

Attachment 1

Director-General's Environmental Assessment Requirements

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

Application number
MP 07_0179
Project
4 Storey Mixed Use Development, Hastings Road & Tweed Coast Road, Cabarita Beach
Location
Lots 184-187 & 191-194 in DP 259164 and Lots 20-23 in DP 31208, Hastings Road & Tweed Coast Road, Cabarita Beach in the Tweed local government area
Proponent
WA Stockwell Pty Ltd
Date issued
28 March 2008
Expiry date
2 years from date of issue
General requirements
<p>The Environmental Assessment (EA) for the Project Application must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. An outline of the scope of the project including: <ul style="list-style-type: none"> • any development options; • justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; and • outline of the staged implementation of the project if applicable. 3. A thorough site analysis including constraints mapping and description of the existing environment. 4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans. 5. Consideration of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>. 6. Consideration of impacts, if any, on matters of National Environmental Significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>. 7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project. 8. The plans and documents outlined in Attachment 2. 9. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading. 10. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project. 11. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.

Key Issues	
The EA must address the following key issues:	
1. Strategic Planning	
1.1	Justify the proposal with reference to relevant local, regional and State planning strategies. Provide justification for any inconsistencies with these planning strategies.
2. Socio-economic Impacts	
2.2	Provide a social and economic impact assessment for the proposal in the context of the surrounding locality considering and addressing the outcomes and principles identified in the 2005 <i>Tweed Retail Strategy</i> . This must indicate the justification for the additional retail floor space and its effect on the Cabarita/Bogangar area, and other shopping centres currently being assessed on the Tweed Coast, including those at Casuarina Beach (major project with the Department) and Pottsville (development application with Council).
3. Urban Design, Visual Impact and Sustainability	
3.1	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).
3.2	Address impacts in relation to privacy, views and overshadowing and relevant mitigation measures, including overshadowing of adjoining and surrounding development and of adjacent open space/coastal reserve.
3.3	Demonstrate the suitability of the proposal with the surrounding area in relation to bulk, scale, amenity (including noise) and visual amenity having regard to the <i>Coastal Design Guidelines of NSW</i> (2003) and the <i>NSW Coastal Policy 1997</i> .
3.4	Demonstrate compliance with <i>State Environmental Planning Policy No. 65 (Design Quality Residential Flat Development)</i> and BASIX.
3.5	An indicative external materials and finishes schedule is to be submitted.
3.6	Address the visual impact of the proposal in the context of surrounding development and relevant mitigation measures. In particular address impacts on the amenity of the foreshore and the Hastings Road street frontage (a photomontage should be provided to demonstrate impacts). Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas must be addressed.
4. Infrastructure Provision	
4.1	Address existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies.
4.2	Address any issues pertaining to the removal and relocation of existing utilities servicing the site.
4.3	Address and provide the likely scope of a planning agreement and/or developer contributions with Council/ Government agencies.
4.4	Provide details of proposed loading bays and waste collection areas.
5. Traffic and Access	
5.1	<p>Prepare a traffic impact study in accordance with Table 2.1 of the RTA's Guide to Traffic Generating Developments which addresses, but is not limited to the following matters:</p> <ul style="list-style-type: none"> • The capacity of the road network to safely and efficiently cater for the additional traffic generated; • Access to and within the site; • Servicing and parking arrangements, including consideration of Council's Development Control Plan (DCP) and compliance with Australian Standards; • Intersection site distances; • Connectivity to existing developments; • Impact on public transport (including school bus routes); • Provision of access for pedestrians and cyclists to, through and within the site;

	<ul style="list-style-type: none"> Identify suitable mitigation measures, if required to ensure the efficient functioning of the road network, including consideration of impact on the four way road intersections at Hastings Road/ Rosewood Avenue, and Hastings Road/ Banksia Avenue; and Provision of suitable access for garbage collection vehicles and loading vehicles.
5.2	Demonstrate compliance with clause 38 – Future Road of the <i>Tweed Local Environmental Plan 2000</i> .
6. Hazard Management and Mitigation	
<i>Contamination</i>	
6.1	Identify any contamination on site (including detailed groundwater investigations) and appropriate mitigation measures in accordance with the provisions of <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> .
<i>Acid Sulfate Soils</i>	
6.2	Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures.
<i>Bushfire</i>	
6.3	Address the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS).
<i>Geotechnical</i>	
6.4	Provide an assessment of any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations that address these limitations.
<i>Flooding</i>	
6.5	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, including sea level rise and increasing in rainfall intensity.
6.6	Address flooding protection for the development's car parks and access ways, and having regard to Council's DCP.
6.7	Consider the potential impacts of any filling on the flood regime of the site and adjacent lands.
7. Water Cycle Management	
7.1	Address and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles which addresses impacts on the surrounding environment, drainage and water quality controls for the catchment, and erosion and sedimentation controls at construction and operational stages.
7.2	Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site.
8. Heritage and Archaeology	
8.1	Identify whether the site has significance to Aboriginal cultural heritage and identify appropriate measures to preserve any significance (Aboriginal community consultation should be undertaken in accordance with DEC's <i>Interim Community Consultation Requirements for Applicants</i>).
8.2	Identify any items of European heritage significance and, where relevant, provide measures for the conservation of such items.
9. Noise	
10.1	Address potential noise impacts, in particular road traffic noise, for future residents and appropriate mitigation measures.
Consultation	
You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:	

