



NSW GOVERNMENT

Department of Planning

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Mr John McKee
Keeplan
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Our ref: 05-0200
Your ref:
File: G:\MDAU\Urban
Assessments\Applications\2005\Part
3A\Coastal\05_0200 - 112 Lot Res Subdivision,
South Head Rd, Moruya Heads\G_DGEARS -
PFM\05_0200 DGR\nov06.doc

Dear Mr McKee,

Subject: Director-General's Environmental Assessment Requirements for Proposed Residential Subdivision at Lot 2 DP 534555, South Head Road, Moruya Heads MP 05_0200

The Department has received your application for the above project (Application Number: 05_200).

The Director General's Environmental Assessment Requirements (DGRs) for the environmental assessment of the project for a Project Application are attached to this correspondence at **Attachment 1**. These requirements have been prepared in consultation with the relevant government agencies including council, and have been based on the information that you have provided to date. Please note that the Director-General may alter these requirements at any time.

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;
- consultation and public exhibition arrangements that will apply; and
- 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**.

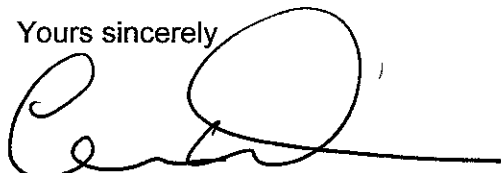
Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does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

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 queries regarding these requirements, please contact Paulina Hon on 9228 6106 or email paulina.hon@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Wilson', written over a horizontal line.

29.11.08

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_0200
Project	Proposed Residential Subdivision at South Head Road, Moruya Project Application for residential subdivision and associated infrastructure works comprising: <ul style="list-style-type: none"> • 107 residential allotments • Associated infrastructure works • Associated road construction • Building envelope locations
Location	Lot 2 DP 534555 South Head Road, Moruya Heads
Proponent	Keeplan Planning and Development Services
Date issued	29 November 2006
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment (EA) for the project application must include:</p> <ul style="list-style-type: none"> • An executive summary; • A detailed description of the project including: <ul style="list-style-type: none"> (i) Any development options; (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; (iii) Outline of the staged implementation of the project, if applicable; • A thorough site analysis and description of existing environment; • Consideration of any relevant statutory and non-statutory requirements, in particular relevant provisions of Environmental Planning Instruments, draft South Coast Regional Strategy 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>; • Where relevant, demonstrate compliance with BCA and relevant Australian Standards for proposed building; traffic, road and parking; utilities; noise and flooding; • An environmental risk analysis of the project including consideration of the issues raised during consultation; • 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; • A Quantity Surveyor's certificate of cost to verify the capital investment value of the project; and • An assessment of the key issues specified below and a table outlining how these key issues have been addressed.
Key issues	<p>The Environmental Assessment for the Project Application must address the following key issues:</p> <p>1. Subdivision Layout</p> <p>1.1. Address the requirements of the <i>Eurobodalla Rural Local Environmental</i></p>

Plan 1987 (as amended), Eurobodalla Residential Design Code – Subdivision (ERDC) and Development Control Plan 182 - Urban Expansion.

- 1.2. Consider the proposal against the draft South Coast Regional Strategy, and the recommendations of the Independent Review Panel for Sensitive Urban Lands that relate to the proposed site
- 1.3. Identify the extent of potential development footprints, building envelopes and built form controls and any significant trees to be removed.
- 1.4. Address safety, provision of public reserves, potential perimeter road layouts, pedestrian and bicycle movement to, within and through the site, as well as connection to the proposed Moruya to South Heads cycleway.
- 1.5. Provide confirmation as to whether the road to the south of the proposed subdivision (adjoining proposed lots 1-15 & 108) will be constructed within the boundaries of a Crown Public Road. If so, transfer of the road to Council as "roads authority" following construction will be required.

