



NSW GOVERNMENT

Department of Planning

Contact: John Arnold
Phone: 02 9228 6398
Fax: 02 9228 6366
E-mail: john.a.arnold@planning.nsw.gov.au

Our ref: MP 06_0147
File: 9042935-1

Mr Stephen Hills
The Planning Group
PO Box 1612
North Sydney 2059

Dear Mr Hills

Subject: Director-General's Requirements for the Environmental Assessment of Proposed Seven (7) Lot Residential Subdivision and boundary adjustment, Portion 14 Parish of Narrabarba and Lot B DP 33573, Wonboyn Lake, Narrabarba (MP 06_0147)

The Department has received your application for the proposed seven (7) lot residential subdivision and boundary adjustment at Portion 14 Parish of Narrabarba and Lot B DP 33573, Wonboyn Lake, Narrabarba (MP 06_0147).

The Director-General's Environmental Assessment Requirements (DGEARs) for the environmental assessment of the Project are attached to this correspondence at Attachment 1. 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 at Schedule 1 to this Attachment.

It should be noted that the DGEARs have been prepared based on the information provided to date. Under Section 75F(3) of the *Environmental Planning and Assessment Act 1979* ("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.

It would be appreciated 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;
- 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.

Schedule 2 to the Attachment lists the relevant plans and documents which are likely to be required upon submission of your proposal, however, this should be confirmed with the Department prior to lodgement.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGEARs. 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

DGEARs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

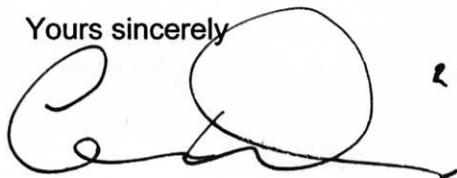
Following this review period, the Environmental Assessment will be made publicly available for a minimum period of 30 days.

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>).

Finally, please note that because of the likelihood of the ecological sensitivity of the site the Department raises concerns on its development potential. It will be necessary to ensure that any environmental assessment fully and adequately addresses and resolves all potential impacts of the proposed development.

If you have any enquiries about these requirements, please contact John Arnold on 02 9228 6398 or via e-mail at john.aarnold@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. Wilson', with a large circular flourish above the name.

21.8.06

Chris Wilson
**Director, Major Project Assessments
as delegate for the Director-General**

Attachment 1

Director-General's Environmental Assessment Requirements

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

Application number	06_0147
Project	Proposed 7 lot rural subdivision at Wonboyn Lake, Narrabarba.
Location	Portion 14 Parish of Narrabarba and Lot B DP 33573, Wonboyn Lake, Narrabarba.
Proponent	The Planning Group
Date issued	August 2006
Expiry date	August 2008
General requirements	The Environmental Assessment (EA) must include: • An executive summary; • A thorough site analysis and description of existing environment; • A detailed description of the project including:- (i) Any development options; (ii) 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; (iii) Outline (if applicable) the staged implementation of the project; • Consideration of any relevant statutory and non-statutory requirements, in particular relevant provisions of Environmental Planning Instruments, Draft Regional Strategies and Development Control Plans (including justifications for any non-compliances) as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>; • 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; • The plans and documents outlined in Schedule 2; • A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and • An assessment of the key issues specified below and a table outlining how these key issues have been addressed.
Key issues	The Environmental Assessment must address the following key issues: 1. Design, Visual Impacts and Public Access - Demonstrate suitability of the proposal with the surrounding area in relation to potential character, bulk, scale and visual amenity of development resulting from the subdivision having regard to the <i>Coastal Design Guidelines of NSW (2003)</i>, Bega Valley DCP No. 2 (Subdivision Standards), No. 6 (Minimum Setbacks to Roads and Nominated Waterways) and No. 9 (Rural Residential Development) in particular the cumulative visual impact of the project from public areas including the foreshore and waterways. Identify extent of

potential development footprints, building envelopes and built form controls. Address existing and future opportunities for public access to and along the foreshore.

