



NSW GOVERNMENT  
Department of Planning

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Our ref: MP 06\_0212  
File: S06/00402-1

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

Dear Ms Haigh

**Director General's Requirements for an Environmental Assessment of a  
Proposed Rural Residential Subdivision at Sancrox Road, Sancrox, Port Macquarie**

The Department has received your application for the above Major Project (MP 06\_0212) and has reviewed the supporting Preliminary Assessment.

I am writing to advise you that the Minister for Planning formed the opinion on 9 January 2007 that your proposal is a Major Project and that Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies. Pursuant to Section 75M of the Act, the Minister also authorised submission of a Concept Plan for the proposed rural residential subdivision.

The Director-General's Environmental Assessment Requirements (DGR's) for the Environmental Assessment of the Major Project are attached to this correspondence at **Attachment 1**. These requirements have been prepared in consultation with all relevant government agencies, including Port Macquarie-Hastings 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 before 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.

As discussed with Sally Laing, Coastal Assessments, on 11 January 2006, Port Macquarie-Hastings Council has requested that the Director-General delegate all assessment powers and functions to Council for this concept application. The delegation would allow Council to undertake exhibition and assessment of the proposal. The Minister remains as the consent authority. The Department is currently pursuing the delegation of this application to Council and will advise you of the outcome.

Should the application be delegated to Council, we recommend that you contact Port Macquarie-Hastings Council at least two weeks before you propose to submit the Environmental Assessment (EA) for the project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- number and format (hard-copy or CD-ROM) of the EAs that will be required.

A list of relevant technical and policy guidelines which may assist in the preparation of the EA are enclosed at **Attachment 3**.


Prior to exhibiting the EA, Council will review the document to determine if it adequately addresses the DGR's. Council may consult with other relevant government agencies in making this decision. If Council, as delegate for the Director-General, considers that the EA does not adequately address the DGR's, Council may require the proponent to revise the EA to address these matters.

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 Department's website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if all documents that are subsequently submitted to Council are in a suitable format for the web, and if requested, you would arrange for an electronic version of the EA to be hosted on a suitable website with a link to the Department's website.

Finally, if your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an approval under the *Commonwealth Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of Environment and Heritage in Canberra (02 6274 1111 or [www.deh.gov.au](http://www.deh.gov.au)).

If you have any enquiries about these requirements, please contact Sally Laing, Environmental Planner, Coastal Assessments, on (02) 9228 6498 or via e-mail at [sally.laing@planning.nsw.gov.au](mailto:sally.laing@planning.nsw.gov.au).

Yours sincerely

  
Yolande Stone 12/1/07  
**A/Executive Director**  
**Major Project Assessments**  
**as delegate for the Director General**

# Attachment 1

## Director-General's Requirements

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

Application number	06_0212
Project	Concept Plan application for a 144 lot rural residential subdivision
Location	Lot 51 DP 775871, Lots 1-13, 15-66, 68, 70-72, 74-80, 83-84, 86-88 DP 791199 and Lots 90-95 DP 805549, Sancrox Road, Sancrox, Port Macquarie
Proponent	Le Clos Pty Ltd
Date issued	12 January 2007
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment (EA) for the <b>Concept Plan</b> must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A description of the proposal including: <ul style="list-style-type: none"> <li>- description of the site and surrounds;</li> <li>- suitability of the site for the proposed development;</li> <li>- likely environmental, social and economic impacts;</li> <li>- justification for undertaking the project; and</li> <li>- alternatives considered.</li> </ul> </li> <li>3. A thorough site analysis and description of the existing environment;</li> <li>4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans. The assessment is to include the nature, extent, and justification for any non compliance, particularly where non compliance results in environmental impacts;</li> <li>5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>6. 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 potential impacts of the project;</li> <li>7. The plans and documents outlined in <b>Attachment 2</b>;</li> <li>8. 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>9. 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 general requirements have been addressed.</li> </ol>
Key issues	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> <li>1. <b>Subdivision Layout, Desired Future Character and Sustainability</b> <ol style="list-style-type: none"> <li>1.1 Assess the suitability of the proposed development with the surrounding area; subdivision design; pedestrian &amp; bicycle movement to, within and through the site, having regard to the <i>Coastal Design Guidelines for NSW</i>, SEPP 71 – Coastal Protection and Port Macquarie - Hastings Council's <i>Subdivision DCP</i>;</li> <li>1.2 Provide details of proposed staging and assessment of</li> </ol> </li> </ol>

