



Contact: Alix Carpenter  
Phone: (02) 9228 6313  
Fax: (02) 9228 6366  
Email: [Alix.Carpenter@planning.nsw.gov.au](mailto:Alix.Carpenter@planning.nsw.gov.au)

Mr Barry Dowman  
42 Iluka Road  
WOOMBAH NSW 2469

Dear Mr Dowman

**Director General's Requirements**  
***42 Iluka Road, WOOMBAH identified as Lot 1 in DP 572076 and Lot 24 in DP 1055427***

I refer to your letter dated 30 March 2006 in which you requested confirmation that your proposal is a Major Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

I am writing to advise you that the Director General, as a delegate of the Minister, formed the opinion on 24 May 2006 that your proposal is a Project and that Part 3A of the Act applies.

Attached is a copy of the Director General's requirements (DGRs) for the environmental assessment of the project.

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 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 thirty (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 Ms Alix Carpenter, Senior Planner on 9228 6313 or alternatively by email [Alix.Carpenter@planning.nsw.gov.au](mailto:Alix.Carpenter@planning.nsw.gov.au)

Yours sincerely

Chris Wilson  
**A/Executive Director**  
**as delegate for the Director General**

# Director-General's Requirements

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

<b>Application number</b>	06_0115
<b>Project</b>	Approval is sought to create seven (7) residential lots and one (1) residual lot.
<b>Location</b>	42 Iluka Road, Woombah.
<b>Proponent</b>	Mr Barry Dowman.
<b>Date issued</b>	
<b>Expiry date</b>	Two (2) years from date of issue.
<b>General requirements</b>	<p><b>Environmental Assessment</b></p> <p>The Environmental Assessment (EA) for the project application 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, including cadastre and title details;</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. How you have identified the environmental impacts of the development;</li> <li>4. Any matters that must be included by any guidelines or draft guidelines issued by the Department of Planning or other relevant agencies;</li> <li>5. A Statement of Commitments outlining environmental management, mitigation, and monitoring measures; and</li> <li>6. A statement on the validity of the environmental assessment, the qualifications of person(s) preparing the assessment, and that the information contained in the environmental assessment is neither false nor misleading.</li> </ol>
<b>Key issues</b>	<p><b>Development Control</b></p> <p>The EA must provide an assessment of the proposal against all relevant legislation and planning provisions which apply to the site. The assessment is to include the nature, extent, and justification for any non compliance, particularly where non compliance results in environmental impacts.</p> <p><b>Subdivision Design</b></p> <p>The EA must address issues pertaining to the subdivision layout and size. Issues to consider include:</p> <ol style="list-style-type: none"> <li>1. Consideration of the proposal against the NSW Coastal Design Guidelines; and</li> <li>2. How the proposal is consistent with the existing character, density, bulk, and scale of surrounding developments and the prominence of the location. This is to include consideration of the Maclean Shire Residential Development DCP;</li> <li>3. Compliance with the minimum residential lot size requirements of</li> </ol>

Council;

4. Consideration of bushfire risk factors, including the position of any necessary asset protection zones and emergency vehicle manoeuvring areas; and
5. Consideration of physical site constraints including any waterway that runs through the site.

### ***Effluent Treatment and Disposal***

The EA must describe and assess measures for effluent disposal and treatment. Consideration must be given to the following issues:

1. Investigate the effluent treatment and disposal system that best addresses Council's controls and the constraints of the site including proximity to the Clarence River and geotechnical constraints such as soil types.

### ***Riparian buffers***

The EA must consider the position and size of Riparian buffers to the Clarence River and the intermittent creek that traverses the site.

### ***Access to the Clarence River foreshore***

The EA must consider access to the Clarence River Frontage. Issues to consider include:

1. Securing public access to the river foreshore; and
2. Maintenance of the river foreshore.

### ***Vehicular access to the site***

The EA must include a Traffic Report consistent with the RTA's "Guide to Traffic Generating Developments" (issues listed in Table 2.1) and in consideration of the Maclean Shire Council's *Car Parking DCP*. In particular, the following issues need to be addressed:

1. Vehicle access points to the proposed lots, in particular, alternatives to vehicular access from Illuka Street are required.