2. **Titles and Management of Site** - Identify proposed subdivision mechanism and long term ownership and management of natural vegetation and other features of the site.
3. **Subdivision Entitlements** – Demonstrate subdivision entitlements in accordance with relevant planning instruments.
4. **Traffic and Access** - Provide a Traffic Impact Study in accordance with the *RTA Guide to Traffic Generating Developments*. Identify needs (if any) to upgrade roads/junctions and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development where relevant. Provide details of proposed right-of-carriageway easements to proposed lots and any landlock adjoining land.
5. **Waterways and Estuary Management** – Demonstrate consistency with the Wonboyn Lake Estuary Management Plan (2003) having particular regard to: acceptable levels of water quality protection (model pollutant loads emanating from the site due to proposed change in land use); effect of subdivision/development on the nearby oyster leases (septic leachate, stormwater runoff); public access along the foreshore. Demonstrate environmental management and mitigation measures to be utilised to avoid or mitigate any detrimental impacts on Wonboyn Lake and foreshore environment. Address the management of the drainage line within the development area to ensure the protection of water quality, the maintenance of soil stability and the enhancement of natural habitat. Address the requirements of the *NSW Floodplain Management Manual* and provide a stormwater plan for the subdivision layout based upon best practice Water Sensitive Urban Design Principles.
6. **Riparian Management** - Demonstrate provision of an effective riparian zone excluding development (setback 100m from top of bank or high water mark of lake) and buffering to protect the environmental function of the riparian vegetation in accordance with the objectives provided by the Department of Natural Resources *Riparian Corridor Objective Studies (RCOS)*.
7. **Floodplain and Stormwater Management** – Address impacts of flooding on the development, the impact of development on flood behaviour (including cumulative impacts) and the impact of flooding on the safety of people over the full range of possible floods up to the probably maximum flood (PMF). Safety considerations to include the availability of flood warning and the capacity of occupants to respond appropriately, including issues of access and evacuation in the event of a major flood.
8. **Bushfire** - Address the requirements of *Planning for Bush Fire Protection 2001* (RFS) in particular adequacy of water supply for

	bushfire suppression operations and future management of any areas of hazard remaining, including natural areas and buffers zones. 9. Infrastructure and Utilities – Address existing capacity and requirements of the proposal for effluent disposal, water supply, electricity and telecommunications services in consultation with relevant agencies and identify staging, if any, of infrastructure works. Provide details on the proposed provision of a potable water supply for each proposed lot and provide details on the proposed method for effluent disposal, including an assessment of the suitability of this method for each proposed lot in accordance with Bega Valley DCP No.5 (On-Site Sewage Management). Reference shall also be made to Bega Valley Council's Stormwater, Septic and Waste Leachate Management Plan for Wonboyn Lake and Wonboyn Lake Estuary Management Plan. 10. Flora and Fauna – Outline measures for the conservation of flora and fauna and their habitats within the meaning of the <i>Threatened Species Conservation Act 1995</i> and the <i>Fisheries Management Act</i>, having regard to the <i>Draft Guidelines for Threatened Species Assessment (DEC & DPI July 2005)</i>. Measures may include, but not limited to, offset measures, buffers and other long-term protection methods for threatened fauna species. In particular address impacts of the development on Endangered Ecological Communities such as Coastal Saltmarsh and sensitive seagrasses that inhabit Wonboyn lake. 11. Cultural Heritage - Identify whether the site has Aboriginal cultural heritage significance and identify appropriate measures to preserve any significance. 12. Soils and Contamination - Identify the presence and extent of acid sulfate soils on the site and appropriate mitigation measures. Identify any areas of contamination on the site and appropriate mitigation measures.
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: • Department of Natural Resources; • Department of Lands • Department of Environment and Conservation; • NSW Rural Fire Service; • RTA; • Bega Valley Shire Council. 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.

Schedule 1

Technical and Policy Guidelines

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	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, Dec, 2004) <i>Draft</i>
	National Parks and Wildlife Service Atlas of NSW Wildlife Data, GIPSICAM
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	Australian Standard 3959 – Building in Bushfire Prone Areas
Coastal Planning & Water bodies	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast (Department of Urban Affairs & Planning, 1997)
	Integrated Water cycle Management Guidelines for NSW Local Utilities, Oct 2004
	Water Sensitive Planning Guide - for Sydney Region, WSUD, 2003
	Coastal Design Guidelines for NSW, Coastal Council, March 2003
	Coastal Dune Management (DLWC, 2001)
	NSW Wetlands Management Policy (DLWC, March 1996)
	NSW State Rivers Policy
	NSW Estuary Management Manual (DLWC, 1992)
	Constructed Wetlands Manual (DLWC, 1998)
Heritage	
	Draft guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)
	NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit – Working Draft (NPWS, September 1997)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)
	Protecting Aboriginal Objects and Places - Interim Guidelines for Community Consultation (DEC 2005)
Soils & Contamination	
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land, Department of Urban Affairs & Planning and the Environment Protection Authority 1998.
	Contaminated Land: Planning Guidelines for Contaminated Land, Department of Urban Affairs and Planning and the NSW EPA, October 1995.

