



NSW GOVERNMENT
Department of Planning

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Our ref: MP 05-0207
Your ref:
File: 9041444

Ms Geraldine Haigh
Hopkins Consultants
PO Box 1556
Port Macquarie NSW 2444

Dear Ms Haigh

Subject: Director General's Requirements for the Environmental Assessment of Proposed 38 lot residential subdivision at Lot 223 DP754396 (corner Gregory Street and Trevor Judd Road) South West Rocks, (MP 05_0207)

The Department has received your application for the proposed 38 lot residential subdivision (Major project: MP 05_0207). The Minister authorised a concept plan to be lodged pursuant to S75M of the *Environmental Planning and Assessment Act 1979* ("the Act") on 26 June 2006.

The Director General's Environmental Assessment Requirements (DGRs) for the Environmental Assessment of the project for a Concept Plan are attached to this correspondence at **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 S75F(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.

I would appreciate it 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;
- relevant land owner notification requirements;
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

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

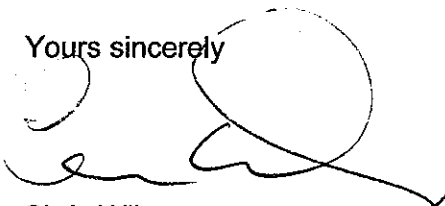
Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does 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.

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 for the to be hosted on a suitable website with a link to the Departments website.

Finally, 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 (02 6274 1111 or www.deh.gov.au).

If you have any enquiries about these requirements, please contact Evelyn Hendieh on 02 9228 6574 or via e-mail at Evelyn.Hendieh@planning.nsw.gov.au.

Yours sincerely



18.7.06

Chris Wilson
Executive Director
as delegate for the Director General

**Attachment 1****Director-General's Requirements****Section 75F of the *Environmental Planning and Assessment Act 1979***

Application number	05_0207
Project	A Concept Plan for a 38 lot residential subdivision
Location	Lot 223 DP754396 (corner Gregory Street and Trevor Judd Road), South West Rocks
Proponent	Hopkins Consultants
Date issued	18 July 2006
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment for the Concept Plan 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;• outline of the staged implementation of the project if applicable;3. A thorough site analysis 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 as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;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; and8. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.
Key issues	<ol style="list-style-type: none">1. Bushfire Impacts<ol style="list-style-type: none">1.1 Demonstrate compliance with the provisions for Planning for Bushfire Protection 2001.2. Flooding<ol style="list-style-type: none">2.1 An assessment of any flood that may occur on site and

	<p>consideration of the <i>NSW Floodplain Management Manual</i>.</p> <p>3. Subdivision layout</p> <p>3.1 Details of the subdivision layout including suitability of the proposed development with the surrounding area; visual impacts from public locations; subdivision design; pedestrian & bicycle movement to, within and through the site; and</p> <p>3.2 consideration of the <i>NSW Coastal Policy 1997, Coastal Design Guidelines for NSW</i> and SEPP 71.</p> <p>4. Biodiversity / Flora and Fauna</p> <p>4.1 Provide an assessment of any impacts on flora and fauna and any threatened species and their habitat, including consideration of the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC & DPI July 2005).</p> <p>4.2 Provide an assessment of any impacts on biological/ecological and physical characteristics of local bushland, in particular, Blackbutt/Scribbly Gum community.</p> <p>5. Traffic Management and Access</p> <p>5.1 Consideration of the relevant Council and RTA traffic and car parking codes and, in particular, access points (substantial formation of Keith Andrews Avenue and the crown road on the site's western boundary as currently proposed is not supported by Council).</p> <p>5.2 Illustrate pedestrian and cyclist linkages for the proposal and assess provision of public transport.</p> <p>6. Heritage</p> <p>6.1 Identify whether the site has significance in relation to European or Aboriginal cultural heritage and identify appropriate measures to preserve any significance in accordance with relevant guidelines.</p> <p>7. Infrastructure Provision</p> <p>7.1 Conduct an assessment of the existing capacity and requirements of the development for sewerage reticulation, water supply, electricity, waste disposal and telecommunications services.</p> <p>8. Acid Sulfate Soils and Contaminated Land</p> <p>8.1 Identify areas of contamination on site and appropriate mitigation measures in accordance with relevant guidelines.</p> <p>9. Building Typologies and Location</p> <p>9.1 Provide details of the proposed future uses on the site (e.g. retirement village, single dwellings, nursing home) and their location.</p> <p>10. Natural Hazards</p> <p>10.1 Identify and mitigate any site specific natural hazards where relevant.</p>
Consultation	<p>During the preparation of the Environmental Assessment, you must consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular you must consult with;</p> <ul style="list-style-type: none"> • Roads and Traffic Authority • Department of Environment and Conservation; • Department of Natural Resources; • Kempsey Shire Council; • NSW Rural Fire Service; • Country Energy; and • Macleay Water

