Living City', anticipates growth to 99,000 persons by 2031. Growth in Coffs Harbour will exceed growth in the surrounding region and NSW significantly. The wider Mid-North Coast Region is earmarked for substantial longer term growth as well, although at a lower rate than Coffs Harbour.

To accommodate future population growth towards a desired residential pattern, Coffs Harbour identified key growth areas to catch residential growth to 2030. Within northern Coffs Harbour Moonee/Sapphire Beach is

expected to accommodate for 1,500 additional residents, which implies a population growth of 38 per cent from 2004 to 2030. Population within Sapphire Beach is estimated to reach 1800 from the estimated 1670 in 2004. Developing residential dwellings, as the Sapphire development proposes, would be consistent with Council's strategic residential aims. The new development represents less than 20% of the additional dwellings constructed in the LGA in one year. Furthermore, the development is able to absorb 6.5% of expected and planned population growth in the Moonee/Sapphire Beach area until 2030.

All 39 lots will be developed in one stage but construction of houses and their occupation will occur over a number of years. Recently lodged and granted approvals show development is mainly concentrated in coastal areas. The more luxury coastal dwellings are particularly sought after by lifestyle migrants.

The potential number of persons who will live in the development is estimated to be in the order of 100, based on an occupancy of 2.5 persons per dwelling as most residential houses will have three or four bedrooms.

The profile of the existing population within a 1km radius of the site by age shows that approximately 10% of the population is primary school aged and another 10% secondary school aged. This suggests that of the 100 new residents, there will be about 10 additional primary and 10 additional secondary school students. There are likely to be about 5 pre-school aged children.

At the other end of the spectrum, over one third of residents in the 1 km radius are over age 55 and 18% are over age 65. There is a significant pattern of a

higher concentration of older residents along the coastal strip near the site compared to either inland or further away from the site along the coast. Assuming similar composition of future residents, it would be expected that about 30-35 new residents would be aged 55+ of which about 15-20 would be over 65. In all there are over 850 residents aged 55+ within about 2 km of the site so this represents an increase of about 4%.

These estimates were used as the basis for estimated demand for additional services.

### 5.13.3 Social Infrastructure Requirements Schools

The nearest public primary school is at Korora with an enrolment of 545 students. While the distance (2.5 km) could be walked by older school children, pedestrian routes and access are not good for this and most children would depend on parents driving them to school or the school bus.

There is a school bus stop right outside the entrance to the site. The developer has committed to build a shelter at the stop. The school maintains relatively high enrolments – although it was down slightly this year – as it has a good reputation in the area. Grades five and six are quite 'tight' at the moment but the school administration stated that ten additional students would not be a problem. There are three other public primary schools within about 10 minutes of the site, located to the south within Coffs Harbour. The total enrolment of all four schools is about 1900 students. The nearest school to the north of the site is in Sandy Beach, about 17 km or 26 minutes north of the site. The additional 10 primary aged students represent an increase of less than 2% for Korora or less than half of a percent across the four nearby schools. In addition there are a number of private schools located in or near Coffs Harbour.



# 5 Environmental Assessment

## Key Issues

There are three high schools in Coffs Harbour. Sapphire Beach is within the Coffs Harbour High School catchment. Both the Coffs Harbour High School and Orara High School report no difficulty in accommodating additional students with no grades currently suffering overcrowding. Both have gradually rising enrolments. An additional 10 students would represent an increase of just over 1% for either school or less than 1% if divided between them.

### Pre School and Long Day Care

There are a large number of long day care and pre-schools in Coffs Harbour, with five within five kilometres of the site. There are likely to be only about 5 pre-school children in the new development, and not all of these will require or be suitable for day care. There is likely to be sufficient capacity to meet the additional demand.

### Hospitals

#### Coffs Harbour Base Hospital

A new Base Hospital at Coffs Harbour has recently been completed costing \$80.6m. The new hospital will provide upgraded core services and enhanced services in the areas of mental health, aged care and rehabilitation and some clinical support services and primary and community care services. Coffs Harbour Base Hospital provides emergency, critical care medicine, surgery, obstetrics and gynaecology, paediatrics, mental health, limited rehabilitation and a range of clinical support services. The Emergency Department is a 24 hour service.

#### Baringa Private Hospital

Baringa Private Hospital is an 80 bed facility servicing the Coffs Harbour and surrounding areas. Baringa Private Hospital is of modern hospital design, and has equipment for comprehensive diagnosis and treatment.

Coffs Harbour Health Campus

Community Health provides a range of services free of charge to individuals, families and communities. The

service aims to promote the health and well being of clients through education, assessment, implementation of care, and referral to appropriate services as required.

### Aged Care

Coffs Harbour has a significantly higher proportion of older persons than NSW as a whole. There are a range of services available to help within the Aged Care & Rehabilitation Service which are located at Coffs Harbour Health Campus. These include the Aged Care Assessment Team (ACAT), Aged Care Transitional Intervention Program (ACTIP), Veterans Home Care Assessment and Coordination (VHC), and Residential Respite Coordination. These services provide care to older persons at a level equal to or above that provided across the state.

There are 22 accommodation establishments listed in the Coffs Harbour Information Directory for Older People, ranging from retirement villages to hostels and nursing homes. As noted earlier, the number of people aged 65+ will be about 15-20. Of these, only one or two would likely require nursing home support in any given year. Discussions with the administrators or managers from nursing homes showed that there is available capacity in a number of homes around Coffs Harbour. One nursing home that reported generally being full is making provision to expand by an additional forty bed. Nationally, provision of additional nursing home capacity as growth in the numbers of older persons accelerated around the country will prove challenging unless the funding arrangements ensure that provision is financially viable. However, it does not appear the Coffs Harbour is particularly disadvantaged in this respect at the present time.

### Transport

The Pacific Highway passes the site entrance and

provides the main access to the town of Coffs Harbour and its amenities. There is no public transport provided directly to the site. The nearest busways bus route is about 4 km to the south of the site. There is a school bus stop right outside the entrance to the site. The developer has committed to build a shelter at the stop. Existing residents are heavily car dependent, although some use alternative means of transport for work and other purposes. Overall level of car dependence (as driver + as passenger) is relatively consistent at 70%-72%. The area within about 1 km of the site has a slightly higher proportion of those that work at home and also fewer that did not go to work. Those travelling by bus from all but a small part of the areas covered would be using a company supplied or other private bus as most areas are not serviced by public transport. While the site is not served by public transport, it is no different than the other development that extends north of Coffs Harbour along the coast. Should public transport be extended to the area, it is highly likely to use the Pacific Highway as the route, and then pass very close to the site.