Aspect	Policy /Methodology
Traffic, Transport & Pedestrian & Cyclist Facilities	
	Guide to Traffic Generating Developments (RTA, 1993)
	RTA Road Design Guide (RTA, 1996)
	Planning Guidelines for Walking and Cycling (DIPNR & RTA, December 2004)
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Ausroads, 2003)
Waste	
	Environmental Guidelines: Use of Effluent by irrigation (DEC, October 2004)
Water	
Water Quality	Australian & New Zealand Guidelines for Fresh & Marine Water Quality (Australian & New Zealand Environment & Conservation Council (ANZECC), October 2000)
	Coastal Lakes: Independent Inquiry into Coastal Lakes (Healthy Rivers Commission, April 2002)
	Various inquiries and Statements of Intent for Coastal Lakes (Healthy Rivers Commission, 200- 2002)
	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
	Water Quality and River flow Objectives (DEC, 2000)
	Water Quality Guidelines for the protection of Aquatic Ecosystems for Upland Rivers (ANZECC, 2000)
Flooding & the Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
Groundwater	NSW Groundwater Policy Framework Document – General (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
Stormwater	Managing Urban Stormwater: Construction Activities (EPA, 1988)
	Water Sensitive Planning Guide - for Sydney Region, WSUD, 2003
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (PlanningNSW, 1993)

Schedule 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 the Project 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. 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). 3. 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; and • traffic and road patterns, pedestrian routes and public transport nodes. • 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. 4. The Environmental Assessment in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1. 5. Detailed Subdivision layout plans to illustrate the following:- • All measurements of proposed and existing allotments; • Location of all structures both proposed and retained on site; • North point; • Name of the road fronting the site and other surrounding major roads; • Title showing the description of the land with lot and DP numbers etc; • Vegetation retention; • Access points; • Any easements, covenants or other restrictions either existing or proposed on the site; • Development footprints, building envelopes and built form controls; • Asset Protection Zone for bushfire control; • Type of subdivision proposed (Torrens, strata and/or community title). 6. Stormwater Plan - illustrating the plan for stormwater management of the site and must include details of any major overland flow paths through the site, stormwater treatment measures and any discharge points to existing drainage systems. Where an on-site detention system is required, the type
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	and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided. 7. 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; 8. Landscape Plan – 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); 9. Construction Management Plan – a plan which outlines traffic and pedestrian management during construction
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants.
Documents to be submitted	• 10 hard copies of the Environmental Assessment; • 10 sets of subdivision and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and all plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).
Electronic Documents	Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following 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. Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.



NSW GOVERNMENT
Department of Planning

Contact: Mark Schofield
Phone: (02) 9228 6305
Fax: (02) 9228 6540
Email: mark.schofield@planning.nsw.gov.a

Mr Stephen Hills
The Planning Group Pty Ltd
PO BOX 1612
NORTH SYDNEY NSW 2059

Our ref: 06_0147
file number: 9042935
Your ref: 206.064

Dear Mr Hills,

Subject: Expiry of Director-General Assessment Requirements for proposed 7 lot subdivision at Wonboyn Lake, Narrabarba (06_0147)

I refer to your letter of the 11 February 2009, in which you seek clarification as to whether it is necessary for you to formally apply for new Director-Generals Assessment Requirements (DGRs) for the abovementioned Project, given that the "expiry date" has passed.

The DGRs for Major Projects have no statutory expiry date. In light of this, the Department has revised the DGRs for the project and updated the dates where applicable. The date indicated at the time of issue was to ensure that it was noted that the matters covered were current for a particular timeframe.

Our review of your DGRs has identified that they do not include a requirement to consider Climate Change and Sea Level Rise, Coastal Hazards or undertake community consultation as part of the Aboriginal Cultural Heritage Assessment. These are all relevant matters and as such must be considered in your Environmental Assessment. Please find the amended DGRs at Attachment 1.

In regards to questions in your letter dated 26 February 2009, the additional actions suggested by LesryK Environmental Consultants will address point 2 of our letter of the 26 August 2008 and item 10.2 - 3 in the DGRs. A plan showing the potential areas of disturbance will satisfactorily address the matter in relation to the Asset Protection Zones and our request for you to identify potential vegetation for removal, DGR item 10.3.

I hope this is of assistance for the progression of the Environmental Assessment.

Yours sincerely,

7.9.09

Chris Wilson
Executive Director
Major Project Assessments

Attachment 1

Director-General's Environmental Assessment Requirements

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

Application number	06_0147
Project	Proposed 7 lot rural subdivision at Wonboyn Lake, Narrabarba.
Location	Portion 14 Parish of Narrabarba and Lot B DP 33573, Wonboyn Lake, Narrabarba.
Proponent	The Planning Group
Date issued	March 2009
Expiry date	March 2011
General requirements	The Environmental Assessment (EA) must include: • An executive summary; • A thorough site analysis and description of existing environment; • A detailed description of the project including:- (i) Any development options; (ii) 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; (iii) Outline (if applicable) the staged implementation of the project; • Consideration of any relevant statutory and non-statutory requirements, in particular relevant provisions of Environmental Planning Instruments, Draft Regional Strategies and Development Control Plans (including justifications for any non-compliances) as well as impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>; • 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; • The plans and documents outlined in Schedule 2; • A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and • An assessment of the key issues specified below and a table outlining how these key issues have been addressed. •
Key issues	The Environmental Assessment must address the following key issues: 1. Design, Visual Impacts and Public Access Demonstrate suitability of the proposal with the surrounding area in relation to potential character, bulk, scale and visual amenity of development resulting from the subdivision having regard to the <i>Coastal Design</i>

Guidelines of NSW (2003), Bega Valley DCP No. 2 (Subdivision Standards), No. 6 (Minimum Setbacks to Roads and Nominated Waterways) and No. 9 (Rural Residential Development) in particular the cumulative visual impact of the project from public areas including the foreshore and waterways. Identify extent of potential development footprints, building envelopes (determined by consideration of site constraints) and built form controls. Address existing and future opportunities for public access to and along the foreshore.

