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TOWN PLANNING & DEVELOPMENT CONSULTANTS

STATEMENT OF ENVIRONMENTAL EFFECTS

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casuarina beach

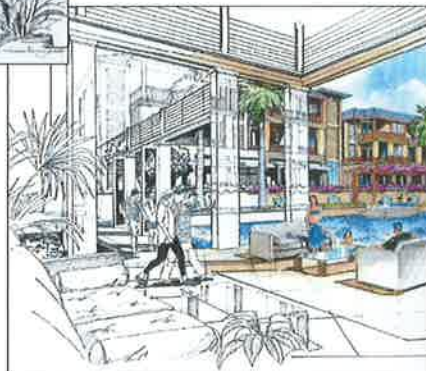
PROPOSED TOURIST COMPLEX AT LOT 224 DP 1048494, DIANELLA DRIVE, CASUARINA BEACH

PREPARED FOR:

RESORT CORP PTY LTD

PREPARED BY:

DARRYL ANDERSON CONSULTING PTY LTD



AUGUST 2004

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STATEMENT OF ENVIRONMENTAL EFFECTS
FOR A PROPOSED TOURIST COMPLEX AT
LOT 224 DP 1048494, DIANELLA DRIVE, CASUARINA BEACH
“SANTAI”

1.0 INTRODUCTION

Resort Corp Pty Ltd have instructed Darryl Anderson Consulting Pty Ltd to prepare this Statement of Environmental Effects to accompany a development application for a tourist complex comprising 114 accommodation units with ancillary restaurant and conference room.

Pursuant to Clause 10(2) of State Environmental Planning Policy (SEPP) No. 71, The Department of Infrastructure, Planning and Natural Resources (DIPNR) is the consent authority for this development application. The proposed development requires an approval under Section 138 of the Roads Act 1993, with Tweed Shire Council being the approval body. Therefore the proposal comprises Integrated Development pursuant to Section 91 of the Environmental Planning and Assessment Act 1979.

This Statement is divided into six (6) sections. The remaining sections will provide a description of the proposal, the site and the surrounds, the planning and development context, an environmental assessment and a conclusion.

2.0 THE SITE AND ITS SURROUNDINGS

The subject land is located approximately 4km south of the Kingscliff Town Centre within the master planned coastal development known as Casuarina Beach (see **Figure 1**).

The site is legally described as Lot 224 in DP 1048494 Dianella Drive, Casuarina Beach. Lot 224 forms an irregular shaped parcel with a northern frontage of 48.040m to Dianella Drive, an eastern boundary of 82.195m, a southern boundary of 106.935, and a western frontage of 150.224m to Casuarina Way and a 20m wide right of carriageway within Lot 223, providing a total site area of 8,208m² (see **Figure 2**).

To the north of the site on the opposite side of Dianella Drive are a number of detached dwellings forming part of the northern precinct of the Casuarina Beach development. Further to the north is the vacant land “paper” subdivision known as “Seaside City” and the master planned development known as Salt.

To the east are five allotments intended for detached dwellings. Further to the east are a number of other detached dwelling lots, the coastal foreshore, Casuarina Beach and the Pacific Ocean.

To the south is a reservation for drainage approximately 36m wide. Further to the south is the presently vacant site of the future Casuarina Beach Town Centre and the residential development within the southern precinct of Casuarina Beach.

To the west, is a partly formed section of the Casuarina Way road reserve, which is ultimately to be continued through to the Casuarina Town Centre. Lot 223 comprises a “master lot”, which is likely to accommodate a future medium density residential or tourist accommodation development. Further to the west is Tweed Coast Road, which provides the main road connection between the Tweed Coast villages and the Tweed Heads regional centre.

Land forming works have been conducted over the subject site and surrounding areas in accordance with the Casuarina Beach development consent for subdivision work. The site has therefore been cleared and provides a gentle slope.

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With the exception of a narrow batter adjacent to the southern site boundary and a stock pile of soil located near the north-western corner of the site, the finished levels generally range between RL 11.5m AHD near the north-western corner of the site, downward to RL 9.0m AHD near the southern boundary. In addition, a 3m wide easement for sewer is located adjacent to the eastern boundary of the site.

