

Attachment 1

Director-General's Environmental Assessment Requirements

Section 75F of the Environmental Planning and Assessment Act 1979

Application number
08_0141
Project
380 lot residential subdivision.
Location
Lot 3 DP568613, 58 Jonsson Road and Lot 384 DP755952 (Por 384) George Evans Road, Mundamia
Proponent
Malbec Properties
Date issued
20 October 2010
General requirements
The Environmental Assessment (EA) for the Project Application must include: 1. An executive summary; 2. A detailed description of the proposal; 3. An outline of the scope of the project, including: • any development options; • 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; • outline of the staged implementation of the project if applicable; 4. A thorough site analysis, including constraints mapping and description of the existing environment; 5. 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; 6. Consideration of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; 7. Consideration of impacts, if any, on matters of National Environmental Significance under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); 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; and 11. An assessment of the key issues specified below and a table outlining where in the EA these key issues have been addressed.
Key Issues
The EA must address the following key issues:

1. Strategic Planning	
1.1	Justify the proposal with reference to relevant local, regional and State planning strategies, policies and plans, including the <i>Mundamia Master Plan</i> . Provide justification for any inconsistencies.
1.2	Demonstrate consistency with the <i>South Coast Regional Strategy</i> , specifically the Sustainability Criteria; and the use of the delivery of key infrastructure such as electricity, water and sewer as a tool to implement the staging program.
1.3	Address the <i>Nowra-Bomaderry Structure Plan</i> , specifically the Considerations, Desired Future Character, and Planning and Design Principles identified for the area. Address how the proposal will be linked to the remainder of the new Living Area (not included as part of the proposal) identified within the Structure Plan.
1.4	Address the findings of the investigative work for the proposed Draft Shoalhaven Comprehensive LEP (proposed Draft LEP). Address the permissibility framework provided by the proposed Draft LEP, noting that approval of the Major Project will not occur until gazettal of the proposed Draft LEP.
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 proposed titling of subdivision across the site (i.e. Community, Torrens, Strata).
2.4	Provide details of potential building envelopes, built form, design quality and 'safety by design' controls and the means for implementing them.
2.5	Demonstrate a subdivision layout that accommodates housing choice with a mix of medium density and detached dwellings, and potentially some appropriate student accommodation.
2.6	Provide details of any staging that demonstrates the lots will be released in an orderly and coordinated manner.
2.7	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.
3. Visual Impact	
3.1	Address the visual impact of the proposal in the context of surrounding development and relevant mitigation measures. In particular address impacts on the amenity of the foreshore, overshadowing of public reserves, loss of views from public places and cumulative impacts.
4. Infrastructure Provision	
4.1	Address existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify and describe staging, if any, of infrastructure works.
4.2	Address and provide the likely scope of any planning agreements and/or development contributions with Council/ Government agencies (including relevant community/state infrastructure contributions).
5. Traffic and Access	
5.1	Prepare a traffic impact study in accordance with Table 2.1 of the RTA's <i>Guide to Traffic Generating Developments</i> which addresses matters, including the following: • Connectivity to existing, surrounding developments, including West Nowra, Wollongong University and the Thompsons Point area; • Provision for a future road reserve on both sides of George Evans Road to link to the west Bypass corridor and to Nowra CBD; • Upgrade requirements for Yawal/ George Evans Roads and Yawal/Albatross intersections.

5.2	Undertake intersection modelling using SIDRA for the key junctions in the area, including the Yawal Road and MR92 intersection, and consider: • AM and PM peak volumes and holiday peak volumes; • Existing traffic volumes with and without development; and • 10 year projected volumes with and without the proposal.
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 <u>wave and wind action</u> , coastal erosion, sea level rise and more frequent and intense storms. <u>Provide details of proposed safeguards to mitigate any impacts of such hazards on the proposal.</u>
6.2	A risk management assessment of climate change impacts to the year 2100, is to be undertaken using the latest available information from the International Panel on Climate Change, Department of Environment, Climate Change and Water, and the CSIRO. This should include sensitivity analyses for low level, mid-range and high level ocean impacts as set out in <i>Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)</i> .
<i>Contamination</i>	
6.3	Prepare a preliminary contamination assessment, identifying any contamination on site and appropriate mitigation measures in accordance with the provisions of <i>SEPP 55 – Remediation of Land</i> .
<i>Acid Sulfate Soils</i>	
6.4	Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures.
<i>Bushfire</i>	
6.5	Address the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS). Demonstrate that the proposal can provide asset protection zones, access arrangements, water supplies and utilities, building construction and design, and emergency management arrangements in accordance with <i>Planning for Bush Fire Protection 2006</i> .
<i>Geotechnical</i>	
6.6	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>	
6.7	Provide an assessment of any flood risk on site including the potential effects of sea level rise and increase in rainfall intensity in consideration of any relevant provisions of the <i>NSW Floodplain Development Manual 2005</i> ; <i>NSW Government Sea Level Rise Policy Statement</i> , (DECCW, October 2009); <i>Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments</i> (DECCW, 2009); and <i>NSW Coastal Planning Guideline: Adapting To Sea Level Rise</i> (DoP, Aug 2010).
6.8	Consider the potential impacts of filling on the flood regime of the site and adjacent land.
7. Water Cycle Management	
7.1	Address and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles which address impacts on the surrounding environment, mitigate impacts on water quality downstream, drainage and water quality controls for the catchment, and erosion and sedimentation controls at construction and for the life of the proposal.
7.2	Assess the impacts of the proposal on surface and groundwater hydrology and quality during construction and occupation of the site.

