



NSW GOVERNMENT
Department of Planning

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Mr Kevin Alker
HillPDA
PO BOX 2748
SYDNEY NSW 2001

Our ref: 05_0020
Your ref:
File: 9040081

Dear Mr Alker,

Subject: Director General's Requirements for the Environmental Assessment of a Concept Plan and Project application for a Proposed Residential Subdivision at Soldiers Point Road, Salamander Bay

The Department has received your application for the proposed serviced apartment development at Soldiers Point Road, Salamander Bay (Application Number: 05_0020).

The Director General's requirements (DGEARs) for environmental assessment of the project for a Concept Plan Approval (Stages 1 & 2) and subsequent Project Application (Stage 1) 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 this 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

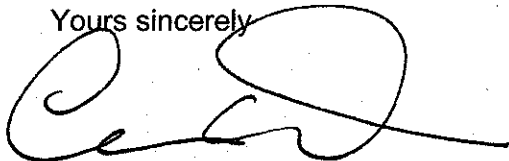
DGEARs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

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 Paulina Hon on (02) 92286106 or via email on paulina.hon@planning.nsw.gov.au.

Yours sincerely



6.7.08

Chris Wilson
A/Executive Director
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	05_0020
Project	<p>Proposed Residential Subdivision at 360 Soldiers Point Road, Salamander Bay</p> <ul style="list-style-type: none"> • Concept Plan Application: A concept plan approval is sought for stages 1 and 2 of a residential subdivision (with 29 lots in Stage 1 and approximately 66 lots in Stage 2). The application will involve approval of the following key design parameters: land use, indicative building heights, site coverage, FSR, set backs, building footprints, habitat corridors, vehicular access to the site and pedestrian through site linkages. • Project Application: Subdivision of Stage 1 into 29 lots and associated services.
Location	Part Lot 59 DP 831253, 360 Soldiers Point Road, Salamander Bay NSW
Proponent	Hill PDA
Date issued	4 July 2006
Expiry date	4 July 2008
General requirements	<p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> • An executive summary; • An outline of the project scope (for Stage 1 & 2) and a detailed description of the project application (Stage 1) including:- <ul style="list-style-type: none"> (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 of the staged implementation of the project (if applicable); • A thorough site analysis and description of existing environment; • Consideration of any relevant statutory and non-statutory requirements, in particular relevant provisions of Environmental Planning Instruments, Draft Regional Strategies and Development Control Plans as well as impacts, if any, on matters of national environmental significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; • 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; • 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	PART A: Key Issues to be addressed in the Concept Plan

Application Environmental Assessment for Stages 1 & 2

The Environmental Assessment must address the following key issues:

1. **Flora and Fauna** – Outline measures for the conservation of flora and fauna and their habitats within the meaning of the *Threatened Species Conservation Act 1995*, including, but not limited to, the Sand Double-tail, Koala, Squirrel Glider, Masked Owl, Powerful Owl and the Coastal floodplain endangered ecological communities. Outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land. Address the requirements of *State Environmental Planning Policy No 44 – Koala Habitat Protection* and the *Port Stephens Comprehensive Koala Plan of Management*, including offset measures, buffers and other long-term protection methods for threatened fauna species.
2. **Water Cycle Management** - Assess direct and indirect impacts of the development on the adjoining SEPP 14 wetland areas. This must illustrate that no stormwater runoff is directed to any SEPP 14 or unmapped wetland areas. Address the requirements of the relevant flooding data in relation to minimum floor levels, having regard to the *NSW Floodplain Management Manual*. Provide an Integrated Water Cycle Management (IWCM) Plan based upon Water Sensitive Urban Design Principles.
3. **Design & Visual Amenity** - Demonstrate suitability of the proposal with the surrounding area in relation to bulk, scale, amenity and visual amenity having regard to the *Coastal Design Guidelines of NSW (2003)*.
4. **Bushfire** - Address the requirements of *Planning for Bush Fire Protection 2001 (RFS)*, including future management of areas of hazard remaining, including natural areas and buffers zones.
5. **Traffic and Access** - Provide an assessment of traffic impact, including identification of any upgrading of roads and improvement works to ameliorate any traffic inefficiency and safety impacts. Illustrate pedestrian and cyclist linkages in the vicinity of the site and illustrate road network and access points. Connection to Port Stephens Drive is considered undesirable.
6. **Infrastructure Provision** - Address existing capacity and requirements of the proposal for effluent disposal, water supply, electricity, and telecommunications services and identify staging, if any, of infrastructure works.
7. **Acid Sulfate Soils and Contaminated Land** - Identify the presence and extent of acid sulfate soils on the site and outline appropriate mitigation measures. Identify areas of contamination on site and appropriate mitigation measures.
8. **Cultural Heritage** - Identify whether the site has Aboriginal cultural heritage significance and identify appropriate measures to preserve