2. **Titles and Management of Site** - Identify proposed subdivision mechanism and long term ownership and management of natural vegetation and other features of the site.
3. **Subdivision Entitlements** – Demonstrate subdivision entitlements in accordance with the provisions of the Bega Valley Local Environment Plan 2002 and Bega Council's adopted Development Control Plans No.s 2, 5 and 6.
4. **Traffic and Access** - Provide a Traffic Impact Study in accordance with the *RTA Guide to Traffic Generating Developments*. Identify needs (if any) to upgrade roads/junctions and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development where relevant. Provide details of proposed right-of-carriageway easements to proposed lots and any landlocked adjoining land.
5. **Waterways and Estuary Management** – Demonstrate consistency with the Wonboyn Lake Estuary Management Plan (2003) having particular regard to: acceptable levels of water quality protection (model pollutant loads emanating from the site due to proposed change in land use); effect of subdivision/development on the nearby oyster leases (septic leachate, stormwater runoff); public access along the foreshore. Demonstrate environmental management and mitigation measures to be utilised to avoid or mitigate any detrimental impacts on Wonboyn Lake and foreshore environment. Address the management of the drainage line within the development area to ensure the protection of water quality, the maintenance of soil stability and the enhancement of natural habitat. Address the requirements of the *NSW Floodplain Management Manual* and provide a stormwater plan for the subdivision layout based upon best practice Water Sensitive Urban Design Principles.
6. **Riparian and Wetland Management** - Demonstrate provision of an effective riparian zone excluding development (setback at least 100m from top of bank or high water mark of lake) and buffering to protect the environmental function of the riparian vegetation in accordance with the objectives provided by the Department of Natural Resources *Riparian Corridor Objective Studies (RCOS)*.

7. Hazard Management and Mitigation

Coastal Processes

7.1 Address coastal hazards and the provisions of the *Coastline Management Manual*. In particular, consider impacts associated with, sea level rise and more frequent and intense storms.

Flooding

7.2 Provide an assessment of any flood risk on site (for the full range of floods including events greater than the design flood, up to probable maximum flood; and from coastal inundation, catchment based flooding or a combination of the two) and having consideration of any relevant provisions of the *NSW Floodplain Development Manual 2005*. The assessment should determine: the flood hazard in the area; address the impact of flooding on the proposed development, address the impact of the development (including filling) on flood behaviour of the site and adjacent lands; and address adequate egress and safety in a flood event.

7.3 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)*.

8. Bushfire - Address the requirements of *Planning for Bush Fire Protection 2006 (RFS)* in particular adequacy of water supply for bushfire suppression operations and future management of any areas of hazard remaining, including natural areas and buffers zones.

9. Infrastructure and Utilities – Address existing capacity and requirements of the proposal for effluent disposal, water supply, electricity and telecommunications services in consultation with relevant agencies and identify staging, if any, of infrastructure works. Provide details on the proposed provision of a potable water supply for each proposed lot and provide details on the proposed method for effluent disposal, including an assessment of the suitability of this method for each proposed lot in accordance with Bega Valley DCP No.5 (On-Site Sewage Management). Reference shall also be made to Bega Valley Council's Stormwater, Septic and Waste Leachate Management Plan for Wonboyn Lake and Wonboyn Lake Estuary Management Plan.

10. Flora and Fauna

10.1 Outline measures for the conservation of flora and fauna and their habitats within the meaning of the *Threatened Species Conservation Act 1995* and the *Fisheries Management Act*, having regard to the *Draft Guidelines for Threatened Species Assessment (DEC & DPI July 2005)*. Measures may include, but not limited to, offset measures, buffers and other long-term protection methods for threatened fauna species. In particular address impacts of the development on Endangered Ecological Communities such as Coastal Saltmarsh and sensitive seagrasses that inhabit Wonboyn lake.

	10.2 Identify and record all hollow bearing trees and Glossy-black feed trees which will be impacted by the proposal, including those along the power line easement, within the building envelopes and Asset Protection Zones (APZs). 10.3 Provide details and relevant plan showing areas of the vegetation removal required for construction of the power lines and APZs. Demonstrate consideration of the value of the habitat to be removed. 11. Heritage and Archaeology - Identify whether the site has significance to Aboriginal cultural heritage and identify appropriate measures to preserve any significance. If the building envelopes or road overlap with the areas identified to be of significance, demonstrate that subsurface testing has been undertaken. 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) and <i>Interim Community Consultation Requirements for Applicants</i> (DEC 2004). 12. Soils and Contamination - Identify the presence and extent of acid sulfate soils on the site and appropriate mitigation measures. Identify any areas of contamination on the site and appropriate mitigation measures.
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: • Department of Water and Energy; • Department of Lands • Department of Environment and Climate Change; • NSW Rural Fire Service; • Roads and Traffic Authority; • Bega Valley Shire Council. 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

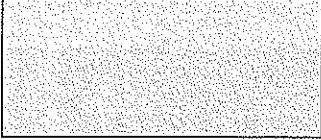
Plans and Documents to accompany the Application

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;

	- 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 and 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:-

- 
- 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.