	implications in terms of impact on subdivision design and infrastructure provision.
1.3	Identify the nature of subdivision proposed, including any areas of community title management.
<b>2.</b>	<b>Water Cycle Management</b>
2.1	Address potential impacts on the water quality of the Hastings River, Haydons Creek and groundwater, having regard to the relevant State Groundwater, Rivers, Wetlands and Estuary Policies.
2.2	Submit an Integrated Surface Stormwater Management Plan which demonstrates the means and adequacy of managing stormwater within the site, in particular detailing measures to show how Water Sensitive Urban design principles will be incorporated into the development, there will be no net increase in pollutant loads entering waterway systems (Hastings River and Haydons Creek) and no change to the existing stormwater drainage patterns/regime.
2.3	Identify whether any proposed works will intersect the watertable and therefore require dewatering. If necessary, submit a Groundwater Management Plan that demonstrates how groundwater quality will be protected.
<b>3.</b>	<b>Flooding</b>
3.1	Provide an assessment of the risk of flooding at the site due to proximity of the Hastings River and Haydons Creek.
<b>4.</b>	<b>Flora and Fauna</b>
4.1	Provide an assessment of all threatened or vulnerable flora and fauna species, including the Koala and highly mobile species such as birds and bats, which may be present on the site. Identify any measures to protect or mitigate for any adverse impacts. The impact on potential endangered ecological communities (EEC), corridor links and wildlife movement should also be addressed.
4.2	Address any proposed native vegetation clearing and responsibilities under the <i>Native Vegetation Act 2003</i> .
4.3	Identify areas suitable for rehabilitation and revegetation, including the riparian corridor along the Hastings River and Haydons Creek.
4.4	Provide mapping of all proposed buffer zones surrounding waterways and wetlands.
<b>5.</b>	<b>Aboriginal and Cultural Heritage</b>
5.1	Submit an Aboriginal and European cultural heritage assessment, if relevant. The report should detail the nature and extent of impacts on Aboriginal and European cultural heritage values across the project area and identify measures to avoid or mitigate adverse impacts on cultural heritage values.
<b>6.</b>	<b>Contamination and Remediation</b>
6.1	Identify any areas of contamination on site and provide details of measures to ensure these can be managed, taking into consideration the <i>Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land</i> .
6.2	Provide evidence of soil investigations which identify whether the site contains acid sulfate soils (ASS). If necessary, provide an ASS Management Plan.
6.3	Submit appropriate remediation plans for soil, gully and landscape features including remediation associated with existing roads, proposed road works and drainage lines.

