

Volume 1:

Annex C: DGR's



NSW GOVERNMENT
Department of Planning

Contact: Kim Johnston
Phone: 02 9228 6489
Fax: 02 9228 6540
Email: kim.johnston@planning.nsw.gov.au

Our ref: MP 06_0010
Your ref:
File: 9041553

Crighton Properties Pty Ltd
C/o Mr Steve O'Connor
Environmental Resources Australia
PO Box 71
Thornton NSW 2322

Dear Mr O'Connor,

Re: Mixed Residential, Commercial and Tourist Subdivision Development – Riverside at Tea Gardens - MP06_0010

I refer to your letter dated 7th July 2008 in which you requested confirmation that your proposal *Riverside at Tea Gardens* is a Major Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies, sought authorisation for the lodgement of a concept plan and sought the Director General's Assessment Requirements for a concept plan and the first stage project application.

Confirmation that the proposal is a Major Project

The former Minister for Planning formed the opinion on 4th September 2008 that the proposal is a Project and that Part 3A of the Act applies. Consequently, you may now apply for the approval of the Minister to carry out this Project.

Confirmation of authorisation of lodgement of a Concept Plan application

I can confirm that on the 4th September 2008 pursuant to Section 75M of the Act, the former Minister for Planning authorised your request for the above Major Project to be dealt with as a Concept Plan.

Constitution of an Independent Hearing and Assessment Panel

The former Minister for Planning also directed on 4th September 2008 that an Independent Hearing and Assessment Panel (IHAP) be held for this project and constituted the Panel.

The Panel members are Mr Peter Dundon, Dr Judy Smith and the chair of the Panel is Ms Barbara Crossley.

The Terms of Reference for the IHAP are in **Attachment A**. It is intended notification of a public hearings on the proposal will be given at the same time that the Environmental Assessment is exhibited.

Issue of DGRs

The Director-General's Environmental Assessment Requirements (DGRs) are in **Attachment B**, comprising the DGRs (Attachment B1) and a list of the relevant plans and documents which will be required upon submission of your proposal (Attachment B2). A list of some relevant

technical and policy guidelines which may assist in the preparation of the EA are attached at Attachment B3. Some further general advice on the DGRs and the Part 3A process is outlined in Attachment B4.

These requirements supersede the DGRs dated 16 September 2006, 28 December 2006 and 6 March 2007 that were issued in relation to the previous version of the project and clause 6 opinion dated 22nd February 2006.

Comments on Revised Proposal

Following a review of the revised proposal, and the meeting held on 2 September 2008, the Department reiterates its continued and ongoing concern with this project, particularly in light of the proposed widening of a channel connecting the existing lake on the adjoining site with the Myall River.

The proposal now envisages extensive clearing of vegetation within a wetland listed under *State Environmental Planning Policy No 14 – Coastal Wetlands* (SEPP 14) and which is considered part of an Endangered Ecological Community to accommodate this channel.

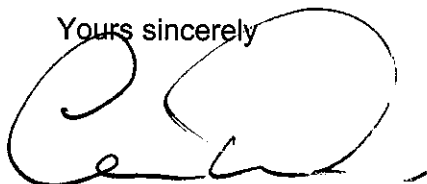
The removal of approximately 270m² of SEPP 14 wetland vegetation for residential development is unprecedented. Such vegetation removal is contrary to the *NSW Wetlands Management Policy* and the aims, objectives and requirements of SEPP 14.

You are strongly encouraged to reconsider your proposal in light of these concerns and provide a proposal that does not involve the requirement for any channel works between the existing lake and the Myall River.

The above advice is in addition to the Department's long-standing concerns in relation to the proposed water management regime for the site.

If you have any queries regarding the above requirements, please contact Kim Johnston on 9228 6489 or email kim.johnston@planning.nsw.gov.au.