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)
	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)
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)
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
Bushfire	
	Planning for Bushfire Protection 2006 (NSW Rural Fire Service)
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: Sampling Design Guidelines (EPA, 1999)
	NSW Acid Sulfate Soil Management Advisory Committee - Acid Sulfate Soil Manual (ASSMAC, 1998).
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans

Aspect	Policy /Methodology
(DIPNR, 2004)	
Heritage	
Aboriginal	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, 2005) Interim Community Consultation Requirements for Applicants (DEC, 2004)
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	
	Environmental Criteria for Road Traffic Noise (EPA, 1999) Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)
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: Cycleway/Pathway Design	
	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	
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, 0 7313 0379 2) NSW State Groundwater Quality Protection Policy (DLWC 1998) NSW Groundwater Dependent Ecosystem Policy (DLWC 2000)
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)
Wetlands	NSW Wetlands Management Policy (DLWC 2000)
EPBC Act	
FOR A CONTROLLED ACTION	Commonwealth Environment Protection and Biodiversity Conservation Act 1999: Guide to implementation in NSW: March 2007



All communications to be addressed to:

Head Office
NSW Rural Fire Service
Locked Mail Bag 17
Granville NSW 2142

Telephone: (02) 8741 5555

Head Office
NSW Rural Fire Service
15 Carter Street
Homebush Bay NSW 2127

Facsimile: (02) 8741 5550



TPG
PO Box 1612
SYDNEY NSW 2059

Attention: Stephen Hills

Your Ref: 206.064

Our Ref: S06/0043
G06/2069
DA06071331686 MH

07-Jun-2007

Dear Sir,

**RE: Land Use Application for B//33573, NARRABARBA RD, WONBOYN LAKE
NSW 2551**

I refer to your letter dated 23-Apr-2007 seeking our advice in accordance with section Part 3A of the '*Environmental Planning & Assessment Act 1979*' for the above property.

Having considered the above, the NSW Rural Fire Service is not in a position to properly assess the application on the basis of the information provided by Council. In order to assess the application, the following information is required:

1. A Bush Fire Assessment Report of the extent to which the proposed development conforms with or deviates from the specifications set out in *Planning for Bush Fire Protection 2006* is to be provided. This shall include a classification of the vegetation on and surrounding the property (out to a distance of 140 metres from the boundaries of the property) and an assessment of the slope of the land on and surrounding the property (out to a distance of 100 metres from the boundaries of the property) for each proposed dwelling site. This assessment shall address all the requirements set out in Clause 46 of the Rural Fires Regulation 2002.

For any enquiries regarding this correspondence, please contact Mark Hawkins.

Yours sincerely

Nika Fomin
Development Control Co-ordinator



Bega Valley Shire Council

Ref: DW886107

18 June 2007

The Planning Group NSW Pty Ltd
Suite 340, 21 Berry Street
North Sydney NSW 2060

Dear Sir

**Seven lot rural subdivision and boundary adjustment, Ivor Jones Drive,
Wonboyn**

I refer to your letter dated 23 April 2007 in respect to the above and advise the following.

- The boundaries of the land could not be established on the day of inspection. Accordingly, it was impossible to assess the proposed subdivision/boundary adjustment in context. The comments are therefore general in nature and not specific.
- According to Council's records both the subject land (Lot 14 DP 750222) and land immediately to the north (Lot 11 DP 750222) is under common ownership – Picnic Point Pty Ltd. Informal access to Lot 11 is currently provided over Lot 14 and generally follows the alignment of an existing transmission line easement. It would appear that the current access arrangement has no legal status. It will be necessary to address the matter in any subsequent application.
- Any subsequent subdivision of the land must confirm with the provisions of the Bega Valley Local Environmental Plan 2002 and Council's adopted Development Control Plan nos. 2, 5 and 6.

In reference to DCP no. 5 it will be necessary to prepare and submit a cumulative impact assessment on likely water quality changes stemming from required on-site sewage management and sediment runoff associated with the clearing of land. This has particular importance given the worth of the oyster growing industry in Wonboyn River and Lake and the passive and active recreational opportunities offered by the waterway. Any application should refer to Council's Stormwater, Septic and Waste Leachate Management Plan for Wonboyn Lake and ensure the proposal is in accordance with Council's Wonboyn Lake Estuary Management Plan.