### ***Flood Management***

The EA must include an assessment of any flood risk that may occur on site due to proximity to the Clarence River, specifically:

1. The nature of any potential for flooding over the site; and
2. How the proposed pattern of subdivision considers flood risk.

### ***Stormwater and Drainage Management***

The EA must address:

1. How the proposed subdivision considers stormwater and drainage management; and
2. Measures to divert the flow of and to control the quality of additional stormwater.

### ***Crown Land***

The EA must take into consideration the location of the proposal which is adjacent to Crown Land. The proposal must not:

1. Encroach upon the Crown land;
2. Remove any vegetation from the Crown land;
3. Use the Crown land as access to the property;
4. Stockpile materials, equipment, or machinery on the Crown land; or
5. Direct stormwater discharges on the Crown land.

	<p><b><i>Utilities and Servicing</i></b> In consultation with relevant agencies, address the existing capacity and requirements of the development for electricity, waste disposal, telecommunications and gas. Identify staging, if any, of infrastructure works.</p> <p><b><i>Natural Heritage</i></b> The ES must include an assessment of any habitats for threatened or regionally significant flora and fauna species or populations with ecological communities and, if necessary, an appropriate study of Aboriginal Heritage on the site.</p>
<b>Consultation</b>	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular you should consult with;</p> <ul style="list-style-type: none"> <li>• Clarence Valley Council;</li> <li>• Relevant Catchment Management Authority;</li> <li>• Roads and Traffic Authority;</li> <li>• NSW Department of Natural Resources;</li> <li>• NSW Department of Environment and Conservation;</li> <li>• North Coast Water;</li> <li>• Telstra;</li> <li>• Country Energy;</li> <li>• Local Aboriginal groups; and</li> <li>• Members of the local community and community action groups.</li> </ul> <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period for each project.</p>

## Attachment 1

### Documents to accompany Environmental Assessment

<p><u>Plans of the development</u></p>	<p>As a minimum, you will be required to submit the following plans and diagrams of your proposal:</p> <ol style="list-style-type: none"> <li>1. The <b>existing site survey plan</b> is to be drawn to 1:500 scale and show: <ul style="list-style-type: none"> <li>▪ the location of the land, the measurements of the boundaries of the land, the size of the land and which direction is north;</li> <li>▪ existing significant vegetation, built and topographic features; and</li> <li>▪ the existing levels of the land in relation to buildings and roads.</li> </ul> </li> <li>2. The <b>proposed subdivision plan</b> is to be drawn to 1:500 scale and show: <ul style="list-style-type: none"> <li>▪ the location of the land, the measurements of the boundaries of the land, the size of the land and each proposed lot, and which direction is north;</li> <li>▪ significant vegetation to be retained, built and topographic features; and</li> <li>▪ the proposed levels of the land in relation to buildings and roads.</li> </ul> </li> <li>3. A <b>locality plan</b> drawn to 1:5000 scale should be submitted indicating: <ul style="list-style-type: none"> <li>▪ significant local features such as roads, parks, community facilities and open space, water courses and heritage items;</li> <li>▪ traffic and road patterns, pedestrian routes and public transport nodes;</li> </ul> </li> </ol> <p>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.</p>
----------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## Technical and Policy Guidelines

The following list identifies policies that may assist in the preparation of an Environmental Assessment. This list is a guide only, it is the proponent's responsibility to ensure that relevant policies, whether included on this list or not are addressed in the Environmental Assessment.

Aspect	Policy /Methodology
<b>Biodiversity</b>	
	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
<b>Coastal Planning</b>	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, UAB, 1997
<b>Heritage</b>	
<b>Aboriginal</b>	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A ( Planning 2005)
<b>Non-Indigenous</b>	Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005) <i>Draft</i>
<b>Noise</b>	
	Environmental Noise Management Manual (RTA, 2001)
	Noise Guide for Local Government (DEC, 2004)
<b>Traffic &amp; Transport</b>	
	Guide to Traffic Generating Development (RTA, 1993)
<b>Water</b>	
	Best Practice in Water Management (Commonwealth DEH, 1999, ISBN 0 642 546231)
<b>Groundwater</b>	The NSW State Groundwater Protection Policy (DLWC)
<b>Stormwater</b>	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
<b>Effluent Treatment and Disposal</b>	Environment and Health Guidelines: On-site Sewage Management for Single Households (February 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.