



NSW GOVERNMENT  
**Department of Planning**

Contact: Evelyn Ivinson  
Phone: 9228 6574  
Fax: 9228 6540  
Email: [evelyn.ivinson@planning.nsw.gov.au](mailto:evelyn.ivinson@planning.nsw.gov.au)  
Our ref: MP07\_0019  
Your ref: U.10243

Mr Graham Beasley  
Rygate & West  
PO Box 107  
ULLADULLA NSW 2539

Dear Ms Rourke

**RE: Residential Subdivision – Lot 12 DP 806204 Thrush Street, Bawley Point (MP 07\_0019)**

The Department has received your application for the proposed residential subdivision (Major project: MP 07\_0019).

The Director General's Environmental Assessment Requirements (DGRs) for the environmental assessment supporting a Project Application are attached to this correspondence (**Attachment 1**). These requirements have been prepared in consultation with the relevant government agencies including council.

**Attachment 2** lists the relevant plans and documents which are likely to be required upon submission of your proposal, however, this should be confirmed with the Department prior to lodgement.

It should be noted that the DGRs have been prepared based on the information provided to date. Under section 75F(3) of 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.

It would be appreciated if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

- the fees applicable to the application;
- whether the proposal requires an approval under the Commonwealth *Environment Protection and Biodiversity Act* (EPBC Act) and any assessment obligations under that Act; and
- consultation and public exhibition arrangements that will apply.

A list of some relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment are attached at **Attachment 3**.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, 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-General's requirements will be placed on the Department's 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 (NES), it will require an additional approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Commonwealth Department of Environment and Water Resources in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of NES and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of NES. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary DGRs will need to be issued.

Copies of responses from government agencies to the Department's request for key issues and assessment requirements are enclosed after Attachment 3. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the EA.

If you have any queries regarding these requirements, please contact Evelyn Ivinson, on 9228 6574 or email [evelyn.ivinson@planning.nsw.gov.au](mailto:evelyn.ivinson@planning.nsw.gov.au).

Yours sincerely

CJ 7.6.07

Chris Wilson  
**Executive Director**  
as delegate for the Director General

*For signature*

*3/15/7*



# Attachment 1

## Director-General's Environmental Assessment Requirements

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

<b>Application number</b>
MP07_0019
<b>Project</b>
A <b>Project Application</b> for the following: <ul style="list-style-type: none"> <li>• a residential subdivision at Thrush Street, Bawley Point for 25 lots and 1 community lot;</li> <li>• associated roads and services.</li> </ul>
<b>Location</b>
Lot 12 DP 806204, Thrush Street, Bawley Point
<b>Proponent</b>
Rygate & West, PO Box 107 Ulladulla NSW 2539
<b>Date issued</b>
<b>Expiry date</b>
2 years from date of issue
<b>General requirements</b>
<p>The Environmental Assessment (EA) for the <b>Project Application</b> must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. An outline of the scope of the project including:                 <ul style="list-style-type: none"> <li>• any development options;</li> <li>• 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;</li> <li>• outline of the staged implementation of the project if applicable;</li> </ul> </li> <li>3. A thorough site analysis including constraints mapping and description of the existing environment;</li> <li>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.</li> <li>5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>6. 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;</li> <li>7. The plans and documents outlined in <b>Attachment 2</b>;</li> <li>8. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>9. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project;</li> </ol>

and

10. 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. Flora and Fauna

- 1.1 Outline measures for the conservation of flora and fauna and their habitats, including any endangered ecological communities on site within the meaning of the *Threatened Species Conservation Act 1995* and in accordance with Draft Guideline for Assessment of Impacts on Threatened Species under Part 3A (Department of Planning 2005), appropriate buffers to significant vegetation and measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land.
- 1.2 Consider impacts of clearing of native vegetation.
- 1.3 Address impacts on migratory species, RAMSAR wetlands and species listed under Section 18 and 18A of the EPBC Act.

