

Director-General's Environmental Assessment Requirements, 18 May 2007

Attachment 1

Director-General's Environmental Assessment Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number
07_0026
Project
<p>Concept Plan application for the Pacific Pines Estate, Lennox Heads consisting of:</p> <ul style="list-style-type: none"> • subdivision; • a residential community providing around 435 residential sites and 200 unit seniors housing community; • retail precinct; and • neighbourhood centre/ facilities. <p>Project application for Stage 1 subdivision creating approximately 30 residential lots and a 'super lot plan' creating sites for a seniors housing community and a neighbourhood commercial centre.</p>
Location
Lot 234 DP 1104071, Hutley Drive, Lennox Heads
Proponent
Petrac Pty Ltd
Date issued
18 May 2007
Expiry date
2 years from date of issue
General Requirements
<p>The Environmental Assessment (EA) for the Concept and 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. Identify whether the proposal will impact on any matters of national environmental significance and be considered a controlled action 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 Environmental Assessment 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.

PART A: Key Issues for the Concept Plan Application

The EA for the **Concept Plan Application** 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.
- 1.2 Demonstrate consistency with the Sustainability Criteria set out in the relevant Regional Strategy (including draft Regional Strategies).

2. Structure Plan – Land Uses, Subdivision and Urban Design

- 2.1 Provide a Structure Plan for the site that identifies location of indicative landuses, densities, road and open space networks, residential development, senior's housing development, town/neighbourhood centres and protection of areas of environmental significance. The Structure Plan is to include:
 - (a) consideration of the site's context, topography, opportunities and constraints;
 - (b) identification of areas capable of achieving more intensive land uses, that provide increased housing supply and choices and promote social and economic development;
 - (c) details of potential building envelopes, built form and design quality controls and the means for implementing them; and
 - (d) identification of any inconsistencies with the Ballina LEP 1987, relevant DCPs and policies in relation to key planning controls, including the Senior's Living SEPP.
- 2.2 Consideration of the integration and compatibility of the proposed land uses (eg residential properties, senior's housing, town centres, retail/ commercial precinct, open space and environmental protection areas) and potential impacts such as access arrangements for each use, traffic, buffers, density controls; suitability of the proposed development with the surrounding area and visual impacts in the context of adjoining and surrounding development and from all publicly accessible areas.
- 2.3 Consideration of the cumulative impacts of development in the North Creek precinct and identification of mitigation measures such as setbacks and buffer zones;
- 2.4 Consideration of the interface between the proposed neighbourhood centre and residential areas, including mitigation measures to mitigate noise, traffic and other potential conflict issues.
- 2.5 Outline the extent and specifications for filling of land, if proposed.
- 2.6 Demonstrate the consistency of the proposal with the *Coastal Design Guidelines for NSW, NSW Coastal Policy 1997*, SEPP 71 – Coastal Protection, the *Mid North Coast Regional Strategy* and any Ballina Council DCP or policy.
- 2.7 Outline the long-term management and maintenance of any areas of open space or conservation including ownership and control, management and maintenance funding, public access, revegetation and rehabilitation works and bushfire management.

3. Visual Impact	
3.1	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.
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 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 Concept Plan in accordance with Table 2.1 of the RTAs <i>Guide to Traffic Generating Development</i> and Ballina Council's Strategic Plan and Road Hierarchy Plan.
5.2	Provide an assessment on the proposed road layout for the development addressing the following concerns: <ul style="list-style-type: none"> (a) provision for a suitable location for the potential link road to Henderson Farm and Ross Lane that minimises future cumulative impacts and provides suitable buffers to fish and fish habitat, particularly within the SEPP 14 area and the North Creek Nature Reserve; (b) the potential impacts of Hutley Drive southern link on the SEPP 14 wetlands.
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). Include an assessment of the impacts of climate change and likely sea level rise on the flooding regime of the site.
6.6	Consider the potential impacts of any filling on the flood regime of the site and adjacent lands.

Mosquito Management

- 6.7 Address the potential impacts of nearby known and suspected mosquito breeding areas for future residents of the development. Include consideration of Chapter 11 of Council's Combined DCP.

