

Date: 1st May 2018
Our Ref: 14/351

[Organisation]
[Address 1]
[Address 2]

Attention: [Contact]

Dear Sir,

Re: Response to Secretary's Environmental Assessment Requirements (SEARs) for the proposed modification to the Concept Plan Approval and Project approval MP 07_0026 MOD 6 relating to Super Lot 7 (Lot 7 DP 1239938)

A. BACKGROUND

Newton Denny Chapelle ("NDC") in association with Planners North is engaged by Clarence Property Corporation Limited ("Proponent") has lodged a request to the Minister for Planning & Environment for the Secretary's Environmental Assessment Requirements (SEAR's) to modify the Concept Approval and Project Approval (MP 07_0026) for Epiq Lennox (formerly known as 'Pacific Pines').

The application relates to Lot 7 in DP 1239938, Parish of Ballina, County of Rous. The subject land is located at Lennox Head and comprises the landholding known locally as Epiq Lennox to Ballina Shire Council.

Plan 1 and **Plate 1** illustrate the subject land and surrounds.

Lot 7 is located in the general area of the following existing or planned residential subdivisions:

- Lennox Meadows (north) - is a conventional residential estate containing a range of lot sizes (generally between 600m² to 850m²) containing one and two storey detached dwellings and occasional dual occupancies;
- Pacific Pines Estate (early stages south) - Much of this Estate is currently undeveloped, however approvals are in place for the staged development of the site for a residential subdivision including a range of allotment types and playing fields.
- Henderson Farm (Operational Consent) - Henderson Farm is located west of Lot 7 approved as part of the Epiq Lennox Concept Plan. Ballina Shire Council has issued deferred commencement consent on 27 November 2014 for a residential subdivision comprising of 159 residential lots.

