



NSW GOVERNMENT

## Department of Planning

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Mr Paul May  
Planning Initiatives  
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Our ref: 06-0125  
Your ref:  
File: G:\MDAU\Urban  
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Dear Mr May,

**Subject: Proposed Rural Residential Subdivision at Lot 2 DP 250984, Grandfather's Gully Road, Lilli Pilli, MP 06\_0125 – AMENDED DGRs**

The Department recently issued Director-General's Environmental Assessment Requirements (DGRs) for the above site, dated 20 September 2006.

Additional information has now been provided by the Southern Rivers - Catchment Management Authority regarding native vegetation clearing. As such, please find amended DGRs with amendments highlighted in italics. These requirements supersede previously issued DGRs.

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, and have been based on the information that you have provided to date. Please note that the Director-General may alter these requirements at any time.

**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.

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 queries regarding these requirements, please contact Paulina Hon on 9228 6106 or email [paulina.hon@planning.nsw.gov.au](mailto:paulina.hon@planning.nsw.gov.au).

P.H 20/10/06

Yours sincerely



23.10.06

Chris Wilson  
**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*

<b>Application number</b>	06_0125
<b>Project</b>	<p><b>Proposed Rural Residential Subdivision at Grandfather's Gully Road, Lilli Pilli</b></p> <p><b>Project application</b> for rural residential subdivision and associated infrastructure works comprising:</p> <ul style="list-style-type: none"> <li>• Thirteen (13) rural residential allotments;</li> <li>• On site water supply;</li> <li>• On site wastewater system;</li> <li>• Other associated infrastructure works;</li> <li>• Associated road construction; and</li> <li>• Building envelope locations</li> </ul>
<b>Location</b>	Lot 2 DP 250984 Grandfather's Gully Road, Lilli Pilli
<b>Proponent</b>	Amaric Pty Ltd
<b>Date issued</b>	23 October 2006
<b>Expiry date</b>	2 years from date of issue
<b>General requirements</b>	<p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> <li>• An executive summary;</li> <li>• A detailed description of the project including:- <ul style="list-style-type: none"> <li>(i) Any development options;</li> <li>(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;</li> <li>(iii) Outline of the staged implementation of the project, if applicable;</li> </ul> </li> <li>• A thorough site analysis and description of existing environment;</li> <li>• 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 <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>• An environmental risk analysis of the project including consideration of the issues raised during consultation;</li> <li>• 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;</li> <li>• A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and</li> <li>• An assessment of the key issues specified below and a table outlining how these key issues have been addressed.</li> </ul>
<b>Key Issues</b>	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> <li>1. <b>Subdivision Layout</b> - Address the requirements of <i>Eurobodalla Rural Local Environmental Plan 1987 (as amended)</i>; <i>Development Control Plan No. 173 Dunns Creek Road Small Holdings</i>; and <i>Development Control Plan 156 Rural Subdivision</i>. Lots should be sized in accordance with the requirements of <i>Interim Policy – Minimum Lot Sizes for Rural Residential Land</i>. Illustrate location of building envelopes and proposed on-site</li> </ol>

effluent disposal areas, ensuring development is not located in constrained areas of the site (i.e. areas of steep slopes with potential slope stability issues, areas of native vegetation, area of poor soil drainage and septic absorption potential).

2. **Amenity and Scale** - Demonstrate the suitability of the proposal with the character of the surrounding area in relation to bulk, scale, visual amenity (caused by proposed land clearing) having regard to the *Coastal Design Guidelines of NSW (2003)*, *NSW Coastal Policy 1997* and *SEPP 71* (specifically Clauses 2 and 8). Confirm that the proposal is consistent with the draft South Coast Regional Strategy, and the recommendations of the Independent Review Panel for Sensitive Urban Lands that relate to the nearby sites of Malua Bay and Rosedale.

3. **Water Cycle Management** - Address potential impacts on the water quality of surface and groundwater (during construction and occupation of the site), into adjoining lands and downstream into the intermittent unnamed creek which flow into Circuit Beach, having regard to the relevant State Groundwater, Rivers, Wetlands and Estuary Policies. Ensure the proposal is not inconsistent with any relevant Statement of Joint Intent established by the Healthy Rivers Commission and is acceptable in terms of the achievement of the River Flow Objectives and Water Quality Objectives.

Demonstrate effective riparian zone and buffering to protect the habitat values of the drainage lines and the associated vegetation. It is recommended that a riparian buffer zone be established at least 20 metres on either side of the creek. Riparian management should be undertaken in accordance with riparian management objectives outlined in Landcom's *Soils and Construction, Managing Urban Stormwater 4<sup>th</sup> Edition (2004)* and guidelines provided by Department of Natural Resources in *Riparian Corridor Objective Studies*.

