

NSW GOVERNMENT Department of Planning

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Our ref: MP 06\_0219 File: S06/00492

Mr Stephen Hills The Planning Group PO Box 1612 NORTH SYDNEY NSW 2059

Dear Mr Hills,

Subject: Director General's Environmental Assessment Requirements for the Environmental Assessment of a Project for Construction of an Integrated Housing Development and Residential Subdivision at Lot 2 DP 805229 Dido Street, Bombo, Kiama (MP 06\_0274)

The Department has received your application for the proposed construction of an integrated housing development and residential subdivision over 25 lots at Lot 2 DP 805229 Dido Street, Bombo, Kiama.

The Director General's Environmental Assessment Requirements (DGEARs) 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. A list of some relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment are at Attachment 2.

It should be noted that the DGEARs 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.

Attachment 3 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.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGEARs. 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

DGEARs, 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.

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 Eng-Joo Ong on 02 9228 6368 or via e-mail at eng-joo.ong@planning.nsw.gov.au.

Yours sincerely,

30,11,00

Chris Wilson **Executive Director, Major Project Assessments** as delegate for the Director General

For sugrature if approved. Jar. 11.06

# Attachment 1

# **Director-General's Environmental Assessment Requirements**

Section 75F of the Environmental Planning and Assessment Act 1979

Application No.	06_0274			
Project	Construction of Integrated Housing Development and Residential Subdivision Over 25 Lots			
Location	Lot 2 DP 805229 Dido Street, Bombo, Kiama			
Proponent	The Planning Group			
Date issued	November 2006			
Expiry date	Two (2) years from the date of issue			
General requirements	<ul> <li>The Environmental Assessment for the Project must include:</li> <li>An executive summary;</li> <li>An outline of the scope of the project including:- <ul> <li>(i) any development options;</li> <li>(ii) 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>(iii) outline of the staged implementation of the project.</li> <li>A thorough site analysis and description of existing environment;</li> <li>Consideration of all relevant statutory and non-statutory provisions, in particular relevant provisions arising from environmental planning instruments, Draft Regional Strategies and Development Control Plans (including justification any non-compliances) as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>Where relevant, demonstrate compliance with BCA and relevant Australian Standards in respect of proposed building; traffic, road and parking; utilities; noise and flooding;</li> <li>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>The plans and documents outlined in Attachment 3;</li> <li>A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and</li> <li>An assessment of the key issues specified below and a table outlining how these key issues have been addressed.</li> </ul> </li> </ul>			
	<ul> <li>The Environmental Assessment must address the following key issues:</li> <li>1. Compliance With Development Standards <ol> <li>The project must demonstrate compliance with all development standards under the Kiama Council's Local Environmental Plan 1996 including clauses 14 (Residential "A" and "B" Zones – Subdivision), 17 (Residential "A" and "B" Zones – Integrated</li> </ol></li></ul>			

Housing Development) and 50 (Heights restrictions for buildings).

#### 2. Provisions of Illawarra Regional Environmental Plan No. 1

2.1 Address clause 33 of the Plan in respect of potential presence of extractive materials on the site.

### 3. Design & Visual Amenity and Impacts

- 3.1 Demonstrate suitability of the proposal in the context of surrounding development in respect of character, density, height, setbacks and built form having regard to *SEPP 71, Coastal Design Guidelines of NSW (2003),* objectives of the zone and all relevant development control plans including Kiama Council's *DCP Nos. 6 (Integrated Housing Development), 8 (Building Height and Amenity), 32 (Development Code) and 36 (Building Lines and Foreshore Building Lines).*
- 3.2 Address design quality and visual impact in respect of setting, height, built form and building mass as viewed from the public domain including the foreshores and waterways, Kiama Bypass and the Railway Line and relevant mitigation measures.
- 3.3 Address how the proposed design provides for personal safety and crime prevention for future residents and visitors.
- 3.4 Address the landscape setting and retention of existing significant vegetation on the site. Demonstrate that any removal of vegetation on the site will have minimal visual impacts.
- 3.5 Demonstrate compliance with BASIX.

#### Development in 7(d) Rural Environment Protection (Scenic) Zone

4.1 Provide planning justification as to the appropriateness of any development in the 7(d) Rural Environment Protection (Scenic) zone.

### Flora and Fauna

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5.1 Address measures for the conservation of animals and plants and their habitats within the meaning of the *Threatened Species Conservation Act 1995* having regard to the *Draft Guidelines for Threatened Species Assessment (DEC & DPI July 2005).* 

#### Traffic and Access

- 6.1 Prepare a Traffic Impact Study in accordance with the RTA's *Guide* to *Traffic Generating Developments*.
- 6.2 Identify needs (if any) to upgrade roads/junctions and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development where relevant. This should include identification of pedestrian movements and appropriate treatments.