#### **Parks and Open Space**

The proposed subdivision is located with close access to the beach and sea frontage. It includes both open circulation space within the development, a vegetation reserve and a community foreshore. The coastal walk links to the more extensive waterfront walkway extending along much of the coastline, both to the north and south to the town of Coffs Harbour. The developer is providing a link for the coastal walk from the beach up the hill to Coachman's Close as a vital part of the coastal walk. There is an extensive network of parks and reserves including active and passive recreational spaces within Coffs Harbour. There are also extensive State forests to the west of the site (Lower Bucca State Forest, Orara State Forest).

#### **5.13.4 Economic Issues**

The major economic issues associated with the proposed amendment to the concept plan is the removal of the tourist element from the development and the reduction in the number of residential dwellings which will be accommodated on the site. The site was developed as The Pelican Beach Resort which comprised 114 suites in a building that stepped down the steep slope to the beachfront. It included a swimming pool, tennis courts, outbuildings, grassed area and direct access to the beach. However, the building became very dated, and did not trade profitably, it would require major reinvestment to remain competitive as tourist accommodation. There is also former restaurant building, now vacant, on the 'top' of the site adjacent to the Pacific Highway (western boundary).

The Pelican Beach Resort ceased trading in 2007 as it was not trading profitably. The original concept plan approval provided for its demolition and replacement with a mixed tourist and/or residential development including communal facilities. It is now proposed to develop the site as a residential development. The closure of the original resort has been addressed and it has been concluded as follows:

- The closure of the hotel will be more likely to shift demand to other hotels in the region operating below capacity, with net loss of jobs likely to be about 10. Total tourist visitation to Coffs Harbour is unlikely to be affected. The additional clientele gained by the remaining hotels may contribute to their ability to reinvest and upgrade their establishments.
- The conference and events sector will lose only 3-4% of the delegate days capacity with event displaced captured by the remaining venues, although 1% of events may be lost.
- As total visitor numbers are not expected to be

# 5 Environmental Assessment

## Key Issues

affected significantly by the closure, employment and turnover in restaurants, attractions, transport, retail and other tourism supported activities are likely to remain unchanged.

- Given the small overall change from the closure, the multiplier effects of the closure are also expected to be negligible.

These same arguments can be applied to the removal of the tourist element from the concept plan although it should be noted that the tourist element proposed provided a much lower employment generation than the existing resort.

### 5.14 Flora and Fauna

#### 5.14.1 General

The proposed amendments to the concept plan are unlikely to alter the conclusions in the original EAR Flora and Fauna Report. The consultant has reviewed the report and has updated the Vegetation Management Plan for the site. This information is included in Appendix 12 to this EAR.

#### 5.14.2 Commonwealth Requirements

The proposed modifications to the development will not alter the conclusions in the original EAR Flora and Fauna Report which stated that Commonwealth Assessment would only be required for proposed activities on the site if they affect any matter of National Environmental Significance (NES). The site is not a Declared World Heritage Area and it does not contain any Declared Ramsar Wetlands. No threatened species listed under the EPBC Act (1999) were identified occurring on the site. None of the ecological communities currently listed in the Environment Protection and Biodiversity Act (EPBC Act) (1999) occur on the site.

Listed migratory species in New South Wales are considered predominantly in the Japan-Australia Migratory Bird Agreement (JAMBA) and China-Australia Migratory Bird Agreement (CAMBA). No CAMBA or JAMBA species are known to occur or, in view of the absence of wetlands, are likely to occur at the site. The proposed development is therefore unlikely to have a significant impact on any CAMBA or JAMBA species.

It is unlikely that the proposed development of the subject property would significantly affect any threatened species listed under the EPBC Act. This conclusion was reached primarily because of the small area of the subject property and also because the proposed development would not have a significant impact on threatened species. The proposal does not require referral to the Commonwealth Department of Environment and Heritage for approval on behalf of the Federal Minister for the Environment, Water, Heritage and the Arts.

#### 5.14.3 Impacts on Flora and Fauna

The proposed modifications to the concept plan will not change any impacts to flora and fauna. The Vegetation Management Plan (VMP) outlines the actions for the protection of identified areas of Silverbush (*Sophora tomentosa* subsp. *australis*) along the foredune through fencing, weed removal and additional planting using on-site collected seed. These actions are consistent with the Priority Action Plan for the recovery of this endangered species. Additional areas of the foredune will be rehabilitated using appropriate species to stabilise and anchor the dune system, remove and/or control the existing weed infestations, enhance the visual appeal; and provide habitat for animals and birds likely to frequent the area.

FOR ILLUSTRATION PURPOSE ONLY:

### General Notes

This drawing was prepared by Bushfiresafe (Aust) P/L to demonstrate the vegetation rehabilitation areas as part of the proposed development and should not be used for any other purpose.

### ATTACHMENT 2 REHABILITATION ZONES

Bushfiresafe (Aust)  
P/L  
20 McLachlan Street  
Maclean NSW 2463  
Ph: 02 66451088  
Fax: 02 66451099



