

NSW GOVERNMENT
Department of Planning

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Our ref: MP05_0064 File: 9040786

Peter J Biasotto Hillview Heights Estates Pty Limited PO Box 9 DRUMMOYNE NSW 1470

Dear Mr Biasotto

Director-General's Requirements for the Environmental Assessment of the Concept Plan for the Residential Subdivision into 378 lots at Lot 66 DP 551005 Pacific Highway Moonee Beach (MP05_0064).

The Department has received your application for the proposed Concept Plan approval for the residential subdivision of lot 66 DP 551005, Pacific Highway, Moonee Beach into 378 lots.

The Director-General's Environmental Assessment Requirements (DGRs) for the environmental assessment of the project 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 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.

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;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

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

Prior to exhibiting the Environmental Assessment (EA), 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 EA does not adequately address the DGRs, the Director-General may require the proponent to revise the EA to address the matters notified to the proponent.

Following this review period the EA will be made publicly available for a minimum period of 30 days. The DGRs 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 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 6375or via email on michael.woodland@planning.nsw.gov.au.

Yours sincerely LO. 10. CB

Chris Wilson Executive Director as delegate for the Director General

Attachment 1 Director-General's Environmental Assessment Requirements

Section 75F of the Environmental Planning and Assessment Act 1979

Application number	05_0064
Project	Concept Plan for the residential subdivision of the land into 378 lots
Location	Lot 66, DP 551005, Pacific Highway, Moonee Beach
Proponent	Hillview Heights Estates Pty Limited
Date issued	20 October 2006
Expiry date	Two (2) years from the date of issue
General requirements	The Environmental Assessment for the Concept Plan must include:
	 An executive summary; An outline of the scope of the project including: 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. A thorough site analysis and description of the existing environment; 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</i> <i>Conservation Act 1999</i>; 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; The plans and documents outlined in Attachment 2; A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and 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:
	 Subdivision Design and Layout The proposed subdivision of the land should be consistent with 'Moonee Waters Environmental Constraints and Development Potential Map' attached to the report prepared by Sainty and Associates, Environmental Constraint Analysis, Lot 66 DP 551005 Pacific Highway, Moonee Beach, September 2006 (Sainty report). Should the Proponent propose development

beyond future development potential areas, then suitable justification and sound technical arguments are required.

- Demonstrate that the subdivision design and layout considers 1.2 the Coastal Design Guidelines for NSW (2003), in particular connections to existing and planned urban areas.
- Provide environmental buffer zones to areas of conservation 1.3 significance. A degree of flexibility can be considered to allow a suitable subdivision design outcome, subject to justification, including offsets elsewhere on the site.
- 1.4 Identify areas to be dedicated for public purposes and/or areas to be managed under Community Title.

Flora and Fauna 2.1

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Outline measures for the conservation of animals and plants and their habitats within the meaning of the Threatened Species Conservation Act 1995 and Fisheries Management Act 1994.

Outline measures for the conservation of existing wildlife 2.2 corridor values and/or connective importance of vegetation on the subject land, including areas identified in the Sainty report. Address the relevant controls within Council's Koala Plan of 2.3 Management.

Conservation Areas and Reserves

Identify conservation areas within the site, having regard to the Sainty report and the strategies and recommendations of the Estuary Management Plan for Moonee Creek (or draft Estuary Management Plan for Moonee Creek).

Address long term management and maintenance of these 3.2 areas, including ownership and control, rehabilitation, bushfire and vegetation management.

Address any potential impacts on adjoining public reserves 3.3 including the Coffs Coast Regional Park, Green Bluff Crown Reserve, and Solitary Islands Marine Park.

Coastal zone, access and impacts

- Demonstrate the management of the coastal zone will be in 4.1 accordance with the principles of ecologically sustainable development.
- Protect existing public access to and along the beach and 4.2 coastal foreshore and provide, where appropriate, new opportunities for controlled public access.
- 4.3 Address impacts of access to and any development of the coastal foreshore; and identify measures to mitigate and control those impacts including uncontrolled access and clearing of vegetation.

Water Cycle Management and Impact on Watercourses

Address any impacts on the water quality of surface and 5.1 groundwater, and on the ecology, waters and estuarine environments, of Sugar Mill and Moonee Creeks, wetlands, and waters of Solitary Islands Marine Park, and demonstrate that where will be no net increase in nutrient and pollutant loads.