#### 7. Water Quality and Coast, Waterways and Estuary Management

- 7.1 Address NSW Coastal Policy, Rivers and Foreshores Improvements Act 1948, NSW Wetlands Management Policy, NSW State Rivers, Estuaries Policy and NSW Estuary Management Policy. Address potential impacts on water quality of surface and groundwater on Spring Creek, adjacent SEPP 14 wetland, the foreshores and waterways.
- 7.2 Demonstrate provision of an effective riparian zone excluding

development and buffering to protect the environmental function of the riparian vegetation of the watercourse on the site.

- 7.3 Prepare a concept Vegetation Management Plan which incorporate a strategy to revegetate the core riparian and buffer zones to restore ecological biodiversity and improve post development water quality of Spring Creek and the adjacent SEPP 14 Wetland.
- 7.4 Assess whether pre and post development hydrological flows discharged into the watercourse requires bed and/or bank stabilisation works to maintain stream stability.
- 7.5 Address pollutant runoff loads from the site, treatment of waste and effluent disposal.
- 7.6 Prepare a Water Management Study addressing water cycle to maximise conservation and quality of all water resources.
- 7.7 Prepare an Integrated Water Cycle Management Plan, based on Water Sensitive Urban Design Principles, to avoid or mitigate any detrimental impacts on Spring Creek, the adjacent SEPP 14 wetland, foreshores and waterways.

#### Floodplain Risk Management

- 8.1 Undertake a Flood Study having regard to requirements of the *NSW Floodplain Management Manual*. Address potential impacts of flooding on the development, the impact of development on flood behaviour (including cumulative impacts), and the impact of flooding on the safety of people over a full range of possible floods up to the probable maximum flood (PMF) and mitigation measures.
- 8.2 Address design measures that minimises any channel erosion as a result of frequent small flood events.

#### Stormwater Plan

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9.1 Prepare a stormwater plan for the subdivision layout based on Kiama Council's *Stormwater Management Plan* and Water Sensitive Urban Design Principles.

#### 10. Geotechnical Assessment

10.1 Prepare a geotechnical assessment of the property, to be undertaken by a qualified and registered Geotechnical Engineer.

#### 11. Infrastructure and Utilities Provision

- 11.1 Address existing capacity and requirements of the development for sewerage, water and electricity in consultation with relevant agencies.
- 11.2 Identify staging, if any, of infrastructure works.
- 11.3 If a new sewer reticulation system is required, the design, construction, contingency planning, long term maintenance, odour impact and overflows must comply with the EPA's *Licensing Guidelines for Sewage Treatment Systems (2003)*.
- 11.4 Address provision of public services and infrastructure having regard to the Council's Section 94 Contribution Plans.

#### 12. Heritage

- 12.1 Address the draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005).
- 12.2 Identify whether the site has significance in relation to Aboriginal

cultural heritage and identify appropriate measures to preserve any significance.

12.3 Identify any other items of heritage significance and provide measures for conservation of such items.

#### 13. Dust, Noise and Vibration Impacts

- 13.1 Address legislative requirements on air quality, noise and vibration under the *Protection of the Environment Operations Act 1997*.
- 13.2 Address dust, noise (including air-blast overpressure) and vibration impacts on future residents arising from blasting and general activities at the adjacent Bombo Hard Rock Quarry (Railcorp Quarry and Boral Quarry) and appropriate mitigation measures. Demonstrate compliance with the Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW; NSW Industrial Noise Policy; and Technical Basis for Guideline to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC 1990).
- 13.3 Address traffic noise arising from the quarry operations. Demonstrate compliance with the NSW Environmental Criteria for Road Traffic Noise (EPA, 1999).

#### 14. Natural Hazards

- 14.1 Identify the presence and extent of acid sulfate soils on the site and recommend appropriate mitigation measures. The level of assessment shall be consistent with the *Acid Sulphate Soil Manual* (ASSMAC).
- 14.2 Address any site contamination and recommend appropriate mitigation measures.

### 15. Management of Common Properties

- 15.1 Provide details of appropriate management plans for common properties.
- 15.2 Provide details of arrangement for the long-term management of natural/bushland areas and riparian and buffer zones addressing issues including weed and pest controls, fencing and public access.