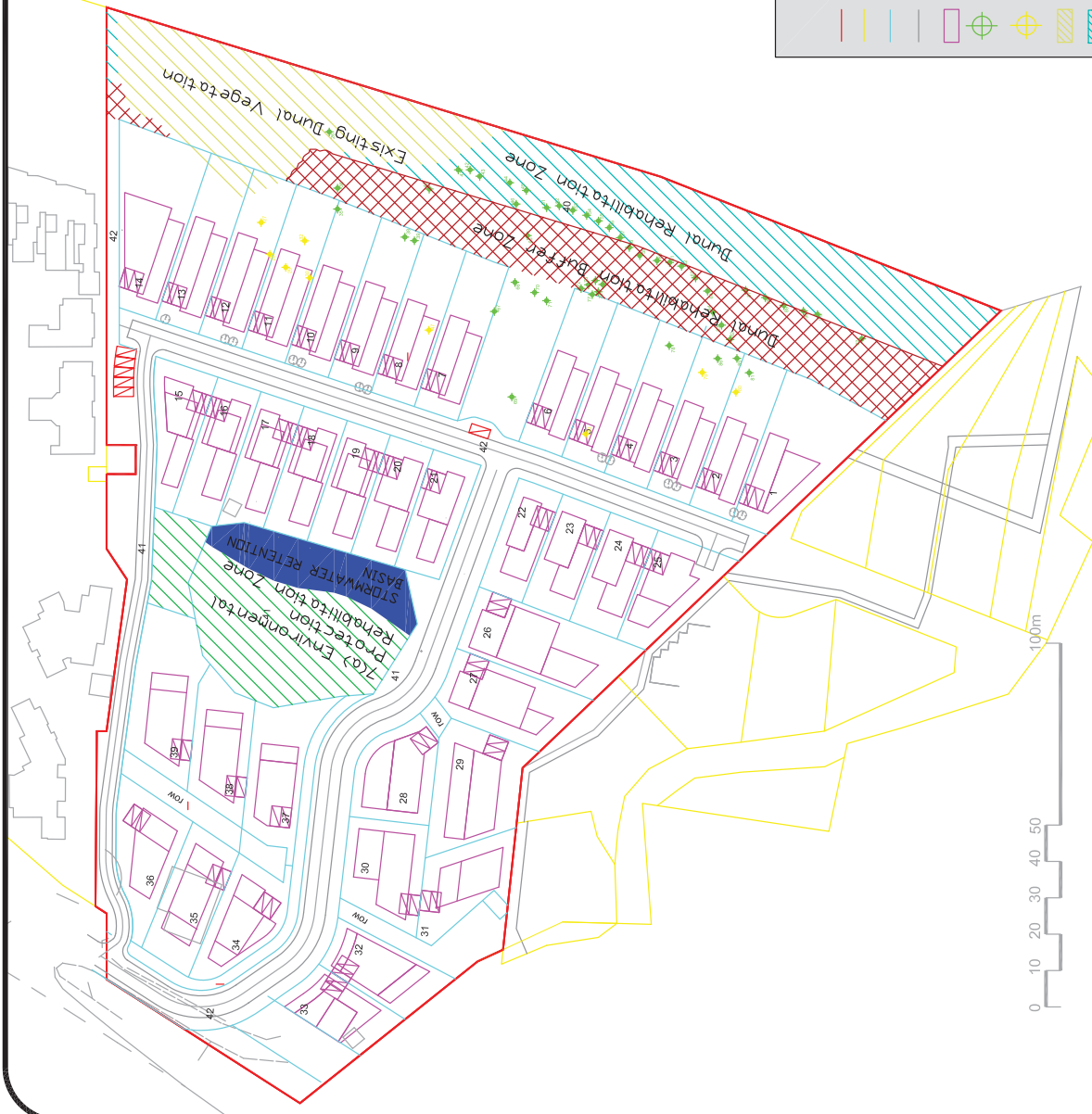
CLIENT:  
Sapphire Beach  
Developments  
Pty Ltd

Project  
vegetation management  
plan for lots 100 & 101  
DP629555 & Lot 2  
DP800836 Pacific Hwy  
Sapphire Beach

Date: June  
2009  
Ref#  
9041  
Scale:

### LEGEND

- DEVELOPMENT PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARIES
- PROPOSED LOT BOUNDARIES
- PROPERTY ACCESS ROADS
- PROPOSED BUILDING FOOTPRINTS
- TREES TO BE RETAINED
- TREES TO BE RELOCATED
- EXISTING DUNAL VEGETATION
- DUNAL REHABILITATION ZONE
- DUNAL REHABILITATION BUFFER ZONE
- 7(a) ENVIRONMENTAL PROTECTION REHABILITATION ZONE
- STORMWATER RETENTION BASIN



# 5 Environmental Assessment

## Key Issues

The weed management strategy outlined in the VMP for the 7(a) Environmental Protection Zone proposes the revegetation of this community using appropriate species that will enhance the habitat and floristic value of this area. No extant native vegetation will be removed from this vegetation community. The proposed 5m Asset Protection Zone surrounding the existing vegetation will provide suitable bushfire protection and provide a barrier to weed migration into this vegetation community.

### 5.14.4 Impacts on Trees

A total of 105 trees were recorded over the subject land, outside of the 7(a) Environmental Protection Zone. 45 trees will be removed. This will include a number of mature Hoop Pine trees displaying evidence of dieback associated with Mundulla Yellows (MY) Syndrome. An investigation of these trees by Active Tree Services and Southern Cross University confirmed the presence of Mundulla Yellows syndrome in the trees and in fungi, nematodes, bacteria, phytoplasma, viruses and virus-like organisms present in the topsoil up to 15m from the Pine trees. Affected trees and all vegetation within 18m of the tree will be removed and the area treated to limit the spread of this virus.

Nine Pandanus trees will be relocated and incorporated into the landscaping for the development. Additional planting of trees is proposed in the Landscape Plan, including the planting of 11 Hoop Pine trees within an 8m wide area adjacent to the Pacific Highway in compensation for the loss of Mundulla Yellows affected trees. As a result there will be a net increase in the number of trees existing outside of the 7(a) Environmental Protection Zone for the modified development application when compared to the previous application.

## 5.15 Consultation

### 5.15.1 Agency Consultation

During the preparation of this application consultation was carried out with the Department of Planning, Coffs Harbour City Council (planning staff), service (water & sewer) and subdivision engineers, Roads and Traffic Authority, Department of Environment and Climate Change and Country Energy.

### 5.15.2 Public Consultation

No public consultation has been carried out on the proposed amendment as it was considered that the changes were minor and would be publicly exhibited



# General Notes

This drawing was prepared by Bushfiresafe (Aust) P/L to demonstrate the trees to be retained as part of the proposed development and should not be used for any other purpose.

Refer to Tree Schedule Appendix 3 for tree number and species type

## ATTACHMENT 1 SITE LAYOUT & TREE SURVEY

Bushfiresafe (Aust)  
P/L  
20 McLachlan Street  
Maclean NSW 2463  
Ph: 02 66451086  
Fax: 02 66451099



CLIENT:  
Sapphire Beach  
Developments  
Pty Ltd

Project:  
vegetation management  
plan for lots 100 & 101  
DP629555 & Lot 2  
DP800836 Pacific Hwy  
Sapphire Beach

Date: June 2009  
Ref#: 9041  
Scale:



# 6 Planning

## Assessment of the Proposed Changes

### **6.1 Introduction**

A detailed assessment of the compliance of the changes proposed to the concept plan with the relevant planning controls has been included in section 4.1 of this report. It was found that the proposed changes generally complied with the relevant requirements relating to the site. The following table provides a summary of the compliance of the amended concept plan with the relevant controls.