Address the requirements of the *NSW Floodplain Management Manual* for the site (if relevant). Provide a stormwater plan for the subdivision layout (based on best practice management of stormwater, incorporating Water Sensitive Urban Design principles).

4. **On-Site Sewerage Disposal** - Provide a detailed assessment of on-site effluent disposal on the site, with consideration of the suitability of this method taking into consideration existing drainage capacity and septic absorption potential of the existing soils. Provide details of the proposed on-going maintenance regime for the on-site sewerage disposal system. Potential impacts of the system on the groundwater table and management during flood events must be considered.
5. **Other Infrastructure** - Address existing capacity and requirements of the proposal for effluent disposal, water supply, electricity and telecommunications services in consultation with relevant agencies and identify staging, if any, of infrastructure works. Provide details on the proposed provision of on-site water supply for each proposed lot
6. **Threatened Fauna and Flora Species** - Address threatened species impact having regard to the *Threatened Species Assessment Guidelines* and recommend offset measures to avoid or mitigate impacts of the project on threatened species and their habitat. Incorporate the impacts of clearing for asset protection zones and the ongoing management of vegetation for bushfire hazard reduction. Threatened species that could potentially occur on site include: Square-tailed kite, Osprey, Yellow-bellied Glider, Glossy Black-Cockatoo, Powerful owl, Gang-gang Cockatoo, Masked Owl, Regent Honey Eater, Swift Parrot, Brush-tailed Phascogale,

	<p>Bush Stone-curlew, Barking Owl and Speckled Warbler.</p> <p>7. <b>Native Vegetation</b> - Assess proposed native vegetation clearing with consideration of potential impacts and, if applicable, provide details of an offset strategy or other suitable mitigation measures to ensure that there is no net loss of native vegetation values.</p> <p>8. <b>Bushfire Impacts</b> - Address the requirements of <i>Planning for Bush Fire Protection 2001</i> (RFS), in particular adequacy of water supply for bushfire suppression operations and future management of any areas of hazard remaining, including natural areas and buffers zones.</p> <p>9. <b>Traffic and Road layouts and Access</b> - Address the proposed access points nominated on the plans in accordance with relevant Council codes. Demonstrate adequate sight distances can be obtained from the nominated access points. Road layouts should be designed in accordance with relevant Council codes and Australian Standards. Identify needs (if any) to upgrade Grandfathers Gully Road, intersection and any other improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development where relevant.</p> <p>10. <b>Aboriginal Cultural Heritage</b> - Address and document information contained in <i>draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i>.</p> <p>11. <b>Contaminated Land</b> - Document the assessment and management of any land contamination to ensure that the land is not allowed to be put to a use that is inappropriate because of the presence of contamination. Under the <i>Contaminated Land Management Act</i> there is a responsibility to notify the DEC of sites that pose a significant risk of harm to human health or the environment.</p> <p>12. <b>Noise</b> - The proposal must be designed, constructed, operated and maintained so that there are no adverse impacts from noise (including traffic noise).</p>
<b>Consultation</b>	<p>You should undertake an appropriate and justified level of consultation with the following agencies during the preparation of the environmental assessment:</p> <p>(a) <i>Agencies or other authorities:</i></p> <ul style="list-style-type: none"> <li>• Eurobodalla Shire Council;</li> <li>• NSW Department of Planning - South Coast Regional Office;;</li> <li>• NSW Department of Environment and Conservation;</li> <li>• NSW Department of Natural Resources;</li> <li>• NSW Department of Primary Industries;</li> <li>• NSW Rural Fire Service;</li> <li>• Southern Rivers Catchment Management Authority; and</li> <li>• relevant Aboriginal Land Council contact.</li> </ul> <p>(b) <i>Public:</i></p> <p>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> <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	60 days

**Electronic Documents**

Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the criteria:-

- 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.

Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.



## Attachment 2

### Plans and Documents to accompany the Application

#### Plans of the development

The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for the **Project Application** :

1. The **existing site survey plan** is to be drawn to 1:500 scale (or other appropriate scale) and show:
  - 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** outlining the subject site and surrounding area (at an appropriate scale).
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:
  - 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; and
  - 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.
5. The **Environmental Assessment** in accordance with the Director-General's Environmental Assessment Requirements as outlined in Attachment 1.
6. Detailed **Subdivision layout plans** to illustrate the following:-
  - 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 and road layout;
  - Any easements, covenants or other restrictions either existing or proposed on the site;
  - Type of subdivision proposed (Torrens, strata and/or community title).
7. **Stormwater Plan** - illustrating the plan for stormwater management of the site and must include details of any drainage lines and major overland flow paths through the site, stormwater treatment measures and any discharge points to existing drainage systems.
8. **Erosion and Sediment Control Plan** – plan or drawing that shows the