- 5.2 Address relevant strategies and recommendations of the Estuary Management Plan for Moonee Creek (or draft Estuary Management Plan).
- 5.3 Outline measures for Integrated Water Cycle Management (including stormwater drainage) based upon Water Sensitive Urban Design principles.
- 5.4 Address potential impacts of formal and informal access to watercourses, wetlands, creeks and estuaries (such as for recreational use, including ramps and jetties), and identify measures to avoid, ameliorate or compensate impacts.

5.5 Liaise with the Department of Natural Resources and Department of Primary Industries/Fisheries in relation to any requirements for water use, water management and work within 40m of the top of the bank of rivers and streams, and free passage of fish in waterways.

Hazard Management and Mitigation 6.1

Address the requirements of Planning for Bush Fire Protection 2001 (RFS), in particular the provision of bushfire asset protection zones (APZ) in accordance with appropriate vegetation classification. locations (outside proposed conservation areas and buffer zones); provision of emergency access and egress; water supply; and measures for fuel management and maintenance.

- 6.2 Address the requirements of relevant flooding data in relation to the subdivision design and layout and minimum site and floor levels. This should include consideration of the impacts of predicted sea level rise.
- 6.3 Identify any areas of contamination on site and appropriate mitigation measures to ensure these can be managed.
- 6.4 Identify the presence and extent of acid sulfate soils on the site and appropriate mitigation measures.
- 6.5 Address coastal hazards and the provisions of the Coastline Management Manual.

Traffic Management and Access

- Prepare a 'Traffic Impact Study' in accordance with the RTA's Guide to Traffic Generating Development, which addresses but is not limited to the following matters:
 - The RTA's Coffs Harbour Pacific Highway Planning • Strategy.
 - Access to the development, and provision of a local collector road between Moonee Beach and Split Solitary Road.
 - No new connections to the Highway and legal and physical closure of existing access.
 - The capacity of the road network to safely and efficiently cater for the additional vehicular traffic generated, including impacts on Moonee Beach Road and Split Solitary Road junctions with the Pacific Highway.

Noise

Address potential noise impacts, in particular road traffic noise, for future residents and appropriate mitigation measures. This

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	should include consideration of the impacts of the RTA's planned upgrade of the Pacific Highway.
	 9. Infrastructure Provision 9.1 In consultation with relevant agencies, address the existing capacity and requirements of the development for sewerage, water, electricity, telecommunications, waste disposal and gas. identify staging, if any, of infrastructure works. 9.2 Address the provision of public services and infrastructure having regard to the Council's section 94 Contribution Plan/s, including availability and adequacy of open space and the need for surf life saving services.
	 Heritage Identify whether the site has significance in relation to Aboriginal cultural heritage and identify appropriate measures to preserve any significance. Identify any other items of European heritage significance and provide measures for conservation of such items.
	 11. Land Ownership 11.1 Ensure that owners consent can be provided for all land included in the development including any parts of the development on Crown land and liaise with the Department of Lands regarding the use, future ownership, construction and works in and management of crown public road/s.
Consultation	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; Coffs Harbour City Council Coffs Harbour Water NSW Department of Natural Resources NSW Department of Environment and Conservation NSW Department of Primary Industries NSW Department of Lands NSW Rural Fire Service NSW Roads and Traffic Authority Solitary Islands Marine Park Authority Northern Rivers Catchment Management Authority Telstra Country Energy Commonwealth Department of Environment and Heritage; Local Aboriginal Land Council/s; and (b) Public Document al community consultation undertaken to date and/or discuss the proposed strategy for undertaking community consultation. This should include any issues arising from 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 following plans, and diagrams of your proposal as well as the relevant documen will be required to be submitted for your application:	
the development	 The existing site survey plan is to be drawn to 1:500 scale (or other appropriat 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 elemen of the site (including all hazards and constraints), existing vegetation, proper dimensions, footpath crossing levels and alignments, existing pedestrian ar vehicular access points and other facilities, slope and topography, natur features such as watercourses, rock outcrops, utility services, boundarie orientation, view corridors and all structures on neighbouring properties when relevant to the application (including windows, driveways etc.	
	 3. A locality/context plan drawn to 1:500 scale (or other appropriate scale) shou 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; and The existing site plan and locality plan should be supported by a writter explanation of the local and site constraints and opportunities revealed through the above documentation. 	
	4. The Environmental Assessment in accordance with the Director-General Environmental Assessment Requirements as outlined in Attachment 1.	
	 Subdivision plans are to show the following:- 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 measurement 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 an 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; 	
	draining the land; • Any easements, covenants or other restrictions either existing of proposed on the site; Type of subdivision proposed (Torrens, strata and/or community title).	
e Englisher (e E	6. 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 must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland flow paths through the site and must include details of any major overland.	

