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Our ref: 06_0186
File: S06/00162

Mr T de Waal
Kann Finch Group
50 Carrington Street
WYNYARD NSW 2000

Dear Mr de Waal,

Director General's Requirements for the Environmental Assessment of the proposed mixed use development at Lots 1-2, Section E, DP 17053 at 85-87 Ocean Parade, Coffs Harbour

The Department has received your application for the proposed multi-unit housing development at 85-87 Ocean Parade, Coffs Harbour (Major Project Application No: 06-0186).

I advise that the Director-General has agreed to accept Development Application 157/06 (lodged with Coffs Harbour Council) for the above proposal as a Major Project in accordance with cl 8J of the EP&A Regulation. This includes acceptance of:

- the Statement of Environmental Effects (DA 157/06) as the Environmental Assessment for the Project; and
- the period of public exhibition undertaken by Council (DA 157/06) as the period of public availability for a Major Project.

Notwithstanding the above, the Director-General's Environmental Assessment Requirements (DGEARs) for the environmental assessment of the Project are attached to this correspondence at **Attachment 1**. It should be noted that the DGEARs have been prepared based on the information provided to date. Under section 75F(3) of the *Environmental Planning and Assessment Act 1979* ("the Act"), the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

Attachment 2 lists the relevant plans and documents which are likely to be required upon submission of your proposal. **Attachment 3** provides a list of some relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment.

If the Director-General considers that the Environmental Assessment does not adequately address the DGEARs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. The Director-Generals requirements will be placed on the Departments website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if all documents that are subsequently submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the EA to be hosted on a suitable website with a link to the Departments website.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth Environment Protection Biodiversity Conservation Act 1999 (EPBC Act). This approval would be in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of Environment and Heritage in Canberra (6274 1111 or <http://www.deh.gov.au>).

If you have any enquiries about these requirements, please contact Michael Woodland on 9228 6375 or via email on michael.woodland@planning.nsw.gov.au

Yours sincerely

Chris Wilson
Executive Director
as delegate for the Director General

18 July 2006

Attachment 1

Director-General's Environmental Assessment Requirements

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

Application number	06-0186
Project	Project Application for the construction of a 6 storey mixed-use development.
Location	85-87 Ocean Parade Coffs Harbour Lot 1 & 2, Section E, DP 17053
Proponent	Kann Finch Group
Date issued	18 July 2006
Expiry date	18 July 2008
General requirements	The Environmental Assessment (EA) must include: 1. An executive summary; 2. A thorough site analysis and description of existing environment; 3. A detailed description of the project including:- • Justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; • Outline (if applicable) the staged implementation of the project; 4. Consideration of any relevant statutory and non-statutory requirements, in particular relevant provisions of Environmental Planning Instruments, Draft Regional Strategies, Draft Development Control Plan – Park Beach and Development Control Plans (including justifications for any non-compliances) as well as impacts, if any, on matters of national environmental significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined in Attachment 2; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and 8. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.
Key Issues	The Environmental Assessment must address the following key issues: 1. Design & Visual Amenity and Impacts 1.1 Address the design quality with specific consideration of the façade, massing, setbacks, proportions to openings, building articulation, and amenity (including amenity impacts for adjoining and surrounding development). 1.2 Address visual impact in the context of adjoining and surrounding development in relation to its setting, density, built form, aesthetics and building mass as viewed from the

	public domain and from all publicly accessible coastal locations (eg beaches, headlands etc) and relevant mitigation measures. 1.3 Address the landscape setting and retention of any existing significant vegetation. 1.4 Address impacts in relation to privacy, views and overshadowing and relevant mitigation measures, including overshadowing of adjoining and surrounding development and of Park Beach and the adjacent open space/coastal reserve. 2. Natural Hazards 2.1 Identify the presence and extent of acid sulfate soils on the site and appropriate mitigation measures. 2.2 Identify any areas of any contamination on site and appropriate mitigation measures. 2.3 Identify and mitigate any other site-specific natural hazards where relevant. 3. Water Cycle Management 3.1 Address potential impacts on water quality of surface and groundwater. 3.2 Provide an Integrated Water Cycle Management (IWCM) Plan (including stormwater concept) based upon Water Sensitive Urban Design principles. 4. Infrastructure Provision 4.1 Address existing capacity and requirements of the development for sewerage, water and electricity in consultation with relevant agencies. 4.2 Identify staging, if any, of infrastructure works. 4.3 Address provision of public services and infrastructure having regard to the Council's Section 94 Contribution Plans. 5. Traffic and Vehicular Access 5.1 Provide a traffic impact study and report which assesses potential construction and operational impacts on existing intersections and the capacity of road network to safely and efficiently cater for the additional vehicular traffic generated. The assessment must demonstrate compliance with relevant Council and RTA traffic and car parking codes. 6. Heritage 6.1 Identify whether the site has significance in relation to Aboriginal cultural heritage and identify appropriate measures to preserve any significance. 6.2 Identify any other items of heritage significance and provide measures for conservation of such items.
Consultation	You should undertake an appropriate and justified level of consultation with relevant parties during preparation of the environmental assessment: • Agencies and other authorities

	• Coffs Harbour City Council; • Department of Natural Resources; • Department of Planning Regional Office, Grafton; • Department of Environment and Conservation • Department of Lands • NSW Rural Fire Service; • NSW Roads and Traffic Authority. • Local Aboriginal Land Council/s Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy. The consultation process and the issues raised should be described in the Environmental Assessment
Deemed refusal period	60 days.