### **6.2 Summary of Compliance of Amended Concept Plan with Planning Controls**

Provision	Compliance	Comments
<b>Environmental Protection and Biodiversity Conservation Act 1999</b>		
Not to have an impact on matters of National Environmental Significance	√	No such matters exist in the site
<b>Environmental Planning and Assessment Act</b>		
Impact on threatened species and habitats	√	No threatened species identified on the site and development will not impact on any
<b>SEPP Major Projects</b>		
Definition of a major project	√	Proposal falls within the definition of a major project
<b>SEPP 55 Remediation of Land</b>		
On site contamination	√	Remedial actions are not required on the site
<b>SEPP 71 Coastal Protection</b>		
Definition of significant coastal development	√	Site is within 1 km of the coast
<b>Master Plan Contents</b>		
Design principles from site analysis and context	√	Site analysis was carried out and as a result the design principles were developed for the site to take into account the topography of the site, views and the existing environmentally significant areas on the site
Desired future locality character	√	A detailed analysis was carried out of the locality in which the site is located and the design has been developed to integrate the proposal into the natural environment in the area
Location of development on site considering natural features, coastal processes	√	The development has been located on the site away from the dune and coastal area and the significant vegetation has been integrated into the development proposal
Phasing of the development	√	The development will be undertaken in 3 stages over a period of 4-5 years subject to market demand
Public access to and along the coastal foreshore	√	Public access will be provided along the northern boundary of the site to the beach front
Pedestrian, cycle and road access and networks	√	Pedestrians and cyclists will have access to the roads within the site
Subdivision patterns	√	The subdivision pattern has been developed on the basis of the topography of the site and the environmental features on the site
Infrastructure provision	√	Infrastructure is available and will be sufficient for the development
Building envelopes and built form controls	√	The design includes building envelopes and built form controls have been developed for the site
Heritage conservation	√	There are no identified items of heritage significance on the site

# 6 Planning Assessment of the Proposed Changes

Remediation of the site	√	Site remediation will not be required
Provision of public facilities and services	√	S 94 Contributions will be made to Council for such facilities and services in line with Council s94 Plans
Provision of open space, function and landscaping	√	Open space is provided on the site for the residents of the site and a public access way to the beach has been provided in the design
Conservation of water quality and use	√	The proposal for the site has been developed using the principles of Water Saving Urban Design
Conservation of animals	√	No threatened animals were found on the site. The existing area of significant vegetation will be preserved along with the animal habitats it provides
Conservation of fish	√	There will be no increase in the run off from the site to the Solitary Islands Marine Park
<b>Matters for Consideration</b>		
Existing public access to and along the foreshore for pedestrians to be retained and improved	√	Currently there is no formal public access through the site to the beach. An access way will be provided along the northern boundary of the site to the beach which will join up to the Coffs Harbour Coastal Walk
Opportunities to provide new public access to foreshore for pedestrians	√	New public access will be provided
Suitability of the development	√	It is considered that the development is suitable for the site as it is a residential development and the land is zoned for this type of development. The bulk and scale of the proposal is similar to that of neighbouring properties and complies with the density controls for the site
Any detrimental impact on the foreshore including overshadowing and loss of views from public places	√	There is no overshadowing of the foreshore and no loss of views of the foreshore from public places
Scenic quality of the coast and means to protect and improve these qualities	√	The development has been designed to reflect the topography of the site and to fit in with the existing environmental features of the site. A detailed landscape master plan has been developed for the site and when implemented this will ensure that the development will be seen in a green context and against the green backdrop of the escarpment
Measures to conserve animals and their habitats	√	The existing significant vegetated area on the site and the habitats it provides will be retained. Existing significant trees on the remainder of the site will also be retained. A Vegetation Management Plan has been developed for the ongoing management of the vegetation on the site and the new planting on the site will be extensive.

Measures to conserve fish and marine vegetation	√	There will be no adverse impacts from the development on the Solitary Islands Marine Park
Likely impact of or on coastal processes and hazards	√	A detailed study has been carried out of the dune area and it has been concluded that there will be no impacts on coastal processes or hazards. The Vegetation Management Plan provides for revegetation of the dune area and this will increase its stability
Measures to reduce potential for conflict between land based and water based activities	√	There are not likely to be conflicts as there are no extensive water based activities likely to occur in the environment of the site
Measures to protect cultural places and values	√	The site has been assessed for cultural values and it has been concluded that their presence is unlikely. However, a watching brief will be kept as the development progresses and measures will be put in place to deal with any finds should they occur
Likely impact of the development on water quality and coastal water bodies	√	There will be no increase in run off from the site so there will not be any adverse impacts on existing water quality in the area
Heritage conservation	√	A heritage study has been carried out and there are no heritage items on the site
Cumulative impacts of development on the environment	√	The development on this site is replacing an existing development. Although the new development is more intense it is not likely to contribute to any significant cumulative impacts in the area
Measures to ensure water and energy usage is efficient	√	Energy saving design measures have been adopted in the design of the development and these will be further refined as the detailed design of the residences proceeds. The principles BASIX will be implemented in the development
<b>SEPP Exempt and Complying Development</b>	√	Some of the lots on the site will be able to be developed under the provisions of the complying development code. The implementation of the Design Guidelines by the community association will ensure design standards are maintained.
<b>North Coast Regional Environmental Plan</b>		
Protect area of natural vegetation	√	Natural vegetation areas of conservation significance on the site have been retained
Protect scenic quality	√	The proposal is replacing an existing development and there will be an improvement in scenic quality as the new proposal has been carefully designed in the context of the site and the surroundings

