

DEPARTMENT OF PLANNING

STATE SIGNIFICANT SITE – 209 & 302 MINMI ROAD FLETCHER, DAN LANDS DRAFT ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project Descriptions	Development of approximately 400 residential dwellings over approximately 45 hectares of the site.
Capital Investment Value	\$100 Million
Site	Nos 290 & 302 Minmi Road Lot 11 in DP 1044935 and Lot 2 in DP 534168
Proponent	North West Residential Pty Ltd
Date of Issue	31 January 2006
Date of Expiration	31 January 2008 (2 years from date of issue)
General Requirements	<p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> • an executive summary; • A description of the overall concept, its likely components and any staging of the development including: <ul style="list-style-type: none"> ◦ description of the site, including cadastre and title details; ◦ design, subdivision layout; and ◦ project objectives and need (if relevant); • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below and in Schedule 1; and • a statement on the validity of the environmental assessment, the qualifications of person(s) preparing the assessment and that the information contained in the environmental assessment is neither false nor misleading.
Key Assessment Requirements	<p>Part A – Heads of Consideration</p> <ul style="list-style-type: none"> • Suitability of the site for the proposed land use; • identification of important environmental constraints and opportunities - where options are evaluated, the relative merits of these options should be considered in the context of these constraints and opportunities; • likely environmental, social and economic impacts; • evaluation of the proposed configuration, components and other parameters – this may include identification and broad evaluation of key environmental and amenity constraints and management regime so as to avoid or minimise impacts – refer also to the statement of commitments; • any proposed frameworks for the delivery of the project including staging, subsequent transfer of ownership/responsibility to deliver the project, timeframes • justification for the project concept taking into consideration social, economic and environmental issues, the consistency with strategic land use planning policy, and industry or infrastructure plans or programs and sustainability principles; and • the public interest. <p>Part B – Relevant EPIs and Guidelines to be addressed</p> <ul style="list-style-type: none"> • consistency of the project with broader planning objectives or demonstrating how the project is consistent with an approved plan or strategy including the draft Lower Hunter Regional Strategy 2005 and the Thorton Killingworth Sub Regional Conservation and Development Strategy 2003; • Planning provisions applying to the site including permissibility and the provisions of all plans and policies; • Nature and extent of non-compliance with specified EPIs; • Consideration of alternatives to the proposal; and • Demonstration of consistency with a concept plan approval for the site.

	<p>Part C – Key Issues to be addressed</p> <ul style="list-style-type: none"> Requirements of the Department and other agencies (see Schedule 1 attached); <p>Part D – Statement of Commitments</p> <ul style="list-style-type: none"> Proposed mitigation and management of residual impacts; and A draft Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project. <p>Test of adequacy</p> <p>If the Director-General considers that the Environmental Assessment does not adequately address the Environmental Assessment Requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent.</p> <p>If the Director-General considers that the Environmental Assessment does not adequately address the environmental assessment requirements, the Director-General may require the proponent to submit a revised environmental assessment to address the matters notified to the proponent. The Director-General may modify these requirements by further notice to the proponent.</p> <p>General Environmental Risk Analysis (in relation to all components of the concept)</p> <p>Notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project, proposed mitigation measures and potentially residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impacts must be included in the Assessment.</p>
Consultation Requirements	<p>You should undertake an appropriate and justified level of consultation with relevant following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> <u>Agencies</u> <ul style="list-style-type: none"> (a) The Department of Environmental and Conservation (b) NSW Rural Fire Service (c) The NSW Department of Primary Industries (d) Mine Subsidence Board (e) Newcastle City Council (f) Hunter/Central Rivers Catchment Management Authority (g) Department of Natural Resources (h) Roads and Traffic Authority <u>Public</u> <ul style="list-style-type: none"> Any relevant community meetings already established and timetabled; Any additional meetings proposed by the local member or other relevant group. <u>Peer Review Requirements</u> <ul style="list-style-type: none"> List any components of the Environmental Assessment to be independently peer reviewed prior to submission If the Director-General considers that significant changes are proposed to the nature of the project, the Director-General may require the proponent to make the preferred project available to the public.
Exhibition requirements	<p>Until such time as the Director-General accepts the Director-General's Environmental Assessment Requirements, the proponent is required to set up a website such that the Environmental Assessment report and all other material identified as being required for submission is available from this website.</p>
Deemed refusal period	<p>30/60/120 days (see Clause 8E of the Environmental Planning & Assessment Regulation)</p>

Panels constituted under s75G	None required at this stage.
Application Fee Information	The fee is based on estimated cost of works as per the <i>Environmental Planning and Assessment Regulation 2000</i> . The Department will initially seek payment of 5% of the total fees payable. The remaining / outstanding sum shall be paid prior to the Department forwarding the Director-General's assessment report to the Minister.
Landowners Information	The consent of the landowner is to be provided in accordance with s8F of the <i>Environmental Planning and Assessment Regulation 2000</i> .
Documents to be submitted	<ul style="list-style-type: none">• Ten (10) copies of the environmental assessment report for the concept plan;• Five (5) copy of the environmental assessment report and plans on CD-ROM (PDF format); and• Ten (10) sets of plans to scale, including set one (1) set at A3 size.

DEPARTMENT OF PLANNING - DIRECTOR-GENERAL REQUIREMENTS CONCEPT PLAN APPLICATION

SCHEDULE 1

The contents of the Environmental Assessment for the Concept Plan must address the following:

Landuse

- Land supply and demand.
- Surrounding existing land uses and site linkages.
- Potential impact on adjoining lands.

Biodiversity & Cultural Heritage

- A flora and fauna assessment should be undertaken in accordance with the Department of Environment and Conservation's (DEC) draft Guideline for Threatened Species Assessment. Any constraints to development, including offsets should be identified.
- An Aboriginal Cultural Heritage assessment should be undertaken in accordance with DEC's draft Guideline for Aboriginal Cultural Heritage Impact Assessment and Community Consultation Any constraints to development, including offsets should be identified.

Bushfire Risk Assessment

- Identification and map of bushfire prone land/ bushfire risk and identification of constraints to development.

Hydrology, Water Management & Topography

- Topography and other physical features
- Existing site hydrology and hydrogeology, including flood prone areas and identification of indirect impacts on any adjoining SEPP 14 – Coastal Wetlands
- Assessment of aquatic habitats should be undertaken in accordance with "Guidelines for Aquatic Habitat Assessment in EIA" prepared for the Department of Planning by the Ecology Lab.
- Detail management of stormwater runoff and treatment.

Utilities and Infrastructure provision

- Existing infrastructure in the locality
- Future provision of roads, water, sewerage and communications.
- Co-located services, shared facilities and linkages

Transport and Access

- Existing and future transport networks, traffic generation and circulation
- Pedestrian and cycle access
- Compliance with relevant RTA, Council, AMCORD requirements, standards, controls, and guidelines.

Section 94 Developer Contributions / Section 93 Planning Agreements –

- Statement on current status of Section 94 contributions in place and yet to be formally provided, along with the terms offered by the proponent for inclusion in any proposed developer agreement to be entered into with Council and/or the Department for any monetary payments, land, services or facilities to be provided.

Social and Community

- Recreation needs along with community facilities
- Housing diversity and affordability
- Access to retail facilities, employment and transport

Urban Design & Built form

- Proposed subdivision layout, open space and roads.
- Overall density