	<p><b>7. Wastewater Management</b></p> <p>7.1 Submit a geotechnical assessment report that details appropriate geotechnical investigations to establish certainty in terms of site stability and on-site effluent disposal.</p> <p>7.2 Demonstrate consistency with the Port Macquarie – Hastings ‘Sancrox Rural Residential – Wastewater Management Policy’.</p> <p>7.3 Submit a wastewater management strategy and risk assessment for 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.</p> <p><b>8. Bushfire</b></p> <p>8.1 Provide a bushfire risk assessment and management plan in accordance with <i>Planning for Bushfire Protection (PBP) 2001</i> (or other relevant policy).</p> <p><b>9. Agriculture</b></p> <p>9.1 Provide an agricultural suitability assessment addressing the suitability of the site as “prime agricultural land”.</p> <p>9.2 Demonstrate consideration of the Mid North Coast Farmland Mapping Project.</p> <p><b>10. Mineral Resources</b></p> <p>10.1 Submit an assessment of the potential impact on the sustainability of construction material supply in the district, likely primary sources for construction materials, and the feasibility of developing alternative sources of supply to meet expected demands arising from the proposed development.</p> <p><b>11. Traffic &amp; Access</b></p> <p>11.1 Provide an appropriate traffic assessment against the criteria within Table 2.1 of the RTA’s <i>Guide to Traffic Generating Developments</i>, addressing site access, internal traffic movement / hazards, the road system capacity, local traffic speed, environment and facilities for pedestrians, cyclists (internal and external connections) and public transport.</p> <p>11.2 Address potential for conflicts between increased residential traffic and trucks serving the quarry or other existing industrial sites on the Bushland Drive – Pacific Highway segment of Sancrox Road, the unsatisfactory nature of road access to the Pacific Highway from Sancrox Road and the uncertainty of access following the Pacific Highway upgrade.</p> <p>11.3 Assess any impacts on any new or existing junctions with Sancrox Road</p> <p><b>12. Riparian Corridor &amp; Foreshore Access</b></p> <p>12.1 The EA must consider protection of and access to the riparian corridor and foreshore of the Hastings River and Haydons Creek. Issues to consider include:</p> <ul style="list-style-type: none"> <li>- securing public access to the river and creek foreshores;</li> <li>- providing an adequate buffer to the riparian corridor; and,</li> <li>- maintenance, protection and ownership of the foreshore and riparian corridor.</li> </ul> <p>12.2 Address potential impacts on the shoreline including, but not limited to, bank erosion, and public access and demonstrate management of the coastal zone is in accordance with the principles of ecologically sustainable development and the NSW Coastal Policy.</p>
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	<p><b>13. Provision of public service and infrastructure</b></p> <p>13.1 Address the existing capacity and requirements of the development for water, electricity, waste disposal (including stormwater and sewage) and telecommunications. Identify staging, if any, of infrastructure works.</p> <p><b>14. Planning Agreements and/or Developer Contributions</b></p> <p>14.1 Address and provide the likely scope of any planning agreement and/or developer contributions with Council/ Government agencies.</p>
<b>Consultation</b>	<p>During the preparation of the Environmental Assessment, you should undertake an appropriate and justified level of consultation with the following:</p> <p>(a) <i>Agencies or other authorities:</i></p> <ul style="list-style-type: none"> <li>• Department of Natural Resources;</li> <li>• Department of Environment and Conservation;</li> <li>• Roads and Traffic Authority;</li> <li>• Department of Primary Industries;</li> <li>• NSW Department of Lands;</li> <li>• Port Macquarie-Hastings Council;</li> <li>• Northern Rivers Catchment Management Authority;</li> <li>• NSW Rural Fire Service; and,</li> <li>• Local Aboriginal Land Council/s.</li> </ul> <p>(b) <i>Public</i></p> <p>Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy.</p> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	<b>60 days</b>



## Attachment 2

### Plans and Documents to accompany the Application

<b>Plans and Documents of the development</b>	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted.</p> <ol style="list-style-type: none"> <li>1. An <b>existing site survey plan</b> is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> <li>• the location of the land, the measurements of the boundaries of the land, size of the land and north point;</li> <li>• the existing levels of the land in relation to buildings and roads; and</li> <li>• location and height of existing structures on the site.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation and view corridors.</li> <li>3. A <b>locality/context plan</b> drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space, water courses and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas; and</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul> </li> <li>4. The <b>Environmental Assessment</b> in accordance with the Director-General's Environmental Assessment Requirements as outlined in <b>Attachment 1</b>.</li> <li>5. <b>Conceptual Subdivision plans</b> that show the following:- <ul style="list-style-type: none"> <li>• Dimensions of proposed and/or existing allotments;</li> <li>• Location of all structures retained on site;</li> <li>• Vegetation retention and rehabilitation;</li> <li>• Any easements, covenants or other restrictions either existing or proposed on the site; and</li> <li>• Access points.</li> </ul> </li> <li>6. A <b>Water Cycle Management Plan</b> illustrating the overall concept for management of stormwater quality and quantity on the site.</li> <li>7. A <b>Landscape Concept Plan</b> or drawing that shows the basic detail of rehabilitation areas, planting design and plant species to be used, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc).</li> </ol>
<b>Specialist advice</b>	<p>Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practicing consultants in relation to issues including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Flora and Fauna;</li> <li>• Stormwater/drainage;</li> <li>• Bushfire;</li> <li>• Flooding;</li> <li>• Traffic;</li> <li>• Landscaping;</li> </ul>

