



NSW GOVERNMENT

Department of Planning

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Our ref: MP 06_0195
File: S06/00284-1

Michael Collins
Caddey Searl & Jarman
PO Box 259 Nowra

Dear Mr Collins

Subject: Director-General's Requirements for the Environmental Assessment of Proposed Eight (8) Lot Rural Subdivision, One (1) Agricultural Lot and One (1) Residue Lot, at Wallagoot Lane, Jellat Jellat (MP 06_0195)

The Department has received your application for the proposed eight (8) lot rural subdivision at Wallagoot Lane, Jellat Jellat within the Bega Valley Shire Council local government area (MP 06_0195).

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>).

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

Yours sincerely

 19.9.06

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

*Draft DGEAR
for approval
15/9/06*

Attachment 1

Director-General's Environmental Assessment Requirements

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

Application number	06_0195
Project	Proposed eight (8) lot rural subdivision including one (1) agricultural lot and one (1) residue lot, at Wallagoot Lane, Jellat Jellat.
Location	Part Portions 24, 25 & 88 Parish of Bega & Portion 158 Parish of Wallagoot, Wallagoot Lane, Jellat Jellat.
Proponent	Caddey Searl & Jarman
Date issued	19 September 2006
Expiry date	19 September 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). Identify extent of potential development footprints, building envelopes and

built form controls.

2. **Existing Buildings** – Provide an assessment of the cultural, heritage and landscape significance of existing buildings on the property and identify appropriate mechanisms for their retention and maintenance.
3. **Agricultural Value** – Examine the agricultural viability of all land.
4. **Subdivision Entitlements** – Demonstrate subdivision entitlements in accordance with relevant planning instruments.
5. **Traffic and Access** - Provide a Traffic Impact Study in accordance with the RTA *Guide to Traffic Generating Developments*. Access within the subdivision shall be designed and constructed in accordance with Council's Subdivision Standards Development Control Plan No. 2 (DCP No 2), Clause 32, Class 1 and 2 roads.
6. **Riparian and Wetland Management** – Demonstrate an acceptable level of water quality protection of SEPP 14 Wetland no. 55 through the provision of an effective core riparian zone (CRZ) excluding development (setback 40m from the top of the bank or high water mark of the wetlands, plus an additional 10m buffer to protect the CRZ from the edge effects of development) in accordance with the objectives provided by the Department of Natural Resources *Riparian Corridor Objective Studies (RCOS)*.
7. **On-Site Effluent Disposal and Septic Absorption** – Provide details on the proposed method of effluent disposal, including an assessment of the suitability of this method for each proposed lot. Demonstrate that on-site effluent re-use areas can be located 150m from the nearby wetland and 40m from drainage lines, in accordance with Bega Valley DCP No.5 (On-Site Sewage Management). Assess the septic absorption potential of the soil landscape associated with the proposed on site effluent reuse areas.
8. **Stormwater and Floodplain Management** – Demonstrate consistency with the Bega River Estuary Management Plan (currently being prepared) incorporating best practice management of stormwater into the subdivision design to demonstrate that there is no net increase in pollutant loadings to the estuary and adjoining waters. Address impacts of flooding on the development demonstrating consistency with the requirements of the *NSW Floodplain Management Manual*. Dwelling sites and effluent reuse areas should be located 500mm above the surveyed 1 in 100 year flood level.
9. **Infrastructure and Utilities** – Address existing capacity and requirements of the proposal for 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

	10. Bushfire - Address the requirements of <i>Planning for Bush Fire Protection 2001</i> (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. 11. 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</i> (DEC & DPI July 2005). 12. Cultural Heritage - Identify whether the site has Aboriginal cultural heritage significance and identify appropriate measures to preserve any significance. 13. 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 the following parties during the preparation of the Environmental Assessment: a) Agencies or other authorities: • Department of Natural Resources; • Department of Primary Industries; • 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, GPSICAM
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
	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.
	Contaminated Sites – Guidelines for Consultants Reporting on

Aspect	Policy /Methodology
	Contaminated Sites (Environment Protection Authority (EPA) 1997)
	Contaminated Sites – Guidelines on Significant Risk of Harm and Duty Report (EPA), 1999)
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)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC 2000)
	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
	Environment and Health Protection Guidelines: 'Onsite Sewerage Management for Single Households', February 1998 (Silver Book)
Water	
Water Quality	Australian & New Zealand Guidelines for Fresh & Marine Water Quality (Australian & New Zealand Environment & Conservation Council (ANZECC), October 2000)
	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)
	Healthy Rivers Commission Report into Coastal Lakes and Statement of Joint Intent
	<i>NSW Guidelines for Urban & Residential Use of Reclaimed Water</i> (NSW Water Recycling Coordination Committee, 1993)
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. An **aerial photograph** outlining the subject site and surrounding area (at an appropriate scale).
- ✓ 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; 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.
- ✓ 5. The **Environmental Assessment** in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1.
6. 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;
 - no • Title showing the description of the land with lot and DP numbers etc;
 - ✓ • Vegetation retention; *- more detail required*
 - ✓ • Access points;
 - Confirm • 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).
7. **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 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 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); 10. 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	• 15 hard copies of the Environmental Assessment; • 15 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.