



NSW GOVERNMENT
Department of Planning

Contact: Mark Turner
Phone: (02) 9228 6351
Fax: (02) 9228 6555
Email: mark.turner@planning.nsw.gov.au

Our ref: S06/00841

Mr Russell Pigg
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Mr Pigg

**Director General's Requirements for the Environmental Assessment of
Proposed North Nowra Link Road Concept Plan (MP 07_0037)**

Reference is made to your correspondence dated 1 April 2009 reconsulting on Director-Generals requirements for the proposed North Nowra Link Road Concept Plan, which lapsed on 16 April 2009.

I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment of the project. These requirements have been prepared following the Planning Focus Meeting held on Tuesday, 13 March 2007 and in consultation with the relevant government agencies.

It should be noted that the Director-General's requirements 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.

I would appreciate it if you could 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;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

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.

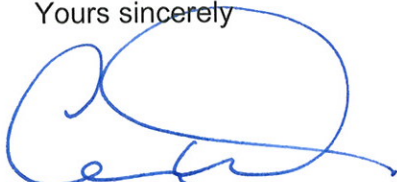
If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Environment Water, Heritage and the Arts to determine if an approval under the EPBC Act is required for your proposal (6274 1111 or <http://www.environment.gov.au>).

Please note that the Commonwealth Government has accredited the NSW environmental assessment process for assessing impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

It is highlighted that the all three route options for the concept plan are located within the Bomaderry Creek Regional Park. The process to revoke land reserved or dedicated under the *National Parks and Wildlife Act 1974* would be required for the project (if approved) in accordance with the *NPWS Revocation of Land Policy* (NPWS, July 2002) in addition to the concept plan approval being sought under Part 3A of the *Environmental Planning and Assessment Act 1979*. Council may choose to address this issue within the Environmental Assessment for the concept plan or pursue a separate process with the Department of Environment and Climate Change (the former Department of Environment and Conservation). Nonetheless, Council is advised to contact the Department of Environment and Climate Change immediately to further discuss the requirements and the possible timing for undertaking this process.

If you have any enquiries about these requirements, please contact Mark Turner, Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6351 or via email (mark.turner@planning.nsw.gov.au).

Yours sincerely



3.5.09

Chris Wilson
Executive Director
As delegate for the Director-General

Director-General's Requirements

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

Application number	07_0037
Project	The North Nowra Link Road Concept Plan, being the assessment of three route options for the link road in North Nowra/Bomaderry in the Shoalhaven local government area.
Location	The northern option (West Cambewarra Road), the central option (Pitt Street to Narang Road) and southern option (Illaroo Road to West Bunderra Street).
Proponent	Shoalhaven City Council
Date issued	3 May 2009
Expiry date	3 May 2011
General requirements	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal, including construction, operation, staging and the components which may be subject to subsequent approval(s); • the alignment and corridor width (including ancillary infrastructure) of the nominated route options; • an assessment of the environmental impacts of the proposal, with particular focus on the key assessment requirements specified below; • justification for undertaking the proposal with consideration of the benefits and impacts of the proposal; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the proposal; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key issues	<p>The Environmental Assessment must include assessment of the three nominated route options on the following key issues:</p> <ul style="list-style-type: none"> • Strategic Justification - the Environmental Assessment must include a strategic assessment of the need and location for the proposed Link Road (and alignments) in relation to the strategic direction of the locality and region, with consideration to the <i>South Coast Regional Strategy</i> (2007) and the <i>Nowra/Bomaderry Structure Plan</i>. The Environmental Assessment must also include a strategic planning consideration of the Link Road and an analysis of the suitability of the proposed alignments with respect to potential land use conflicts with existing and future surrounding land uses. Particular focus is to be given the potential conflict with the Bomaderry Creek Regional Park, including the strategic justification for the location of the route options within the Regional Park boundary. • Biodiversity – the Environmental Assessment must include a detailed flora and fauna impact assessment in accordance with the DEC's <i>Guidelines for Threatened Species Assessment</i> (draft). This assessment must clearly identify and consider any direct and indirect impacts on critical habitats, threatened species, populations or ecological communities listed under both State and Commonwealth legislation recorded along the nominated routes and surrounding area, such as <i>Zieria baeuerlenii</i> and <i>Eucalyptus langleyi</i>. The Environmental Assessment must also consider the potential impacts of the route options on the conservation values and integrity of the Bomaderry Creek Regional Park, particularly as a result of fragmentation impacts and edge effects. Measures to avoid or mitigate impacts associated with the option(s) must be identified with an assessment of the feasibility, effectiveness and reliability of these proposed measures.

	<ul style="list-style-type: none"> • Road and Traffic – the Environmental Assessment must clearly identify the current road network performance and limitations and include a detailed impact assessment of the three route options on the road network performance and efficiencies. This assessment must have consideration to the potential growth in traffic volumes that may occur as a result of the proposed urban release areas identified in the Nowra/Bomaderry Structure Plan. • Noise Impacts – the Environmental Assessment must include a noise impact assessment for the three route options, conducted in accordance with <i>Environmental Criteria for Road Traffic Noise</i> (EPA 1999). The Environmental Assessment must clearly outline the noise mitigation measures to mitigate the potential impacts on receptors as result of road traffic noise. • Urban Design – the Environmental Assessment must include an assessment of the visual impacts of the three proposed route options. • Aboriginal Heritage – the Environmental Assessment must include an assessment of aboriginal heritage along the three nominated options undertaken, including the Bomaderry Creek Gorge. This assessment is to have consideration to the draft Part 3A <i>Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i> (DEC 2005). • Soil and Water – the Environmental Assessment must include an assessment of the potential impacts of the proposed route option(s) on local flooding behaviour, the Bomaderry Creek riparian corridor and the disturbance of contaminated soil. • Socio-Economic – the Environmental Assessment must have consideration to the socio-economic impacts of the route options, including any potential impacts on recreational values of the Bomaderry Creek Regional Park. • General Environmental Risk Analysis – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the Environmental Assessment.
Consultation	<p>You should undertake an appropriate and justified level of consultation with relevant parties during the preparation of the EA, including:</p> <ul style="list-style-type: none"> • local, State or Commonwealth government authorities and service providers; and • the public (including community groups, affected landowners) - document all community consultation undertaken 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>The consultation process and the issues raised should be described in the Environmental Assessment.</p>