	<p>any significance. Identify any other items of heritage significance and provide measures for conservation.</p> <p>PART B: Key Issues to be addressed in the Project Application Environmental Assessment for Stage 1 (29 Lot Residential Subdivision)</p> <p>1. Compliance with the Concept Plan - The Environmental Assessment must demonstrate consistency with all Environmental Assessment Requirements as detailed above in Part A for the Concept Plan for the Stages 1 & 2 Application Environmental Assessment.</p>
Consultation	<p>You should undertake an appropriate and justified level of consultation with the following parties during the preparation of the environmental assessment:</p> <p>(a) Agencies or other authorities:</p> <ul style="list-style-type: none"> • Port Stephens Council; • NSW Department of Environment and Conservation; • NSW Department of Natural Resources; • NSW Rural Fire Service; • NSW Roads and Traffic Authority; • Anna Bay Drainage Union; • Local Aboriginal Land Councils; and • relevant community organisation contact(s). <p>(b) Public:</p> <ul style="list-style-type: none"> • 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. <p>The consultation process and the issues raised are to be described in the Environmental Assessment.</p>
Deemed refusal period	120 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>
	Guidelines for Development Adjoining Department of Environment and Conservation Land (DEC)
	National Parks and Wildlife Service Atlas of NSW Wildlife Data, GPSICAM
	Compensatory habitat and offsets policy (DEC)
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	<i>Australian Standard 3959 – Building in Bushfire Prone Areas</i>
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
	Rehabilitation Manual for Australian Streams (Land and Water Australia (Aust Govt) - Land and Water Resources Research and Development Corporation,, May 2000)
	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)
	NSW Heritage Manual and Assessing Heritage Significance (NSW Heritage Office, July 2001)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)
	Protecting Aboriginal Objects and Places - Interim Guidelines for Community Consultation (DEC 2005)
	The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter). Guidelines to the Burra Charter (Australia International Council on Monuments and Sites, 1987)
Rehabilitation	

Aspect	Policy /Methodology
	Best Practice in Rehabilitation and Revegetation (Commonwealth DEH, 1995)
	Best Practice in Landform Design for Rehabilitation (Commonwealth DEH, 1998)
Safety Assessment	
	Crime Prevention and the Assessment of Development Applications (PlanningNSW, April 2001)
Soils & Contamination	
	Acid Sulfate Soil Manual (Acid Sulfate Soils Management & Advisory Committee [ASSMAC], 1998; published by DUAP)
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (NHMRC, 1992)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	Contaminated Sites: Guidelines for the NSW Auditor Scheme (EPA, 1999)
	Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and Duty to Report (EPA, 1999)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land, Department of Urban Affairs & Planning and the Environment Protection Authority 1998.
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)
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)
	Urban Form: An Urban Design Approach for Understanding the Urban Form of Regional Centres (PlanningNSW, 1998)
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"
	Marine Water Quality Objectives for NSW Ocean Waters (DEC, 1999)
	Water Quality and River flow Objectives (DEC, 2000)
Flooding & the Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)

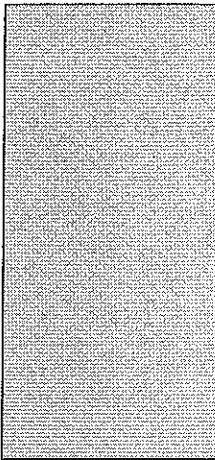
Aspect	Policy /Methodology
Groundwater	NSW Groundwater Policy Framework Document – General (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
Stormwater	Managing Urban Stormwater: Construction Activities (EPA, 1988)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	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	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the <u>Concept Plan application for Stages 1 & 2:</u></p> <ol style="list-style-type: none"> 1. The existing site survey plan is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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 • 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. The Subdivision Concept plans are to show the following:- <ul style="list-style-type: none"> • General size and layout of proposed and/or existing allotments; • Location of all structures proposed and retained on site; • North point; • Name of the road fronting the site; • Vegetation retention; • Approximate access points; • Type of subdivision proposed (Torrens, strata and/or community title). 6. Stormwater Concept Plan - illustrating the overall concept for stormwater management from the site; 7. Infrastructure Concept Plan - illustrating the overall concept for infrastructure provision on the site primarily sewerage and water supply. <p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the <u>Project Application for Stage 1:</u></p> <ol style="list-style-type: none"> 1. The Environmental Assessment in accordance with the Director-General's
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	<p>Environmental Assessment Requirements as outlined in Attachment 1.</p> <ol style="list-style-type: none"> Detailed Subdivision layout plans to illustrate the following:- <ul style="list-style-type: none"> 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; Type of subdivision proposed (Torrens, strata and/or community title). Stormwater Plan - illustrating the plan for stormwater management of 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. This Plan must demonstrate the 5% Annual Exceedance Probability (AEP) (20yr) and 20% AEP (5yr) storm events for the developed site are restricted to pre-developed flows. 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; 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); Waste Management Plan – where demolition is proposed, a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided; 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 in relation to issues.
Documents to be submitted	<ul style="list-style-type: none"> 10 hard copies of the Environmental Assessment; 3 sets of architectural and landscape plans (full size and to scale); 10 sets of architectural and landscape plans at A3 size (to scale) to be included in the Environmental Assessment documents; and 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:-</p> <ul style="list-style-type: none"> 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.

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- 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.