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, and erosion and sedimentation controls at construction and operational stages. Address the ability of the nearby waterway system (North Creek Nature Reserve, North Creek and Richmond River) to accommodate the nutrient/ pollutant load that will enter the system.
- 7.2 Ensure that the development is consistent with any relevant Statement of Joint Intent established by the Healthy Rivers Commissions and the River Flow and Water Quality Objectives.
- 7.3 Assess the impacts of the proposal on surface and groundwater hydrology and quality during both construction and occupation of the site. Consideration should be given to flood prone areas; the impact on wetlands, riparian zones, and other important habitat areas and the need for buffers to protect environmentally sensitive lands.
- 7.4 Address concept drainage and stormwater management issues arising from the development. This should include:
- (a) demonstrating that drainage and stormwater runoff will not have a significant impact on the surrounding environments downstream of the development (especially water, wetlands, and important habitat areas);
 - (b) demonstrating that there is no net increase in nutrient loads entering the waterways mentioned above;
 - (c) details of the proposed stormwater treatment system such as gross pollutant traps, stormwater detention ponds and swales including their locations and capacities;
 - (d) maintenance of stormwater control systems and an associated management plan;
 - (e) integration of the proposal with the existing Water Quality Control Pond
 - (f) demonstrating consistency with Ballina Council's DCP 13 - Stormwater Management; and
 - (g) the identification of any on-site treatment of stormwater and waste water, including recycling, Water Sensitive Urban Design, the need to incorporate dual use reticulation, and drainage infrastructure

8. Heritage and Archaeology

- 8.1 Identify whether the site has significance to Aboriginal cultural heritage and identify appropriate measures to preserve any significance (Aboriginal community consultation should be undertaken in accordance with DEC's Interim Community Consultation Requirements for Applicants).
- 8.2 Identify any items of European heritage significance and, where relevant, provide measures for the conservation of such items.
- 8.3 Address impacts on World Heritage areas, places listed on the National Heritage List and protected under the EPBC Act.

9. Flora and Fauna

- 9.1 Conduct and document a comprehensive field survey in accordance with the draft Guideline for Threatened Species Assessment. 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), including the SEPP 26 littoral rainforest, Ballina Nature Reserve and SEPP 14 wetland areas, and identify consistency with the document Policy and Guidelines Aquatic Habitat Management and Fish Conservation 1999. Provide measures for their conservation and mitigation, where relevant.
9.2	Provide a design and management plan providing details of the small creek located to the north-western side of the site which is to be rehabilitated and natural channel design principles and meanders, riparian vegetation and where appropriate, pools and riffles, be adopted.
9.3	Address the proposed road crossings of this watercourse to ensure appropriate fish passage ensuring compliance with the NSW Fisheries document Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings.
9.4	Identify and map proposed buffer zones surrounding aquatic habitats and waterways on the site. Identify key environmental assets that are being protected and outline how these assets are to be protected during the construction and operational phase of the development.
9.5	Provide a description of the proposed treatment of any ecological buffers, including interaction with the proposed landuses, asset protection zones, stormwater structures, extent of proposed environmental restoration and enhancement works.
9.6	Outline measures for the conservation of any existing wildlife corridor values and/or connective importance of any vegetation on the subject land. In particular, address the fragmentation of the major north-south green corridor that was approved in the master plan.
9.7	Address impacts on migratory species, RAMSAR wetlands and species listed under Section 18 and 18A of the EPBC Act.
10. Noise	
10.1	Address potential noise impacts, in particular road traffic noise, for future residents and appropriate mitigation measures.
11. Future Demographics	
11.1	Identify the likely future community to occupy the site and forecast the community services and facilities required. This Report should: <ul style="list-style-type: none"> (a) identify the likely demographics and community context after analysing and considering similar development within the region; (b) provide an analysis of demographic projections; (c) identify existing facilities and services and the projected demand the development will have on them, as well as any other implications that might arise; (d) detail strategies and actions to satisfy the future demands for facilities and to mitigate any impacts on existing facilities and services required for the development; and (e) identify future facilities and services that will be required as a result of the development
12. Development Staging	
12.1	Identify staging of the development and demonstrate that land supply and demand will be released in an orderly and coordinated manner and will occur in conjunction with associated facilities and services.
13. Off-site Impacts	
13.1	Demonstrate that the development will not have any adverse impacts on adjoining lands. This is to include consideration of adjacent land uses, water quality, water quantity, erosion, sedimentation, fire management, fencing, and access.