



9 May 2006

NSW GOVERNMENT

Department of Planning

GEOLINK

Received 12/5/06
Project
☐ to be returned
☐ reviewed
☐ approved for use
☐ noted file—no action required
☐ action, as follows

Contact: Stan Fitzroy-Mendis
Phone: (02) 9228 6103
Fax: (02) 9228 6366
Email: stan.fitzroy-
mendis@planning.nsw.gov.au

Our ref: S04/00111

Mr Rob Van Iersel
Geolink
Level 1/24 Ballina Street
LENNOX HEAD NSW 2478

Dear Mr Van Iersel,

Re: Determination of application to Minister for Planning for adoption of Master Plan for Pacific Pines Estate, Montwood Drive, Lennox Head

I refer to the abovementioned application received by the Department of Planning in which you formally requested endorsement of a master plan under Clause 18 of State Environmental Planning Policy No. 71.

The master plan has been adopted by the Minister for Planning. The adoption is on the basis of the attached *Notice of Adoption of Master Plan*.

Please note that the abovementioned master plan consent should not be interpreted as an endorsement by the Department of an application for subdivision on the lands in question or of any subdivision pattern, density of development, road layout or other matters indicated on plans or documents submitted with the master plan application.

The Department has also written to Ballina Shire Council notifying them of the decision to adopt the proposed master plan.

Should you have any enquiries regarding the above matter, please contact Stan Fitzroy-Mendis on 9228 6103 or via email to stan.fitzroy-mendis@planning.nsw.gov.au.

Yours sincerely,

Heather Warton
Director
Urban Assessments

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

ADOPTION OF MASTER PLAN NO. 27-12-2003

(FILE NO. S04/00111 PART 2)

**SEPP 71 MASTER PLAN FOR SUBDIVISION OF LAND AT LOT 231 DP 1076122,
MONTWOOD DRIVE, LENNOX HEAD**

I, Frank Sartor, Minister for Planning, pursuant to clause 22 of *State Environmental Planning Policy No. 71 - Coastal Protection*, determine the draft Master Plan referred to in the attached Schedule 1, by adopting the Master Plan subject to the Variations in the attached Schedule 2.



Frank Sartor
Minister for Planning

23 March 2006
Sydney, 2006

SCHEDULE 1

PART A—TABLE

Application for a draft master plan made by:	GeoLINK Level 1/24 Ballina Street LENNOX HEAD NSW 2478
Application made to:	Minister for Planning
Draft Master Plan:	MP 27-12-2003
On land comprising:	Lot 231 DP 1076122, Montwood Drive LENNOX HEAD NSW
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
S.119 Public inquiry held:	No
Application made on:	19 December 2003

PART B—NOTES RELATING TO THE ADOPTION OF MP NO. 27-12-2003

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Applicant means GeoLINK or any party acting upon this draft masterplan.

Council means Ballina Shire Council.

MP No. 27-12-2003 means the draft Master Plan submitted by the applicant in September 2004 titled *Pacific Pines Estate – Master Plan*.

Department means the Department of Infrastructure, Planning and Natural Resources or its successors.

Minister means the Minister for Planning.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

ADOPTION OF PACIFIC PINES ESTATE SEPTEMBER 2004 MASTER PLAN AND GENERAL REQUIREMENTS

MASTER PLAN NO. MP 27-12-2003

PART A – MASTER PLAN DOCUMENT

A1 *Master Plan Document and Drawings*

The Master Plan adopted shall be generally consistent with the draft Master Plan entitled *Pacific Pines Master Plan September 2004* prepared by GeoLink, dated September 2004.

A2 *Editing of Master Plan Document*

The Master Plan adopted shall be edited to reflect the Variations contained in this Instrument of Adoption.

PART B – GENERAL REQUIREMENTS

This adoption relates only to the *Pacific Pines Estate – Master Plan* document only. Future land subdivision, infrastructure provision and residential development are subject to separate approval pursuant to the provision of the *Environmental Planning and Assessment Act 1979*.

SCHEDULE 3

VARIATIONS OF ADOPTION

MASTER PLAN No. 27-12-2003

PART A – VARIATIONS TO THE DRAFT MASTER PLAN

1. The management of the endangered ecological communities located on the site are to be undertaken in accordance with the points listed below and in accordance with the attached Map "Impact on Development on Vegetation" as amended by the Department of Planning:-
 - (a) Site 1 - To ensure the remnant is adequately protected from indirect impacts as a result of the residential development, it is recommended that appropriate buffers be established. Residential development is to be setback 50 metres from the boundary of the Henderson Lane Road reserve and for the SEPP 26 remnant a setback of 100m from the boundary of SEPP 26. It is also recommended a road way be located between the residential development this buffer area to address any future bush fire issues. If a road is not provided then an additional 5 m setback would be required.
 - (b) Site 2 & 3 – Residential development is to be setback 10 metres from the vegetation located within the road reserve. Protection of the three Morton Bay Figs is to be made via the provision of private covenants.
 - (c) Residential development is to be setback 10 m from the remaining cleared areas along the road reserve to ensure revegetation can occur.
 - (d) The protection of the Ecologically Endangered Community at Site 4 is to be protected by covenants over the land.
2. Residential development is to be setback a minimum of 10m from the vegetation located within the road reserve.
3. All EEC located on private land is to be protected by covenants to ensure their preservation.