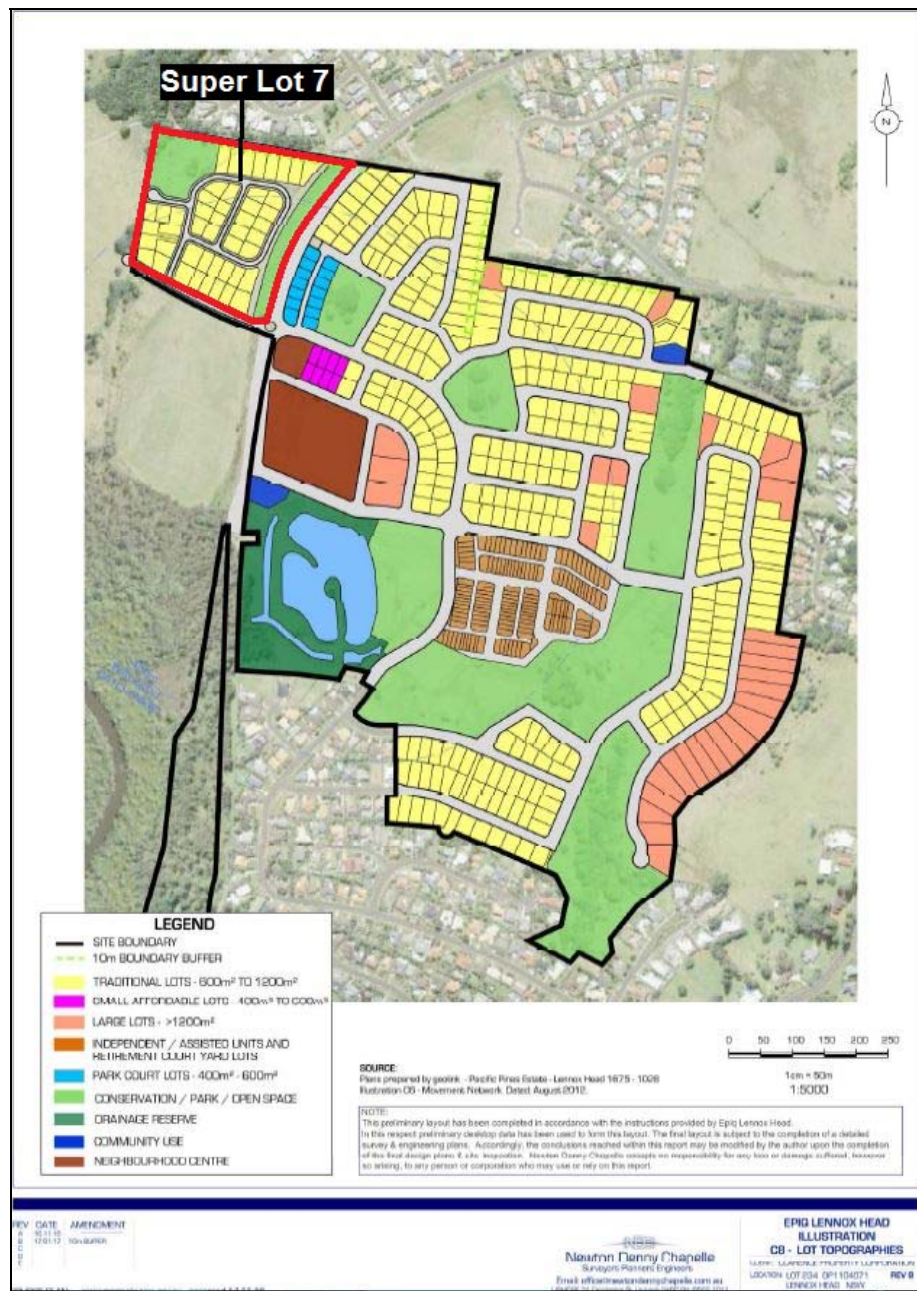


Plate 1: Lot 7 – Subject land area for the proposed Modification within Epiq Lennox

B. EXISTING CONCEPT PLAN APPROVAL

The current Concept Plan provides for the creation of 47 torrens title residential lots upon Super Lot 7, with associated public road network and environmental management area.

C. PROPOSED DEVELOPMENT

The proposed modification will seek to undertake amendments to the Concept Approval (MP 07_0026). The key changes proposed for the approved development:

- increasing the number of residential lots from 47 to 60 residential lots comprising of 34 conventional residential lots and 26 live-work lots;
- introduce 2 neighbourhood commercial lots to re-introduce a tavern lot and the commencement of a community child care and storage facility; and
- modify the subdivision design and road network within Super Lot 7.

The current Concept Plan together with the proposed modified Subdivision and Land Use Plan prepared by RPS are attached to this letter

The residential lots within Super Lot 7 have been redesigned to provide improved opportunities for housing on sloping land commensurate with the lot layout afforded within Stages 2, 3, & 6. To this end, there is an increase in lot numbers from 47 to 60 residential lots. The lots will comprise 34 conventional residential lots, 26 'live-work' lots and two (2) commercial lots.

Post the approval of the original Concept Plan in 2008, the residential model adopted for the estate has since evolved. To this end, the opportunity to provide housing which more readily meets the daily needs of residents has become the focus of current residential housing models.

The introduction of the 'live-work' lots within Super Lot 7, seeks to address the segregation of land uses and high level of car dependency especially found in regional areas. Accordingly, the 'live-work' concept sought for Epiq Lennox head seeks to create housing where residents also have a designated workspace through a purpose designed built form.

The proposal provides for improved accessibility to housing, greater scope for business development, purpose planned for interface with adjoining land uses and recognises the transformation of the global economy through increased home-based business activity. The concept of a live-work environment is that people can operate commercial premises, technology centres or studios and live onsite.

The creation of the 'live-work' lots would be integrated with the associated built form. That is the live-work development would be integrated so the future development application provides for both the subdivision and construction of the built form. This will ensure the desired architectural and operational features of this type of development are embodied into an integrated approval.

The modification also provides for the introduction of a residential lot layout and road network which better responds to the topography of the land. In this respect, the Concept Plan as approved required excessive retaining walls in order to create level sites for the rear lane lots in addition to difficulties in design a compliant road network. Accordingly, the subdivision layout provides a curved road alignment which still preserves the connection to the western link road and Hutley Road.

The proposal shall seek to introduce two (2) neighbourhood commercial lots which will be dedicated to a proposed tavern, community child care centre and a storage facility. The proposed lots have been designed within Super Lot 7 to integrate with the approved neighbourhood supermarket site through their location in the south-eastern corner fronting Hutley Drive.

The siting of the proposed lots is deemed to be the optimal location through providing improved accessibility from the neighbourhood shopping centre, proximity to Hutley Drive, compatible interface with the live-work allotments and importantly afforded a landscape buffer on the eastern frontage of the land to assist with the visual amenity of the development.

