



NSW GOVERNMENT
Department of Planning

Contact: Sally Laing
Phone: 02 9228 6498
Fax: 02 9228 6540
E-mail: sally.laing@planning.nsw.gov.au

Our ref: MP 06_0243
File: S06/00720-1

Mr Pradesh Ramiah
Senior Planner
PMM Sydney
GPO Box 4401
Sydney NSW 2001

Dear Mr Ramiah

**Director General's Requirements for an Environmental Assessment of a
Proposed Residential Subdivision at Fraser Drive, Tweed South (MP06_0243)**

The Department has received your application for the above Major Project and has reviewed the supporting Preliminary Assessment.

The Director-General's Environmental Assessment Requirements (DGR's) for the Environmental Assessment of the Major Project are attached to this correspondence at **Attachment 1**. These requirements have been prepared in consultation with all relevant government agencies, including Tweed Shire Council.

Attachment 2 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 before lodgement.

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 and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

A list of relevant technical and policy guidelines which may assist in the preparation of this Environmental Assessment are enclosed at **Attachment 3**.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. 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 DGR's, 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. The DGRs will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if all documents that are subsequently submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment to be hosted on a suitable website with a link to the Department's website.

Finally, if your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an 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 (02 6274 1111 or www.deh.gov.au).

If you have any enquiries about these requirements, please contact Sally Laing, Environmental Planner, Coastal Assessments, on (02) 9228 6498 or via e-mail at sally.laing@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Wilson'.

Chris Wilson
Executive Director Major Projects Assessments
as delegate for the Director General

Attachment 1 Director-General's Requirements

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

Application number	06_0243
Project	Project application for a 221 lot residential subdivision
Location	Lot 9 DP 1039569, Fraser Drive, Tweed South
Proponent	Villa World Pty Ltd
Date issued	5 November 2006
Expiry date	2 years from date of issue
General requirements	The Environmental Assessment (EA) for the Project Application must include: 1. An executive summary; 2. A description of the proposal including: - description of the site and surrounds - suitability of the site for the proposed development; - likely environmental, social and economic impacts; - justification for undertaking the project; and - alternatives considered 3. A thorough site analysis, including constraints mapping and description of the existing environment; 4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans. The assessment is to include the nature, extent, and justification for any non compliance, particularly where non compliance results in environmental impacts; 5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>; 6. 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 potential impacts of the project; 7. The plans and documents outlined in Attachment 2; 8. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and, 9. A detailed assessment of the key issues specified below and a table outlining how and where in the EA document these key issues and the above general requirements have been addressed.
Key issues	The Environmental Assessment must address the following key issues: 1. Subdivision Layout, Desired Future Character and Sustainability 1.1 Assess the suitability of the proposed development with the surrounding area; visual impacts from public locations; subdivision design; pedestrian & bicycle movement to, within and through the site.

	1.2 Provide details of proposed staging and assessment of implications in terms of impact on subdivision design and infrastructure provision. 1.3 Address consistency with the character of existing development in terms of the locality, street frontage, scale, building envelopes & future built form controls, aesthetics, energy & water efficiency and safety. 1.4 Consider the <i>Coastal Design Guidelines for NSW, Guidelines for Hillside Construction</i> (Australian Geomechanics Society Sub-Committee on Landslide Risk Management, 2000) and SEPP 71 – Coastal Protection. 1.5 Address appropriate subdivision layout/s taking account of steep (> 20%) and low-lying land, provision of linked open space areas and the need for vegetation clearing. 1.6 Provide details of building platforms/envelopes in all potential slip areas. 2. Stormwater 2.1 Submit an Integrated Water Cycle Management Plan that demonstrates the means and adequacy of managing stormwater within the site during the construction and operational phases of development. In particular, detailing measures to show that the quality and quantity of stormwater from the developed site will not adversely affect the downstream receiving environment (Terranora Creek and SEPP 14 Coastal Wetland No.18b) and the existing stormwater drainage patterns/regime. 2.2 Address water quality and quantity targets specified in Tweed Shire Council's <i>Urban Stormwater Management Plan</i>, and long term management of stormwater management structures to ensure recommended measures can be efficiently maintained; 2.3 Demonstrate how water will be re-used on-site (e.g. rainwater tanks, greywater recycling, dual reticulation) and how the principles of Water Sensitive Urban Design will be incorporated into the development. 3. Flora and Fauna 3.1 Provide a preliminary assessment of the threatened species that occur or are likely to occur on or within at least a 10km radius of the site. 3.2 Provide a field survey and assessment of all threatened or vulnerable flora and fauna species and their habitats, populations and Endangered Ecological Communities (EECs). This should include the Rough-shelled Queensland Nut, Stinking cryptocaryas, the Osprey, Collared Kingfisher, Grey Headed Flying Fox, Eastern Long Eared Bat, Little Bent-Wing Bat and the Southern Mytosis, which may be present on the site. <i>Note: Information on threatened species and Recovery Plans can be obtained from the BioNet website (www.bionet.nsw.gov.au) or the DEC threatened species website (www.environment.nsw.gov.au/threatspec/index). Field surveys of the site should be undertaken in accordance with the DEC's Draft "Guidelines for Threatened Species Assessment" (July 2005).</i> 3.3 Identify measures to protect or mitigate for any adverse impacts on threatened or vulnerable fauna and flora species and their habitats, including adequate buffers and the long-term protection of aquatic habitats (including the SEPP14 wetland) threatened or vulnerable fauna and flora species.
--	--