#### 2. Water Cycle Management & Watercourses

##### *Impacts on Aquatic Environments and Crown Land*

- 2.1 Description of all aquatic environments (watercourses, wetlands) located on the site or adjacent to the site and their regional significance.
- 2.2 Address impacts upon aquatic environments on or adjacent to the site (both temporary and permanent).
- 2.3 Demonstrate safeguards to mitigate any impacts upon aquatic environments and riparian habitats including full details of proposed riparian buffer zones, especially adjacent to Willinga Lake and all surrounding Crown land, and any wetland rehabilitation and revegetation plans.
- 2.4 Address impacts upon water quality and aquatic threatened species, populations and ecological communities listed under the *Fisheries Management Act 1994* (both temporary and permanent).
- 2.5 Demonstrate safeguards to mitigate impacts upon water quality, including impacts downstream into Willinga Lake and the foreshore section of Crown reserve 70768 that may arise from any proposed on-site sewerage systems, stormwater management and acid sulphate soils.
- 2.6 Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site.
- 2.7 Demonstrate consistency with the South Coast Regional Strategy, especially in relation to protection of riparian zones, downstream coastal environments and best practice water quality and acid sulphate soils management.

##### *Integrated Water Cycle Management*

- 2.8 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.

##### *Sea Level Rise*

- 2.9 Address impacts of sea level rise and coastal inundation on the proposed development

and proposed safeguards to mitigate impacts.	
<b>3. Hazard Management and Mitigation</b>	
<i>Impacts on surrounding agricultural land</i>	
3.1	Address potential impacts of the development on adjacent agricultural land, and describe mitigation measures to reduce conflicts between urban and farming operations, particularly in relation to cultivation (dust generation), chemical spraying and livestock weaning. A suitable buffer between the urban and agricultural activities is to be considered.
<i>Coastal Processes</i>	
3.2	Address coastal hazards and the provisions of the Coastline Management Manual. In particular consider impacts associated with wave and wind action, coastal erosion, climate change, sea level rise and more frequent and intense storms.
<i>Acid Sulfate Soils</i>	
3.3	Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures.
<i>Bushfire</i>	
3.4	Address the requirements of Planning for Bush Fire Protection 2006 (RFS) including the preparation of a Plan of Management addressing fuel management and maintenance of asset protection zones, access arrangements and water supplies.
<i>Geotechnical</i>	
3.5	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>	
3.6	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) and address the requirements of the relevant flooding data in relation to the site.
3.7	Consider the potential impacts of any filling on the flood regime of the site and adjacent lands.
<i>Contamination</i>	
3.8	Identify any contamination on site and appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.
<i>Mitigation of impacts of weeds, feral animals, etc. on Crown reserves</i>	
3.9	Describe proposed measures to mitigate the impacts of weeds and feral animals, rubbish dumping and encroachments on neighbouring Crown reserves.
<i>On-site effluent disposal</i>	
3.10	Provide a detailed report demonstrating compliance with Council's requirements for on-site effluent systems. The report is to address proximity to waterbodies and Crown land, wet weather storage and soil capacity. It should include a quality geotechnical report to ensure there are no hard rock outcrops and that the soil profile is appropriate for on-site disposal.

#### 4. Traffic and Access

- 4.1 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:
- The capacity of the road network to safely and efficiently cater for the additional traffic generated;
  - Access to and within the site, and not via Bawley Point Road;
  - Maintenance of access to adjoining properties benefiting from right-of-ways;
  - Servicing and parking arrangements;
  - 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; and
  - Identify suitable mitigation measures, if required to ensure the efficient functioning of the road network.
- 4.2 Protect existing public access to and along the beach and coastal foreshore and provide, where appropriate, new opportunities for controlled public access. Consider access for the disabled, where appropriate.

