



Our Ref: DOC19/842390
Your Ref: SSD 10300

Senior Team, Leader Key Sites Assessment
Department of Planning, Industry and Environment
PO Box 39
Sydney NSW 2001

Attention: Mr Rodger Roppolo

Dear Mr Sargent

RE: Coffs Harbour Cultural and Civic Space Coffs Harbour City (SSD-10300)

Thank you for your email dated 26 September 2019 about the Coffs Harbour Cultural and Civic Space in Coffs Harbour seeking comments from the Biodiversity and Conservation Division (BCD) of the Environment, Energy and Science Group in the NSW Department of Planning, Industry and Environment. I appreciate the opportunity to provide input.

The BCD was formerly part of the Office of Environment and Heritage, but now forms part of a Group that has responsibilities relating to biodiversity (including threatened species and ecological communities, or their habitats), Aboriginal cultural heritage, National Parks and Wildlife Service estate, climate change, sustainability, flooding, coastal and estuary matters.

We have reviewed the documents supplied and advise that, we have no issues to raise about biodiversity, National Parks and Wildlife Service estate, climate change or sustainability, several issues are apparent with.

The relevant information on flood risk management, Aboriginal cultural heritage indicates that these matters have generally been adequately considered, however there are several issues that are apparent with the assessment and management of acid sulfate soils at the site. These issues are discussed in detail in **Attachment 1** to this letter.

In summary, the BCD recommends that:

1. A final Acid Sulfate Soil Management Plan be prepared and provided to the BCD for further review and advice. This should include all relevant data and ensure compliance with relevant state and Commonwealth guidance material.
2. All the recommendations outlined in Table 17 (Page 43) of the Aboriginal Cultural Heritage report be included as formal conditions in any approval for the proposed works.
3. Reference to the 'BCD Enviroline' in Recommendation 2 and 3 of the Aboriginal Cultural Heritage report be revised to refer relevant parties to the 'Senior Team Leader Planning, North East Branch, Phone 6659 8200'.

If you have any questions about this advice, please do not hesitate to contact Ms Rachel Lonie, Senior Conservation Planning Officer, at rachel.lonie@environment.nsw.gov.au or 6650 7130.

Yours sincerely

 29 October 2019

DIMITRI YOUNG
Senior Team Leader Planning, North East Branch
Biodiversity and Conservation

Enclosure: Detailed BCD Comments - Coffs Harbour Cultural and Civic Space in Coffs Harbour City

Attachment 1: Detailed BCD Comments – Coffs Harbour Cultural and Civic Space in Coffs Harbour City (SSD 10300)

1. Flood risk management

The proposed work comprise the construction of a new multistorey building to accommodate the proposed Cultural and Civic Space including a regional gallery, central library, regional museum, multi-purpose meeting rooms, co-working space, shop, café, function space (including use as Council Chambers), customer service area, council staff office accommodation and underground car parking.

Section 7.16 Flooding in the Environmental Impact Statement (EIS) addresses flooding matters as required under the SEAR 17. This is supported by the Appendix Q Flood Report.

From the EIS and council flood studies, there are two sources of flood waters in the vicinity of the development site. One of these is the main Coffs Creek which flows to the north of the site and the other being an overland flow path to the south.

Estimated flood levels for the two sources of flooding are:

- 100-year ARI (1% AEP) north 4.4m AHD;
- 100-year ARI (1% AEP) south 3.8m AHD;
- 500-year ARI (0.2% AEP) north 4.9m AHD;
- 500-year ARI (0.2% AEP) south 4.3m AHD;
- PMF north 6.2m AHD;
- PMF south 6.1m AHD.

From survey information provided, the ground levels for the development site vary from approximately 4.2 - 4.6m AHD.

The Flood Report reviews available flood information, considers in detail potential local impacts on flood behaviour and undertakes some additional assessment. The revised assessment adds further detail on flood behaviour for the development site, which is consistent with the council's latest flood study.

The Flood Report states that the flooding to the north of the site in Castle St is unlikely to impact the development site due to existing development blocking the passage of water from that direction. The Flood Report also assesses flood risk and emergency management for the proposed development.

