



NSW GOVERNMENT
Department of Planning

Contact: Paulina Hon
Phone: (02) 9228 6106
Fax: (02) 9228 6366
Email: paulina.hon@planning.nsw.gov.au

Mr David Bowman
Elderslie Property Investments Pty Ltd
c/o Mr Peter Le Bas
The Turnball Group Pty Ltd
Suite 1, 1 Ridge Street
NORTH SYDNEY NSW 2060

Our ref: 05_0016
Your ref:
File: 9040183

15 February 2005

Dear Mr Bowman

Major Project Application 05_0016 – 130 Lot Subdivision, Lot 1 DP 1045990, Princess Highway, Dolphin Point

I refer to your request for confirmation of Director-General's requirements for the preparation of an Environmental Assessment in relation to the above project.

The Director-General's Environmental Assessment Requirements are attached, pursuant to section 75F(2) of the *Environmental Planning and Assessment Act 1979*. It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

You should ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy and CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Paulina Hon ((02) 9228 6106, paulina.hon@dipnr.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

Chris Wilson
A/ Deputy Director-General
As delegate for the Director-General

**PROPOSED RESIDENTIAL SUBDIVISION AT LOT 1 DP 1045590, PRINCES HIGHWAY,
DOLPHIN POINT (STAGE 2)**

**ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Project	<ul style="list-style-type: none"> The subject proposal is for a 130 lot residential subdivision. The proposal is Stage 2 of a 5-stage development. Stage 1 was approved prior to SEPP 71. Stages 3 to 5 are at early stages of planning
Site	Princess Highway, Dolphin Point; Lot 1 DP 1045990
Proponent	Elderslie Property Investments Pty Ltd
Date of Issue	15 February 2006
Date of Expiration	15 February 2008
General Requirements	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> an executive summary; a description of the proposal, including construction, operation, and staging;. The scope of the concept approval must be clearly detailed and should not include any works beyond Stage 2 of the development. an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; justification for undertaking the project with consideration of the benefits and impacts of the proposal; a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<p>The Environmental Assessment must address the following key issues:</p> <ul style="list-style-type: none"> Statutory and Other Requirements – All relevant legislation and planning provisions applying to the site; nature, extent and justification for any non-compliance. Where non-compliance results in environmental impacts, consideration of alternative/compensatory works to address the impacts. Traffic Impacts (Construction and Operational) – Demonstrate compliance with relevant Council and RTA traffic and car parking codes; prepare a detailed Traffic Impact Study in accordance with Table 2.1 of the <i>RTA Guide to Traffic Generating Developments</i> including intersection modelling at the junction of the Princes Highway and Wallaroy Drive and the junction of the Princes Highway and Dolphin Point Road. The aaSIDRA program must be used for the modelling and shall consider: AM and PM peak volumes; holiday peak volumes; existing traffic volumes with and without development; 10 year projected volumes with and without the development; and identify suitable treatments to ameliorate any traffic and safety impacts associated with the development, such as identification of pedestrian movements and appropriate treatments. Urban Design, Visual Impact and Sustainability – The concept plan for the development shall be prepared in collaboration with an adjoining proposed subdivision at Lot 171 DP 1081810 Highview Drive, Dolphin Point. The plan should address <i>Coastal Design Guidelines for NSW, SEPP 71 and SEPP65</i> in particular: aesthetics; built form; energy and water efficiency; safer by design principles; relationship to surrounding areas; visual impacts from public locations; provision of public precinct, open space and recreational areas; pedestrian and bicycle movement to, within and through the site; and public access to the coast. Visual aids such as scale model and photomontage must be used to demonstrate visual impacts. Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas must be addressed. Impact on Infrastructure (Sewerage and Water) – Demonstrate the capacity of existing sewerage and water reticulation systems to support the development. Applicant will need to ensure that any proposal submitted integrates with Shoalhaven City Council's Development Servicing Plan for Water Supply Services and for Sewerage Services. Demonstrate the existing sewerage

system's capability to support the development taking into account Ulladulla Sewage Treatment System Environment Protection Licence (No 446) and Licensing Guidelines for Sewage Treatment Systems (EPA, 2003).