(a) *Agencies or other authorities:*

- Tweed Council;
- NSW Rural Fire Service;
- Department of Water and Energy;
- Roads and Traffic Authority;
- NSW Police Service;
- State Emergency Service;
- Local Aboriginal Land Council/s and other Aboriginal community groups; and
- Infrastructure providers.

(b) *Public:*

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	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application:</p> <ol style="list-style-type: none"> 1. The existing site survey plan is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> • the location of the land, the measurements of the boundaries of the land, the size of the land and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. 2. An aerial photograph of the subject site with the site boundary superimposed. 3. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc.). 4. A locality/context plan drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space, water courses and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes; and • The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation. 5. Subdivision plans are to show the following:- <ul style="list-style-type: none"> • The location, boundary dimensions, site area and north point of the land, and names of roads fronting the land; • Title showing the description of the land with lot and DP numbers etc; • Existing and proposed subdivision pattern including all measurements and sites areas of existing and proposed allotments; • Location and details of all proposed roads and footpaths; • Location of all structures proposed and retained on site; • Cross sections of roads, including gradients, widths, road names, footpaths etc. • Existing and proposed finished levels in relation to roads, footpaths and structures; • Location and details of access points to the subdivision; • Existing vegetation on the land and vegetation to be retained; • Location of services and infrastructure, and proposed methods of draining the land;
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	<ul style="list-style-type: none"> • Any easements, covenants or other restrictions either existing or proposed on the site; • Type of subdivision proposed (Torrens, strata and/or community title).
	<p>6. The Architectural drawings are to be drawn to scale and illustrate the following general features:</p> <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land; • the floor plans; • the location of lifts, stairs and corridors; • adaptable housing requirements; • section plans; • fenestrations, balconies and other features; • communal facilities and servicing points; • the height of the proposed development in relation to the land; • significant level changes; • parking and vehicular access arrangements; and • pedestrian access to, through and within the site.
	<p>7. 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.</p>
	<p>8. Stormwater Concept Plan - illustrating the concept for stormwater management from the site and must include details of any major overland flow paths through the site and any discharge points to the street drainage system. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided;</p>
	<p>9. 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;</p>
	<p>10. Dewater Management Plan – should address noise management of dewater pumps, points of discharge, and discharge quantities, site layout to accommodate equipment during construction and dewatered quality parameters for monitoring in regards to geology.</p>
	<p>11. 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); in addition to any proposed streetscape works.</p>
	<p>12. Construction Management Plan – a plan which outlines traffic and pedestrian management during construction and management of impacts on amenity of adjoining properties and appropriate mitigation measures including noise, dust and sediment and erosion controls;</p>
	<p>13. BASIX – compliance details and relevant certificates;</p>
	<p>14. View analysis – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development and</p>

	<p>coastline; and</p> <p>15. Shadow Diagrams – diagrams showing solar access to the site and adjacent properties, including the public reserve, at summer solstice (Dec 21), winter solstice (Jun 21) and the equinox (Mar 21 and Sept 21) at 9am, 12 midday, 3pm and 6.30pm.</p>
Specialist advice	<p>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:</p> <ul style="list-style-type: none"> • Planning • Flora and Fauna; • Bushfire; • Landscaping; • Geotechnical and/or hydro geological (groundwater); • Stormwater/drainage; • Urban Design/Architectural; • Contamination in accordance with the requirements of SEPP 55; and • Acid Sulphate Soil Management Plan.
Documents to be submitted	<ul style="list-style-type: none"> • 10 hard copies of the Environmental Assessment; • 10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below); and • If the Environmental Assessment is bulky and lengthy in volume, you will be required to package up each Environmental Assessment ready for distribution by the Department to key agencies.
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> • 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. <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>

Attachment 3

State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not 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 Guideline for assessment of impacts on Threatened Species under Part 3A (Department of Planning 2005)
Fish and Aquatic Ecosystems	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Threatened Species Management Manual (NPWS, 1998)
Coastal Planning	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, NSW Government, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, February 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
	NSW Coastline Management Manual (NSW Government 1990)
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
Contamination of Land	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
Noise	

Aspect	Policy /Methodology
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
Rehabilitation	
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Safety and Hazards	
	Electrical Safety Guidelines (Integral Energy)
Soils	
	Acid Sulfate Soil Manual (ASSMAC)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
Traffic & Transport	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
Urban Design: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	
	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
Groundwater	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)