Attachment 2

Plans and Documents to accompany the Application

Plans and Documents of the development	The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application: 1. The existing site survey plan is to be drawn to 1:500 scale (or other appropriate scale) and show: • the location of the land, the measurements of the boundaries of the land, the size of the land and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc. 3. A locality/context plan drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: • significant local features such as parks, community facilities and open space, water courses and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes • The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation. 4. The Environmental Assessment in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1. 5. The Architectural drawings (where relevant) are to be drawn to scale and illustrate the following: • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • the floor plans of the proposed buildings indicating apartment location, layout, size and orientation; • the location and size of vertical and horizontal circulation of lifts, stairs and corridors; • adaptable housing requirements of any LEP or Development Control Plan; • section plans illustrating detailed sections of the proposed facades; • fenestrations, balconies and other features; • communal facilities and servicing points; • the height of the proposed development in relation to the land; • any changes that will be made to the level of the land by excavation, filling or otherwise; • the level of the lowest floor, the level of any yard or unbuilt area and the level of the ground; • parking arrangements, where vehicles will enter and leave the site, and
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	- how vehicles will move about the site; - pedestrian access to, through and within the site. 6. The shadow diagrams for developments comprising two or more storeys are to show solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm. 7. The Other plans including (where relevant): Stormwater Concept Plan - illustrating the concept for stormwater management from the site to the Council drainage system and include a detailed site survey. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided and the must include details of all major overland flow paths; Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; View analysis - artists impression, photomontages, etc of the proposed development in the context of the surrounding development; Coloured elevations - of the proposed buildings drawn to the same scale as the architectural drawings. The elevations are to indicate height and key datum lines, building length and articulation, the composition of the façade and roof design, existing buildings on the site, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties; BASIX - compliance details and relevant certificates; and Landscape Concept Plan – plan or drawing that shows the basic detail of planting design and plant species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc); Demolition & Waste Management Plan – where demolition is proposed, a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided; Construction Management Plan – a plan which outlines traffic and pedestrian management during construction
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants in relation to issues including, but not limited to, the following: - Flora and Fauna; - Bushfire; - Traffic; - Landscaping; - Geotechnical and/or hydrogeological (groundwater); - stormwater/drainage; - Urban Design/Architectural; - Contamination in accordance with the requirements of SEPP 55; - Acid Sulphate Soil Management Plan; - On-site effluent disposal; - BCA compliance.
Documents to be submitted	10 hard copies of the Environmental Assessment; 10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and 1 copy of the Environmental Assessment and plans on CD-ROM (PDF

	format), not exceeding 5Mb in size (see below).
Electronic Documents	Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:- • Adobe Acrobat PDF files and Microsoft Word documents must be no bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files. • File names will need to be logical so that the Department can publish them in the correct order. Avoid sending documents that are broken down in more than 10 files. • Image files should not be bigger than 2Mb. The file names will need to be clear and logical so the Department can publish them in the correct order. • Graphic images will need to be provided as [.gif] files. • Photographic images should be provided as [.jpg] files. • Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. • Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Department can publish them in the correct order. Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.

Attachment 3

Technical and Policy Guidelines

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

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

Aspect	Policy /Methodology
Biodiversity	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, Dec, 2004) <i>Draft</i>
	Guidelines for Development Adjoining Department of Environment and Conservation Land (DEC)
	National Parks and Wildlife Service Atlas of NSW Wildlife Data, GIPSICAM
Coastal Planning & Water bodies	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast (Department of Urban Affairs & Planning, 1997)
	Integrated Water cycle Management Guidelines for NSW Local Utilities, Oct 2004
	Coastal Design Guidelines for NSW, Coastal Council, March 2003
	Coastal Dune Management (DLWC, 2001)
	Rehabilitation Manual for Australian Streams (Land and Water Australia (Aust Govt) - Land and Water Resources Research and Development Corporation,, May 2000)
	NSW Estuary Management Manual (DLWC, 1992)
	Constructed Wetlands Manual (DLWC, 1998)
Community Consultation	
	Community Involvement Practice Notes and Resource Manual (RTA, 1998)
	Best Practice Community Consultation and Involvement (Commonwealth Department of Environment and Heritage, 1995)
Heritage	
	Draft guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)
	NSW Heritage Manual and Assessing Heritage Significance (NSW Heritage Office, July 2001)
	NSW Heritage Manual (NSW Heritage Office and Department of Urban Affairs & Planning, 1996)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)
	Protecting Aboriginal Objects and Places - Interim Guidelines for Community Consultation (DEC 2005)