In respect to the Tavern use, reference is made to the fact on 12 November 2008, the then Minister for Planning gave Concept Plan and part Project Approval to Epiq Lennox (formerly Pacific Pines) residential estate at Lennox Head. The project included in addition to the residential subdivision, the development of a development lot for the purpose of a tavern.

The Tavern site was later deleted from the Concept Plan by the previous landowner through Modification 4 for MP 07_0026. The deletion of the Tavern site was due to the originally proposed to being encompassed into the Conservation Zone within Epiq and to improve the east-west connectivity for the Conservation Zone.

Importantly, the land uses approved under the Concept Plan had not removed the Tavern from the Concept Plan, hence the use was retained for future siting within the estate.

The re-introduction of the Tavern site seeks to provide the residents of Epiq Estate and the broader Lennox Head community with a family friendly environment which affords the local residents a multi-facet building, including a licensed premise, dining and community meeting place. In this respect, it is clear the focus for a Tavern in Epiq Lennox is on providing a family orientated tavern.

In regard to the community child care facility, Ballina Shire Council has approached Clarence Property Corporation Ltd concerning the opportunity to locate such a facility within the Epiq Estate.

With the increase in demand for housing within the Lennox Head area, Ballina Shire Council has taken the proactive position to secure land for a community childcare centre. Accordingly, the proposed location of the community childcare centre in Super Lot 7 consolidates the mixed-use precinct created through the 'live-work' and neighbourhood commercial lots, whilst importantly providing greater accessibility to the primary population expansion area within Lennox Head at the Epiq estate.

Lennox Head is not currently services with any storage facility. The proposal includes a smaller neighbourhood scale facility to be provided for the residents of Lennox Head and Epiq Estate itself. The proposal would seek to incorporate a 2 storey structure which is able to articulate to the Hutley Drive and live-work interface to the east and west respectively. Importantly, the land area for the storage facility has terminated short of the northern boundary of Super Lot 7 to ensure live-work and residential lots provided adjoin the existing residential lots which adjoin to the north within the Meadows Estate.

D. REQUEST FOR COMMENTS

The SEARs require consultation with various government agencies as part of the modification request. We also acknowledge several government agencies have already provided comments to the Department of Planning & Environment, which are currently being taken into consideration by the project team in preparing the modification request.

Accordingly, pursuant to the SEAR's you are invited to provide NDC with comments which may be of relevance to the preparation of the Modification. Issues raised during these consultations will be addressed within the documentation lodged with the Department of Planning & Environment.

Feedback to NDC regarding the proposal is welcome until (3 weeks from date of letter) **22 May 2018**. Responses and enquiries can be sent via:

- **Email:** planning@newtondennychapelle.com.au; or
- **Post:** Newton Denny Chapelle, PO Box 1138, Lismore NSW 2480

E. CONCLUSION

Thank you for your time in considering this matter. Please note, this consultation is occurring prior to the lodgement of the proposed modification. Once the application is lodged with Department of Planning & Environment, a period of formal Agency and community consultations will occur in accordance with the relevant legislation. At that stage, all technical

reports and assessments will be available for review and comment.

Yours sincerely,

NEWTON DENNY CHAPELLE

A handwritten signature in black ink that reads "Dai Chapelle". The signature is written in a cursive, flowing style.

DAMIAN CHAPELLE

Town Planner. BTP. CPP.