- The land in Council's opinion has limited agricultural worth. On the other hand, it has high scenic and environmental qualities which should be preserved. However, whilst Council generally agrees with the principle of limiting the size of the concessional lots within the subdivision to approximately 2 hectares, it is not considered appropriate to encourage long elongated lots which would limit the siting and design of future dwellings, their associated on-site sewage management systems and asset protection zones. The final lot layout should be designed to reflect site specific conditions and ongoing maintenance and management requirements. In particular the lot layout should be designed so that each lot stands alone in satisfying the requirements documented by Planning for Bushfire Protection 2006.

ADDRESS ALL
CORRESPONDENCE TO:

PO Box 492
Bega NSW 2550

DX 4904
ABN 26 987 935 332

Council Chambers
Zingel Place, Bega

PHONE
(02) 6499 2222

FAX
(02) 6499 2200

INFORMATION
www.begavalley.nsw.gov.au

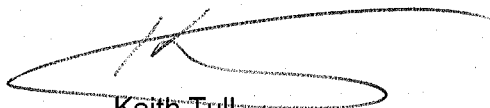
EMAIL
council@begavalley.nsw.gov.au

- Given the characteristics of the land and area generally, building and effluent disposal envelopes should be clearly nominated on each proposed lot as part of any subsequent application. This will assist in the assessment process by enabling a full and proper assessment into the siting of future dwellings and their associated onsite sewage management systems.
- A full flora and fauna assessment and archaeological survey is required to be submitted with any subsequent application, Council wishes to stress the importance of such a survey and the need to design the subdivision accordingly. If not properly considered at application stage, it may well have implications for all parties through the design and construct stages of the subdivision and future dwellings.
- As part of the assessment of any application for subdivision Council will be pursuing the dedication of a 20m foreshore reserve at the lake frontage.

Thank you for the opportunity to provide input at this preliminary stage in the assessment process. However, there are some obvious issues that will need further consideration in the preparation of any subsequent application.

If you wish to discuss the matter please call me on 02 6499 2190

Yours sincerely

A handwritten signature in black ink, appearing to read 'Keith Tull', with a large, sweeping loop at the end.

Keith Tull
Planning Co-ordinator

**Meeting to Discuss Subdivision Layout and
Address Council concerns
for Proposed 7 Lot Subdivision Ivor Jones Drive, Wonboyn Lake.**

Purpose: To discuss issues raised within Council correspondence to Department of Planning dated 7th July 2007.

Held: Tuesday, 11th December 2007

Venue: Merimbula Council Library Offices, Main Street, Merimbula

Attendees: Mr Keith Tull – Bega Valley Shire Council
Mr Don Ross – Owner
Mr Doug Hemingway - Owner
Mr Robert Webb – RW Surveying & Valuations
Ms Maree Staight – RW Surveying & Valuations

Meeting Opened 10:30am

Notes

Councils correspondence dated 18th June was discussed and points were raised in accordance with that letter as follows:

1. It was noted that the boundaries were not established on the day, and a topographical map was used during the meeting to identify the property. Keith was familiar with the site suitable for the purpose of the meeting.
2. It is recognized by all parties that both properties are in common ownership, and that the only legal access to Lot 11 (to the north) is via unmade Crown Roads, that would not be possible to construct. It was confirmed at the meeting by the owners and Rob Webb, that there would be access provided to Lot 11 over the proposed new road. It is intended to construct a Public Road to proposed Lot 6, where it would become a Right of Carriageway for use by the Rural Fire Service, and to benefit Lot 11.
3. With regards to the provision of onsite sewage management, it was confirmed that Morse McVey has been engaged to prepare the reports and undertake the road designs for the proposed subdivision.

Doug confirmed that the type of system which has been recommended by Morse McVey is a ... Keith was unfamiliar with this type of system, but confirmed that as long as it was a state approved system, it will be fine. Keith to check that the system is ok with Jonathon Pyke.

It was confirmed that the owners consultants were taking into account the provisions of DCP 5 and the Wonboyn Estuary Management Plan. Council confirmed that Morse McVey helped prepare the plan, and were very familiar with its aims and objectives.

4. The issue of elongated allotments has been considered by the owners, and as such, an alternative lot layout was presented to Council for consideration. Keith confirmed that this new layout would be suitable for Council, which would see the three most southerly allotments become two lots, and an additional allotment created to the north of those, in the vicinity of proposed Lot 4.

This would allow the lots to be wider, and would comply with *Planning for Bushfire Protection 2006*.

5. Noted, building envelopes have been nominated on the plans, with effluent disposal envelopes to be nominated in accordance with the recommendations of the OSM report. Keith acknowledged that this had been satisfied.
6. It was confirmed that a flora and fauna assessment has been undertaken by Lesryk, which included a 7-Part test. Keith was satisfied that this had been met.
7. The requirement for a 20 metre wide Public Reserve was discussed at length, after which it was considered that a dedicated Public reserve area could replace the requirement for the foreshore reserve. Issues discussed included the affects of public access on swamps, areas of acid sulfate soils, access, maintenance, oyster leases and responsibilities arising under SEPP 71.