# 6 Planning Assessment of the Proposed Changes

Protect water quality	√	There will be no increase in stormwater run off from the site and as a result no adverse impacts on water quality
Development not to significantly disturb wildlife habitat	√	No wildlife habitat will be significantly disturbed as a result of the development
Scenery not to be adversely affected	√	There will be no adverse impacts on scenery as the site is already developed for urban purposes
Erosion and sediment control plan to be implemented	√	An erosion and sediment control plan will be prepared and implemented for the development of the site
Enhance visual quality of the coast	√	The development proposal includes a plan to revegetate the dune area and as a result to enhance the visual quality of this area
Provide for appropriate recreational use of beaches	√	A public access way will be provided to the beach to allow recreational use of it
Protect water quality in the coastal environment	√	The proposal has been designed to ensure water quality is protected and there will be no increase in run off from the site
Minimise risks from coastal processes	√	The coastal processes have been examined and risks have been minimised as a result of the design and location of the development and the plans to revegetate the dune area
Minimise changes to coastal processes as a result of the development	√	The examination of the coastal processes has concluded that the development will not impact on these
Encourage retention and regeneration of natural areas	√	The natural vegetated areas on the site have been retained and the Vegetation Management Plan provides for revegetation in these areas
Development not to impede public access to the foreshore	√	Public access will be provided to the beach
Beaches or adjacent open space not to be overshadowed before 3pm midwinter or 7pm summer	√	There will be no overshadowing of the beach
Heritage to be conserved	√	There are no heritage items on the site
Density of dwellings to be maximised	√	The density for the development has been worked out on the basis of the planning control, the impact on the natural features of the site and its setting and the feasibility of the proposal
Road widths are not excessive	√	Road widths will comply with Council standards
Road designed to encourage the use of public transport	√	No new roads in the development
Site erosion to be minimised	√	Erosion will be minimised on the site

Assess buildings over 14m for their local impact and regional significance	√	No buildings are over 14m
Adequacy of community and welfare services available to the land	√	Adequate services are available in the locality and to the site
For residential accommodation all social and community services likely to be required exist in area	√	Site is already developed for urban purposes. Social analysis has shown that the social and community facilities available will be adequate for the proposed development
Development not to be detrimental to the natural environment or scenic features	√	Proposed development will enhance the urban features of the site
Water and sewerage to be available	√	Water and sewerage is available and adequate for the development

### Coffs Harbour LEP 2000

#### Aims and Objectives

Encourage sustainable economic growth	√	The proposal for the site has been developed on the basis of ESD principles and it will comply with the requirements of BASIX and will meet ESD principles
Provide for development in an ecologically sustainable manner	√	The principles of ESD have been adopted in the design of the building and will be applied to all aspects of the development as it progresses
Provide for a quality lifestyle in Coffs Harbour	√	It is proposed, in this development, to provide a very high standard of residential accommodation which will add to the housing in Coffs Harbour which can provide a quality lifestyle for the residents

### Zoning

#### Residential 2E Zone

#### Aim and Objectives

Enable tourist development and other compatible development	x	It is proposed to provide a residential development on the site in the form of dwellings houses. No tourist development will be provided as the site is unsuitable for such development. The previous tourist development on the site was not successful and it would appear that the site is too far from the town centre to provide a successful tourist development as an adjunct to a residential development
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# 6 Planning Assessment of the Proposed Changes

Provide development in the environmental capacity of a high density residential environment that can be adequately serviced	√	The development scheme adopted for planning purposes is below the permitted density on the site. The site has an area of 41503m <sup>2</sup> . However, in order to work out the density for the development the area zoned 7A and the open space areas has to be subtracted from this. This measures 11591m <sup>2</sup> . The density control allows for 1 dwelling for approximately 767m <sup>2</sup> . 39 dwellings will be constructed. This complies with the provision, as no lot is smaller than 200m <sup>2</sup> . However, the density proposed on the site is not a high one but it is considered that this is a satisfactory density on a site with the characteristics of this site ie removed from the town centre and shops and facilities and not served by public transport. It is considered that the higher density was proposed for tourist development which has not proved to be an economically sustainable option for this site.
Uses	√	All the proposed uses are permissible in the zone
<b>Environment Protection 7A</b>		
<b>Aims and Objectives</b>		
Protect sensitive natural habitat	√	There will be no development in the 7A area and it will be revegetated and preserved
Protect habitat values	√	Habitat values on this area will be protected
Enable development within the environmental capacity of the land which can be adequately serviced	√	It is considered that the development proposed is within the environmental capacity of the land
Uses	√	No uses are proposed in this area
<b>Foreshore Building Line</b>		
• Consent required for buildings within the building line	√	No buildings are proposed within the FBL. The area will be revegetated as part of the dune area and the front gardens of the beachfront houses
<b>Tree Preservation</b>		
Enable tree preservation to maintain the amenity of the city	√	Most significant trees on the site will be preserved. However, the Hoop Pines on the upper area of the site will need to be removed as they have been shown to be diseased and un safe.
<b>Koala Habitat</b>		
Provide for the protection of Koalas	√	There is no koala habitat on the site
<b>Landform Modification</b>		

Control impacts from landform modification	√	There will be some filling on the site to comply with Coffs Harbour controls relating to coastal hazards. This will be carefully designed and controlled to ensure that there are no adverse impacts from landform modification on the site
<b>Waterways</b>		
Impacts on Solitary island Marine Park	√	There will be no increase in run off from the site and as a result no additional impacts on the marine park
<b>Environmental Hazards</b>		
Acid sulphate soils	√	There are no acid sulphate soils on the site
Flooding	√	There are no flooding issues on the site
<b>Services</b>		
Ensure there are adequate water and sewerage for development	√	There is adequate water and sewerage for the development
<b>Coffs Harbour Residential Tourist Lands DCP</b>		
<b>Objectives</b>		
Encourage tourist development	x	The proposal will not provide any tourist development on the site. It is considered that this is acceptable on this site which is removed from the town centre and available services and facilities and is not served by public transport.
Ensure scale is appropriate to the environmental characteristics of the and locality	√	An extensive site analysis has been carried out of the site and the proposal has been developed on the basis of the outcomes of this analysis. The proposal has been related to the natural landform in the area, the environmentally sensitive areas of the site and the surrounding development
<b>Controls</b>		
Ridges should not be built on	√	There are no ridges on the site
Protect natural sand dunes by addressing dune care and bushland protection issues	√	A Vegetation Management Plan has been prepared for the dune area which will provide for the management of the vegetation
Design buildings to reflect the nature of the character statement for the area and in terms of views and in keeping with the natural setting	√	The buildings have been designed to reflect the character of the site and the character of the surrounding coastal lifestyle development. The natural setting has been emphasised in the development and views have been retained where possible