	<ul style="list-style-type: none"> • Department of Lands (re the proposed road construction within the Crown Road Reserve) <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>
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.</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, size of the land and north point; • the existing levels of the land in relation to buildings and roads; and • location and height of existing structures on the site. 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 and view corridors. 3. 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; and • traffic and road patterns, pedestrian routes and public transport nodes. 4. The Subdivision plans are to show the following:- <ul style="list-style-type: none"> • Dimensions of proposed and/or existing allotments; • Location of all structures proposed and retained on site; • Vegetation retention; • Any easements, covenants or other restrictions either existing or proposed on the site; and • Approximate access points; 5. Stormwater Concept Plan - illustrating the overall concept for stormwater management from the site. 6. 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; 6 Landscape Concept Plan – plan or drawing that shows the basic detail of planting design and plant species to be used, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc);
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"> • Flora and Fauna; • Bushfire; • Traffic; • Landscaping; • Geotechnical and/or hydro geological (groundwater); • stormwater/drainage;

	<ul style="list-style-type: none"> • Urban Design/Architectural; • Contamination in accordance with the requirements of SEPP 55; • Acid Sulfate Soil Management Plan; • On-site effluent disposal; • BCA compliance.
Documents to be submitted	<p>10 hard copies of the Environmental Assessment;</p> <p>10 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</p> <p>1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).</p> <p>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.</p>
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

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 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 Governments 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	
	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
	Threatened Species Assessment under the EP&A Act: The '8 Part Test' of Significance (NPWS, 1996)
Flora and Fauna	Guidelines for Threatened Species Assessment (DEC, 2004) Draft
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, Dec, 2004) Draft
Terrestrial	Native Vegetation Management: How to Collect Native Seed Responsibly (Version 1) (DIPNR)
	Guidelines for the Translocation of Threatened Plants in Australia (Aust Network for Plant Conservation Translocation Working Group, 1997)
	Policy for the Translocation of Threatened Fauna in NSW NPWS Threatened Species Management Information Circular No. 6 (1998)
	Threatened Species Management Manual (NPWS, 1998)
Coastal Planning	
	Planning guidelines for walking and cycling, DIPNR, Dec 2004
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, UAB, 1997
	Integrated Water cycle Management Guidelines for NSW Local Utilities, Oct 2004
	Water Sensitive Planning Guide - for Sydney Region, WSUD, 2003
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
	Aboriginal Cultural Heritage Standards (RTA, 2002)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)

Policy/Metrology	
	Protecting Aboriginal objects and places - interim guidelines for community consultation (DEC 2005)
	Heritage Guidelines (RTA, 2004)
Soils & Contaminations	
	Acid Sulfate Soil Manual (ASSMAC), 1998, published by DUAP
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA, 1993)
Urban Design: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
	Planning and Design Guide (RTA, 1990)
Water	
	Best Practice in Water Management (Commonwealth DEH, 1999, ISBN 0 642 546231)
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)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
	Stormwater Outlet Structures to Streams (for pipes, culverts, drains and spillways - Version 1) (DIPNR)
	Procedure for selecting treatment strategies to control road runoff (RTA, 2003)
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)