Yours sincerely



16.9.08

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

ATTACHMENT A

TERMS OF REFERENCE FOR 'RIVERSIDE TEA GARDENS' INDEPENDENT HEARING AND ASSESSMENT PANEL

TERMS OF REFERENCE FOR RIVERSIDE TEA GARDENS INDEPENDENT HEARING AND ASSESSMENT PANEL

Under Section 75G(1)(a), as directed by the Minister for Planning on 4th September 2008, the Panel of Experts is to:

1. Consider and advise on the:
 - a) Ecological impacts of the project including impacts on the SEPP 14 wetland, Myall River and the removal of vegetation and its location within a regionally significant habitat corridor;
 - b) Hydrological impacts of the project including:-
 - (i) Whether the proposed water sensitive urban design measures will result in adverse impacts on groundwater and local surface hydrology, particularly on the SEPP 14 wetland and the Myall River; and
 - (ii) Whether the proposed water sensitive urban design measures will result in adverse impacts on flooding for the subject site and surrounding properties.
 - c) relevant issues raised in submissions in regard to the above impacts; and
 - d) adequacy of the proponent's response to the issues raised in submissions
2. Identify and comment on any other related significant issues raised in submissions or during the panel hearings.

ATTACHMENT B

DIRECTOR GENERAL'S ASSESSMENT REQUIREMENTS

'RIVERSIDE TEA GARDENS'

Attachment B1

Director-General's Environmental Assessment Requirements

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

Application number
MP 06_0010
Project
Concept Plan and Project application (Stage 1) for a mixed use Residential, Commercial and Tourist development
Location
Lot 1 DP 270100, Lot 10 DP 270100, Lot 19 DP 270100, Lot 30 DP 270100 and Lot 38 DP 270100 Myall Street, Tea Gardens.
Proponent
Crighton Properties Pty Ltd
Date issued
September 2008
General requirements
<u>PART A : Concept Plan Application</u>
<p>The Environmental Assessment (EA) for the Concept Plan Application must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. An outline of the scope of the project including: <ol 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; 3. A thorough site analysis and description of existing environment; 4. Accurate mapping of zones for the site and surrounds, overlayed on the site survey plan 5. Consideration of any relevant statutory and non-statutory requirements and identification of any non-compliances with such provisions, in particular relevant provisions of Environmental Planning Instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans 6. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; 7. An environmental risk analysis of the project including consideration of the issues raised during consultation; 8. 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; 9. The plans and documents outlined in Attachment 2; 10. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 11. A Quantity Surveyor's certificate of cost to verify the capital investment value of the project; and 12. A detailed assessment of the key issues specified below and a table outlining how and where in the EA document these key issues and the above requirements have been addressed.
<u>PART B: Project Application</u>
<p>The Environmental Assessment (EA) for the Project Application must include:</p>