Keith Tull advised that the issue of a Public Reserve would have to be addressed as part of the process, but Council may not necessarily want it. Keith advised us to liaise with Mr Derek Van Brack, and we may need to present Council with reasons why we believe a Public Reserve should not be dedicated for this subdivision.

Action

- RW Surveying to contact Derek Van Brack regarding public reserve, and possibly present details to support the removal of this requirement (if applicable).
- RW Surveying to amend proposal plan as per discussions (amend lot layout and setbacks to building envelopes to be increased to 30 metres.
- RW Surveying to provide Keith with correspondence regarding the compliance with Councils main issues, in order that Council can review their letter to Department of Planning.

Meeting Closed 11:45am

7th January 2008

Ref No: 0833.42

The General Manager
Bega Valley Shire Council
PO Box 492
Bega NSW 2550

Attention Mr Derek Van Brack

Dear Derek

Re: Proposed 7 Lot Concessional Subdivision
Lot 14 DP 750222
Ivor Jones Drive, Wonboyn Lake

I refer to correspondence received from Mr Keith Tull dated 18th June 2007 (reference DW886107). Point 7 states:

"As part of the assessment of any application for subdivision, Council will be pursuing the dedication of a 20m foreshore reserve at the Lake frontage."

We have since had a meeting with Keith on 11th December 2007, who advised that we must consider the option of Council requiring a foreshore reserve under the SEPP 71 Coastal Policy.

In assessing the option of a foreshore reserve, we have considered many aspects of this outcome, and believe that it is not in the best interests of the Council, certain members of the Public or our clients, to allow access to the subject property, via a 20 metre strip of waterfront land.

Firstly, we would enquire as to the likeliness of the Council requesting the foreshore, given that there is no foreshore on adjoining properties for continuous access by the Public.

If Council would still request that a foreshore be dedicated, our clients would strongly object to its dedication, and present the following in support of their objection.



1. The first thing to note is that there is currently no access to the foreshore from adjoining properties. All surrounding land has ownership to the mean high water mark, being original Crown Portions, with no foreshore frontage. As such, it will not be possible to create any form of “boardwalk” or similar structure for public access (as is currently the situation near the Myrtle Cove jetty area).
Our clients also own adjoining Lot 11 (to the north), and are not developing that property. This will further limit the ability to have full public access to the foreshore around the lake.
2. The topography of majority of the land that would be subject to the foreshore reserve, particularly along the eastern boundary, is not suitable for access. Parts of this area are steep, comprising a large bank with a 3 metre drop to the waterfront, with other parts comprising swamp areas which would also be inaccessible.
3. Legal access to Lot 14 is currently available to the southern boundary of the land only. Crown roads are located within the property, however these also contain land that would render them unable to be developed. As such, there is no access to the foreshore from within the property. The proposed new access is to be located in such a position that Public access would not be available to the foreshore reserve. Dedicating a foreshore reserve would encourage the public to access the reserve over private land, which would not be a practical or desirable outcome.
4. The creation of any public reserve areas would need to be maintained. In this instance, the establishment of any structures and public areas would be the responsibility of the Council. Given that there is no access to the foreshore by road, maintenance of the site (by removal of rubbish etc) would have to be undertaken by access from the water.
5. With regards to bushfire protection, in accordance with the Wonboyn Lake Village Protection Plan, fuel loads within the foreshore area would have to be maintained at no more than 15 tonnes per hectare, as is currently maintained by the owner. Again, maintenance of fuel loads by the Council would be difficult.
6. Some areas of the property have been identified as containing acid sulfate soils. Allowing unrestricted public access to these areas would be extremely detrimental to the adjoining oyster leases and the river system, which has been the topic of many environmental reports due to its sensitivity. Given that the site has been identified as environmentally sensitive, it would seem contradictory to allow such open access to these areas.
7. During the course of this application, liaison has been undertaken with both the Eden Local Aboriginal Land Council and Aboriginal Heritage advisors. It has been identified that parts of the land, particularly around the foreshore, may contain items of aboriginal heritage. Again, access to these areas by the public would, overtime, be detrimental to the existence of these items, while their retention within the freehold land can be protected by restrictions on the title.



8. The remoteness of the property and the foreshore in question, would make access in the case of an emergency very difficult, and would not be in the best interest of the public.
9. Allowing Public access directly to the frontage of these properties would pose a security risk to the new properties, given that they are to be utilised as holiday houses.
10. Within the Wonboyn Lake estuary, there is already sufficient access for the Public, with a boardwalk constructed from Myrtle Cove jetty area around the southern shores of the Lake, vehicular access to main beaches as well as boat access to all beaches and rivers.
11. Wonboyn Lake is well known for its oyster farming industry. There is also an operating oyster lease located adjoining the subject property (not owned by our clients), which is situated close to the foreshore. Allowing the public to access this area would not only be detrimental to this lease, but contrary to the aims and objectives of the NSW Oyster Industry Sustainable Aquaculture Strategy (OISAS). As previously mentioned, the land contains acid sulfate soils, which would have adverse affects on these leases in they were to be disturbed.