- 3.4 Address any proposed native vegetation clearing and responsibilities under the *Native Vegetation Act 2003*.
- 3.5 Consider options to incorporate or permit Tweed Shire Council to undertake active management of the James Drive floodgate.
- 4. Aboriginal and Cultural Heritage**
- 4.1 Submit an Aboriginal and European cultural heritage assessment, if relevant. The report should detail the nature and extent of impacts on Aboriginal and European cultural heritage values across the project area and identify measures to avoid or mitigate adverse impacts on cultural heritage values.
- 5. Contamination and remediation of site**
- 5.1 Identify any areas of contamination on site and provide details of measures to ensure these can be managed.
- 5.2 Consider the *Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land*.
- 5.3 Provide evidence of soil investigations which identify whether the site contains acid sulfate soils (ASS).
- 5.4 Submit a detailed Acid Sulfate Soil Management Plan.
- 6. Groundwater**
- 6.1 Identify whether any proposed works will intersect the watertable and therefore require dewatering. If necessary, identify the extent of dewatering required.
- 6.2 Provide a Groundwater Management Plan if the proposed development intersects the groundwater table.
- 6.2 Demonstrate that development activities will not contaminate groundwater in the area or impact on groundwater dependent ecosystems.
- 7. Geotechnical**
- 7.1 Submit a geotechnical assessment report that details appropriate geotechnical investigations to establish certainty in terms of site stability and suitability for the proposal.
- 8. Bushfire**
- 8.1 Demonstrate compliance with the relevant provisions of *Planning for Bushfire Protection (PBP) 2001* and *Australian Standard 3959 – Building in Bush Fire Prone Areas*.
- 9. Flooding**
- 9.1 Provide an assessment of the risk of flooding at the site due to proximity of Terranora Creek and Terranora Broadwater.
- 9.2 Provide an assessment of proposal against the relevant provisions of the *Floodplain Development Manual* (NSW Government, April 2005), Tweed LEP 2000 and Council's DCP No.5 *Development of Flood Liable Land*.
- Note: The study should include a detailed understanding of flood behaviour across a full range of floods (including the Probable Maximum Flood event) for catchment and ocean based flooding; their likelihood of occurrence; associated consequences in terms of danger to personal safety; access and evacuation requirements in the event of a major flood; the flooding impact of filling on surrounding properties; and, proposed mitigation measures.*
- 10. Traffic & Access**
- 10.1 Provide an appropriate traffic assessment addressing the

	relevant provisions in the RTA's "Guide to Traffic Generating Developments". 10.2 Address issues associated with site access, internal traffic movement / hazards, the road system capacity, local traffic speed, integration with adjacent urban land, environment and facilities for pedestrians, cyclists (internal and external connections) and public transport. 11. Amenity 11.1 Demonstrate that the proposal will be designed, constructed, operated and maintained so that there are no adverse impacts on acoustic (including traffic noise) amenity in the locality. 11.2 Address noise issues associated with the proximity of the development to the Coolangatta Airport. 11.3 Address visual impact including cumulative visual impact of the project in the context of adjoining development, building mass as viewed from public areas including the foreshore. 12. Provision of public service and infrastructure 12.1 Address the existing capacity and requirements of the development for electricity, waste disposal and telecommunications. Identify staging, if any, of infrastructure works. 12.2 Address provision of public services and infrastructure [including internal roads, services, drainage, interallotment drainage pedestrian links and footpaths] having regard to Tweed Shire Council's <i>Section 94 Contribution Plan/s</i>. 13. Earthworks & Filling 13.1 Provide details of the source of fill including types of material and soils, and details of suitable revegetation planting. 13.2 Demonstrate that the development complies with the landforming provisions of <i>Development Control Plan No.16 - Subdivision Manual</i>. 14. Construction Management 14.2 Address construction management, proposed staging and potential impacts on adjoining residential properties including dust, noise, and sediment and erosion impacts. 15. Wetlands 15.1 Demonstrate measures to protect SEPP 14 wetland No. 18b to the north of the development, including the provision of adequate buffers, management of stormwater and the protection of remnant vegetation.
Consultation	During the preparation of the Environmental Assessment, you should undertake an appropriate and justified level of consultation with the following: (a) <i>Agencies or other authorities:</i> • Department of Natural Resources; • Department of Planning; • Department of Environment and Conservation; • Roads and Traffic Authority; • Northern Rivers Catchment Management Authority; • Department of Primary Industries; • Tweed Shire Council;