7.3	Address safeguards to mitigate any impacts upon water quality, including impacts downstream on Flat Rock Creek, Flat Rock Creek Dam and the Shoalhaven River. Provide details of proposed effluent management, effluent and wastewater reuse/recycling, stormwater, road drainage, <u>alternatives to town water supply</u> , and water quality management for the site, for example, description and locations of on-site wastewater systems, swales, water quality retention ponds, etc). Address the requirements, where relevant, of the Flat Rock Creek Notification Area under the <i>Mining Act 1992</i> (NSW) and the <i>Dam Safety Act 1978</i> (NSW).
7.4	Include consideration of any specific existing or draft Estuary Management Plan and Coastline Management Plan.
8. Heritage and Archaeology	
8.1	Identify whether the site has significance to Aboriginal cultural heritage, the nature and extent of any impacts, and appropriate measures to preserve any significance. The assessment must address the information and consultation requirements of the draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> (DEC 2005). <u>Note, that the personal/contact details of any individual should not be publicly disclosed without first making it known to those concerned that their details may be publicly disclosed in the EA.</u>
8.2	Identify any items of non-indigenous heritage significance and, where relevant, provide measures for the conservation of such items.
9. Flora and Fauna	
9.1	Prepare a Flora and Fauna Assessment Report in accordance with the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC, DPI, Jul 2005), <i>Threatened Biodiversity Survey and Assessment Guidelines Working Draft</i> (DEC, 2004), and the <i>Threatened Species Assessment Guidelines: The Assessment of Significance</i> (DECC Aug 2007). Address potential impacts of the development on the flora and fauna of the site and setting in the landscape, particularly impacts on any threatened species, populations, endangered ecological communities (EECs), and/or critical habitat, and any relevant recovery plan, with particular regard for relevant EECs or threatened species where known (bearing in mind DECC's letter dated 30 September 2008, attached, particularly its comments in relation to Attachment A and the proposed development envelope). Surveys should target the <i>Triplarina nowraensis</i> and the assessment should demonstrate that the proposal will have minimal impact on that species. Provide measures for the conservation of flora and fauna, habitats and communities, where relevant, including the provision of adequate vegetated buffers, particularly on the eastern side bordering the Flat Rock Creek gully.
9.2	Address the potential bio-certification of the Draft Shoalhaven Comprehensive LEP 2009. Any native vegetation proposed to be removed within the area identified by DECC's submission dated 30 September 2008, (attached), needs to be offset in accordance with the principles of 'maintain or improve environmental outcomes' in DECC's 2005 Draft Guidelines (above).
9.3	Resolve the provision of arterial road access for the proposal and any impacts on threatened species assessed using the 'avoid, mitigate or offset' framework in DECC's 2005 Draft Guidelines.
9.4	Outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land. Address the conservation and enhancement of the remnant line of trees running east-west across the property by the provision of a wildlife corridor from the creek to the forest. Investigate opportunities to conserve or enhance local and regional corridors and important habitats, such as creek lines, in the design of the proposal.
9.5	Describe all aquatic environments (watercourses, wetlands) located on or adjacent to the site, and their regional significance.
9.6	Predict impacts upon aquatic environments on or adjacent to the site (both temporary and permanent). Predict any temporary and permanent impacts upon water quality and aquatic threatened species, populations, ecological communities listed under the <i>Fisheries Management Act 1994</i> (NSW).
9.7	Address measures and safeguards to protect adjacent aquatic habitats, including SEPP 14 wetlands and riparian habitats; and provide full details and widths of proposed riparian buffer zones for Flat Rock Creek.
10. Noise	
10.1	Address potential noise impacts (existing and proposed) on the development, particularly from road traffic and aircraft/defence operations, and the Bamarang Power Station Stage 2

(MP08_0021 approved 29 October 2008). Address appropriate mitigation measures to ameliorate any identified noise impacts.