Aspect	Policy /Methodology
	The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter). Guidelines to the Burra Charter (Australia International Council on Monuments and Sites, 1987)
	Guidelines for Photographic Recording of Heritage Items (NSW Heritage Office, 1994)
	How to Prepare Archival Records of Heritage Items (NSW Heritage Office, 1994)
Lighting	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, 1997, AS 4282)
Noise & Vibration	
	Environmental Criteria for Road Traffic Noise (DEC, June, 1999)
	Noise Guide for Local Government (DEC, 2004)
	NSW Industrial Noise Policy (EPA, January 2000)
	Environmental Noise Control Manual (EPA, January 2000)
	Assessing Vibration: A Technical Guideline (DEC, February 2006)
	Interim Guidelines for Applicants: Consideration of Rail Noise and Vibration in the Planning Process (Rail Infrastructure Corporation & State Rail Authority, November 2003).
Safety, Security & Risk Assessment	
	Crime Prevention and the Assessment of Development Applications (PlanningNSW, April 2001)
	The Demolition of Structures (Standards Australia, 2001, AS 260)
	Multi-Level Risk Assessment Guidelines (Department of Urban Affairs & Planning, 1999)
	Best Practice in Environmental Risk Management (Commonwealth Department of Environment & heritage, 1999)
	Guideline for Application for Subsidence Management Approvals (DPI)
Soils & Contamination	
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
	Guidelines for the Management of Acid Sulphate Materials: ASS, Acid Sulphate Rock and Monosulfidic Black Ooze (RTA, 2005)
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (NHMRC, 1992)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	Contaminated Sites: Guidelines for the NSW Auditor Scheme (EPA, 1999)
	Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and Duty to Report (EPA, 1999)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land, Department of Urban Affairs & Planning and the Environment Protection Authority 1998.
	Contaminated Land: Planning Guidelines for Contaminated Land, Department of Urban Affairs and Planning and the NSW EPA, October 1995.

Aspect	Policy /Methodology
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC Technical Report #34, 2000)
	Taking on the Challenge: NSW Salinity Strategy (DLWC, August 2000)
Sustainability	
	BASIX – www.basix.nsw.gov.au
Traffic, Transport & Pedestrian & Cyclist Facilities	
	Guide to Traffic Generating Developments (RTA, 1993)
	RTA Road Design Guide (RTA, 1996)
	Planning Guidelines for Walking and Cycling (DIPNR & RTA, December 2004)
	Traffic Control at Worksites Guidelines (RTA, September 2003)
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Ausroads, 2003)
Urban Design	
	Neighbourhood Character: An Urban Design Approach for Identifying Neighbourhood Character (PlanningNSW, 1998)
	Residential Densities: A Handbook Illustrating the Urban Design Characteristics of Different Densities (PlanningNSW, 1998)
	Mixed Use in Urban Centres, Guidelines for Mixed Use Development, (PlanningNSW, 2001)
	Better Urban Living: Guidelines for Urban Housing in NSW, (Urban Design Advisory Service & Department of Urban Affairs and Planning, 1998)
	Urban Form: An Urban Design Approach for Understanding the Urban Form of Regional Centres (PlanningNSW, 1998)
	Residential Flat Design Code (Urban Design Advisory Service, 2002)
	Residential Flat Design Pattern Book (Urban Design Advisory Service, 2001)
Waste	
	Environmental Guidelines: Assessment and Classification and Management of Liquid and non-liquid Wastes (DEC, July 1999)
	Environmental Guidelines: Use of Effluent by irrigation (DEC, October 2004)
Water	
	Water Sensitive Planning Guide - for Sydney Region, WSUD, 2003
Water Quality	Australian & New Zealand Guidelines for Fresh & Marine Water Quality (Australian & New Zealand Environment & Conservation Council (ANZECC), October 2000)
	Coastal Lakes: Independent Inquiry into Coastal Lakes (Healthy Rivers Commission, April 2002)
	Various inquiries and Statements of Intent for Coastal Lakes (Healthy Rivers Commission, 200- 2002)
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
	Marine Water Quality Objectives for NSW Ocean Waters (DEC, 1999)
	Water Quality and River flow Objectives (DEC, 2000)

Aspect	Policy /Methodology
	Licensing Guidelines for Sewerage Treatment Systems (EPA, July 2003)
	Water Quality Guidelines for the protection of Aquatic Ecosystems for Upland Rivers (ANZECC, 2000)
Flooding & the Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
	Restoring the Balance: Guidelines for Managing Floodgates and Drainage Systems on Coastal Floodplains (DPI, 2003)
Groundwater	NSW Groundwater Policy Framework Document – General (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
Stormwater	Managing Urban Stormwater: Construction Activities (EPA, 1988)
	Stockpile Site Management Procedures (RTA, 2001)
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	Australian Rainfall and Runoff (Institution of Engineers, revised edition 1997)
	Draft Australian Runoff Quality (Institution of Engineers, 2003)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (PlanningNSW, 1993)
Water Management	National Water Initiative (Council of Australian Governments, June 2004)
	Best Practice in Water Management (Commonwealth Department of Environment and Heritage, 1999)