



NSW GOVERNMENT

Department of Planning

Contact: John Arnold
Phone: (02) 9228 6398
Fax: (02) 9228 6366
Email: john.a.arnold@planning.nsw.gov.au

Mr Roy Syne
SDP Planners
Level 5
110-114 Kippax Street
Surry Hills NSW 2010

Our ref: 06_0008
Your ref:

Dear Mr Syne

Director General's Requirements for the Environmental Assessment of Serviced Apartments, Retail and Parking at Clyde Street, Batemans Bay

The Department has received your application for the proposed serviced apartments, retail and associated parking at Clyde Street, Batemans Bay (Application Number: 06_0008).

I have attached a copy of the Director General's requirements (DGRs) for environmental assessment of the project. These requirements have been prepared in consultation with the relevant government agencies including council. A list of some relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment are attached.

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 would 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 Assessments 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 will 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. 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 (6274 1111 or <http://www.deh.gov.au>).

If you have any enquiries about these requirements, please contact John Arnold on the above contact details.

Yours sincerely



Chris Wilson
Acting Executive Director
as delegate for the Director General

FOR
Acting Executive Dir
SIGNATURE
IF APPROVED

DGRs submitted
for approval

2/6

Director-General's Requirements

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

Application number	06 0008
Project	Serviced Apartments and Retail
Location	3 Clyde Street, Batemans Bay
Proponent	SDP Planning
Date issued	/2006
Expiry date	/2008
General requirements	The Environmental Assessment (EA) must include • an executive summary; • a detailed description of the project including the: - need for the project; - alternatives considered; and - various components and stages of the project; • an environmental risk analysis of the project which takes into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, which includes: - description of the existing environment; - an assessment of the potential impacts of the project; - a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key issues	The Environmental Assessment must address the following key issues: • Statutory and Other Requirements All relevant legislation and planning provisions applying to the site; nature, extent and justification for any non-compliance. Where non-compliance results in environmental impacts, consideration of alternative/compensatory works to address the impacts. Clearly delineate staging, if any. • Design Address <i>Coastal Design Guidelines for NSW, SEPP 71, SEPP (Building Sustainability Index: BASIX) 2004</i> and the draft <i>Structure Plan Batemans Bay Town centre and Town Centre DCP</i>. Address consistency with the character of development in the locality; density; street frontage; scale; built form including roof form; aesthetics; energy and water efficiency; safety; pedestrian footpath; public access to the coast; provision of public precinct. Address amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas. Demonstrate that the proposed building setback does not have unacceptable level of impacts on privacy, views and overshadowing. • Visual Impact Address visual impact including cumulative visual impact of the project in the context of adjoining development. Demonstrate visual impact when viewed from the nearby foreshore and from the Clyde River. Visual aids such as scale model and photomontage must be used to demonstrate visual impacts. Height Provide a detailed justification of any departure from height provisions in: <i>Lower South Coast REP; Batemans Bay Town Centre DCP</i> and draft <i>Batemans Bay Structure Plan</i>. Consult with Eurobodalla Shire Council in relation to the height of the development to ensure the proposal is consistent with the future strategic intentions for the town centre. • Traffic Impacts (Construction and Operational)