SCHEDULE 4

MATTERS TO BE ADDRESSED IN ANY DEVELOPMENT APPLICATION UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

MASTER PLAN No. 27-12-2003

PART A – INFORMATION TO BE SUBMITTED

A1 Vegetation Management Plan

A Vegetation Management Plan (VMP) must be prepared and submitted with any development application. The VMP shall address the following:

- (a) where the VMP identifies any fig trees for retention, the subdivision pattern shall be designed so that residential land boundaries adjacent to fig trees are located clear of the nominal drip line of such trees by a minimum of 20 metres;
- (b) The VMP is to detail the provision of revegetation of Site 1 prior to the dedication of this area of Council;
- (c) The VMP is to take into consideration the three (3) nationally endangered species located on the site, *Macadamia tetraphylla*, *Syzygium hodgkinsoniae*, and *Tinosporides*. The VMP is to detail the provision of satisfactory buffer areas around these species to ensure their preservation.

A2 Car Parking Allocation Plan

A Car Parking Allocation Plan (CPAP) must be submitted with any development application for the commercial/community centre. The CPAP must be consistent with Council's car parking requirements and require all proposed spaces to be in accordance with AUSTRROADS Part 11 Section 8 – Off Street Parking.

A3 Construction Traffic Management Plan

A Construction Traffic Management Plan must be submitted with any development application for every stage of the development. This Plan shall address the measures which will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in accordance with AS 1742.2 – Traffic Control Devices for Works on Roads. This Plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic in the locality and protect services during construction of future development.

A4 Bushfire Protection

Future development may be subject to the *Rural Fires Act, 1997* and as such any application for development shall be supported by a bushfire risk assessment prepared by a suitably qualified professional. Nothing in the adopted Master Plan prevents the NSW Rural Fire Service imposing additional requirements as may be required under the *Rural Fires Act, 1997*.

A5 Cultural Heritage

To ensure any items of cultural heritage are preserved, a member from the Local Aboriginal Land Council must supervise any initial earthworks for future development on the site.