Public access has been made available to "Picnic Point" on Lot 14 for many years, which has been allowed by the owners despite the land being private property. The detrimental affects of this can be clearly seen on this site, with bare earth being exposed and major erosion occurring on the banks of the river with visitors removing saplings, lighting fires and leaving large amounts of rubbish onsite.

This has scared the "high scenic and environmental properties" of this part of the land. Allowing public access to the entire perimeter of this land would result in approximately 5 hectares of prime waterfront land being subject to the same fate as this small area of land on the adjoining property, which would be nearly impossible to govern, resulting in permanently compromising the scenic value of the property.

We trust this information is of assistance in your final assessment of the merit in dedicating a foreshore reserve along the subject property, and believe that an outcome can be achieved to the satisfaction of all parties. In this respect, we look forward to receiving your response.

If you have any queries, please don't hesitate to contact me on (02) 6496 3418.

Yours sincerely

Maree Staight
RW Surveying & Valuations

15 August 2008

The Planning Group
PO Box 1612
North Sydney NSW 2059

Dear Sir

ELECTRICITY SUPPLY: SUBDIVISION, LOT 14 DP 750222 WONBOYN

Thank you for your recent enquiry regarding a single phase electricity supply at proposed subdivision. We have carried out a preliminary investigation based on, and subject to, the accuracy of the information supplied by you. **It is stressed that this is a preliminary estimate only.**

Description of Services to be Provided:

This preliminary estimate covers the provision of the following services:

Construct single phase high voltage extension and 230 volts substation to supply all lot in subdivision from the existing high voltage line crossing the lot.

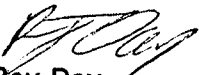
The estimated cost for the design and construction of this supply, including Network Fees and GST, **but excluding the costs of tree clearing and Easements**, is in the range

\$75,000 to \$90,000

It is stressed that this is a preliminary estimate only and is subject to change without notice. It is important to note that, because of site related issues and subsequent price increases, quotations for projects can quite often fall outside the range of the preliminary estimate provided.

It would be advisable to secure consent to clear native vegetation for the power lines under the development application as without the consent it will not be possible to construct the infrastructure to supply the blocks & could delay or stop the subdivision.

Below is the standard clearing clause from our offer letter.


Roy Day

Design project manager

VEGETATION CLEARING

Our Quotation does not include the costs associated with obtaining statutory approvals to carry out vegetation clearing and the costs associated with the clearing of vegetation. Our Quotation is based on you meeting the costs associated with obtaining statutory approvals and the costs associated with the clearing of vegetation. Our Quotation is also based on you arranging for and obtaining the statutory approvals and then arranging for the required vegetation clearing to be carried out on our behalf. A copy of Standard Specification CEPG2010, *Vegetation Clearing Guidelines for New Powerlines*, which details the standard to which the clearing is to be carried out is available upon request.

You must not commence vegetation works on our behalf until you have received written authorisation from us to proceed. We will provide this written authorisation to you as soon as possible after you have provided us with written evidence that you have obtained all the statutory approvals necessary to carry out the works.

We will provide you with a Vegetation Clearing Checklist which should be returned to us upon completion of clearing works.

Where the clearing of native vegetation is involved, your attention is drawn to the requirements of the Native Vegetation Act 2003 and Threatened Species Conservation Act 1995.

The Native Vegetation Act 2003 may require that consultation be undertaken with the appropriate Catchment Management Authority before native vegetation clearing works can be carried out. Certain works such as clearing or construction of access tracks on State Protected Lands (generally steep areas and riparian zones) may require that a permit be obtained from the Department of Natural Resources. Our Quotation is based on you contacting the appropriate Catchment Management Authority and the Department of Natural Resources to determine their requirements. Our Quotation is based on you obtaining (and meeting the costs of) a permit(s) if it is required.

The Threatened Species Conservation Act 1995 prohibits the taking of an action (eg line construction or vegetation clearing) that is likely to harm animals or pick plants belonging to a threatened species, population or ecological community and/or to damage critical habitat without a licence from the National Parks and Wildlife Service. The National Parks and Wildlife Service may require that a Species Impact Statement be prepared pursuant to section 112C of the Environmental Planning and Assessment Act before a licence is issued.

Our Quotation is based on you contacting the National Parks and Wildlife Service to determine their requirements. Our quotation is based on you engaging, and meeting all the costs associated with, any consultants necessary to carry out studies that may be required in order for us to meet our obligations under the Threatened Species Conservation Act 1995.

If the necessary Approvals cannot be obtained or we are required to change the works involved in our Quotation as a result of the Approval conditions, we reserve the right to vary our Quotation.