

# Attachment 1

## Director-General's Environmental Assessment Requirements

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

Application number	06_0085
Project	<p>A <b>Concept Plan</b> for the following:</p> <ul style="list-style-type: none"> <li>• Residential Subdivision (approximately 930 lots);</li> <li>• School Sites;</li> <li>• Playing Fields;</li> <li>• Open Space;</li> <li>• Constructed Lake and Wetlands;</li> <li>• Civic Centre; and</li> <li>• Ecotourist Site.</li> </ul>
Location	Ocean Drive, Rainbow Beach, Bonny Hills Part Lot 123 DP 1106943 and Lot 5 DP 25886 in the Port Macquarie-Hastings local government area
Proponent	St Vincent's Foundation Pty Ltd
Date issued	31 May 2010
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. An outline of the scope of the project including: <ul style="list-style-type: none"> <li>• any development options;</li> <li>• justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest;</li> <li>• an outline of the staged implementation of the project if applicable;</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 as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>6. The plans and documents outlined in <b>Attachment 2</b>;</li> <li>7. 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>8. An assessment of the DGRs specified below and a table outlining how these key issues have been addressed.</li> </ol>
Key issues	<p>The EA must address the following key issues:</p> <ol style="list-style-type: none"> <li>1 <b>Landuse Pattern</b> <ol style="list-style-type: none"> <li>1.1 Provide a structure plan for the site that identifies the location of proposed landuses, densities, road and open space networks, town/neighbourhood centres, urban, design principles, schools, playing fields, constructed wetland and tourist site.</li> <li>1.2 Justify the proposed land uses across the site with reference to</li> </ol> </li> </ol>

	relevant local, regional and State planning strategies. The proposal should be generally consistent with the Port Macquarie-Hastings Council <i>Area 14 Structure Plan</i> or justification provided for any inconsistencies.
1.3	Consider the integration and compatibility of the proposed land uses (schools, retail/business centre, residential properties, tourist site) across the site with regard to access arrangements, traffic, environmental buffers, density controls and suitability of the land use with surrounding development.
1.4	Demonstrate the consistency of the proposed residential subdivision with the <i>NSW Coastal Design Guidelines</i> .
1.5	Identify any potential impacts of the development on adjoining rural lands and if necessary, appropriate mitigation measures.
<b>2</b>	<b>Constructed Wetlands</b>
2.1	Justify the constructed wetland in the context of the IWCM plan proposed for the site (refer to 3.2 below).
2.2	Consider the functioning of the wetland including the responsibility for ongoing management, any potential risk to public safety and potential environmental impacts such as groundwater, water quality and hydrology.
2.3	Consider alternative sources of fill for the residential subdivision.
<b>3</b>	<b>Water Cycle Management &amp; Watercourses</b>
3.1	Address potential impacts on water quality of both surface and groundwater.
3.2	Address and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles, including impacts on the surrounding environment.
<b>4</b>	<b>Hazard Management and Mitigation</b>
4.1	Address the requirements of <i>Planning for Bush Fire Protection 2006</i> (or relevant policy).
4.2	Identify any contamination on site and if necessary, appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.
4.3	Identify the presence and extent of acid sulfate soils on the site and if necessary, appropriate mitigation measures.
4.4	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Management Manual. Consider the potential impacts of any filling on the flood regime of the site and adjacent lands.
4.5	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 Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007) and the draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise.
<b>5</b>	<b>Traffic Management and Access</b>
5.1	Prepare a concept 'Traffic Impact Study' in accordance with the RTA's <i>Guide to Traffic Generating Developments</i> , which addresses, but is not limited to the following matters: <ul style="list-style-type: none"> <li>• The capacity of the road network to safely and efficiently cater for the additional traffic generated and, if necessary, mitigation measures required to ensure efficient functioning of the road network;</li> <li>• Access to and within the site; and</li> <li>• Servicing and parking arrangements.</li> </ul>
5.2	Consider existing public transport to and from the site and additional demands for such transport.
5.3	Consider pedestrian and cycle access both to and within the site.