	 be prepared by suitably qualified and practicing 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.
Documents to be submitted	Initially only 1 hard copy of the Environmental Assessment and 1 set of plans should be submitted to the Department, so that a preliminary test of adequacy can be carried out, prior to final submission of all documentation.
	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).
	 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	• If the Environmental Assessment is bulky and lengthy in volume, you will be required to package up each Environmental Assessment ready for

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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 <u>http://www.bookshop.nsw.gov.au</u> or on the Commonwealth Government's publications website at <u>http://www.publications.gov.au</u>.

Aspect Biodiversity	Policy /Methodology
Flora and Fauna	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities, Working Draft (Department of Environment and Conservation, 2004)
	Draft Guidelines for Threatened Species Assessment (Departments of Environment and Conservation, and Primary Industries, 2005, available from Department of Planning)
	Atlas of NSW Wildlife (NSW National Parks and Wildlife Service, www.wildlfeatlas.nationaparks.nsw.gov.au)
	NSW BioNet Website (www.bionet.nsw.gov.au)
	Threatened Species: Species, Populations, and Ecological Communities of NSW (<u>www.threatenedspecies.environment.nsw.gov.au/index.aspx</u>)
	Key Habitats and Corridors for Forest Fauna: A Landscape Framework for Conservation in North-East NSW (David Scotts NSW NPWS, Occasional Paper 32, June 2003)
	Interim Guidelines for Targeted and General Flora and Fauna Surveys under Native Vegetation Conservation Act (former Department of Land and Water Conservation 1999)
Fish and Aquatic Ecosystems	Policy and Guidelines Aquatic Habitat Management and Fish Conservation (NSW Fisheries, 1999)
	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Policy and Guidelines for Fish Friendly Waterway Crossings (NSW Fisheries, 2003)
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
Coastal Planning & Wate	r bodies
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast (Department of Urban Affairs & Planning, 1997)
	Coastal Design Guidelines for NSW (Coastal Council of NSW, 2003)
	Far North Coast Regional Strategy (Department of Planning, draft, 2006)
	Coastal Dune Management Manual (Department of Land and Water Conservation, 2001)
	Rehabilitation Manual for Australian Streams (I Rutherford, K Jeries, N Marsh-Land and Water Resources Research and Development Corporation, 2000)