NEWTON DENNY CHAPELLE SEARs ASSESSMENT CHECKLIST

SEAR Requirements	Documentation Reference
Application Number MP 07_0026 MOD 6	-
Proposal Modification to the Concept Plan Approval and Project Approval for Super Lot 7 to increase the number of residential lots from 47 to 60; amend the lot mix; provide two new neighbourhood commercial lots; and amend the lot layout and road network.	-
Location Lot 7 DP 1239938 (Hutley Drive, Lennox Head)	-
Applicant Clarence Property Corporation Limited	-
Date of Expiry 16 January 2020	-
Key Issues The modification request must address the following specific matters	
1. Land Use (a) Address the statutory provisions applying to the site, and all relevant strategic planning objectives outlined in the documents listed at Attachment A; (b) Justify the proposed density and land uses in the context of relevant environmental planning instruments and the broader strategic planning framework for the site; (c) Assess the potential for any land uses conflicts arising from the proposed uses; and (d) Assess any potential retail impacts associated with the proposal.	Section 5 Section 4 4.18 Section 4.17 & Attachment 7
2. Comparison with Concept Approval (MP 07_0026) Provide a comparative assessment (qualitative and quantitative) of the proposed modification against the approved concept (including comparison plans) and clearly outline the rationale for the proposed amendments, including the new neighborhood commercial lots.	Sections 1.3, 3.3 & 3.4
3. Subdivision Design Provide an updated Indicative Subdivision Layout Plan, which (a) Includes details of the revised subdivision layout and design, and housing/building types; (b) Includes a subdivision pattern responsive to the site conditions and constraints, including aspect, orientation, slope, drainage lines and vegetation; (c) Provides optimal connectivity and pedestrian permeability; (d) Promotes a high standard of urban design, including adequate separation between different land uses to minimise conflicts, and provides consideration of open space; (e) Orientates lots to maximise solar access to future dwellings; and (f) Provides a loop road rather than a cul-de-sac around the north-western conservation/open space area.	Attachments 1 & 2 Section 3

<p>4. Ecologically Sustainable Development Demonstrate how the development will incorporate ESD principles in its design, construction and operation phases.</p>	Attachment 2
<p>5. Transport and Accessibility The modification request shall include an updated Traffic Transport and Accessibility Impact Study Assessment prepared in accordance with the RTA's Guide to Traffic Generating Developments and the Austroads Guidelines to Traffic Management, which</p> <ul style="list-style-type: none"> • Assesses the impacts of any increase in peak hour traffic demands generated at connections to The Coast Road and identifies additional infrastructure to maintain the safety and efficiency of the classified road network, and facilities to accommodate an increase in demand generated for active and public transport modes; • Demonstrates the needs of all road users are considered, and appropriate facilities (e.g. bicycle lanes, footpaths, and lanes, intersection widening or upgraded intersection controls) are provided; and • Assesses the proposed changes to the road layout and demonstrate compliance with the requirements of the Northern River Local Government Design Manual. 	Attachment 3 Section 4.15
<p>6. Bushfire The modification request shall:</p> <p>(a) Demonstrate compliance with the relevant provisions of <i>Planning for Bushfire Protection 2006</i>, and Australian Standards AS 3159-2009; and</p> <p>(b) Include a bushfire hazard assessment which includes consideration of the conservation zone and the provision of a perimeter road adjacent to that zone.</p> <p>Note: the modification request should address the provisions of <i>Planning for Bushfire 2017</i>, depending on its commencement date and transitional arrangements at the time of lodgement of your application.</p>	Attachment 6 Section 4.1.4
<p>7. Flooding The modification request shall provide an updated flooding assessment for the proposal in accordance with the Floodplain Development Manual.</p>	Section 4.1.6
<p>8. Aboriginal Cultural Heritage The modification request shall provide an updated Aboriginal Cultural Heritage assessment to identify and assess any additional impact associated with the proposal.</p>	Attachment 5 Section 4.1.3
<p>9. Water Quality The modification request shall:</p> <p>(a) Assess the impacts of the proposed modification on stormwater management and demonstrate there will be no additional impacts on the SEPP14 wetland on the site; and</p> <p>(b) Provide an updated Acid Sulfate Soil Assessment and Management Plan.</p>	Attachments 3 & 4
<p>10. Biodiversity The modification request shall provide an updated biodiversity assessment for any additional biodiversity impacts beyond those originally assessed.</p>	Attachment 4
<p>11. Contributions The modification request shall address the Ballina Section 94 Contributions Plan or provide details of a planning agreement for appropriate developer contributions in consultation with Ballina Shire Council.</p>	Attachment 3
<p>12. Utilities (a) Address, in consultation with relevant agencies, the existing capacity and requirements of the proposal for the provision of utilities, including the staging of infrastructure works and</p>	Attachment 3