A6 Water Quality Objectives and Principles

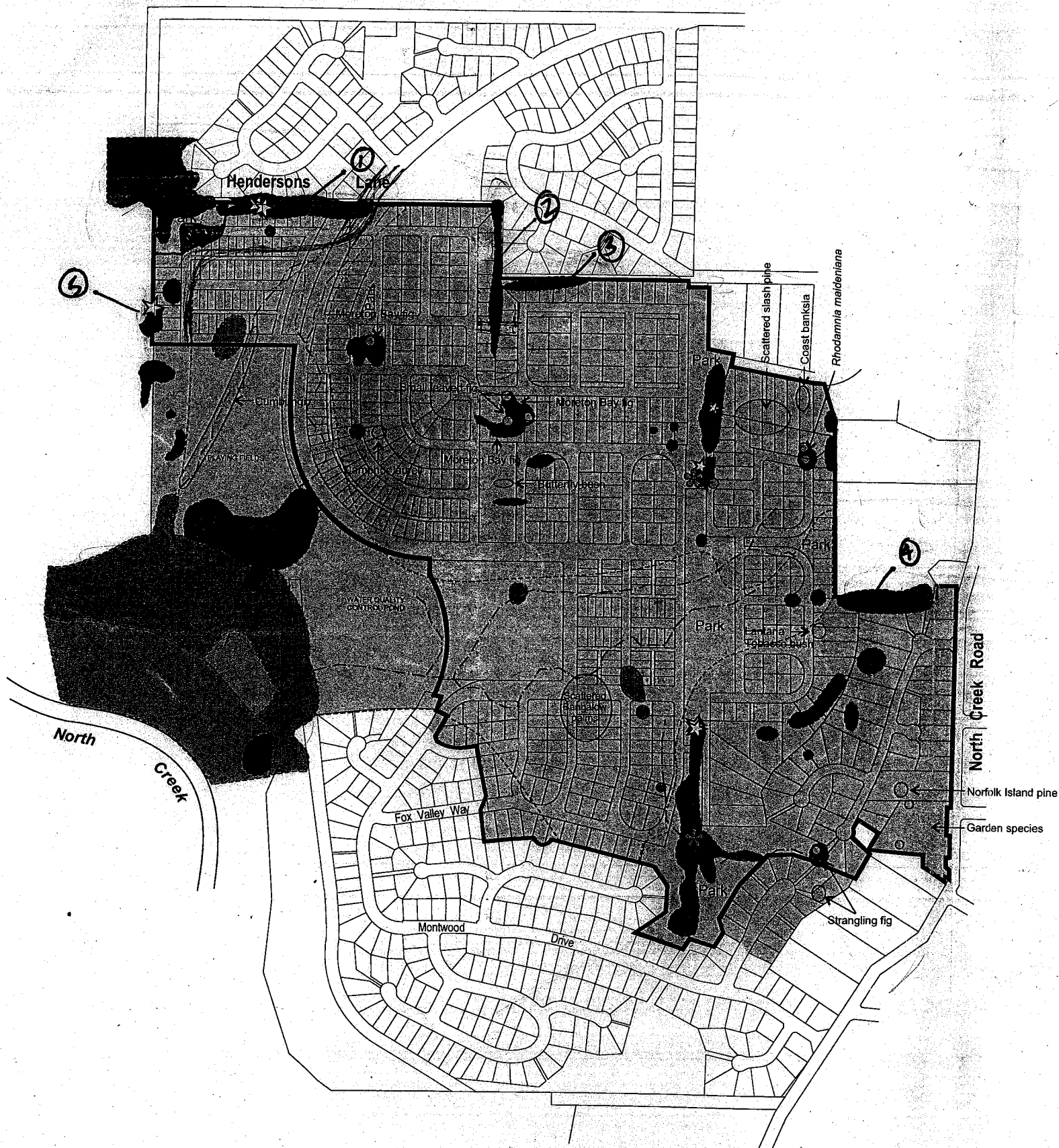
1. A Water Management Plan must be submitted with any future application for development of the subject site. This Water Management Plan is required to demonstrate the implementation of Water Sensitive Urban Design. The plan is required to demonstrate:

- the reduction the demand for reticulated water supply;

-
- recycling water;
 - retuning water to the water table rather than surface runoff;
 - reducing pollutant transport from the developed site; and
 - maintaining the quality of run off at pre development conditions.

The Water Management Plan will be required to provide details of the implementation of lot based stormwater management, details of the monitoring of the water quality and stormwater management throughout the life of the development, proposed community education programs and measures to implement in the event of the failure of the system.

The future application is to demonstrate the implementation of Ballina Shire Council's dual reticulation policy requirements.



VEGETATION LEGEND

- Community 1 - Swamp sclerophyll communities:**
Community 1a - Tall open swamp sclerophyll forest (Swamp oak)
Community 1b - Tall open swamp sclerophyll forest (Swamp oak with dense understorey of mangrove fern)
Community 1c - Tall open swamp sclerophyll forest (Broad-leaved paperbark)
Community 2 - Closed forest communities:
Community 2a - Mid-high closed forest (Rainforest regrowth)
Community 3 - Sedgeland / rushland communities:
Community 3a - Sedgeland/Rushland (Mixed species)
Community 3b - Closed rushland (Common rush)
Community 4 - Grassland communities:
Community 4a - Tall closed grassland (Mixed species)
Community 4b - Low closed grassland (Mixed species)
Community 5 - Mangrove communities:
Community 5a - Mangrove (Grey mangrove / River mangrove)

- Mature Fig trees

SIGNIFICANT PLANT SPECIES LEGEND

- ☆ Rough-shelled Queensland nut (*Macadamia tetraphylla*)
Vulnerable (TSC Act 1995)
— Vulnerable (EPBC Act 1999)
★ Red lilly pilly (*Syzygium hodgekinsoniae*)
Vulnerable (TSC Act 1995)
Vulnerable (EPBC Act 1999)
● Smooth scrub turpentine (*Rhodamnia maideniana*)
ROTAP (2RC-)
■ Pinkheart (*Medicosma cunninghamii*)
Regionally uncommon
✿ Southern Quassia (*Quassia species A*)
ROTAP (3RC-)

SOURCE: PMM
Ref:6885_prop.dwg
(Rec'd 21.11.03)
SCALE: 1 : 8000 @ A3

JAMES WARREN & ASSOCIATES PTY LIMITED
Environmental Consultants

CLIENT
Bob & Judith Pidcock

PROJECT
Flora & Fauna Assessment
Pacific Pines Estate
North Creek Rd, Lannox Head

FIGURE 7

PREPARED: VJA
DATE: 13 Dec 2001
FILE: 01067-FFA-base.cdr

TITLE

**IMPACT OF
DEVELOPMENT
ON VEGETATION**