	Provide a traffic impact study (TIS) in accordance with Table 2.1 of the <i>RTA Guide to Traffic Generating Development</i>. Identify suitable treatments to ameliorate suitable treatments any traffic impacts and safety impacts associated with the development. Include identification of pedestrian movements and appropriate treatments. • Coastal and Estuary Management Demonstrate consistency with <i>NSW Coastal Policy</i>, <i>Wetlands Management Policy</i>, <i>Estuary Management Policy</i>, <i>State Rivers and Estuaries Policy</i>, the draft <i>Structure Plan Batemans Bay Town Centre</i>, <i>Coastal Design Guidelines for NSW</i> and <i>Water Sensitive Urban Design</i> techniques. Demonstrate an acceptable level of water quality protection with respect to water quality in the Batemans Bay and Clyde River in compliance with the Batemans Bay and Clyde River Estuary Management Plan. Address environmental management and mitigation measures to be utilised to avoid or mitigate any detrimental impacts on the Batemans Bay and Clyde River Estuary, including the potential impacts on views from the river; actions that will be taken should unacceptable impacts occur, i.e. during construction; potential impacts on water quality of surface and groundwaters; sediment and erosion control; flooding associated with local events, coastal inundation and the combination of the two. • Water Quality, Sewerage and Stormwater Address potential impacts on water quality of surface and groundwater having regard to <i>Statement of Joint Intent</i> established by the Healthy Rivers Commission. Address existing and proposed capacity of sewerage infrastructure to accommodate the development. Address and recommend appropriate sediment and erosion control regime during and post-construction. Incorporate best practice management of stormwater into the design, demonstrating compliance with the Council's <i>Integrated Water Cycle Management Strategy</i>. Address soil and water management issues and demonstrate compliance with the guidelines provided by the Landcom reference <i>'Soils and Construction – Managing Urban Stormwater, 4th Edition, March 2004'</i> • Drainage and Flooding Demonstrate compliance with the <i>Flood Prone Land Policy</i> as set out in the <i>Floodplain Development Manual (2005)</i>. Address the implications of the full range of floods, including events greater than the design flood, up to probable maximum flood (PMF). Address impacts of proposal on people including future occupants, access and evacuation requirements in the event of a major flood. Address issues associated with risks to life and damages (vehicles and building/services). Consult the Council and the Department of Natural Resources to develop suitable flood planning levels for the development having regard to the <i>NSW Floodplain Management Manual (2001)</i>.
Consultation	You should undertake an appropriate and justified level of consultation with relevant following parties during the preparation of the environmental assessment: (a) Agencies or other authorities: • Eurobodalla Shire Council; • NSW Department of Planning – South Coast Regional Office; • NSW Department of Natural Resources (particularly in relation to flooding); • NSW Roads and Traffic Authority; (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.
Deemed refusal period	60 days

STATE GOVERNMENT TECHNICAL AND POLICY GUIDELINES

Coastal Planning

- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy No.71 – Coastal Protection
- Coastal Design Guidelines for NSW
- NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, UAB, 1997
- Coastal Design Policy for NSW, PlanningNSW, March 2003

Traffic

- *Guide to Traffic Generating Development and Road Design Guide* (Road and Traffic Authority)
- relevant Austroad standards
- AUSPEC design standards

Flooding and Water Level Rises

- NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)

Stormwater

- Integrated Water Cycle Management Guidelines for NSW Local Utilities (Oct 2004)
- 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)
- Stockpile Site Management Procedures (RTA, 2001)
- Procedure for selecting treatment strategies to control road runoff (RTA, 2003)
- Managing Urban Stormwater: Source Control (DEC, 1998)
- Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
- Australian Rainfall and Runoff (Institution of Engineers, revised edition 1997)
- Draft Australian Runoff Quality (Institution of Engineers, 2003)

Water Quality

- Australian Water Quality Guidelines for Fresh and Marine Waters (Australian and New Zealand Environment and Conservation Council, 1992 & 2000)
- Guideline for Construction Water Quality Monitoring (RTA, undated)
- Code of Practice for Water Management (RTA, 1999)
- National Water Quality Management Strategy: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC, 2000, ISBN09578245 2 1)
- National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC, 2000)

Waterways, Wetlands and Estuaries

- NSW State Rivers and Estuaries Policy (1992)
- Rivers and Foreshores Improvement Act (1948)
- NSW Wetlands Management Policy (1996)
- NSW Estuary Management Manual (1992)

Acid Sulfate Soils

- NSW Acid Sulfate Soils Manual (1998)

Electronic publishing of the Environmental Assessment

Electronic documents presented to the NSW Department of Planning for publication via the Internet will need to meet certain criteria. 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. 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.

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.

- Graphic images will need to be provided as [.gif] files.
- Photographic images should be provided as [.jpg] files.
- Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.
- 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.