3.0 THE PROPOSED DEVELOPMENT

3.1 BACKGROUND TO THE PROPOSAL

The relevant background to this proposal includes the Casuarina Beach subdivision consent and approved development plan, and the issues discussed at a pre-lodgement meetings relating to this application held with planning officers of Tweed Shire Council and DIPNR. These matters are outlined in the following paragraphs.

On the 16 December 1998 the Land and Environment Court, by way of consent orders, issued the above consent in respect of a subdivision into 14 master lots, carrying out of stage 1 works and the development of the future management lots. Subdivision work has been completed on that site including the formation of the subject site.

On 12 May 2004 members of the project team consulted the Tweed Shire Council Development Assessment Panel (DAP) to discuss concept plans of the proposed development. A copy of the minutes of this meeting is attached as **Annexure B**. The key matters discussed at that meeting are addressed in the application plans, this Statement and the supporting specialist reports.

On 1 June 2004, representatives of the project team attended an on-site pre-lodgement meeting held with, Pradesh Ramiah and Sri Soerono (DIPNR). The concept plans of the proposed tourist complex were discussed and considered in the context of the site and existing planning controls. It was concluded at that meeting that due to the relatively recent nature of the subdivision works, the limited environmental constraints of the site and the level of prior assessment associated with the master planning of the site, that a planning focus meeting was not required. It was agreed that all relevant details would be considered as part of the development application.

3.2 THE DEVELOPMENT PROPOSAL

This application seeks development consent for a tourist complex comprising a total of 114 tourist accommodation units in the format of 90 x one bedroom units and 24 x two bedroom units. The proposal includes the provision of a restaurant, conference room 117 car parking spaces and all landscaping and site works as fully described in the application plans prepared by Pacific Projects Group Architecture (**Figure 3**). The landscape design has been prepared by Imagine Design Group (**Figure 4**). The proposal is briefly described in the following paragraphs, while the design rational and concept is further illustrated in the architects design report (**Annexure A**).

The vehicular access to the site is provided via two new driveway crossovers to Dianella Drive. Entry to the site will be from the eastern driveway and the exit from the western driveway. The direction of flow throughout the site is designed to be predominantly one-way with provision for passing vehicles in the guest set-down area adjacent to the entrance lobby. A car wash facility, a service yard, a temporary store for refuse collection and 3 car parking spaces are located adjacent to the access driveway.

The basement level is accessed via a ramp located to the west of the lobby and comprises a total of 79 car spaces provided either side of a central circulation aisle. The car parking area at ground level includes a total of 35 car spaces in an under croft to the units near the western boundary.

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At ground level the main pedestrian access to the development is via the front lobby which opens onto the central landscaped open space and swimming pool area. The proposed development also provides direct pedestrian access from numerous points in the car parking area.

The restaurant and conference room, for use by the guests of the development only, are provided adjacent to the entry lobby. The building has responded to the sloping nature of the site by incorporating changes in levels between the separate building modules along the western elevation of the development. This stepped and segmented design enhances the open and relaxed coastal feel of the development and contributes to the external appearance of the building and the streetscape.

The unit floor plans at each level of the development provide a mix of standardised layouts with indoor and outdoor living areas orientated to views over the lush central landscaped area of the site. The privacy impacts of the units at these lower levels on the existing and likely future development of the adjoining properties is mitigated by the dimensions of windows to privacy sensitive rooms and the provision of appropriate landscaping to obscure lines of sight and provide physical separation. These elements are also fundamental to the overall appearance of the building.

A summary of the proposed development including gross floor areas of the building at each level are provided in Table 1.