The EIS proposes that the development have a minimum floor level of 4.76m AHD and the underground car park entrance be 4.52m AHD. Both levels are above the estimated 100-year ARI flood level.

The Flood Report claims the development site will not be inundated in a 500-year ARI event. The proposed levels are located above the 100-year ARI with freeboard providing a suitable level of protection for the proposed use against flooding.

The main flood issue for the proposed development is that the surrounding road network experiences flooding in 100-year ARI event isolating the site and making travel to and from the proposed development unsafe. Coffs Creek experiences 'flash flooding' where flood waters rise and fall quickly. In a large flood event, the proposed development could be isolated for several hours. The proposed development is multi storey with all storeys above ground level being located above the PMF level. This is suitable for 'shelter in place' during a large flood event i.e. it is safer for people using the development to stay in place than be out driving or walking through flooded street network.

After consideration of these matters the BCD has no issues to raise about flooding for the proposed development in relation to flood issues.

2. Aboriginal cultural heritage

Following our review of the Aboriginal Cultural Heritage Assessment Report by Niche Environmental dated July 2019 we consider that it fulfils all Aboriginal cultural heritage (ACH) requirements and concur with the findings presented. We do not consider that any ACH constraints exist for the project.

BCD Recommendations

1. All the recommendations outlined in Table 17 (Page 43) of the Aboriginal Cultural Heritage Assessment Report should be included as formal conditions in any approval for the proposed works.
2. Reference to the 'BCD Enviroline' in Recommendation 2 and 3 in the Aboriginal Cultural Heritage Assessment Report should be revised to refer relevant parties to the 'Senior Team Leader Planning, North East Branch, Phone 6659 8200'.

3. Acid Sulfate Soils

The BCD has considered the document '*RE: Proposed Cultural and Civic Space Project – 23 to 31 Gordon Street Coffs Harbour Acid Sulfate Soil Management Plan - Preliminary*' prepared by Regional Geotechnical Solutions dated 18 June 2019. We note it is only titled as a 'Preliminary' document and it is not clear if this is intended to be a Preliminary Assessment or an ASS Management Plan, within the meaning of both the NSW ASS Manual (1998) and cl. 7.1 of the Coffs Harbour Local Environmental Plan (LEP), as the document appears to have elements of both.

The proposal involves the excavation of a significant quantity of material, 13,000 m³, from a hole ~65 m by 50 m, and to a depth of ~4 m. It is therefore important that the proposal be properly assessed. Unfortunately, we are unable to adequately assess this because no data has been included in this document.

In section 3 Acid Sulfate Soil Assessment, reference is made to another document Ref: RGS31785.1 - AC Rev.1 dated 18 June 2019. However, the present document only includes a summary of those results. That summary does not include any data, nor does it include the number of samples, nor the depth from which any samples were taken, nor bore logs from the holes, nor the basis for the liming requirement. Reference is made (p. 3) to a Unit 2, but without any explanation of what Unit 2 is.

Apparently, Unit 2 includes alluvial clays, which this document considers "*should be considered as Actual ASS and treated in accordance with this ASS Management Plan*". Acid Sulfate Soils (ASS) are not alluvial materials. The document notes that "*Further assessment with close spaced sampling intervals to delineate the vertical extent of the ASS is therefore recommended*".

The BCD agrees with this finding, but it appears that it has not yet been done. Therefore, we have presumed that the liming rate of 10 kg/tonne is provisional only. This alone should have this document rejected because the Assessment Guidelines of the NSW ASS Manual 1998 note at p. 38 that "*Prior to preparing an acid sulfate soil management plan, the acid producing potential of the soil needs to be quantified and evaluated*". For these reasons it is important that the primary data be made available.

Finally, section 7 on dewatering should specify that the operation will be carried out in accordance with the National Acid Sulfate Soils Guidance for the dewatering of acid sulfate soils in shallow groundwater environments June 2018 (<https://www.waterquality.gov.au/issues/acid-sulfate-soils/dewatering-groundwater-environments>).

BCD Recommendation

3. A final ASS Management Plan should be prepared and provided to the Department for further review and advice. This should include all relevant data and ensure compliance with relevant state and Commonwealth guidance material.