# 6 Planning Assessment of the Proposed Changes

Character Statement is development to provide a medium density style accommodation which will promote coastal views and design in keeping with the natural environment	Partial	The character statement has provided for a medium density development in keeping with the coastal lifestyle. Although the density of the development proposed is low density it is considered that this is more in keeping with the characteristic of the site and the surrounding development than a medium density development. Design guidelines have been developed to promote the proposed form of development and to encourage a high standard of design on the site. Natural areas on the site have been preserved
Density Tourist 1 unit/150m2, Residential 1 dwelling/200m2	√	The density is well below that permitted on the site.
Setback 20m from Pacific Highway	√	There is a 20m setback from the Highway
Setback 6m to local roads	√	There are no local roads adjacent to the site
Side and rear setbacks assessed on merit	√	Side setbacks have been set to reflect those of neighbouring properties and to protect privacy and views where possible.
Height limit 14m	√	No building is over 14m to the top of the building
Development between foreshore building line and shoreline requires consent	√	Consent will be obtained for any works in this area. No buildings are proposed
Buildings to be designed to allow 2 hours of sun upon living areas of adjacent dwellings and open space between 9am and 3pm on 22 June	√	The proposed design guidelines will contain a provision to ensure that buildings comply with this requirement. The proposed layout is such that all built form will be capable of achieving this standard.
Stormwater to be directed to the street drainage system of inter allotment drainage easement where available	√	Stormwater plan has been developed for the site which will deal with this issue

## Coffs Harbour Off Street Parking DCP

### Design and Safety

Parking area to be all weather hard stand and graded and drained	√	The development will comply with this
Vehicles should be able to leave the site in a forward direction	√	This will be complied with
All manoeuvring areas to be on the site	√	All areas will be on the site
Landscape plan to soften the visual impact of car parks	√	A landscape master plan has been prepared for the development proposal
Car park not to occupy the entire front of the allotment	√	There is no car parking at the front of the site
Landscaping around the boundary of the car park	√	Car parking will either be in garages on the individual sites or in landscaped areas associated with the houses

Access to parking areas designed to minimise conflict between pedestrians, cyclists and traffic	√	Access to car parking areas will be carefully designed to avoid this
Dwelling less than 100m <sup>2</sup> 1 car park larger than 100m <sup>2</sup> 2 car parks	√	2 car parks provided for each dwelling
<b>Subdivision DCP</b>		
Minimum lot size in 7A zone 40h	√	No subdivision proposed in the 7A Zone
Site analysis to be prepared	√	Site analysis has been prepared
Road hierarchy should reflect road function	√	Road design will reflect the function of the roads
Cul-de-sacs to be avoided	√	No cul de sacs area proposed
Lots to be designed to allow construction of a dwelling which does not involve more than 1m cut or fill	x	The lower part of the site behind the sand dune will require filling to RL 7.0m AHD and will be in excess of 1m due to flood level requirements.
Subdivision designed to minimise impacts on the natural environment	√	This has been a major objective of the development proposal
Adequate building envelope outside the 7A zone to be provided	√	Separation between the buildings and the 7A zone is considered adequate in the Vegetation Management Plan
Orientation of roads	√	Roads are oriented to provide building sites which can comply with the principles of ESD
Design to maximise solar access	√	Solar access is maximised to the proposed dwellings
Infrastructure to be provided to lots	√	Infrastructure will be provided to the lots
Stormwater to be designed in accordance with Council specifications	√	Stormwater will be designed in accordance with Council specifications
Street tree master plan required	√	Landscape master plan has been provided
<b>Access and Mobility DCP</b>		
Standards to be complied with	√	These will be complied with in the detailed design of the project

# 6 Planning Assessment of the Proposed Changes

## 6.3 Environmental Impacts

The likely impacts of the amended concept plan have been assessed in this Environmental Assessment and it has been concluded that there will be no adverse impacts on the environment as a result of the development. In fact there will be positive impacts in relation to the protection and improvement of the significant vegetation on the site and the protection and revegetation of the dune area. The conclusions in relation to environmental issues are as follows:

### Design, Visual and Amenity

The development will be constructed to the highest standards of design and the proposals have adopted the principles of sustainability both in relation to the layout of the site and the design of the buildings. Design Guidelines have been prepared to ensure that the development of the individual houses on the sites will comply with the highest standards of design and landscaping.

A Landscape Master Plan has been prepared for the proposal which will provide for landscaping which will soften the built form and contribute to the overall setting of the proposal. The landscaping will be carried out in distinct zones related to the natural features of the site. The 7A area and the dune area have been integrated into a vegetated core which runs through the site with fingers stretching along the access ways to the buildings.

Although the development will have some visual impact it will be seen in the context of the landscaping on the site and the green escarpment behind. There will not be any blocking of views of the beach and the water from public viewpoints around the site.

### Flora and Fauna

The proposal will not result in any loss of native vegetation and no threatened species will be impacted on by the proposals. A Management Plan has been prepared to provide for the revegetation and on going management of the 7A area and the dune area on the site.

The desired outcomes of the plan are:

- To conserve biodiversity and maintain ecosystem function of the reserve
- To rehabilitate and maintain the land to its natural state and setting;
- To provide for appropriate linkages with vegetation & access corridors;
- To ensure that the use and management of the foreshore and 7(a) areas is in keeping with NSW Coastal Policy 1997, The Guiding Principles of Ecologically Sustainable Development and other relevant legislation and policies
- To provide for community use of and access to the land in such a manner that will facilitate the ecologically sustainable use of the foreshore and to minimise and mitigate any disturbance on the foreshore caused by community use;
- To maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area;
- To ensure the principal values of the foreshore are protected and enhanced environmental, cultural heritage, recreational, visual, scenic tourism

### Coastal Foreshore and Public Access

The Vegetation Management Plan has set out a process for the restoration and ongoing management of the foreshore areas on the site. This will be an ongoing process in consultation with the Council and the local

community. Public access will be provided along the northern boundary of the site to the beach to join to the coastal walk along the beach area.

### **Natural Hazards**

A Bushfire Risk Management Plan has been prepared for the development of the site and it concludes that the development can be safely carried out on the site and that it complies with the requirements for Asset Protection Zones and that access is in accordance with the requirements in Planning for Bushfire Protection 2001.

There are no acid sulphate soils on the site and the site is considered to be suitable for the proposed development in terms of contamination issues.

The building development is proposed to be sited landward of the 100year Hazard Line as identified along the coastal area by Coffs Harbour Council.

### **Noise**

The only sources of noise likely for the development are traffic on the Pacific Highway and wave noise. It has been concluded that construction measures can be adopted to deal with these matters.