Table 1 – Development Summary

LEVEL	DESCRIPTION
Basement	79 Car Parking Spaces
Ground	Ground Level Pools & Recreation Areas Restaurant/ Conference Room 35 Car Parking Spaces (undercroft) 3 Car Parking Spaces (lobby) 29 x 1 Bedroom Units 4 x 2 Bedroom Units
Level 1	31 x 1 Bedroom Units 10 x 2 Bedroom Units
Level 2	30 x 1 Bedroom Units 10 x 2 Bedroom Units
TOTALS	114 Units (24 x 2 bedroom/ 90 x 1 bedroom) 117 Car Spaces Bicycle Storage Room for approximately 20 Bicycles Car Wash Facility

Source: Pacific Projects Group Architecture June 2004

4.0 STATUTORY PLANNING CONTEXT

4.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 11 – TRAFFIC GENERATING DEVELOPMENTS

Referral of this application to the Traffic Committee is required as the proposal involves more than 50 car parks. It is considered that due to the location and design of the proposed development with appropriate connections to the local and regional road network that no significant traffic or transport issues arising from the proposal.

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4.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 44 – KOALA HABITAT

The site is highly disturbed and is located within an existing urban area. There is no core Koala Habitat on the site and therefore a management plan is not required.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

In summary, Clause 7 of this policy provides that the consent authority must not consent to the carrying out of any development on land unless it has considered, among other things, whether the land is contaminated, based on a preliminary investigation of the land carried out in accordance with the Contaminated Land Planning Guidelines.

In this regard, it is submitted that the issue of soil contamination including radioactive contamination was thoroughly dealt with in the preparation and determination of the Casuarina Beach subdivision development consent. Accordingly, the site is considered suitable for the proposed tourist accommodation development.

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO. 71 – COASTAL PROTECTION

The subject site is within the coastal zone and therefore relevant provisions of this policy apply. Schedule 2 of the Policy includes "tourist facilities" and structures greater than 13 m in height as "state significant development". The Minister is the consent authority for this development by virtue of Clause 10(2) of the Policy and his Section 76A(7) Direction dated 17 January 2003. The matters for consideration in Clause 8 of the Policy are addressed at **Annexure C**.

4.5 NORTH COAST REGIONAL ENVIRONMENTAL PLAN, 1988

Clause 32B - Coastal Lands

The details of this Clause are stated as follows and addressed under the headings below;

- 2) *"In determining an application for consent to carryout development on land to which the Coastal Policy applies, the Council shall take into account –*
 - a) *The NSW Coastal Government Policy;*
 - b) *The Coastline Management Manual; and*
 - c) *The North Coast Design Guidelines.*
- 3) *The Council shall not consent to the carryout of development which would impede public access to the foreshore area;*
- 4) *The Council shall not consent to the carrying out of development –*
 - a) *on urban land at Tweed Heads, Kingscliff, Byron Bay, Ballina, Coffs Harbour or Port Macquarie, if carrying out the development would result in beaches and adjacent open space being overshadowed before 3 pm mid-winter (standard time) or 6.30 pm mid-summer (daylight saving time); or*
 - b) *elsewhere in the region, if carrying out the development would result in beaches or waterfront open space being overshadowed before 4 pm mid-winter (standard time) or 7 pm mid-summer (daylight saving time)."*

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NSW Coastal Policy, 1997

Relevant matters for consideration in this policy are addressed at Section 4.6 of this Statement.

Coastline Management Manual, 1990

In accordance with the requirements of this manual, Tweed Shire Council has prepared a Coastline Hazard Definition Study, but the preparation of a Coastline Management Plan is yet to be completed. This matter is further discussed in Section 4.9 of this Statement of Environmental Effects.

North Coast Design Guidelines

The key guidelines have been included in the design of the buildings, particularly in relation to the building form, cladding materials, solar access and energy efficiency (see Architectural Design Report at **Annexure A**).

Foreshore Shadow

In so far as Clause 32B4(b) is concerned, the proposed building does not overshadowing the beach or foreshore open space at the stated times (see **Annexure D**).

Clause 33 – Coastal Lands

In summary, this Clause requires the Consent Authority to take into account the provisions of the Coastline Management Manual and requires as a condition of development consent, that disturbed foreshore areas be rehabilitated and requires as a condition of development consent that access across foredune areas be confined to specific points.

Matters relating to the Coastline Management Manual are discussed above in relation to Clause 32B.