	<p><b>6 Infrastructure Provision</b></p> <p>6.1 Address existing capacity and requirements of the development for sewerage, water, electricity, telecommunications, waste disposal and gas in consultation with relevant agencies. In particular, demonstrate the ability of the sewerage treatment plant at Bonny Hills to accommodate the proposed development.</p> <p><b>7 Flora and Fauna</b></p> <p>7.1 Describe the potential impacts of the proposal on existing native vegetation (including areas of SEPP 26 littoral rainforest) both within and adjacent to the site and identify measures to minimise impacts on this vegetation (e.g. appropriate buffers).</p> <p>7.2 Describe the potential impacts of the proposal on existing aquatic flora and fauna and habitats both within and adjacent to the site and identify measures to minimise impacts on these habitats with consideration of <i>Policy and Guidelines for Aquatic Habitat Management and Fish Conservation 1999</i>.</p> <p>7.3 Outline measures for the conservation of flora and fauna and their habitats within the meaning of the <i>Threatened Species Conservation Act 1995</i>.</p> <p>7.4 Outline measures for the conservation or enhancement of existing wildlife corridors and/or the connective importance of any vegetation on the subject land.</p> <p><b>8 Heritage</b></p> <p>8.1 Identify any Aboriginal archaeological or cultural heritage on the site and, if necessary, identify appropriate measures to preserve Aboriginal heritage (with reference to <i>draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Interim Community Consultation Requirements for Applicants</i>).</p> <p>8.2 Identify items of European heritage significance and, if necessary, provide measures for the conservation of these items.</p>
<b>Consultation</b>	<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"> <li>• Port Macquarie - Hastings Council;</li> <li>• Department of Environment, Climate Change and Water;</li> <li>• Roads and Traffic Authority;</li> <li>• NSW Rural Fire Service;</li> <li>• Land and Property Management Authority;</li> <li>• NSW Industry and Investment</li> <li>• NSW Office of Water; and</li> <li>• Department of Education and Training.</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

#### Plans and Documents 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 your **Concept Plan** 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** 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.
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;
  - 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. The **Environmental Assessment** in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1.
6. The **Subdivision Concept plans** (where relevant) are to show the following:-
  - General dimensions of proposed and/or existing allotments;
  - Location of all structures proposed and retained on site;
  - North point;
  - Name of the road fronting the site;
  - Title showing the description of the land with lot and DP numbers etc;
  - Vegetation retention;
  - Access points; and
  - Type of subdivision proposed (Torrens, strata and/or community title).
7. The **shadow diagrams** (where relevant) for developments comprising

	<p>two or more storeys are to show solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</p> <p>8. <b>Other plans</b> including (where relevant):</p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management from the site;</li> <li>• <b>View analysis</b> - artists impression, photomontages, etc of the proposed development in the context of the surrounding development; and</li> <li>• <b>Landscape Concept Plan</b> – 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).</li> </ul>
<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>• Bushfire;</li> <li>• Traffic;</li> <li>• Landscaping;</li> <li>• Geotechnical and/or hydro geological (groundwater);</li> <li>• Stormwater/drainage;</li> <li>• Urban Design/Architectural;</li> <li>• Contamination in accordance with the requirements of SEPP 55; and</li> <li>• Acid Sulphate Soil Management Plan.</li> </ul>
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>
<b>Electronic Documents</b>	<p>Electronic documents presented to the Department for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> <li>▪ All files should be approximately 5 Mb.</li> <li>▪ Large files of more than 5 Mb will need to be broken down and supplied as different files.</li> </ul>



## Attachment 3

### 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
<b>Biodiversity</b>	
	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)
<b>Coastal Planning</b>	
	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)
<b>Community Consultation</b>	
	Guidelines For Major Project Community Consultation, (NSW Department of Planning, 2007) <a href="http://www.planning.nsw.gov.au/assessingdev/pdf/Dr3%20DOP%20GuideMajProjComConsult%20BRO.pdf">http://www.planning.nsw.gov.au/assessingdev/pdf/Dr3%20DOP%20GuideMajProjComConsult%20BRO.pdf</a>
<b>Bushfire</b>	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
<b>Contamination and Soils</b>	
	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).
<b>Environmental Management Systems</b>	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)

Aspect	Policy /Methodology
<b>Heritage</b>	
<b>Aboriginal</b>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
<b>Non-Indigenous</b>	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
<b>Noise</b>	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
<b>Safety and Hazards</b>	
	Electrical Safety Guidelines (Integral Energy)
<b>Traffic &amp; Transport</b>	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
<b>Urban Design: Cycleway/Pathway Design</b>	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
<b>Water</b>	
<b>Water Quality</b>	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)
<b>Effluent Reuse</b>	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
<b>Floodplain</b>	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)
<b>Groundwater</b>	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)
<b>Stormwater</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
<b>Waterways</b>	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
<b>Wetlands</b>	NSW Wetlands Management Policy (DLWC 2000)