#### 5. Subdivision Design

- 5.1 Address the requirements of the Coastal Design Guidelines of NSW (2003).
- 5.2 Provide details of staging, if any, of the proposed subdivision.
- 5.3 Address consistency with the character of existing development in terms of the locality, street frontage, scale, building envelopes & future built form controls, aesthetics, energy & water efficiency and safety.
- 5.4 Consider the *NSW Coastal Policy 1997*, *Coastal Design Guidelines for NSW*, *SEPP 71 – Coastal Protection* and the *South Coast Regional Strategy*.
- 5.5 Consider the Shoalhaven City Wide Growth Management Strategy.
- 5.6 Identify the future management of the land (torrens, strata and/or community title).
- 5.7 An integrated management plan for the community title allotments and adjoining community land is to be submitted, explaining exactly how the area is to be managed, the vegetation maintained, consideration of acid sulfate soils and retention of APZ requirements.
- 5.8 Provide details of all streetscape works, including proposed landscaping (species, location, etc).
- 5.9 Demonstrate consistency with the principles of ecologically sustainable development.

#### 6. Infrastructure Provision

- 6.1 In consultation with relevant agencies, address the existing capacity and requirements of the development for sewerage, water, electricity, telecommunications, waste disposal and gas. Identify and describe staging, if any, of infrastructure works.
- 6.2 Outline any impacts and/or any restrictions from the existing transmission line easement and electrical distribution feeder on the development.
- 6.3 Address and provide the likely scope of any planning agreement and/or developer contributions with Council/ Government agencies to service the subdivision.

#### 7. Heritage and Archaeology

- 7.1 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 *Interim Community Consultation Requirements for Applicants*).
- 7.2 Identify any items of European heritage significance and, where relevant, provide



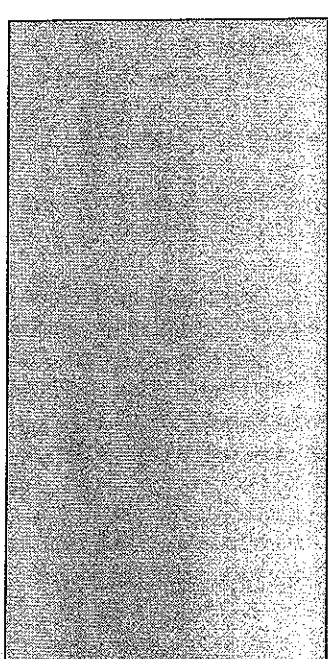
7.3	measures for the conservation of such items. Address impacts on World Heritage areas, places listed on the National Heritage List and protected under the EPBC Act.
<b>8. Public Access and Community Services</b>	
8.1	Illustrate pedestrian and cyclist linkages in the vicinity of the site and provide additional walkway/cycleway facilities where appropriate.
8.2	Consider impacts on existing community facilities such as schools, hospitals, parks etc.
<b>9. Noise</b>	
9.1	Address potential noise impacts, in particular road traffic noise, for future residents and appropriate mitigation measures.
<b>10. Socioeconomic Impacts</b>	
10.1	Address the potential social and economic impacts of the development.
<b>Consultation</b>	
<p>You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:</p> <p>(a) <i>Agencies or other authorities:</i></p> <ul style="list-style-type: none"> <li>• NSW Department of Planning (South Coast Regional Office)</li> <li>• Commonwealth Department of Environment and Water Resources if approval is required under the <i>Commonwealth Environment Protection Biodiversity Conservation Act 1999</i>;</li> <li>• Eurobodalla Shire Council;</li> <li>• Department of Environment and Climate Change (incorporating the former Department of Environment and Conservation);</li> <li>• Department of Natural Resources</li> <li>• NSW Rural Fire Service;</li> <li>• Department of Primary Industries</li> <li>• Department of Lands</li> <li>• Roads and Traffic Authority;</li> <li>• Catchment Management Authority (Southern Rivers);</li> <li>• Local Aboriginal Land Council/s and other Aboriginal community groups; and</li> <li>• Relevant infrastructure providers including Country Energy;</li> </ul> <p>(b) <i>Public:</i></p> <p>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.</p> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>	
<b>Deemed Refusal Period</b>	
<b>60 days</b>	