2. Visual Impact, Amenity and Scale

- 2.1. Demonstrate suitability of the proposal with the surrounding area in relation to potential character, bulk, scale and visual amenity of development resulting from the subdivision having regard to the *Coastal Design Guidelines of NSW (2003)*, *NSW Coastal Policy (1997)*, *State Environmental Planning Policy No. 71 – Coastal Considerations* (specifically Clauses 2 and 8). The proposed layout should demonstrate how it reinforces the existing character of the adjoining built up areas to create a sense of place. A visual impact assessment is required to demonstrate that the proposal will not have significant visual impact.
- 2.2. Demonstrate suitable buffering to South Head Road to provide visual screening and minimise impact of road noise in accordance with DCP 182 and the Residential Design Code.

3. Social and Community

- 3.1. Address the social and economic context of the development in terms of infrastructure requirements, access, public transport, community services and facilities, having regard to the Council's *Residential Design code*.

4. Water Cycle Management

- 4.1. Prepare a Comprehensive Water Cycle Strategy in accordance with Council's adopted code of practice for water sensitive urban design, Integrated Water Cycle Management Plan and the ERDC.
- 4.2. Address potential impacts on the water quality of surface and groundwater (during construction or occupation of the site) including, but not limited to Moruya river and any State Environmental Planning Policy No. 14 Wetlands.
- 4.3. Demonstrate an acceptable level of water quality protection (during construction or occupation of the site) having regards to River Flow Objectives and Water Quality Objectives. Demonstrate consistency with *Rivers and Foreshores Improvements Act 1948*, relevant State Groundwater, Rivers, Wetlands and Estuary Policies, any relevant Statement of Joint Intent established by the Healthy Rivers Commission.
- 4.4. Demonstrate the development will not exacerbate local flooding and is designed in expectation of flooding in accordance with Port Stephens Council Flood Policy and the *NSW Floodplain Development Manual (2005)*. Implications of climate change on flooding should be considered.

5. Riparian Corridor Management

- 5.1. Provide details of suitable riparian corridor management along the main drainage line passing through the site to (classified as Category 2 Terrestrial and Aquatic Habitat, under the Department of Natural Resources draft Riparian Corridor Objective Setting).

	<p>6. Infrastructure</p> <p>6.1. Address existing capacity and requirements of the proposal for water supply, sewerage, electricity and telecommunications services in consultation with relevant agencies. Identify staging, if any, of infrastructure works.</p> <p>7. Traffic and Access</p> <p>7.1. Prepare a Traffic Impact Study which examines potential impacts of the development. The Study should include: intersection analysis using aaSIDRA to determine projected traffic growth for the next 10 years with the development; asSIDRA movement summary reports; and impact of the development on the intersection of the access road with the local road network, and the intersection of South Head road and the Princes Highway.</p> <p>7.2. Provide an intersection concept design required that achieves SSID for 80KPH and does not compromise required access arrangements for upgrading of the intersection serving The Anchorage.</p> <p>8. Bushfire</p> <p>8.1. Address the requirements of <i>Planning for Bush Fire Protection 2001</i> (RFS), in particular adequate asset protection zones, egress/access to the site, adequacy of water supply for bushfire suppression operations and future management of any areas of hazard remaining, including natural areas and buffers zones.</p> <p>9. Cultural Heritage</p> <p>9.1. Address and document information contained in <i>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC 2005)</i>. Identify whether the site has Aboriginal cultural heritage significance and identify appropriate measures to preserve any significance. Identify any other items of heritage significance and provide measures for conservation.</p> <p>10. Flora and Fauna</p> <p>10.1. Address the potential impacts of the project on any threatened species, populations or ecological communities listed in the Threatened Species Conservation Act 1995 (TSC Act) in accordance with <i>the Draft Guidelines for Threatened Species Assessment (DEC 2005)</i>, specifically considerations in Step 3 and key thresholds set out in Step 5.</p> <p>11. Native Vegetation</p> <p>11.1. Assess proposed native vegetation clearing with consideration of potential impacts and, if applicable, provide details of an offset strategy or other suitable mitigation measures to ensure that there is no net loss of native vegetation values.</p>
<p>Consultation</p>	<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"> • Eurobodalla Shire Council; • NSW Department of Planning – South Coast Regional Office;; • NSW Department of Environment and Conservation; • NSW Department of Natural Resources; • NSW Department of Primary Industries; • NSW Rural Fire Service; • Southern Rivers Catchment Management Authority; and • relevant Aboriginal Land Council contact.