Rehabilitation of the beach foreshore area has been undertaken in accordance with Management Plans, which accompany the separate consent relating to the subdivision of the land. The proposal is therefore consistent with the provisions of this Clause.

Clause 51 – Tall Buildings

This Clause provides that the Council shall not, without the concurrence of the Director of Planning NSW, grant consent to a development application for the erection of a building over 14m in height.

As indicated on the application plans, the proposed building will not exceed 14m in height and concurrence is not required.

Clause 66 – Adequacy of Community and Welfare Services

Basic community facilities are provided some 5km north of the site at Kingscliff, including medical practitioners, a local shopping centre, recreation facilities, library, primary and high schools and a TAFE college, Police Station, Fire Station and Ambulance Service.

Higher order facilities including a hospital, university, sub-regional shopping centres and welfare support services are available at Tweed Heads some 17km north of the site.

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Council would also normally impose conditions on any consent requiring the payment of contributions pursuant to Section 94 of the Act. In addition, other facilities are to be provided in the locality including the nearby Surf Life Saving Facility at Salt and the redevelopment of the Cabarita Beach Surf Lifesaving Club.

Clause 75 – Tourism Development

This Clause provides that Council shall not consent to an application for tourism development unless it is satisfied that road access is adequate, social and community services exist in close proximity for permanent residents, urban services are available and natural site values will be maintained.

The site is adequately served by the road connections and is conveniently located in relation to both Kingscliff and Tweed Heads where appropriate social and community support services are available. In addition, full urban infrastructure is proposed for the proposed tourist complex. The approved Casuarina Beach Master Plan has addressed in detail how the proposal relates to and will maintain the natural values of the site.

Clause 81 – Development Adjacent to the Ocean or a Waterway

This Clause requires Council to take into account any existing waterway within 100m of the development site and the need for the dedication of foreshore open space together with the consistency with any foreshore management plan applying to the area. The application is consistent with this Clause in that this matter was addressed as part of the separate development consent for master planned subdivision of the site.

4.6 NSW COASTAL POLICY, 1997

The maps accompanying the Coastal Policy indicate that the site falls within the area to which the Policy applies.

Table 2 of the Coastal Policy contains a number of strategic actions relevant to development control. The following table addresses those strategies of particular relevance to this application. In summary, approval of the application would not be inconsistent with the Coastal Policy.

STRATEGIC ACTION NO.	STRATEGIC ACTION	COMMENT
1.3.2 & 1.3.8	Stormwater Quality	This issue is addressed at the Stormwater Management Plan at Annexure E .
1.4.5	Coastal Hazards	This issue is addressed in Section 4.9 of this Statement.
2.1.4	Acid Sulphate Soils	This issue is addressed in Section 4.7 of this Statement.
3.2.1	North Coast Design Guidelines	This issue is addressed in Section 4.5 of this Statement.
3.2.4	Design and Locational Principles	The proposed tourist complex designed by PPG Architecture is not located on the foreshore reserve, is less than 14m in height from finished surface level, and will not result in over shadowing of the foreshore at the stated times.

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STRATEGIC ACTION NO.	STRATEGIC ACTION	COMMENT
7.1.5	Public Foreshore Access	This application is consistent with this provision in that beach access points and a cycleway/walkway are addressed under the preceding subdivision consent.
7.2.3	Surf Life Saving Facilities	A new surf life saving facility is to be provided at the nearby Salt Development. The proposed development will provide normal developer contributions (Section 94 Plan No.16) to assist Council in the future provision of surf lifesaving facilities.