**Consultation** You should undertake an appropriate and justified level of consultation with utilities suppliers and the relevant following parties during the preparation of the Environmental Assessment:

- a) Agencies or other authorities:
  - Department of Natural Resources;
  - Department of Environment and Conservation;
  - Department of Planning Southern Regional Office, Wollongong;
    - Southern Rivers Catchment Management Authority; and
    - Kiama Municipal Council

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

	Enviror	nmental /	Assessn	nent.				
Deemed refusal period		clause	8E(2)	of the	Environmental	Planning	and	Assessment
has been addressed on the second se					e deemed refusa nent Assessment			

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## Attachment 2 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 Air Quality	Policy /Methodology
All edality	
	Legislative requirements under the Protection of the Environment Operations Act 1997 and its associated Regulation
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC, Aug, 2005)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC, August, 2005)
	Action for Air 2006: The Government's 25 Year Air Quality Management Plan
Biodiversity	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC & DPI, July 2005)
Coastal Planning & Wat	er bodies
	NSW Coastal Policy 1997 - A Sustainable Future for the New South Wales Coast (DUAP, 1997)
·	Integrated Water Cycle Management Guidelines for NSW Local Utilities (Oct 2004)
	Coastal Design Guidelines for NSW, Coastal Council (March 2003)
······································	NSW State Rivers Policy
······································	NSW Estuary Management Manual (DLWC, 1992)
<b>Community Consultation</b>	
	Community Involvement Practice Notes and Resource Manual (RTA, 1998)
	Best Practice Community Consultation and Involvement (Commonwealth Department of Environment and Heritage, 1995)
Environmental Managem	
	Guidelines for Preparation of Environmental Management Plan (DIPNR, 2004)
	Best Practice Environmental Impact Assessment (Commonwealth Department of Environment and Heritage, 1995)
	Best Practice in Environmental Monitoring and Performance (Commonwealth Department of Environment and Heritage, 1995)
	Environmental Risk Assessment Guidelines (DUAP, 1994)
Heritage	
	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and

Aspect	Policy /Methodology
	Community Consultation (DEC, July 2005)
	NSW Heritage Manual and Assessing Heritage Significance (NSW Heritage Office, July 2001)
	NSW Heritage Manual (NSW Heritage Office and DUAP, 1996)
Noise & Vibration	
· · ·	Environmental Noise Management - NSW Industrial Noise Policy (DEC, Dec, 1999)
	Environmental Noise Management Manual (RTA, 2001)
	Environment Noise Control Manual - Chapter 171 Noise Control Guideline, Construction site Noise (DEC, 1994)
	Acoustics - Description and measurement of environmental noise - General procedures (Standards Australia, 1997, AS 1055.1-1997)
	Acoustics - Description and measurement of environmental noise - Application to specific situations (Standards Australia, 1997, AS 1055.2- 1997)
	Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (ANZECC, 1990)
	Best Practice in Noise, Vibration and Airblast Control (Commonwealth DEH, 1998, ISBN 0 642 54510 3)
Safety, Security & Ris	k Assessment
	Crime Prevention and the Assessment of Development Applications (PlanningNSW, April 2001)
	The Demolition of Structures (Standards Australia, 2001, AS 260)
	Multi-Level Risk Assessment Guidelines (DUAP, 1999)
	Best Practice in Environmental Risk Management (Commonwealth Department of Environment and Heritage, 1999)
Soils & Contamination	
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
	Best Practice in Contaminated Sites (Commonwealth Department of Environment and Heritage, 1999)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (NHMRC, 1992)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)
	Contaminated Land: Planning Guidelines for Contaminated Land (DUAP and EPA, October 1995)
Sustainability	
	BASIX – www.basix.nsw.gov.au
Traffic, Transport & Pedestrian & Cyclist Facilities	
	Guide to Traffic Generating Developments (RTA, 1993)
	RTA Road Design Guide (RTA, 1996)
	Planning Guidelines for Walking and Cycling (DIPNR & RTA, December 2004)
Urban Design	