	• NSW Rural Fire Service; and, • Local Aboriginal Land Council/s. (b) <i>Public</i> 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. 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, size of the land and north point; • the existing levels of the land in relation to buildings and roads; and • location and height of existing structures on the site. 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 and view corridors. 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. 4. The 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; • Building envelopes / platforms; • Cross sections of roads, including gradients, widths, road names, footpaths etc. • Existing and proposed finished levels in relation to roads, footpaths and structures; • 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; • Areas nominated for environmental protection (buffers) and open space; and, • Type of subdivision proposed (Torrens, strata and/or community title). 5. Water Cycle Management Plan - illustrating the overall concept for management of stormwater quality and quantity on the site. The Plan 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. 6. Landscape Concept Plan – plan or drawing that shows the detail of planting design and plant species to be used, mature height and spread, number of
---	---

	plants to be utilised and surface treatments (i.e. pavers, lawn etc). A Vegetation Management Plan should also be provided, if appropriate. 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. 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.
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practicing consultants in relation to issues including, but not limited to, the following: • Flora and Fauna; • Bushfire; • Traffic; • Landscaping; • Geotechnical and/or hydrogeological (groundwater); • Stormwater/drainage; • Urban Design/Architectural; • Contamination in accordance with the requirements of SEPP 55; • On-site effluent disposal; • BCA compliance.
Documents to be submitted	• 1 hard copy of the Environmental Assessment; • 1 set of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below). Note: 10 to 15 additional hard copies of the Environmental Assessment and associated plans may be requested once the document is deemed adequate.
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.

Attachment 3

Technical and Policy Guidelines

Aspect	Policy /Methodology
Biodiversity	
Flora and Fauna	Draft Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
	Guidelines for Threatened Species Assessment (DEC, 2004) <i>Draft</i>
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC, Dec, 2004) <i>Draft</i>
Coastal Planning	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast, UAB, 1997
	Coastal Design Policy for NSW, PlanningNSW, March 2003
	Planning guidelines for walking and cycling, DIPNR, Dec 2004
Community Consultation	
	Community Involvement Practice Notes and Resource Manual (RTA, 1998)
	Best Practice Community Consultation and Involvement (Commonwealth DEH, 1995, ISBN 0 642 19421 1)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
	Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005) <i>Draft</i>
	Aboriginal Cultural Heritage Standards & Guidelines Kit (DEC, 1997)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	Assessing Heritage Significance (NSW Heritage Office, 2001)
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Environmental Noise Management - NSW Industrial Noise Policy (DEC, Dec, 1999)
	Environmental Noise Management Manual (RTA, 2001)
	Environment Noise Control Manual - Chapter 171 Noise Control Guideline, Construction site Noise (DEC, 1994)
Soils	
	Soil Survey Standard Test Methods (DIPNR 2003)
	Australian Geomechanics Society Landslide Risk Management Guidelines 2000.
Contaminated Land	Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land (DUAP & NSW EPA, 1998)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (EPA, 1997)
	Contaminated Sites – Guidelines on Significant Risk of Harm and Duty to Report (EPA, 1999)
Sustainability	
	BASIX – www.basix.nsw.gov.au

Aspect		Policy /Methodology
Traffic & Transport		
		Bus lane/pedestrian/cycleway standards (Austroads/RTA guidelines)
		Traffic Control at Worksites guidelines (RTA, Sept, 2003)
		Guide to Traffic Generating Development (RTA, 1993)
		RTAs Road Design Guide (RTA, 1996)
Urban Design		
		Neighbourhood Character: An Urban Design Approach for Identifying Neighbourhood Character (PlanningNSW, 1998)
		Residential Densities: A Handbook Illustrating the Urban Design Characteristics of Different Densities (PlanningNSW, 1998)
		Mixed Use in Urban Centres, Guidelines for Mixed Use Development, (PlanningNSW, 2001)
		Better Urban Living: Guidelines for Urban Housing in NSW, (Urban Design Advisory Service & Department of Urban Affairs and Planning, 1998)
Wastewater		
		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)
		Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households (1998) (Silver Book)
		Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
Water		
	Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) – “The Blue Book”
		Stormwater Outlet Structures to Streams (for pipes, culverts, drains and spillways – Version 1) (DIPNR)
		Managing Urban Stormwater: Construction Activities (EPA, 1988)
		Managing Urban Stormwater: Source Control (DEC, 1998)
		Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
		Better Drainage: Guidelines for the Multiple Use of Drainage Systems (DoP, 1993)
		Australian Rainfall and Runoff (Institution of Engineers, revised edition 1997)
		Draft Australian Runoff Quality (Institution of Engineers, 2003)
	Water Quality	National Water Quality Management Strategy: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000)
		National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC 2000)
		Healthy Rivers Commission Report in Coastal Lakes and Statement of Joint Intent
		The relevant targets within the State Water Management Outcomes Plan
	Waterways	Estuary Management Manual (DLWC, 1992)
	Wetlands	The NSW Wetlands Management Policy Action Plan (DLWC, 1999)
		Constructed Wetlands Manual (DLWC)