<ol style="list-style-type: none"> 1. The matters listed above in Part A (with the exception of Point 2), 2. A detailed description, including plan details, of the project application component (comprising Stage 1 of the development); and 3. Where relevant, demonstrate compliance with BCA and relevant Australian Standards for proposed building; traffic, road and parking; utilities; noise and flooding. 	
Key Issues	
The EA must address the following key issues:	
Part A: Key issues to be addressed in the Concept Plan Application Environmental Assessment	
1. Strategic Planning	
1.1	Justify the proposal with reference to relevant local, regional and State planning strategies. Provide justification for any inconsistencies with these planning strategies.
1.2	Demonstrate consistency with the Sustainability Criteria set out in the relevant Regional Strategy (including draft Regional Strategies).
1.3	The proposal must demonstrate compliance with the provisions of <i>State Environmental Planning Policy No. 71 – Coastal Protection</i> .
1.4	The proposal should not include any elements which would be defined as Canal Estate development as defined in <i>State Environmental Planning Policy No. 50 – Canal Estate Development</i> .
1.5	Demonstrate that the proposed densities are appropriate for the future housing needs of the Tea Gardens area. Demonstrate compliance with the recommendations of the <i>Tea Gardens Housing Strategy (May 2006)</i> particularly relating to affordable housing types and their location.
1.6	Provision of all development consents issued for the subject site and the adjoining site (known as Myall Quays) including the existing detention lake and connection to the Myall River.
1.7	Provision of the Community Management Statement for the existing development adjoining the site, known as Myall Quays.
2. Subdivision Design, Layout and Desired Future Character	
2.1	Demonstrate the consistency of the proposal with the character of existing development in terms of the locality, street frontage, scale, building envelopes and future built form controls, aesthetics, energy and water efficiency and safety.
2.2	Demonstrate the consistency of the proposed subdivision design and layout with the <i>Coastal Design Guidelines for NSW</i> , <i>NSW Coastal Policy 1997</i> and <i>SEPP 71 – Coastal Protection</i> .
2.3	Identify the type of subdivision proposed across the site ie community, Torrens, strata. A draft community management statement should be provided if community title is proposed.
2.4	Provide details of any staging that demonstrates the lots will be released in an orderly and coordinated manner and identify how the proposal relates to the existing and proposed future stages to ensure an integrated and holistic approach to environmental management;
2.5	Outline the long-term management and maintenance of any areas of open space or conservation including ownership and control, management and maintenance funding, public access, revegetation and rehabilitation works and bushfire management.
2.6	Address any public access to the shoreline in accordance with the principles of ecologically sustainable development and the NSW Coastal Policy.
2.7	Address safety and security of the proposal and provide mitigation measures where required.
2.8	Demonstrate compliance with relevant zone objectives.
2.9	Demonstrate the application of sound urban design principles in the design of the proposal.
3. Visual Impact	
3.1	Demonstrate suitability of the proposal with the surrounding area in relation to the proposed and potential bulk, scale, amenity (including noise) and visual amenity having regard to the <i>Coastal Design Guidelines of NSW (2003)</i> . In particular, address impacts on the amenity of the foreshore, loss of views from public places and cumulative impacts.
4. Infrastructure Provision	

4.1	Address the capacity of existing infrastructure to accommodate the proposed development such as water, electricity, gas, telecommunications and their staging. Specific consideration should be given to the capacity of the sewerage treatment facility at Hawks Nest to accommodate the proposal. Identify and describe staging, if any, of infrastructure works.
4.2	A risk assessment of effluent disposal including the potential impacts and relevant mitigation measures in the event of a failure of the effluent disposal system through flood or other events.
4.3	Provide details of any Planning Agreements entered into or proposed as part of this development and the proponent payment of Section 94 contributions. Note: Any Planning Agreement must be outlined in the Statement of Commitments as an offer under Section 93G of the Act. This should take the form of a draft agreement. Planning Agreements should only contain matters outside of the scope of Section 94.
5. Traffic and Access	
5.1	Prepare a Traffic Impact Study in accordance with the RTA's Guide to <i>Traffic Generating Developments</i> .
5.2	Protect existing public access to and along the coastal foreshore and provide, where appropriate, new opportunities for controlled public access. Consider access for the disabled where appropriate.
5.3	Demonstrate compliance with sound urban design principles, including parking, access, and transport. This must demonstrate options, particularly as they relate to access to and from adjoining urban areas, with a view to minimising traffic loads on one or more particular access way. In addition consideration must be given to: <ul style="list-style-type: none"> - pedestrian/cycle access through the site; - public transport access through the site, with particular emphasis on road compatibility for bus access through the site; and - intersection capability to withstand anticipated traffic loads. With respect to traffic and access, traffic modelling in accordance with the relevant standards is required.
5.4	Demonstrate the provision of access and servicing links between the subject site and Shearwater Estate (through the Myall Quays site). Consideration of any alternative access requirements of the <i>Great Lakes Hawks Nest/Tea Gardens Conservation and Development Strategy (2003)</i> is also required.
6. Hazard Management and Mitigation	
<i>Coastal Processes</i>	
6.1	Address coastal hazards and the provisions of the <i>Coastline Management Manual</i> . In particular, consider impacts associated with wave and wind action, coastal erosion, sea level rise and more frequent and intense storms in accordance with the principles of ecologically sustainable development and the NSW Coastal Policy
<i>Contamination and Acid Sulfate Soils</i>	
6.2	Address any existing contamination and required remediation of soils on the site. Particular regard must be given for Acid Sulphate Soils on the site, particularly relating to the excavation of these soils.
<i>Bushfire</i>	
6.3	Address the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS).
<i>Geotechnical</i>	
6.4	Provide an assessment of any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations that address these limitations.
<i>Flooding</i>	
6.5	Provide an assessment of any flood risk on site (for the full range of floods including events greater than the design flood, up to probable maximum flood, and from coastal inundation).