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	Policy /Methodology
· · · ·	Neighbourhood Character (PlanningNSW, 1998)
	Residential Densities: A Handbook Illustrating the Urban Desi Characteristics of Different Densities (PlanningNSW, 1998)
	Better Urban Living: Guidelines for Urban Housing in NSW (Urban Desi Advisory Service & DUAP, 1998)
	Urban Form: An Urban Design Approach for Understanding the Urba Form of Regional Centres (PlanningNSW, 1998)
······································	Residential Flat Design Code (Urban Design Advisory Service, 2002)
Waste	
	Environmental Guidelines: Assessment and Classification ar Management of Liquid and non-liquid Wastes (DEC, July 1999)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC 1997) also
	Use of Reclaimed Water, 2000
Nater	
	Water Sensitive Planning Guide - for Sydney Region (WSUD, 2003)
Water Quality	National Water Quality Management Strategy: Australian & New Zealan Guidelines for Fresh & Marine Water Quality (ANZECC, October 2000)
	NWQMS Australian Guidelines for Water Quality Monitoring an Reporting (ANZECC, 2000)
	Various inquiries and Statements of Intent for Coastal Lakes (Health Rivers Commission, 2000-2002)
ν	Managing Urban Stormwater: Soils & Construction (NSW Landcon March 2004) - "The Blue Book"
	Marine Water Quality Objectives for NSW Ocean Waters (DEC, 1999)
······································	Water Quality and River flow Objectives (DEC, 2000)
	Licensing Guidelines for Sewerage Treatment Systems (EPA, July 2003)
Groundwater	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	Managing Urban Stormwater: Construction Activities (EPA, 1988)
	Stockpile Site Management Procedures (RTA, 2001)
	Managing Urban Stormwater: Soils and Construction (NSW Landcom 2004)
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	Australian Rainfall and Runoff (Institution of Engineers, revised edition 1997)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (PlanningNSW, 1993)
Water Management	Best Practice in Water Management (Commonwealth Department o Environment and Heritage, 1999)

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Attachment 3

# Plans and Documents to accompany the Application

Plans and The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the Project Application : Documents of the 1. The Existing Site Survey Plan is to be drawn to 1:500 scale (or other development appropriate 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. An Aerial Photograph outlining the subject site and surrounding area (at an appropriate scale). 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: 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. 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. The Environmental Assessment in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1. 6. The Architectural Drawings (where relevant) are to be drawn to scale and illustrate the following general features: the location of any existing building envelopes or structures on the land; section plans; communal facilities and servicing points; the height of the proposed development in relation to the land; significant level changes: parking and vehicular access arrangements; the floor plans; the location of lifts, stairs and corridors; section plans; fenestrations, balconies and other features; and pedestrian access to, through and within the site. 7. Detailed Subdivision Layout Plans (where relevant) to illustrate the

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	<ul> <li>following:- <ul> <li>all measurements of proposed and existing allotments;</li> <li>location of all structures both proposed and retained on site;</li> <li>north point;</li> <li>name of the road fronting the site and other surrounding major roads;</li> <li>title showing the description of the land with lot and DP numbers etc;</li> <li>vegetation retention;</li> <li>access points;</li> <li>cross sections of roads, including gradients, widths, road names, footpaths etc;</li> <li>any easements, covenants or other restrictions either existing or proposed on the site;</li> <li>development footprints, building envelopes and built form controls;</li> <li>Asset Protection Zone for bushfire control; and</li> <li>type of subdivision proposed (Torrens, strata and/or community title).</li> </ul> </li> <li>8. Stormwater Plan - illustrating the plan for stormwater management of the site, stormwater treatment measures and any discharge points to existing drainage systems. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed</li> </ul>
	<ul> <li>landscape design. Site discharge calculations should be provided.</li> <li>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.</li> </ul>
	<ul> <li>10. Landscape Plan - plan or drawing that shows: <ul> <li>the building footprint of the proposal and locating site entries;</li> <li>ramps, stairs and retaining wall levels;</li> <li>lines of fencing, security and access points;</li> <li>built elements such as pergolas, walls, planters and water features;</li> <li>details of public, communal open space and private open space;</li> <li>trees to be removed to be shown dotted;</li> <li>trees to remain and proposed trees/planting including species, height and maturity;</li> <li>deep soil zones and/or adequate soil depth for planting on structures;</li> <li>detailed ground plane treatment with general materials and finishes indicated; and</li> </ul> </li> </ul>
	<ul> <li>site lighting.</li> <li>11. The shadow diagrams are to show solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday, 3.00 pm and 6.00 pm.</li> </ul>
	<ol> <li>View Analysis - artists impression, photomontages, etc of the proposed development in the context of the surrounding development.</li> </ol>
	13. Waste Management Plan - plan indicating disposal of waste from the site including demolition material.
	14. Concept Vegetation Management Plan
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants.
Documents to be submitted	<ul> <li>20 hard copies of the Environmental Assessment;</li> <li>20 sets of subdivision and landscape plans to scale, including one (1) set at A3 size</li> </ul>

	<ul> <li>(to scale); and</li> <li>1 copy of the Environmental Assessment and all plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).</li> </ul>
Electronic Documents	<ul> <li>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:- <ul> <li>Adobe Acrobat PDF files and Microsoft Word documents must be no bigger that 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files.</li> <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 [.jgg] 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 presented as individual files and will need to be calibrated to be calibrated to be no more than 2Mb each.</li> </ul> </li> <li>Images inserted into the document 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>