### **Integrated Water Cycle Management**

A system of Integrated Water Cycle Management has been proposed for the site and this will utilise the principles of water sensitive urban design within a holistic framework to reduce the impacts of the development on all parts of the water cycle. The major aspects of the water cycle that are considered within the strategy include:

- Stormwater;
- Groundwater;
- Potable Water Demand (from the Coffs Harbour reticulated supply);

- Wastewater generation;
- Water Conservation; and
- Water Quality.

The strategy provides for the incorporation of detention basins, rainwater tanks, buffers and gross pollutant trap into the design. The incorporation of these treatment devices will ensure that there is no increase in pollutant export from the site as a result of the development. As a result there will be no additional impacts on the Solitary Islands Marine Park as a result of the proposal.

### **Traffic and Access**

The current access to the site is shared with other development and it is proposed that this will continue to be the access point to the site. Although it is unlikely that there will be significant increase in traffic generated by the site over that of the former use, there was an issue with the operation of the intersection of the site and the Pacific Highway. This intersection operated extremely poorly during the am and pm peak periods which was due to insufficient gaps for traffic turning at the intersection. The RTA is currently formulating the Coffs Harbour Pacific Highway Planning Strategy and has prepared a number of options for improvements to the highway. The upgrade programme will be staged over a number of years. The improvements proposed to this intersection will be formulated as part of this process. The timing of work in this area could coincide with the proposed development. Access to the proposed development will be consistent with the concept design for the upgrade of the highway. The existing combined access servicing the proposed residential subdivision, adjacent units and the Nautilus Resort will continue to provide access to all of these developments and will be upgraded to cater for the traffic generated by the proposed development.



# 6 Planning Assessment of the Proposed Changes

## Infrastructure Provision

As the site is already developed with 114 tourist suites and associated facilities infrastructure is available to the site. This is considered sufficient for the development proposed in the concept plan.

## Heritage

There are no heritage items on the site and it is unlikely that there will be any items of cultural heritage on the site. However, if any are found during construction measures will be adopted to deal with the finds.

## Social and Economic Environment

The new development will create jobs associated with the construction of the subdivision and the dwellings.

The development may attract high net worth individuals and this will further contribute to the economic development of the region.

Adequate social facilities are available in the area to service the development.

Generally the redevelopment of the site is expected to have positive economic and social impacts in the Coffs Harbour area.

## 6.4 Suitability of the Site

The site is considered to be suitable for the development. It is a site which has been developed for a tourist resort which has become run down and closed. It was concluded that further tourist development on the site would not be feasible. The site is zoned for residential development and the areas of environmental sensitivity have been protected in the proposals.

## 6.5 Submissions

There have been no submissions on the proposed amendment.

## 6.6 The Public Interest

It is considered that the proposal is in the public interest as it will provide a residential development of high design standards on this important beachfront site in Coffs Harbour. The concept for the site has been designed to incorporate the environmentally sensitive areas of the site and to provide for the improvement of these areas.

The proposal will have positive environmental, economic and social impacts in the Coffs Harbour area.



# 7 Revised

## Draft Statement of Commitments

### 7.1 Introduction

A Statement of Commitments was attached to the concept plan consent (06 0148). As a result of the proposed amendment to the plan this Statement of Commitments has been revised to take into account the changes proposed to the concept plan.

This draft Statement of Commitments identifies those matters, which it is proposed will be dealt with at the next stage of the proposed project in order to minimise impacts on the environment.

If approval to the amendment is granted under Part 3A of the Environmental Planning and Assessment Act 1979, the Proponent will commit to the following controls for the construction and operation of the proposed project.

### 7.2 The Project

The proponent will undertake the subsequent stages of the development generally in accordance with:

(a) The Environmental Assessment Report dated August 2006, prepared by PTW Planning as amended by the Preferred Project Report dated December 2006

(b) All supporting technical reports included in the Appendices to the above report as amended in the Preferred Project Report Appendices

(c) The Environmental Assessment Report dated June 2009 prepared by Janet Thomson and all supporting technical reports

(c)The concept plans dated June 2009 prepared by Cox Richardson and Associates

(d)This Statement of Commitments

If there is any inconsistency between the conditions of this Statement of Commitments and a document listed above the conditions of this Statement of Commitments shall prevail to the extent of the inconsistency.

The project will have the following parameters:

- There will be 42 lots of which 39 will be residential lots
- There will be 39 dwellings to a maximum height of 3 storeys (2 storey limit for the Beachfront lots)

#### 7.2.1 Statutory Requirements

(a) All approvals, licences and permits required by legislation will be obtained and kept current as required.

(b) The proposal will generally comply with the planning controls which relate to the site except as set out in this EAR.

### 7.2.2 Consultation

(a) The Community Consultation Programme prepared by Brian Elton and Associates will be implemented prior to the commencement of construction of dwellings on the site

(b) Consultation will continue throughout the development process with Coffs Harbour Council and relevant Government departments as necessary

### 7.2.3 Site Security

To prevent the unauthorised entry of people into the construction site(s) and prevent damage to the environment, security for the construction site(s) will include:

- Lockable security gates
- A security fence around the perimeter
- Security lighting on site and
- Controlled access to the site through the site control office, visitor reception area and site management personnel

### 7.2.4 General Development Design Requirements

#### 1. Design

(a) The design philosophy of the project shall be within the parameters as set out by Cox Richardson and Partners in the Design Guidelines included in Appendix 8 to this EAR.

(b) A detailed final set of Design Guidelines will be prepared to accompany the subdivision application for the site. These will be prepared for adoption by the Community Association prior to the construction of the first dwelling on the site.

(c) The Design Guidelines will be adopted and referred to in the Community Management Statement and a restrictive covenant will be included in an 88B Instrument on the individual titles of each of the lots noting the design Guidelines requirement.

