



NSW GOVERNMENT  
**Department of Planning**

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Mr Matt Philpott  
Allen Price and Associates  
PO Box 73  
NOWRA NSW 2541

Our ref: 05\_0059  
Your ref:  
File: 9040674

6 March 2006

Dear Mr Philpott,

**Major Project Application 05\_0059 – Proposed 180 Lot Residential Subdivision – Berringer and Cunjurong Point Roads, Manyana.**

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@planning.nsw.gov.au](mailto:paulina.hon@planning.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  
**Deputy Director-General**  
As delegate for the Director-General

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

### PROPOSED RESIDENTIAL SUBDIVISION AT LOT 172 DP 755923 BERRINGER AND CUNJURONG POINT ROADS (MP 05\_0059)

<b>Project</b>	Proposal for a 180 lot residential subdivision
<b>Site</b>	Lot 172 DP 755923 Berringer and Cunjurong Point Roads, Manyana
<b>Proponent</b>	Malbec Properties Pty Ltd
<b>Date of Issue</b>	6 March 2006
<b>Date of Expiration</b>	6 March 2008
<b>General Requirements</b>	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a description of the proposal, including construction, operation, and staging;</li> <li>• an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below;</li> <li>• include a general environmental risk analysis of the project;</li> <li>• justification for undertaking the project with consideration of the benefits and impacts of the proposal;</li> <li>• a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and</li> <li>• certification by the author of the Environmental Assessment that the information contained in the Assessment is neither false nor misleading.</li> </ul>
<b>Key Assessment Requirements</b>	<p>The Environmental Assessment must address the following key issues:</p> <ul style="list-style-type: none"> <li>• <b>Statutory and Other Requirements</b> – 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 is required. Clearly delineate staging, if any</li> <li>• <b>Cumulative Impacts</b> – Address cumulative impacts, having regard to the proposed development; and existing, approved and other proposed developments (where practical) within the Manyana, Bendalong and Cunjurong Point area. Impacts to address infrastructure services including water supply, electricity, waste disposal and gas; and social infrastructure including health services and schools. Consultation with service providers, Council, Department of Health, and Department of Education is required. Provide evidence of the capacity to service the proposed development and expected growth in the locality.</li> <li>• <b>Traffic Impacts (Construction and Operational)</b> – 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 Bendalong Road - Princes Highway intersection. 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.</li> <li>• <b>Bushfire</b> – Demonstrate compliance with 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 suitable asset protection zones; setbacks to protect against bushfire hazards; provision of egress /access to the development and water supplies for bushfire suppression operations; and suitable construction method and materials to minimise vulnerability of buildings to ignition from radiation and ember.</li> <li>• <b>Urban Design, Visual Impact and Sustainability</b> – Address <i>BASIX</i>, <i>Coastal</i></li> </ul>

	<p><i>Design Guidelines for NSW and NSW Coastal Policy (1997)</i>. Address safety; relationship to surrounding areas; visual impacts from public locations; pedestrian and bicycle movement to, within and through the site. Provide details of future stages including conceptual design; infrastructure framework; and indicative FSR, site coverage, heights and built form.</p> <ul style="list-style-type: none"> <li>• <b>Impact on Threatened Species</b> – Address threatened species impact having regard to the <i>Threatened Species Assessment Guidelines</i> and recommend offset measures to avoid or mitigate impacts of the project on threatened species and their habitat. A field survey of the site should be conducted. The assessment guidelines should specifically report on the considerations listed in Step 3 of the draft guideline. The EA should clearly state whether it meets each of the key thresholds set out in Step 5 of the draft guideline. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.</li> <li>• <b>Impact on Infrastructure (Sewerage and Water)</b> – Demonstrate the capacity of existing sewerage and water reticulation systems to support the development. Shoalhaven City Council to be consulted and evidence provided that demonstrates that capacity exists within Council's existing and proposed infrastructure works.</li> <li>• <b>Impacts on Water Quality and Drainage</b> – Address potential impacts on quality of surface and groundwater; consistency with relevant <i>Statement of Joint Intent</i> 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. Address Shoalhaven City Council's <i>Integrated Water Cycle Management Plan</i>, <i>Water Sensitive Urban Design</i> and cumulative stormwater runoff impacts from the site on downstream Endangered Ecological Community of "Swamp Sclerophyll Forest on Coastal Floodplains". Riparian zones for drainage lines should also be addressed.</li> <li>• <b>Aboriginal and Cultural Heritage</b> – Address and document information contained in <i>draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i>. Provide heritage survey to investigate history and occupation of the site having regard to the Heritage Office guideline <i>Assessing Heritage Significance</i>. Identify nature and extent of impacts on the cultural heritage values and recommend options for actions in consultation with the Aboriginal communities to mitigate impacts.</li> <li>• <b>Contamination</b> – Address land contamination and remediation to ensure appropriate land uses.</li> <li>• <b>Matters of National Environmental Significance</b> – The Environmental Assessment must consider and address the impacts of the project, if any, on matters of National Environmental Significance under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>.</li> </ul>
<b>Consultation Requirements</b>	<p>Undertake an appropriate and justified level of consultation with relevant local, State and Commonwealth government authorities, service providers, community groups, and affected landowners. While not exhaustive, these include:</p> <ul style="list-style-type: none"> <li>• NSW Department of Planning – South Coast Regional Office;</li> <li>• NSW Department of Natural Resources;</li> <li>• NSW Department of Environment and Conservation;</li> <li>• NSW Department of Health;</li> <li>• NSW Department of Education;</li> <li>• NSW Roads and Traffic Authority;</li> <li>• NSW Rural Fire Service;</li> <li>• Shoalhaven City Council;</li> <li>• Shoalhaven Water; and</li> <li>• Local Aboriginal Land Council</li> </ul> <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>
<b>Deemed refusal period</b>	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period.</p>