## Attachment 2

### Plans and Documents to accompany the Application

<b>Plans and Documents of the development</b>	<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"> <li>1. The <b>existing site survey plan</b> is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> <li>• the location of the land, the measurements of the boundaries of the land, the size of the land and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</li> </ul> </li> <li>2. An <b>aerial photograph</b> of the subject site with the site boundary superimposed.</li> <li>3. A <b>Site Analysis Plan</b> 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.).</li> <li>4. A <b>locality/context plan</b> drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space, water courses and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas;</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes; and</li> <li>• 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.</li> </ul> </li> <li>5. The <b>Environmental Assessment</b> in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1.</li> <li>6. <b>Subdivision plans</b> are to show the following:- <ul style="list-style-type: none"> <li>• The location, boundary dimensions, site area and north point of the land, and names of roads fronting the land;</li> <li>• Title showing the description of the land with lot and DP numbers etc;</li> <li>• Existing and proposed subdivision pattern including all measurements and sites areas of existing and proposed allotments;</li> <li>• Location and details of all proposed roads and footpaths;</li> <li>• Location of all structures proposed and retained on site;</li> <li>• Cross sections of roads, including gradients, widths, road names, footpaths etc.</li> <li>• Existing and proposed finished levels in relation to roads, footpaths and structures;</li> <li>• Location and details of access points to the subdivision;</li> </ul> </li> </ol>
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	<ul style="list-style-type: none"> <li>Existing vegetation on the land and vegetation to be retained;</li> <li>Location of services and infrastructure, and proposed methods of draining the land;</li> <li>Any easements, covenants or other restrictions either existing or proposed on the site;</li> <li>Type of subdivision proposed (Torrens, strata and/or community title).</li> </ul> <p>7. <b>Stormwater Concept Plan</b> - 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>8. <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</p> <p>9. <b>Landscape Concept Plan</b> – 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);</p> <p>10. <b>Construction Management Plan</b> – 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>11. <b>View analysis</b> – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.</p>
<b>Specialist advice</b>	<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"> <li>Flora and Fauna;</li> <li>Bushfire;</li> <li>Landscaping;</li> <li>Geotechnical and/or hydro geological (groundwater);</li> <li>Stormwater/drainage;</li> <li>Urban Design/Architectural;</li> <li>Contamination in accordance with the requirements of SEPP 55; and</li> <li>Acid Sulphate Soil Management Plan.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>Hard copies of the Environmental Assessment – number of copies to be advised prior to lodgment;</li> <li>architectural and landscape plans to scale, including one (1) set at A3 size (to scale) – number of copies to be advised prior to lodgment;</li> <li>1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below); and</li> <li>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.</li> </ul>
<b>Electronic Documents</b>	<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"> <li>Adobe Acrobat PDF files and Microsoft Word documents must be no</li> </ul>

	<p>bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files.</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• Graphic images will need to be provided as [.gif] files.</li><li>• Photographic images should be provided as [.jpg] files.</li><li>• Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.</li><li>• 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.</li></ul> <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>
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## 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
<b>Biodiversity</b>	
<b>Flora and Fauna</b>	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Department of Planning 2005)
<b>Fish and Aquatic Ecosystems</b>	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Threatened Species Management Manual (NPWS, 1998)
<b>Coastal Planning</b>	
	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)
<b>Bushfire</b>	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
<b>Contamination of Land</b>	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
<b>Environmental Management Systems</b>	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
<b>Heritage</b>	
<b>Aboriginal</b>	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A ( Planning 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
<b>Non-Indigenous</b>	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
<b>Noise</b>	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)

Aspect	Policy /Methodology
	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)
<b>Floodplain</b>	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
<b>Groundwater</b>	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
<b>Stormwater</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
<b>Waterways</b>	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
EPBC Act	
	Commonwealth Environment Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW: March 2007