4.7 TWEED LOCAL ENVIRONMENTAL PLAN 2000

The land to which this application relates is zoned 2(e) Residential Tourist under the provisions of this plan. (See **Figure 1**) The following Clauses of the Plan are relevant to this application

Clause 11 – The Zones

The objectives of the 2(e) zone are as follows:

“Primary Objective

- *To encourage the provision of family-oriented tourist accommodation and related facilities and services in association with residential development including a variety of forms of low and medium density housing and associated tourist facilities such as hotels, motels, refreshment rooms, holiday cabins, camping grounds, caravan parks and compatible commercial services which will provide short-term accommodation and day tourist facilities.*

Secondary Objective

- *To permit other development which has an association with a residential/tourist environment and is unlikely to adversely affect the residential amenity or place demands on services beyond the level reasonably required for residential use.”*

Pursuant to Clause 11, development for the purpose of tourist accommodation is a permissible use (Item 2) in the 2(e) Zone. The proposed tourist accommodation development is also entirely consistent with the objectives of this zone since it will enhance the variety of available tourist accommodation in the area, whilst being compatible with the likely scale and amenity of other anticipated development in the surrounding area.

Clause 15 – Availability of Essential Services

All urban services including sewer, water, electricity and telecommunications are available to the site.

Clause 16 – Height of Buildings

A three storey height limit applies under the provisions of this Clause. The proposal comprises a maximum height of three-storeys from the existing ground level and therefore fully complies with this development standard.

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Clause 17 – Social Impact Assessment

This matter is mentioned at Section 4.11 of this Statement (Development Control Plan No. 45) and discussed in detail in the attached Socio-Economic Impact Statement prepared by Darryl Anderson Consulting Pty Ltd (see **Annexure F**).

Clause 35 – Acid Sulphate Soils

The Acid Sulphate Soil (ASS) Planning maps indicate that the site is located in areas identified as Class 4. Geotechnical investigations have been undertaken on the site by Soil Surveys Engineering. From this investigation it has been concluded that an ASS management plan is not required (see **Annexure G**).

Clause 36 – Coastal Erosion Outside Zone 7(f)

See comments under Development Control Plan No. 8 (Section 4.9).

Clause 44 – Archaeological Sites

As previously stated the site has been extensively disturbed and filled. It is considered that the archaeological issues were appropriately resolved by the parent subdivision consent and subsequent monitored site works.

4.8 DEVELOPMENT CONTROL PLAN NO. 2 – CAR PARKING CODE

Under the stated car parking rates of this plan, tourist accommodation development is to provide car parking at the rate 1 space per unit plus of 0.5 spaces per staff member.

The proposal comprises a total of 114 units and the complex is likely to have no more than 6 employees on site at any one time. Therefore, the car parking requirement for the development is 117 spaces.

Since the proposed restaurant and conference room are to be operated as part of the tourist complex there is no additional car parking demand generated by these ancillary uses.

DCP 2 requires the provision of 1 bicycle space per unit. This amount of bicycle storage is considered to be excessive, particularly in relation to the rate applied by Tweed Council to the nearby 318 room Outrigger Resort at Salt, which was only required to provide a total of 50 bicycle spaces. Therefore it is proposed that an appropriate lockable storage room be provided within the development to accommodate up to 20 bicycles which is equivalent (pro-rata) to the Outrigger consent.

As indicated on the application plans a total of 117 car parks are proposed at basement and ground level. In addition, provision is made for bicycle parking on site, as shown on the application plans. Although not strictly required by Council's code, a dedicated car wash facility has been provided with a pervious surface.

In addition provision has been made for a centralised delivery dock which will service the restaurant and accommodation facilities. The project architect has liaised with Solo Waste, being the waste contractors for Tweed Shire Council. Solo Waste has indicated that the proposed waste storage and collection arrangements are appropriate (see **Annexure H**).

Accordingly, the provisions of Development Control Plan No. 2 are generally satisfied in so far as on site car parking, manoeuvring and access is concerned.

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4.9 DRAFT DEVELOPMENT CONTROL PLAN NO. 8 – DEVELOPMENT OF LAND LIABLE TO COASTAL EROSION

This Development Control Plan remains in draft form, however Council nevertheless takes it into account when assessing development applications. Plan No. 8(e)2 of the Development Control Plan indicates that the site is located west of the immediate impact line, in the vicinity of the 100-year impact line.

The recently completed Tweed Coast Hazard Definition Study (TCHDS) indicates that coastal land recession rates have either stabilized or show slight accretion with the 100 year hazard seaward of all properties at the northern end of the beach unit (TCHDS, Section 8.4.3).