	<ul style="list-style-type: none"> <li>• Geotechnical and/or hydrogeological (groundwater, ASS);</li> <li>• Urban Design; and,</li> <li>• Contamination in accordance with the requirements of SEPP 55.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 1 hard copy of the Environmental Assessment;</li> <li>• 1 set of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).</li> </ul> <p>Note: 10 to 15 additional hard copies of the Environmental Assessment and associated plans may be requested for distribution to agencies once the document is deemed to be adequate.</p>
<b>Electronic Documents</b>	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> <li>• 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.</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 [.jpg] 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 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.</li> </ul> <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>



## Attachment 3

### Technical and Policy Guidelines

Aspect	Policy /Methodology
<b>Biodiversity</b>	
<b>Flora and Fauna</b>	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
	Guidelines for Threatened Species Assessment (DEC, 2004) <i>Draft</i>
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, Dec, 2004) <i>Draft</i>
<b>Fisheries / Aquatic Habitats</b>	NSW Fisheries (1999) Policy and Guidelines – Aquatic Habitat Management and Fish Conservation, NSW Fisheries
<b>Coastal Planning</b>	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, UAB, 1997
	Coastal Design Guidelines for NSW, PlanningNSW, March 2003
	Planning guidelines for walking and cycling, DIPNR, Dec 2004
<b>Community Consultation</b>	
	Community Involvement Practice Notes and Resource Manual (RTA, 1998)
	Best Practice Community Consultation and Involvement (Commonwealth DEH, 1995, ISBN 0 642 19421 1)
<b>Heritage</b>	
<b>Aboriginal</b>	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A ( Planning 2005)
	Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005) <i>Draft</i>
	Aboriginal Cultural Heritage Standards & Guidelines Kit (DEC, 1997)
<b>Non-Indigenous</b>	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	Assessing Heritage Significance (NSW Heritage Office, 2001)
<b>Noise</b>	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Environmental Noise Management Manual (RTA, 2001)
	Environment Noise Control Manual - Chapter 171 Noise Control Guideline, Construction site Noise (DEC, 1994)
<b>Soils</b>	
<b>Acid Sulfate Soils</b>	Acid Sulfate Soil Manual (ASSMAC)
	Soil Survey Standard Test Methods (DIPNR 2003)
<b>Agricultural Land</b>	Policy for Protection of Agricultural Land (DPI, 2004)
	Policy for Sustainable Agriculture in New South Wales (DPI, 1998)
<b>Contaminated Land</b>	Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land (DUAP & NSW EPA, 1998)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (EPA, 1997)
	Contaminated Sites – Guidelines on Significant Risk of Harm and Duty to Report (EPA, 1999)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)

Aspect		Policy /Methodology
<b>Traffic &amp; Transport</b>		
		Bus lane/pedestrian/cycleway standards (Austroads/RTA guidelines)
		Traffic Control at Worksites guidelines (RTA, Sept, 2003)
		Guide to Traffic Generating Development (RTA, 1993)
		RTAs Road Design Guide (RTA, 1996)
<b>Urban Design</b>		
		Neighbourhood Character: An Urban Design Approach for Identifying Neighbourhood Character (PlanningNSW, 1998)
		Residential Densities: A Handbook Illustrating the Urban Design Characteristics of Different Densities (PlanningNSW, 1998)
		Mixed Use in Urban Centres, Guidelines for Mixed Use Development, (PlanningNSW, 2001)
		Better Urban Living: Guidelines for Urban Housing in NSW, (Urban Design Advisory Service & Department of Urban Affairs and Planning, 1998)
<b>Wastewater</b>		
		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)
		Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households (1998) (Silver Book)
<b>Water</b>		
	<b>Flooding</b>	NSW Floodplain Development Manual (DIPNR, 2005)
		Australian Rainfall and Runoff (Institution of Engineers, revised edition 1997)
	<b>Stormwater</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
		Stormwater Outlet Structures to Streams (for pipes, culverts, drains and spillways – Version 1) (DIPNR)
		Managing Urban Stormwater: Construction Activities (EPA, 1988)
		Managing Urban Stormwater: Source Control (DEC, 1998)
		Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
		Better Drainage: Guidelines for the Multiple Use of Drainage Systems (DoP, 1993)
		Draft Australian Runoff Quality (Institution of Engineers, 2003)
		Constructed Wetlands Manual (DLWC, 1998)
	<b>Waterways</b>	Estuary Management Manual (DLWC, 1992)