11. Aviation/Defence

11.1 Address potential impacts of the proposal on the operations of HMAS Albatross, and consider flight path impacts from military aircraft operations on the proposal.

Consultation

You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:

(a) *Agencies or other authorities:*

- Commonwealth Department of Sustainability, Environment, Water, Population and Communities;
- Shoalhaven Council;
- Department of Defence;
- Department of Environment, Climate Change and Water;
- Office of Water;
- NSW Rural Fire Service;
- Land and Property Management Authority;
- Industry and Investment;
- Roads and Traffic Authority;
- NSW Police Service;
- State Emergency Service;
- Nowra Local Aboriginal Land Council/s and other Aboriginal community groups; and
- Relevant infrastructure providers.

(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

60 days

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 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 (including windows, driveways etc.). 4. A locality/context plan drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: • significant local features such as parks, community facilities and open space, water courses and heritage items; • the location and uses of existing buildings, shopping and employment areas; • 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. A zoning plan must be provided which shows the existing zoning overlaid with the proposed development layout. An extract of the land use table or relevant clauses from the subject LEP is required. 6. Subdivision plans are to show the following:- • 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; • 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;
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	- Any easements, covenants or other restrictions either existing or proposed on the site; - Type of subdivision proposed (Torrens, strata and/or community title). - Cross sections of roads, including gradients, widths, road names, footpaths etc. - Existing and proposed finished levels in relation to roads, footpaths and structures; 7. Stormwater Management 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; 8. 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; 9. Landscape Concept Plan – showing planting design and plant/tree species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised in relation to the treatment of communal/public open space areas, footpaths, driveways and the public domain including details of street trees, furniture, signage, lighting and surface treatments (i.e. pavers). 10. 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; 11. View analysis – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified practising consultants in relation to issues including, but not limited to, the following: - Planning; - 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 Soils.
Documents to be submitted	- 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	Electronic documents presented to the Department for publication via the Internet must satisfy the following criteria:-

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| | <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. |
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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
Biodiversity	
	Draft Guidelines for Threatened Species Assessment (DEC & DPI, 2005)
	Threatened Species Assessment Guidelines: The Assessment of significance (DECC 2007)
	Guidelines for Development Adjoining DECC Land (DECC, 2008)
	Draft Threatened Biodiversity Survey and Assessment Guidelines (DEC, 2004)
	Policy and Guidelines: Aquatic Habitat Management and Fish Conservation (NSW Fisheries, 1999)
	Threatened Species, Populations and Ecological Communities of NSW Catchments (http://www.threatenedspecies.environment.nsw.gov.au)
	Policy and Guidelines for Fish Friendly Waterway Crossings (DPI, 2004)
	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2004)
	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)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
	NSW Government Sea Level Rise Policy Statement, (DECCW, October 2009)
	Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments (DECCW, 2009)
	Draft Coastal Risk Management Guide: Incorporating the sea level rise benchmarks in coastal hazard assessments (DECCW, 2009)
	NSW Coastal Planning Guideline: Adapting To Sea Level Rise (DoP, 2010)
Community Consultation	
	Guidelines For Major Project Community Consultation, (NSW Department of Planning, 2007)
	http://www.planning.nsw.gov.au/assessingdev/pdf/Dr3%20DOP%20GuideMajProjComConsult%20BRO.pdf

Aspect	Policy /Methodology
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
	Australian Standard AS3959-1999 <i>Construction of Buildings in Bush Fire Prone Areas</i>
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 – Guidelines for Consultants Reporting on Contaminated Sites, (EPA, 1997)
	Contaminated Sites – Guidelines for the NSW Site Auditor Scheme, (EPA, 1998)
	Contaminated Sites: Sampling Design Guidelines, EPA, 1999.
	Acid Sulfate Soil Manual, NSW Acid Sulfate Soil Management Advisory Committee (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)
Heritage	
Aboriginal	Draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> (DEC 2005)
	Aboriginal Cultural Heritage Standards and Guidelines Kit
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	
	NSW Industrial Noise Policy, DEC, 2000
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
Aircraft Noise	AS2021:2000 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction (AS2021)
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	
	Development & Active Living: Designing Projects for Active Living (Premier's Council for Active Living NSW, June 2010)
Water	

Aspect	Policy /Methodology
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)
	NSW Groundwater Policy Framework Document - General
	NSW Groundwater Quantity Management Policy
	NSW Groundwater Dependent Ecosystem Policy (DLWC 2000)
	NSW Farm Dams Policy
Controlled Activities	Guidelines for Controlled Activities (DWE, February 2008)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
	Constructed Wetlands Manual (NSW DLWC 1998)
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)
	NSW State Rivers and Estuaries Policy
Wetlands	NSW Wetlands Management Policy (DLWC 2000)