4.10 DEVELOPMENT CONTROL PLAN NO. 11 – Kings Beach

This plan came into force in October 2000 and essentially implements the negotiated outcomes reflected in the consent issued by the Land and Environment Court on 16 December 1998.

Condition A (iii) of the Consent states;

“The development of the management lots for the purposes of low and medium density residential, retail, commercial and tourist development together with associated and related uses and facilities generally in accordance with the development plan.”

The stamped approved “development plan” nominates the subject site as a management lot. Therefore the proposed development is not inconsistent with the relevant conditions of the consent orders as reproduced in DCP No. 11, particularly having regard to the prevailing 2(e) Residential Tourist zoning of the site.

4.11 DEVELOPMENT CONTROL PLAN NO. 39 – ENERGY SMART HOMES POLICY

Compliance with this plan is not mandatory for a tourist complex. However the design of the building is consistent with energy efficiency principles. An Ecologically Sustainable Development assessment of the proposal has been conducted by Heggie & Associates Pty Ltd (See **Annexure I**). This report concludes that the design of the proposal is appropriate and achieves significant reductions in energy required during the construction and the operational phases of the development.

4.12 DEVELOPMENT CONTROL PLAN NO. 45 – SOCIO-ECONOMIC IMPACT ASSESSMENT

The proposed development is likely to play a significant role in the establishment of a market for quality tourist accommodation on the Tweed Coast with the potential to provide a significantly wider contribution to the local economy.

In accordance with the provisions of this plan, a Socio-Economic Impact Statement is attached at **Annexure F**, which outlines the likely impacts of the proposal on the local community and the Tweed economy.

4.13 SECTION 94 CONTRIBUTION PLANS

Contribution plans adopted by Council pursuant to Section 94 of the Environmental Planning and Assessment Act and applicable to the site include;

Section 94 Plan No. 4 – Tweed Road Contribution Plan
Section 94 Plan No. 16 – Emergency Facilities (Surf Lifesaving)
Section 94 Plan No. 18 – Council Administration Officers and Technical Support Facilities

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Section 94 Plan No. 22 – Cycle ways
Section 94 Plan No. 26 – Shire Wide Regional Open Space.

Contributions to be made at the rates specified for tourist accommodation under these plans will ensure that the development provides equitable and appropriate funding for the provision of facilities to reflect the additional demand created by future guests.

4.14 TWEED 2000 + STRATEGIC PLAN

In December 1996 Council adopted this Plan, which has the intention of providing a broad overview of Council's intentions and directions for the future in relation to development, the environment and infrastructure provision.

In particular, Shire Wide Strategic Principle No. 6 provides for an increased emphasis on economic, employment generation and retention in the Tweed whilst Strategic Principle No. 4 requires ecological sustainable development principles to be included in the decision making process. It is considered that this application is highly consistent with these principles and the relevant policies and actions contained in the Plan for the following reasons;

- ♦ The proposal will facilitate development of a tourist complex, which will generate an estimated 245 equivalent full-time employment positions during the construction phase (12 - 18 months) and approximately 6 - 10 equivalent full-time employment positions during the operational phase.
- ♦ In total, the Santai development will directly inject approximately \$17.5 million (construction cost) into the local economy during the construction phase and an estimated direct annual contribution of \$8.5 million. Other flow-on economic benefits are likely given the many service and supply relationships to, and within, associated industries (see **Annexure F**).
- ♦ The ecological values of the master plan site have been identified, which has resulted in the dedication of beach foreshore buffers, provision of open space corridors within the wider Casuarina Beach site, rehabilitation of degraded dunal areas and management of stormwater to mitigate potential pollution of existing water bodies. The proposed development is consistent with the intent of the master plan and is therefore considered appropriate in terms of ecological values.

4.15 LANDSCAPE AND VISUAL ASSESSMENT

It is considered that the design of the proposed tourist complex, which limits building height to 3 storeys and provides appropriate variation in external cladding materials and colours is consistent with the character of the surrounding development. A detailed landscape design has been prepared by Imagine Design Group, which provides a well considered and appropriate design for the proposal. In addition the detailed consideration, which has been applied to the design in terms of the context and character of the locality is presented in the architectural design report included as **Annexure A**.