6.6	<p>catchment based flooding or a combination of the two) and having consideration of any relevant provisions of the <i>NSW Floodplain Development Manual 2005</i>. The assessment should determine the flood hazard in the area, address the impact of flooding on the proposed development, address the impact of the development (including filling) on flood behaviour of the site and adjacent lands, and address adequate egress and safety in a flood event.</p> <p>Assess the potential impacts of sea level rise and an increase in rainfall intensity on the flood regime of the site and adjacent lands with consideration of <i>Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)</i>.</p>
7. Water Cycle Management	
7.1	Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site.
7.2	Address potential impacts on the water quality of surface and groundwater, having regard to the relevant State Groundwater, Rivers, Wetlands and Estuary Policies. Consideration must be made for water impacts to the Myall River and identified SEPP 14 Wetlands. Particular regard must be given to how the proposal will minimise altered salinity, pH, litter, weeds, exotic fauna, gross disturbance of these wetlands, and nutrient intake to receiving water bodies.
7.3	An Integrated Water Cycle Management (IWCM) Plan based upon Water Sensitive Urban Design principles is required. This must address the requirements of the <i>NSW Floodplain Management Manual</i> .
7.4	Demonstrate the suitability of using the lake to be a receiving body for stormwater runoff.
7.5	Demonstrate and justify the proposed widening and deepening of a channel connecting the existing lake with the Myall River, particularly in relation to the removal of vegetation from a SEPP 14 wetland and an Endangered Ecological Community.
7.6	Address the aims, objectives and requirements (particularly of Clause 7) of State Environmental Planning Policy No 14 – Coastal Wetlands (SEPP 14), particularly in relation to the proposed removal of vegetation from the wetland for the proposed channel works.
7.7	Stormwater management should be designed to ensure ongoing protection of the groundwater aquifer in accordance with the principles of ANZECC & ARMCANZ: Guidelines for Groundwater Protection in Australia, National Water Quality Management Strategy, Commonwealth of Australia, 1995. Ensure there is no impact on the existing groundwater aquifer and existing groundwater quality resulting from the proposal. Suitably justify the stormwater treatment measures to be used in the proposal (amended by DGRs – 28/12/06).
7.8	A Wetland Management Plan is required to guide the rational conservation, management, and restoration of the SEPP 14 wetland habitats and their buffers.
7.9	Details of any proposed dredging and reclamation activities including the methods, uses, timing, extent, and duration of works, nature of sediment to be dredged, etc. Specific detail must be provided to outline any activities that may harm marine vegetation, or block the passage of aquatic fauna.
8. Heritage and Archaeology	
8.1	An Independent Archaeology report must be included in the Environmental Assessment. This must address and document information requirements set out in the draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC 2005) and <i>Interim Community Consultation Requirements for Applicants</i> (DEC 2004).
9. Flora and Fauna	
9.1	Outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land.
9.2	Address measures to protect and manage the SEPP 14 wetland and adjacent aquatic habitats.
9.3	Outline and document commercial, recreational, and indigenous fishing activities that may be affected by the proposal. Investigation is required into whether the proposal will impact on the continuing operation and viability of nearby aquaculture or marine culture ventures.
9.4	Demonstrate that any water discharge shall meet the benchmark set under the <i>Oyster Industry Sustainable Aquaculture Strategy</i> (amended by DGRs – 6/3/07).
9.5	Outline measures for the conservation of flora and fauna and their habitats within the meaning of the <i>Threatened Species Conservation Act 1995</i> , <i>Native Vegetation Act, 2003</i> , and the <i>Fisheries Management Act, 1994</i> including, but not limited to Koala populations, and other EECs.