Aspect	Policy /Methodology
	NSW Wetlands Management Policy (Department of Land and Conservation, 1996)
	Coastal Lakes: independent Inquiry into Coastal Lakes, Final (Healthy Rivers Commission, 2002)
	Estuary Management Plan and Study, Moonee Creek, Final Draf (WBM Oceanics, 2006)
Environmental Ma	anagement Systems
	Guidelines for Preparation of Environmental Management Plans (2004)
Heritage	
	The Australia ICOMOS Charter for the Conservation of Places of Significance (The Burra Charter). Guidelines to the Burra (Australia International Council on Monuments and Sites, 1999)
	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessm Community Consultation (Department Environment and Consu 2005, available from Department of Planning)
	Aboriginal Cultural Heritage Standards & Guidelines Kit (DEC, 199
	NSW Heritage Manual and Assessing Heritage Significance Heritage Office, July 2001)
	NSW Heritage Manual (NSW Heritage Office, 1996)
	Assessing Heritage Significance: A NSW Heritage Manual update Heritage Office, 2001)
	Guidelines for Photographic Recording of Heritage Items (NSW H Office, 1994)
	How to Prepare Archival Records of Heritage Items (NSW H Office, 1998)
Lighting	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Associa Australia, 1997, AS 4282)
Noise & Vibration	
	Environmental Criteria for Road Traffic Noise (Departm Environment and Conservation 1999)
	Noise Guide for Local Government (Department of Environme Conservation, 2004)
	Environmental Noise Management Manual (Roads and Traffic Au 2001)
	Assessing Vibration: A Technical Guideline (Department of Enviro and Conservation, 2006)
	NSW Industrial Noise Policy (Department of Environmen Conservation, 2000)
	Interim Guidelines for Applicants: Consideration of Rail Nois Vibration in the Planning Process (Rail Infrastructure Corporation & Rail Authority, November 2003).
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Aspect	Policy /Methodology
	Affairs & Planning, 1999)
Solls & Contaminatio	'n
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
	Contaminated Sites: Sampling Design Guidelines (former Environment Protection Authority, 1995)
	Contaminated Sites: draft Guidelines for the NSW Auditor Scheme (former Environment and Protection Authority, 2 nd edition, 2002)
	Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and Duty to Report (former Environment Protection Authority, 1999, revised 2003)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land, (former Department of Urban Affairs & Planning and the Environment Protection Authority 1998.
	Soil and Landscape Issues in Environmental Impact Assessment (former Department of Land and Water Conservation Technical Report No. 34, 2000)
	Taking on the Challenge: NSW Salinity Strategy (former Department of Land and Water Conservation, 2000)
Sustainability	
	The Building Sustainability Index, BASIX – <u>www.basix.nsw.gov.au</u>
Traffic, Transport & Pedestrian & Cyclist Facilities	
	Guide to Traffic Generating Developments (Roads and Traffic Authority, 1993)
·	Planning Guidelines for Walking and Cycling (former Department of Infrastructure Planning and Natural Resources & RTA, December 2004)
	Traffic Control at Worksites Guidelines (Roads and Traffic Authority, 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 (former Department of Urban Affairs and Planning, 1998)
	Residential Densities: A Handbook Illustrating the Urban Design Characteristics of Different Densities (former Department of Urban Affairs and Planning, 1998)
	Mixed Use in Urban Centres, Guidelines for Mixed Use Development, (PlanningNSW, 2001)
	Better Urban Living: Guidelines for Urban Housing in NSW, (former 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 (former Department of Urban Affairs and Planning, 1998)
·····	Residential Flat Design Code (Urban Design Advisory Service, 2002)

Aspect	Policy /Methodology
	Residential Flat Design Pattern Book (Urban Design Advisory Servic 2001)
Waste	
	Wastewater Reuse in the Urban Environment: Selection of Technologie (LandCom, 2006)
Water	
Water Quality	 Australian & New Zealand Guidelines for Fresh & Marine Water Quali (Australian & New Zealand Environment & Conservation Counce (ANZECC), 2000)
	Coastal Lakes: Independent Inquiry into Coastal Lakes (Healthy Rive Commission, April 2002)
	Marine Water Quality Objectives for NSW Ocean Waters, North Coa (Department of Environment and Conservation, 2005)
	Local Planning for Healthy Waterways: Using NSW Water Qualit Objectives (Department of Environment and Conservation, 2006)
	Using the ANZECC Guidelines and Water Quality Objectives in NSV (Department of Environment and Conservation, 2006)
Flooding & the Floodplain	
	Restoring the Balance: Guidelines for Managing Floodgates and Drainag Systems on Coastal Floodplains (former NSW Agriculture/Department of Primary Industries, 2003)
Groundwater	Guidelines for Groundwater Protection in Australia (Australian & New Zealand Environment & Conservation Council (ANZECC), 1995)
	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	Water Sensitive Urban Design Strategy: Best Planning and Managemen Practices (Book Two) (NSW Landcom, 2004)
	Water Sensitive Planning Guide and Practice Notes for Sydney Region (Upper Parramatta River Catchment Trust for WSUD in Sydney Region 2003, www.wsud.org)
	Managing Urban Stormwater: Source Control (former Environmen Protection Authority, draft 1998)
	Managing Urban Stormwater: Treatment Techniques (former Environmen Protection Authority, draft 1997)
	Managing Urban Stormwater: Soils & Construction "The Blue Book (NSW Landcom, 2004)
	Managing Urban Stormwater: Harvesting and Reuse (Department o Environment and Conservation, 2006)
	Australian Rainfall and Runoff (Institution of Engineers, Australia, revised edition 1997)
	Australian Runoff Quality (Institution of Engineers, Australia, 2005)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (former PlanningNSW/DUAP, 1993)

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