	<p>nature and location of all erosion and sedimentation control measures to be utilised on the site;</p> <p>9. <b>Landscape Plan</b> – 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>10. <b>Construction Management Plan</b> – a plan which outlines traffic and pedestrian management during construction</p>
<b>Specialist advice</b>	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants.
<b>Documents to be submitted</b>	<ul style="list-style-type: none"> <li>• 10 hard copies of the Environmental Assessment;</li> <li>• 10 sets of architectural and landscape plans to scale, including set one (1) set at A3 size (to scale); and</li> <li>• 4 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>



## Attachment 3 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
<b>Biodiversity</b>	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC, 2004)
Native Vegetation	<i>Native Vegetation Regulation 2005: Environmental Outcomes Assessment Methodology (NSW DNR, 2005)</i>
<b>Bushfire</b>	
	Planning for Bushfire Protection 2001 (NSW Rural Fire Service)
	Australian Standard 3959 – Building in Bushfire Prone Areas
<b>Coastal Planning &amp; Water Bodies</b>	
	NSW Coastal Policy 1997 - A sustainable Future for the New South Wales Coast (Department of Urban Affairs & Planning, 1997)
	Coastal Design Guidelines for NSW, Coastal Council, March 2003
	NSW Wetlands Management Policy (DLWC, March 1996)
	NSW State Rivers and Estuaries Policy (DLWC, 1992)
	NSW Estuary Management Manual (DLWC, 1992)
	Constructed Wetlands Manual (DLWC, 1998)
<b>Heritage</b>	
	Draft guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, July 2005)
	NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit – Working Draft (NPWS, September 1997)
	Aboriginal cultural heritage: standards and guidelines (DEC 2005)
	Protecting Aboriginal Objects and Places - Interim Guidelines for Community Consultation (DEC 2005)
<b>Soils &amp; Contamination</b>	
	Contaminated Land: Planning Guidelines for Contaminated Land, Department of Urban Affairs and Planning and the NSW EPA, October 1995.
	Managing Land Contamination: Planning Guidelines – SEPP 55 – Remediation of Land (NSW EPA, 1998)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA, 1997)
	Contaminated Sites – Guidelines on Significant Risk of Harm and Duty to Report (NSW EPA, 1999)
<b>Traffic, Transport &amp; Pedestrian &amp; Cyclist Facilities</b>	
	Guide to Traffic Generating Developments (RTA, 1993)
	RTA Road Design Guide (RTA, 1996)
	Planning Guidelines for Walking and Cycling (DIPNR & RTA, December 2004)
	Guide to Traffic Engineering and Guide to Geometric Design of Rural

Aspect	Policy /Methodology
	Roads (Ausroads, 2003)
<b>Water</b>	
<b>Water Quality</b>	Australian & New Zealand Guidelines for Fresh & Marine Water Quality (Australian & New Zealand Environment & Conservation Council (ANZECC), October 2000)
	National Water Quality Management System - Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC 2000)
	Integrated Water Cycle Management Guidelines for NSW Local Utilities, Oct 2004
	Water Quality and River flow Objectives (DEC, 2000)
	Healthy Rivers Commission Report into Coastal Lakes and Statement of Joint Intent
	Water Quality and Interim River Flow Environmental Objectives for Clyde River and Jervis Bay (NSW EPA, 1999)
	State Water Management Outcomes Plan Order 2002
	NSW Guidelines for Urban & Residential Use of Reclaimed Water (NSW Water Recycling Coordination Committee, 1993)
<b>Wastewater</b>	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC 2000)
	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
	Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households (1998)
<b>Flooding &amp; the Floodplain</b>	NSW Government Floodplain Development Manual - the Management of Flood Liable Land (DIPNR, 2005)
<b>Groundwater</b>	NSW Groundwater Policy Framework Document – General (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
<b>Stormwater</b>	Managing Urban Stormwater :Soils and Construction (NSW Landcom, 2004)
	Managing Urban Stormwater: Source Control (DEC, 1998)
	Managing Urban Stormwater: Treatment Techniques (DEC, 1998)
	Better Drainage: Guidelines for the Multiple Use of Drainage System (PlanningNSW, 1993)
<b>Noise and Vibration</b>	
	NSW Industrial Noise Policy (NSW EPA, 1999)
	NSW Environmental Criteria for Road Traffic Noise (NSW EPA, 1999)
	Environmental Noise Control Manual (NSW EPA, 1994)