4.16 TWEED URBAN STORMWATER QUALITY MANAGEMENT PLAN

In accordance with the provisions of this plan, a Stormwater Management Plan is contained at **Annexure E**.

The Stormwater Management Plan provides for appropriate measures to manage and mitigate potential adverse impacts arising from stormwater runoff both during the construction phase and the occupational phase such that impacts on downstream water quality are reduced.

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4.17 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Ecologically sustainable development is included in the objects of the Environmental Planning and Assessment Act. In summary, ecologically sustainable development relates to managing development and the consumption of resources to a level which is sustainable in the long term. Schedule 2 of the Environmental Planning and Assessment Regulations, 2000 includes the following principles of ecologically sustainable development;

- a) *"The precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

In the application of the precautionary principle, public and private decisions should be guided by;

- i) *Careful evaluation to avoid, where practicable, serious or irreversible damage to the environment, and*
- ii) *An assessment of the risk-weighted consequences of various options,*
- b) *Inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.*
- c) *Conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration.*
- d) *Improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services such as;*
- (i) *Polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
- (ii) *The users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and the ultimate disposal of any waste,*
- (iii) *Environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimize costs to develop their own solutions and responses to environmental problems."*

The application plans and specialist reports accompanying this development application demonstrate the proponent's strong commitment to ecologically sustainable development principles.

In particular, the planning, design and construction the development has been based on the identification of potential adverse impacts and the establishment of appropriate measures in the planning, design and construction phase to mitigate those impacts.

In addition, the proposed development aims to achieve urban design outcomes consistent with contemporary practice and which achieves sustainable outcomes particularly in relation to managing potential degradation of downstream water bodies and wetlands and creating units which are compatible with energy efficient housing objectives.

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The proposal achieves a balance between the commercial objective of producing a viable quality tourist complex and the environmental constraints and opportunities of the site. This application is also consistent with the provisions of the Master Plan as it relates to this site.

5.0 ENVIRONMENTAL ASSESSMENT

Clause 50(1)(a) of the Environmental Planning and Assessment Regulations, 2000 provides that a Development Application must contain the information and be accompanied by the documents specified in Part 1 of Schedule 1 of the Regulations. Clause 2(4) of Part 1 of Schedule 1 provides that a Development Application must be accompanied by a Statement of Environmental Effects which must indicate the following matters:

- a. The environmental impacts of the development;
- b. How the environmental impacts of the development have been identified;
- c. The steps to be taken to protect the environment or to lessen the expected harm to the environment.

These matters are specifically addressed in the following sections.

5.1 IDENTIFICATION OF POTENTIAL ENVIRONMENTAL IMPACTS

The potential environmental impacts arising from the proposed development are summarized as follows;

- ♦ Disturbance of contaminated land;
- ♦ Alienation of public access to beach foreshore areas;
- ♦ Disturbance of acid sulphate soils;
- ♦ Exposure of urban development to coastal erosion hazards;
- ♦ Exposure of beach users to dangerous beach conditions;
- ♦ Land, soil and water degradation;
- ♦ Diminution in downstream water quality;
- ♦ Habitat reduction for threatened species of fauna;
- ♦ Loss or damage to threatened species of flora;
- ♦ Adverse visual impacts;
- ♦ Adverse noise impacts;
- ♦ Bush fire hazards resulting from development adjacent to vegetated areas with high fire risks;
- ♦ Damage to cultural heritage items;
- ♦ Adverse impacts on the landscape;
- ♦ Impacts on future residential amenity;

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- ♦ Traffic congestion;
- ♦ Increased demand for car parking;
- ♦ Increased demand for water and energy use;
- ♦ Increased demand for public recreation facilities.