9.6	The EA must consider how the proposal has been managed to conserve flora and fauna habitats on the subject site and subject area. The measures proposed to mitigate any effects of the proposal must be provided, including any long term strategies to protect areas within the study area with threatened species. This may include elements that restore or improve habitats. Pre-construction monitoring plans or on-going monitoring of the effectiveness of the mitigation measures must be outlined in detail.
10. Socio-economic Impacts	
10.1	Address social infrastructure including health services and schools. Consultation with service providers, Council, Department of Health, and Department of Education is required. Provide evidence of the capacity to service the proposed development and expected growth in the locality (amended by DGRs – 6/3/07).
Part B: Key issues to be addressed in the Project Application Environmental Assessment (Stage 1 of the Development)	
1. Compliance with Concept Plan	
1.1	The EA must demonstrate consistency with all Environmental Assessment requirements as detailed above in Part A, and the following additional matters.
2. Subdivision Design, Layout and Desired Future Character	
2.1	Provide details of potential building envelope, built form, and design quality controls and the means for implementing them. Ensure subdivision and road works are contained within the relevant zone.
2.2	Provide details of the construction of Community facilities where proposed as part of the Project Application for Stage 1 works.
2.3	Demonstrate compliance with BASIX requirements for any BASIX affected development (as defined by the <i>Environmental Planning and Assessment Regulation 2000</i>) that is proposed as part of the Project Application for Stage 1 works.
3. Water Cycle Management	
3.1	Provide a detailed Construction Management Plan which mitigates the impacts of the proposal on surface and groundwater hydrology and quality on the site.
3.2	Provide a detailed Integrated Water Cycle Management (IWCM) Plan based upon Water Sensitive Urban Design principles.
3.3	Provide a detailed Stormwater management Plan in accordance with the Environmental Assessment Requirements for the Concept Plan application.
4. Bushfire	
4.1	Provide a detailed plan which addresses the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS), in particular in relation to asset protection zones, adequacy of water supply, and future management of areas of hazard remaining including natural areas and buffer zones.
5. Earthworks and Filling	
5.1	Address impacts of earthworks and filling on the existing hydrology and water quality, the conservation of flora and fauna habitat and the management of acid sulphate soils and any contamination on the site.
5.2	Provide details of the source of fill including types of material and soils, and details of suitable revegetation planting.
Consultation	
You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:	
(a) <i>Agencies or other authorities:</i>	
<ul style="list-style-type: none"> • Great Lakes Shire Council; • Department of Environment and Climate Change; • Department of Primary Industries (Fisheries); 	

- NSW Rural Fire Service;
- Department of Water and Energy;
- NSW Maritime;
- Department of Lands;
- NSW Police Service;
- State Emergency Service;
- Hunter & Central Rivers Catchment Management Authority;
- Port Stephens-Great Lakes Marine Parks Authority;
- Local Aboriginal Land Council/s and other Aboriginal community groups; and
- MidCoast Water.

(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 Environmental Assessment.

Deemed Refusal Period

120 days – it is considered to involve a complex environmental assessment and approval process

Attachment B2

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 for your application:</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, 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 of the subject site with the site boundary superimposed. 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: <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; • traffic and road patterns, pedestrian routes and public transport nodes; and • 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. Subdivision plans are to show the following:- <ul style="list-style-type: none"> • 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 measurements 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 (for Project Application). • Existing and proposed finished levels in relation to roads, footpaths and structures (for Project Application); • 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;
---	---