(d) Architectural input will be continued in the development of the proposals for the site to ensure that high standards of design excellence are achieved. A Design Panel will be appointed by the Community Association to oversee the design of the individual dwellings prior to their construction on the site

(e) It will be an objective of the design process, included in the final Design Guidelines, to provide a safe and secure environment within the development

#### 2. Vegetation Management

(a) The Vegetation Management Plan prepared by Bushfiresafe Services will be adopted in relation to the future of the site prior to the commencement of construction

(b) Prior to the adoption of the Vegetation Management Plan Coffs Harbour City Council, relevant Government Authorities and the community will be consulted

(c) The Vegetation Management Plan provides for the rehabilitation of the dune area and the area zoned 7A Environment Protection

(d) The Vegetation Management Plan provides for public access through the site and to the beach area

#### 3. Bushfire Protection

(a) The Bushfire Risk Plan of Management will be adopted for the proposal to address the ongoing maintenance of the open space and landscaped areas on the site prior to the subdivision of the site

(b) All future home owners will be encouraged by the Community Management to prepare A Bushfire Home Evacuation Plan

# 7 Revised Draft

## Statement of Commitments

(c) The Design Guidelines will provide that all roofing to be used on the site will be gutterless or will have leafless guttering

#### 4. Landscape

(a) Landscaping of the site will be carried out in accordance with the Landscape Management Plan prepared by Jackie Amos Landscape Architect set out in this EAR prior to the construction of the dwellings on the site

(b) A Landscape Architect will be retained to oversee the project and planting of the landscaped areas on the site. The Landscape Architect will ensure that all landscaping is carried out in accordance with the Landscape Management Plan

#### 5. Coastal Issues

(a) The stormwater system for the site will be designed to ensure that there is no substantial increase in run-off to the Solitary Islands Marine Park once the project is completed and will be installed prior to the construction of dwellings on the site

(b) The dune area will be revegetated in accordance with the Sapphire Vegetation Management Plan prior to the construction of dwellings on the site

(c) All buildings behind the dune will have a minimum floor level of 7.5m AHD. This will provide 0.5m freeboard above the 7.0m AHD inundation level recommended by Geomarine (1998) and Coffs Harbour City Council. This will be achieved by partially filling the low lying area to a height of 6.5m AHD to 7.0m AHD where the buildings are to be sited. Any fill will be constructed prior to the construction of dwellings on the site

(d) All buildings will be landward of the 100 year Hazard

Line as noted on the Willings and Partners (1999) drawing of the Campbell's Beach Hazard Lines provided by Coffs Harbour City Council

(e) All buildings immediately behind the dune (The Beachfront Houses) will have specially constructed foundations built to withstand a storm surge or tidal inundation. These design requirements will be implemented by the Community Management Statement and via the s88B instrument for the subdivision of the site.

(f) Detailed plans will be prepared in consultation with Coffs Harbour City Council of the cut and fill to be undertaken on the site. The cut and fill will be designed to ensure that there are no adverse impacts on the dune area or on neighbouring properties. These plans will form part of the application for the subdivision of the site.

(g) As part of the subdivision of the site, a Sea Rise Protection Zone will be proclaimed within the community property seaward of the beachfront lots but landward of the dunes in the vicinity of the 50 year hazard line to allow for the future construction of a range of amelioration measures to combat the effects of possible sea level rise

(h) Prior to commencement of civil works associated with subdivision, a registered surveyor must determine the location of the 100 year hazard planning line (as per Willing and Partners, Map 1 Campbells Beach Hazard Lines, September 1999) on the subject site.

## **6. Integrated Water Cycle Management**

(a) A Water Management Plan which adopts the principles of Water Saving Urban Design will be prepared for the site prior to the commencement of any construction which will address the following issues:

- o Detailed design of the stormwater management system
- o Detailed design and landscaping of the bioretention system
- o Detailed Implementation of water saving measures for the site
- o Plans for the maintenance of water quality on the site

(b) A Sediment and Erosion Control Plan will be developed for the stormwater system for the site prior to the commencement of construction on the site

## **7. Traffic and Access**

(a) All parking proposals and the design of parking areas on the site will comply with the Coffs Harbour City Council Planning Controls

(b) The proponent will continue to liaise with the RTA in relation to the upgrade of the Pacific Highway by the RTA

(c) The proponent will continue discussions with the RTA in relation to the operation of the intersection with the Pacific Highway and possible changes to the operation of the intersection and traffic management arrangements for the site

(d) Prior to the commencement of any construction, the proponent will develop a Traffic Management Plan for the site which provides for the ongoing operation of the project in accordance with the requirements of the RTA

(e) The proponent will liaise with the RTA and Coffs Harbour City Council in relation to the provision of a Bus

Stop and Shelter on the Pacific Highway and pedestrian access to it

## **8. Heritage**

(a) A watching brief will be maintained during excavation of the site for any Aboriginal relics or signs of items of cultural heritage

(b) The procedures proposed by Davies Heritage Consultants P/L, in their report Archaeological Assessment of Indigenous Values will be adopted should any Aboriginal relics or items of cultural significance be discovered, including an Indigenous Cultural Heritage Induction programme for all workers on the site.

## **9. Acoustics**

(a) Prior to the commencement of construction of the individual dwellings an Acoustic Model will be prepared for the site to determine the measures to be implemented in the design of the dwellings to achieve satisfactory acoustic levels. These design requirements will be included in the Design Guidelines for the site.

(b) Acoustic levels will not exceed levels specified in Environmental Criteria for Road Traffic Noise (DEC June 1999) and Noise Guide for Local Government (DEC 2004)

## **10. Environmental Management**

(a) A Waste Management Plan will be submitted to Coffs Harbour City Council for approval prior to the commencement of building works.

(b) Once the site has been subdivided, individual geotechnical studies will be carried out before commencement of construction of dwellings to assess the geotechnical risks to the lots



# 7 Revised Draft

## Statement of Commitments

### 11. Construction

(a) Prior to the commencement of construction works (including the construction works for the subdivision of the site) a Construction Management Plan will be adopted covering the following:

- o Traffic access to the site during construction
- o Demolition of the existing buildings on the site and a programme for the recycling of materials from them
- o Plan for the disposal of waste from the site
- o Acoustic and vibration management plan
- o Plans for the protection of vegetation on the site during construction
- o Visual aspects of construction activities
- o Handling and disposal of hazardous materials
- o Measures to avoid adverse impacts on aboriginal heritage
- o Stormwater drainage control

(c) Communication protocol between the Site Manager and contractors is to be established to ensure compliance with these commitments.

### 12. Social and Community

(a) Prior to the commencement of any construction, the proponent will submit for approval appropriate s94 contributions for the proposed project to Coffs Harbour City Council

### 13. Monitoring/Auditing and Reporting

(a) An Annual Environmental Management Report will be prepared for the period from the date of commencement of construction to practical completion and registration of the subdivision by the LPI detailing the proponent's performance in relation to these commitments

(b) The site manager will maintain a daily log book identifying the location, contractor and description of all demolition, earthworks, construction and environmental management activities undertaken. The logbook is to be made available to Coffs Harbour City Council upon request with a summary of the logbook included in the report to Council



