



NSW GOVERNMENT
Department of Planning

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Anthony Bertoldi
Armstrong Jones Management
Level 6, 345 George Street
SYDNEY NSW 2000

Our ref: MP 05_0134
Your ref:
File: 9041168

Dear Mr Bertoldi,

Subject: Major Project 05_0134 – Project Application Expansion of Settlement City Shopping Centre – Director-General's Requirements

The Department has received your application for the proposed Expansion of Settlement City Shopping Centre (Major project: MP 05_0134) lodged on 10 February 2006.

The Director General's Environmental Assessment Requirements (DGRs) 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.

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 prior to 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.

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;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

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

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. 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 DGRs, 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 Director-Generals requirements will be placed on the Departments website along with other relevant information which becomes available during the

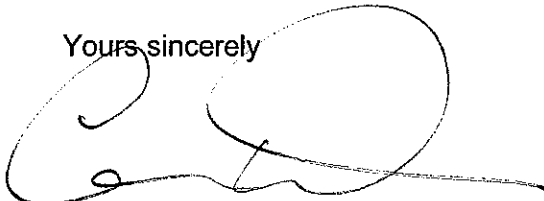
assessment of the project. As a result, the Department would appreciate it if all documents that are subsequently submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the EA to be hosted on a suitable website with a link to the Departments website.

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>).

The Department is aware that the subject site is owned by two different landowners; Settlement Shores Entertainment Centre Pty Ltd and Armstrong Jones Management Pty Ltd. You are required to obtain consent of all landowners for the subject site when lodging your Environmental Assessment for the proposal.

If you have any queries regarding these requirements, please contact Verity Humble-Crofts is available during business hours on 02 9228 6523 or via return email to verity.humble-crofts@planning.nsw.gov.au

Yours sincerely



5.3.07

Chris Wilson
**Executive Director, Major Project Assessments
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
MP 05_0134
Project
A Project Application for the expansion of the Settlement City Shopping Centre, Port Macquarie to include: <ul style="list-style-type: none"> • expansion of the existing shopping centre (11,600 sqm GFA); • a club (4,500 sqm GFA); and • 267 additional car parking spaces.
Location
Lot 2 DP 702484, Lots 4 & 5 DP 1018087, 1-3 Bay Street, Port Macquarie
Proponent
Armstrong Jones Management Pty Ltd
Date issued
5 March 2007
Expiry date
5 March 2009
General requirements
<p>The Environmental Assessment (EA) for the Project Application must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. An outline of the scope of the project including: <ul style="list-style-type: none"> • any development options; • 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; • outline of the staged implementation of the project if applicable; 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. 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 any potential impacts of the project; 7. The plans and documents outlined in Attachment 2; 8. A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading;

9. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project; and
10. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.

Key Issues

The EA must address the following key issues:

1. Strategic Planning

- 1.1 Justify the proposal with reference to relevant local, regional and State planning strategies. Provide justification for any inconsistencies with these planning strategies.

2. Land Use Pattern and Adjoining Sites

- 2.1 Address the proposal in light of linkages to and development opportunities of adjoining sites and land uses; demonstrate that desirable reasonable planning outcomes can be achieved for the locality.
- 2.2 Address potential impacts such as access arrangements for each use, traffic, buffers, density controls and suitability of the proposed development with the surrounding area.

3. Urban Design, Visual Impact and Sustainability

- 3.1 Demonstrate suitability of the proposal with the surrounding area in relation to bulk, scale, density, amenity (including noise) and visual amenity having regard to the *Coastal Design Guidelines of NSW (2003)* and the *NSW Coastal Policy 1997*.
- 3.2 Address the visual impact of the proposal in the context of surrounding development and relevant mitigation measures. In particular address impacts on the amenity of the foreshore, overshadowing of public reserves, loss of views from public places and cumulative impacts. Address visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas must be addressed.
- 3.3 Address details of the proposed streetscape improvements to the Precinct.

4. Infrastructure Provision

- 4.1 Address existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify augmentation works necessary to fully service the project. Identify and describe staging, if any, of infrastructure works.
- 4.2 Address and provide the likely scope of any planning agreement and/or developer contributions with Council/ Government agencies.

5. Traffic and Access

- 5.1 Prepare a traffic impact study in accordance with Council's relevant traffic and parking codes and Table 2.1 of the RTA's Guide to Traffic Generating Developments which addresses, but is not limited to the following matters:
 - The capacity of the road network to safely and efficiently cater for the additional traffic generated;
 - Access to and within the site;
 - Servicing and parking arrangements;
 - Intersection site distances;
 - Connectivity to existing developments;
 - Impact on public transport (including school bus routes);
 - Provision of access for pedestrians and cyclists to, through and within the site; and

	<ul style="list-style-type: none"> Identify suitable mitigation measures, if required to ensure the efficient functioning of the road network.
6. Hazard Management and Mitigation	
<i>Contamination</i>	
6.1	Identify any contamination on site and appropriate mitigation measures in accordance with the provisions of SEPP 55 – Remediation of Land.
<i>Acid Sulfate Soils</i>	
6.2	Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures.
<i>Bushfire</i>	
6.3	Address the requirements of Planning for Bush Fire Protection 2006 (RFS).
<i>Geotechnical</i>	
6.4	Provide an assessment of any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations that address these limitations.
<i>Flooding</i>	
6.5	Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005).
6.6	Consider the potential impacts of any filling on the flood regime of the site and adjacent lands.
7. Water Cycle Management	
7.1	Address and outline measures for Integrated Water Cycle Management (including stormwater) based on Water Sensitive Urban Design principles which addresses impacts on the surrounding environment, drainage and water quality controls for the catchment, including the identification of any on-site treatment of stormwater and wastewater, and erosion and sedimentation controls at construction and operational stages.
7.2	Address drainage and stormwater management issues arising from the development, including: <ul style="list-style-type: none"> Demonstrating that drainage and stormwater runoff will not significantly impact on the surrounding environments downstream of the development, particularly the Hastings River.
7.3	Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site.
8. Flora and Fauna	
8.1	Outline potential impacts on aquatic and terrestrial flora and fauna and their habitats (within the meaning of the Threatened Species Conservation Act 1995 and the Fisheries Management Act 1994). Provide measures for their conservation, where relevant.
8.2	Outline measures for the conservation of existing wildlife corridor values and/or connective importance of any vegetation on the subject land.
8.3	Address measures to protect and manage the riparian corridor and adjacent aquatic habitats
9. Noise	
9.1	Demonstrate that the project will be designed, constructed, operated and maintained so