- **Bushfire** – Prepare a Bushfire report and demonstrate compliance with the requirements of Section 100B of Rural Fires Act 1997, Section 79 BA of Environmental Planning and Assessment Act 1979, Planning for Bush Fire Protection 2001 and Australian Standard 3959 - Building in Bush Fire Prone Areas. The assessment must address: development and maintenance of asset protection zones; setbacks to protect against bushfire hazards; fuel management control of fuel levels, provision of egress /access to the development and water supplies for bushfire suppression operations; increased bushfire risk from substantial revegetation and suitable construction method and materials to minimise vulnerability of buildings to ignition from radiation and ember. Address future management regimes for any areas of hazard remaining within the subject area, focussing on the level of hazard posed to future development and adjacent land and how the hazard may change as a result of development.
- **Drainage, Hydrological Regime and Flooding** – The Environmental Assessment must include a Stormwater/Hydraulics report addressing drainage issues in accordance with Shoalhaven Planning Policy No.1 Development Guidelines – For Certain Residential 2c Zoned Land (Milton-Ulladulla). Consideration should be given to the natural drainage lines of the site with respect to the subdivision layout. Consult Shoalhaven City Council to develop suitable Flood Planning Levels for the development. Address issues associated with changes in the hydrological regime of the catchment as a result of the development.
- **Impacts on Water Quality and Sedimentation Control** – Address potential impacts on quality of surface and groundwater; relevant Statement of Joint Intent established by the Healthy Rivers Commission; demonstrate an acceptable level of water quality protection with respect to Water Quality and River Flow Interim Environmental Objectives detailed in Clyde River and Jervis Bay Catchments. Conduct an assessment of the accumulative impact on Burrill Lake from both a public health (impact on oyster leases) and environmental health perspective. Details of pollution controls to be provided for both during and after construction.
- **Impacts on Waterways and Estuary Management** – Demonstrate consistency with objectives of the *Rivers and Foreshores Improvements Act 1948*, *NSW State Rivers and Estuaries Policy*, *NSW Estuary Management Policy* and the *Burrill Lake Estuary and Catchment Management Plan*. This shall include provision of native vegetation riparian zones adjacent to watercourses or wetlands; development of management strategies and actions including the use of water sensitive urban design, assessment of the capacity of the existing sediment basin to service the proposed subdivision, implementation of best practice erosion and sedimentation controls, use of suitable stormwater management provisions to protect the Dolphin Point wetland and maintenance of vegetative buffers and sensitive habitats.
- **Impacts on Threatened Species and Corridors** – Provide a Flora and Fauna study to address the indirect impacts of the development on threatened species and their habitats, such as the threatened orchid (*Cryptostylis hunteriana*).
- **Contaminated Land and Acid Sulfate Soils** – The Environmental Assessment must include a Site Contamination report in accordance with the provisions of SEPP 55. Address the presence of land contamination. Prepare an Acid Sulfate Soil Management Plan in accordance with the *Acid Sulfate Soil Manual* by ASSMAC.
- **Aboriginal Cultural Heritage Values** – An Independent Archaeology report must be included in the Environmental Assessment. Address and document information requirements set out in the draft *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation*, which involves surveys and consultation with Aboriginal community; identification of nature and extent of impacts on cultural heritage values; assessment of extent and significance of each site; formulation of actions to mitigate impacts on Aboriginal cultural heritage values in with the Aboriginal communities; and developing options and making recommendations.
- **General Environmental Risk Analysis** – Undertake an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation); proposed mitigation measures and potential

	significant residual environmental impacts after application of proposed mitigation measures.
Consultation Requirements	<p>You must undertake an appropriate and justified level of consultation with the following parties:</p> <ul style="list-style-type: none"> • NSW Department of Planning – South Coast Regional Office; • NSW Department of Natural Resources; • NSW Natural Resource Commission; • NSW Roads and Traffic Authority; • NSW Rural Fire Service; • NSW Department of Environment and Conservation; • Country Energy; • Shoalhaven City Council; • Shoalhaven Water; • Local Aboriginal Land Council; and • the local community <p>The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>
Deemed refusal period	Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation</i> 2000, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period.