5.2 METHOD OF DETERMINING ENVIRONMENTAL IMPACTS

A range of measures have been used to identify potential environmental impacts of the proposed development, these include;

- ♦ Completion of a detailed site inspection and inspection of aerial photography;
- ♦ Consultations with officers from DIPNR and Tweed Shire Council;
- ♦ Consideration of traffic and pedestrian movements through the master plan site;
- ♦ Consideration of application plans and design statement;
- ♦ A review of all relevant planning instruments, Development Control Plans and Council policies and codes;
- ♦ Preparation of shadow diagrams;
- ♦ Completion of a land survey to determine slopes, and identify key topographic features;
- ♦ Completion of geotechnical investigations to determine mass movement potential and land stability;
- ♦ Completion of preliminary hydraulic investigations to determine potential stormwater pollutant loads and required mitigation measures;
- ♦ Investigation of energy and water efficiency of the proposal;
- ♦ Preparation of an acoustic report;
- ♦ Investigation of bushfire hazard threat;
- ♦ Completion of a visual assessment of the landscape values of the development site;
- ♦ Completion of investigations into the capacity of existing infrastructure and services;
- ♦ Completion of sampling and testing to determine the presence of Acid Sulphate Soils.

5.3 PROPOSED MEASURES TO MITIGATE POTENTIAL ADVERSE IMPACTS

Mitigation and management of potential environmental impacts arising from the proposed development are identified in relevant sections of this statement and the various annexures. In summary, those measures include;

- ♦ Design of the tourist accommodation buildings to reflect contemporary standards and guidelines including the Coastal Design Guidelines for NSW, 2003 (Coastal Council of NSW);

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- ♦ Preparation of management plans to ensure that the proposed development during both the construction and operation phases is appropriately managed and monitored to achieve desired commercial and environmental outcomes;
- ♦ Protection of significant foreshore landscape features by designing to encourage pedestrian movements to the controlled accesses to the beach via the identified pathways;
- ♦ Provision of high quality passive private open space and recreation facilities on the site for use by guests;
- ♦ Provision of appropriate landscaping to soften visual impacts, reduce run-off and improve the aesthetics of the public domain;
- ♦ Adoption of a site layout which facilitates pedestrian and bicycle access to key facilities;
- ♦ Design to encourage the use of pathways and paved footpaths to improve permeability and connectivity and reduce motor vehicle dependence;
- ♦ Incorporation of key crime prevention elements into the design in relation to landscaping, security fencing, lighting and surveillance of the public domain;
- ♦ Provision of all normal urban infrastructure on site;
- ♦ Payment of Section 94 contributions towards distributor roads, cycle ways, Council offices, emergency facilities (surf life saving) and regional open space (casual) to meet the additional demand generated by guests;
- ♦ Payment of Section 64 water and sewer headworks contributions for augmentation of existing infrastructure to accommodate the additional demand generated;
- ♦ Implementation of standard construction phase impact amelioration measures including limiting hours of work; dust suppression measures; erosion and sedimentation control measures and permanent stormwater quality control facilities;
- ♦ Installation of water and energy efficient devices and measures recommended by the project engineers;
- ♦ Implementation of key recommendations from specialist consultant's reports.

6.0 CONCLUSION

As reflected in this Statement of Environmental Effects, the proposal is unlikely to result in any significant adverse impacts on the environment. The proposed development is generally consistent with all relevant statutory planning requirements and is permissible with the consent of the Consent Authority, which in this case, is the Minister.

The Statement of Environmental Effects identifies potential adverse impacts, assesses their magnitude and significance and proposes measures to mitigate and manage those impacts such that the ultimate development is sustainable and commercially viable.

The architectural style and external appearance of the proposed buildings are consistent with energy efficient design principles and relate favourably to the contemporary coastal character of the Casuarina Beach locality.

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Having regard to the above considerations and the assessment within this Statement of Environmental Effects it is submitted that the proposal, which will provide a significant contribution to the local economy by way of direct investment of \$17.5 million and 245 jobs during construction and a direct annual investment of \$8.5 million per annum and 6 - 10 full time equivalent jobs during operation is appropriate, sustainable and in the public interest. Accordingly, the Minister's approval of the application is respectfully requested.

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