	<ul style="list-style-type: none"> Any easements, covenants or other restrictions either existing or proposed on the site; Type of subdivision proposed (Torrens, strata and/or community title). <p>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 any discharge points to the street drainage system. Where an on-site detention system is required, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided;</p> <p>7. 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>8. Landscape Concept 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>9. Construction Management Plan – a plan which outlines traffic and pedestrian management during construction and management of impacts on amenity of adjoining properties and appropriate mitigation measures including noise, dust and sediment and erosion controls;</p> <p>10. View analysis – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.</p>
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; Landscaping; Geotechnical and/or hydrogeological (groundwater); Stormwater/drainage; Urban Design/Architectural; Contamination in accordance with the requirements of SEPP 55; and Acid Sulfate Soil Management Plan.
Documents to be submitted	<ul style="list-style-type: none"> Both hard copy and electronic versions of the Environmental Assessment will be required to be submitted. Please contact the Department prior to submitting your Environmental Assessment to determine how many copies will be required. If the Environmental Assessment is bulky, you will be required to package up each Environmental Assessment ready for distribution by the Department to key agencies.
Electronic Documents	<p>Electronic documents presented to the Department for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> All files should be approximately 5 Mb. Large files of more than 5 Mb will need to be broken down and supplied as different files.

Attachment B3

State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not of all of these guidelines may be relevant to your proposal.

The majority of these documents can be found on the relevant Departmental Websites, on the NSW Government's on-line bookshop at <http://www.bookshop.nsw.gov.au> or on the Commonwealth Government's publications website at <http://www.publications.gov.au>.

Aspect	Policy /Methodology
Biodiversity	
	Draft Guidelines for Threatened Species Assessment (DEC & DPI, 2005)
	Draft Threatened Biodiversity Survey and Assessment Guidelines (DEC, 2004)
	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Policy and Guidelines: Aquatic Habitat Management and Fish Conservation (NSW Fisheries, 1999)
	Threatened Species Management Manual (NPWS, 1998)
Coastal Planning	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, NSW Government, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, February 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
	Coastline Management Manual (NSW Government 1990)
Community Consultation	
	Guidelines For Major Project Community Consultation, (NSW Department of Planning, 2007) http://www.planning.nsw.gov.au/assessingdev/pdf/Dr3%20DOP%20GuideMaiProjComConsult%20BRO.pdf
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
Contamination and Soils	
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	NSW Acid Sulfate Soil Management Advisory Committee - Acid Sulfate Soil Manual (ASSMAC, 1998).
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)

Aspect	Policy /Methodology
Heritage	
Aboriginal	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual, NSW Heritage Office, 2000
	Statements of Heritage Impact, NSW Heritage Office 2002
	NSW Heritage Manual, NSW Heritage Office 1996
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
Safety and Hazards	
	Electrical Safety Guidelines (Integral Energy)
Traffic & Transport	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
Urban Design: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	
Water Quality	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000)
Effluent Reuse	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
Groundwater	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
	NSW State Groundwater Quality Protection Policy (DLWC 1998)
	NSW Groundwater Dependent Ecosystem Policy (DLWC 2000)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
Wetlands	NSW Wetlands Management Policy (DLWC 2000)

ATTACHMENT B4

RIVERSIDE AT TEA GARDENS GENERAL DGRS AND PART 3A ADVICE

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.

If the EA is not exhibited within 2 years of the date of issue of these requirements, you should consult further with the Director-General in relation to the preparation of the EA.

Please contact the Department at least two weeks before you propose to submit the Environmental Assessment (EA) for the project to determine:

- the fees applicable to the application. Note that you will need to provide a signed statement from a Quantity Surveyor to verify the capital investment value of the project;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the EA that will be required.

Prior to exhibiting the 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.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance (NES), it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Commonwealth Department of the Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of NES and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of NES. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary DGRs will need to be issued.

Please note that under section 75U of the Act, Part 3A applications do not require certain permits/approvals required under other legislation. These matters are considered as part of the Part 3A assessment process. For example, Section 87 permits and Section 90 consents under the *National Parks and Wildlife Act 1974* are not required for Part 3A applications. Section 75U applies from the date of issue of the DGRs.

Notwithstanding, the Department still requires an equivalent level of information within the EA as would ordinarily be required for the issue of any such permit/approval to enable an assessment of the relevant works. Please notify the Department should any sub-surface testing be required during the preparation of your EA.