	<p>(b) <i>Public:</i> 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
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the 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 2

Plans and Documents to accompany the Application

Plans of the development

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** :

1. The **existing site survey plan** is to be drawn to 1:500 scale (or other 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. Detailed **Subdivision layout plans** to illustrate the following:-
 - All measurements of proposed and existing allotments;
 - Location of all structures both proposed and retained on site;
 - North point;
 - Name of the road fronting the site and other surrounding major roads;
 - Title showing the description of the land with lot and DP numbers etc;
 - Vegetation retention;
 - Access points and road layout;
 - Any easements, covenants or other restrictions either existing or proposed on the site;
 - Type of subdivision proposed (Torrens, strata and/or community title).
7. **Other Plans** including (where relevant):
 - Infrastructure Plans** – conceptual drawings indicating proposed infrastructure including roads, drainage, water, sewerage and earthworks
 - Stormwater Plan** - illustrating the plan for stormwater management of the site and must include details of any drainage lines and major overland flow paths through the site, stormwater treatment measures and any discharge

	<p>points to existing drainage systems.</p> <p>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;</p> <p>Landscape Plan – 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>Construction Management Plan – a plan which outlines traffic and pedestrian management during construction</p>
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 style="list-style-type: none"> • 10 hard copies of the Environmental Assessment; • 10 sets of architectural and landscape plans to scale, including set one (1) set at A3 size (to scale); and • 4 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.

Attachment 3

Technical and Policy Guidelines

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
Biodiversity	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	Australian Standard 3959 – Building in Bushfire Prone Areas
Coastal Planning & Water 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, March 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
	NSW State Rivers and Estuaries Policy (DLWC, 1992)
	NSW Estuary Management Manual (DLWC, 1992)
	Constructed Wetlands Manual (DLWC, 1998)
Heritage	
	Draft guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)
	NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit – Working Draft (NPWS, September 1997)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)
	Protecting Aboriginal Objects and Places - Interim Guidelines for Community Consultation (DEC 2005)
Soils & Contamination	
	Contaminated Land: Planning Guidelines for Contaminated Land, Department of Urban Affairs and Planning and the NSW EPA, October 1995.
	Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land (NSW EPA, 1998)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 1997)
	Contaminated Sites – Guidelines on Significant Risk of Harm and Duty to Report (NSW EPA, 1999)
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)
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Ausroads, 2003)

Aspect	Policy /Methodology
Water	
Water Quality	Australian & New Zealand Guidelines for Fresh & Marine Water Quality (Australian & New Zealand Environment & Conservation Council (ANZECC), October 2000)
	National Water Quality Management System - Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC 2000)
	Integrated Water Cycle Management Guidelines for NSW Local Utilities, Oct 2004
	Water Quality and River flow Objectives (DEC, 2000)
	State Water Management Outcomes Plan Order 2002
	NSW Guidelines for Urban & Residential Use of Reclaimed Water (NSW Water Recycling Coordination Committee, 1993)
Wastewater	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC 2000)
	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
	Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households (1998)
Flooding & the Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
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 :Soils and Construction (NSW Landcom, 2004)
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (PlanningNSW, 1993)
Noise and Vibration	
	NSW Industrial Noise Policy (NSW EPA, 1999)
	NSW Environmental Criteria for Road Traffic Noise (NSW EPA, 1999)
	Environmental Noise Control Manual (NSW EPA, 1994)