that there is no unacceptable level of noise impacts (including traffic noise) on amenity in the locality.	
10. Socioeconomic Impacts	
10.1	Provide a social impact assessment for the proposal in the context of the surrounding locality considering and addressing the outcomes and principles in the draft Environmental Study currently being prepared for the Warlters Street; the Retail Strategy Review prepared by Leyshon Consulting in June 2004.
10.2	Provide an economic impact assessment of the proposed development, including justification for the additional floor space and its effect on the greater CBD area.
11. Staging	
11.1	Identify staging of the development and demonstrate that land supply and demand will be released in an orderly and coordinated manner. This is to be supported by plans prepared at an appropriate scale.
Consultation	
You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:	
(a) <i>Agencies or other authorities:</i>	
<ul style="list-style-type: none"> • NSW Roads and Traffic Authority; • Department of Natural Resources; • Department of Primary Industries (Port Stephens Fisheries Centre); and • Hastings Council. 	
(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	
120 days	

Attachment 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 your application:</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. An aerial photograph of the subject site with the site boundary superimposed.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:<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; and• 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. The Architectural drawings are to be drawn to scale and illustrate the following general features:<ul style="list-style-type: none">• the location of any existing building envelopes or structures on the land;• the floor plans;• the location of lifts, stairs and corridors;• section plans;• communal facilities and servicing points;• the height of the proposed development (in m AHD) in relation to the land;• significant level changes;• parking and vehicular access arrangements; and• pedestrian access to, through and within the site.
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	<p>7. Elevations – of the proposed buildings drawn to the same scale as the architectural drawings. The elevations are to indicate height and key datum lines, building length and articulation, the composition of the façade and roof design, existing buildings on the site, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties. Include photomontages and an indicative external materials and finishes schedule.</p> <p>8. Stormwater Plan - illustrating stormwater management from 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;</p> <p>9. 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;</p> <p>10. 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);</p> <p>11. 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;</p> <p>12. View analysis – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.</p> <p>13. The Shadow Diagrams for developments comprising two or more storeys are to show solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</p> <p>14. A Cut and Fill Plan showing areas subject to cut/fill and the depths of both cut and fill, including measures to be taken to retain both are to be indicated.</p>
Specialist advice	<p>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:</p> <ul style="list-style-type: none"> • Flora and Fauna; • Bushfire; • Landscaping; • Geotechnical and/or hydro geological (groundwater); • Stormwater/drainage; • Urban Design/Architectural; • Contamination in accordance with the requirements of SEPP 55; and • Acid Sulphate Soil Management Plan.
Documents to be submitted	<ul style="list-style-type: none"> • 1 hard copy of the Environmental Assessment; and • 1 set of architectural and landscape plans to scale. <p>(Additional copies, including an electronic copy, of the EA and a scale model showing the proposal will be required once it has been accepted as a duly made application).</p>

	application).
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. • 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. <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>

Attachment 3

State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the Environmental Assessment. It should be noted, however, that this list is not exhaustive as other documents and policies may need to be reviewed. It is also important to note that not of all of these guidelines may be relevant to your proposal.

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 Guideline for assessment of impacts on Threatened Species under Part 3A (Planning 2005)
Fish and Aquatic Ecosystems	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)
	Threatened Species Management Manual (NPWS, 1998)
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
	NSW Wetlands Management Policy (DLWC, March 1996)
Bushfire	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
Contamination of Land	
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999, ISBN 0 642 546460)
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans (DIPNR, 2004)
Heritage	
Aboriginal	Draft Guideline for assessment of impacts on Aboriginal Heritage under Part 3A (Planning 2005)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual (Heritage Office, 2000)
	NSW Heritage Manual (NSW Heritage Office, 1996)
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Acoustics - Road traffic noise intrusion - Building siting and construction (Standards Australia, 1989, AS 3671-1989)

Aspect	Policy /Methodology
Rehabilitation	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Safety and Hazards	Electrical Safety Guidelines (Integral Energy)
Soils	Acid Sulfate Soil Manual (ASSMAC) Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
Traffic & Transport	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
Urban Design: Cycleway/Pathway Design	Guidelines for the Design and Construction of Paths and Cycleways along Watercourses and Riparian Areas (Version 2) (DIPNR/DNR)
Water	Water quality guidelines for the protection of aquatic ecosystems for upland rivers. (ANZECC, 2000)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
Groundwater	NSW State Groundwater Quality Protection Policy (DLWC, 1998, 0 7313 0379 2)
Stormwater	Managing Urban Stormwater: Soils & Construction (NSW Landcom, March 2004) - "The Blue Book"
Waterways	Waterways Crossing Design & Construction (Version 4 – DIPNR/DNR Draft Guidelines)

Attachment 4
Agency Responses to Request for Key Issues
- For Information Only