<p>protection of utilities, including the staging of infrastructure works and protection of utilities providers' assets; and</p> <p>(b) Outline any proposed sustainability initiatives to reduce the demand for drinking water, including alternative water supply, end uses of drinking and non-drinking water, water sensitive urban design and proposed water conservation measures.</p>	
<p>13. Statement of Commitments The modification request shall include any new or modified Statements of Commitments detailing measures for environmental management, mitigation measures and monitoring for the development.</p>	Section 3.2.5
Consultation	
<p>During the preparation of the modification request, you are required to consult with the relevant local, State and Commonwealth Government authorities, and utilities service providers, including:</p> <ul style="list-style-type: none"> • Ballina Shire Council; • Office of Environment and Heritage • Environmental Protection Authority; • Department of Primary Industries; • Department of Industry – Lands • Transport for NSW; • Roads and Maritime Services; • Rural Fire Service; and • Australian Department of the Environment and Energy. <p>The modification request must describe the consultation process and issues raised and identify where the design of the development has been amended in response to those issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>	Attachment 9
Plans and Documents	
<p>The modification request must include all relevant plans, architectural drawings, diagrams, and relevant documentation, including:</p> <ul style="list-style-type: none"> • Site analysis plan; • Site survey plan, showing existing levels, locations and heights of existing and adjacent structures/buildings to AHD; • Locality/context plan; • Architectural drawings (to be usable scale at A3); • Plans, elevations, section and photomontages clearly showing the proposed amendments compared with the Project Approval and Concept Plan Approval; • A table in the Environmental Assessment (EA) identifying the section of the EA where each component of the SEARs is addressed; and • Public domain plans. 	Attachments 1 & 2

Callie Shovlin

From: Peter Drew <Peter.Drew@ballina.nsw.gov.au>
Sent: Thursday, 17 May 2018 12:52 PM
To: Callie Shovlin
Subject: RE: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ
Attachments: Comments to the department relating to MP 07_0026 MOD 6 - Super Lot 7.pdf

Hi Callie

Please find attached Council's comments (previously provided to the DPE) on the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Regards,

Peter Drew
Town Planner



ballina.nsw.gov.au | discoverballina.com
p: (02) 6686 1414



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From: Callie Shovlin [<mailto:cshovlin@newtondennychapelle.com.au>]
Sent: Wednesday, 2 May 2018 3:57 PM
To: Peter Drew
Subject: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Hi Peter,

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin
Town Planner



Suite 1/31 Carrington Street, Lismore
Post: PO Box 1138, Lismore NSW 2480
T: 02 66221 011 F: 02 6622 4088
E: cshovlin@newtondennychapelle.com.au
W: www.newtondennychapelle.com.au

enquiries refer

Jessica Hutley

in reply please quote

CM Ref: 17/103838



22 December 2017

Department of Planning and Environment
Modification Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Jane Flanagan

Dear Jane,

Re: Response to Secretary's Environmental Assessment Requirements (SEARs) for the proposed modification to the Concept Plan Approval and Project approval MP 07_0026 MOD 6 relating to Super Lot 7 Lot 54 DP 1222919.

Thank you for the opportunity to provide comment on the Secretary Environmental Assessment Requirements (SEARs) for the above proposal relating to MOD 6 of the Concept Plan Approval MP07_0026 of Super Lot 7 as per your email 1 December 2017. Thank you also for the extension to 22 December 2017 to provide comment.

A review of the proposed modification has been undertaken by Council and it is requested that the following matters are addressed.

- Super Lot 7 is within Area K under the Lennox Head Structure Plan. The structure plan identifies that future development in this area should comply with the development principles set out in Section 2.3.3 of the structure plan. Given this, it is suggested that the SEARs require an analysis of the proposed development of Super Lot 7 relative to the development principles in section 2.3.3 of the Lennox Head Structure Plan.
- Super lot 7 includes provision for both commercial and industrial development in the form of a tavern, child care centre (or preschool), storage facilities and live work arrangements. The live work concept and storage facilities in particular have the potential to be in conflict with the planning framework for Lennox Head as set out in the Ballina Retail Strategy and the Lennox Head Structure Plan. The proposed approach may adversely impact on a planned light industrial (service trades) area adjacent to Ross Lane and the proposed live work development may create a second business and office precinct in Lennox Head outside the scope of the planned neighbourhood centre within the Epiq Estate. Given this, it is suggested that the SEARS require the following:
 - Analysis of the consistency of the proposal with the planned light industrial area (service trades centre) identified within Area C under the Lennox Head Structure Plan. In particular, the suitability of the Epiq site for the proposed live work and storage facilities compared to the planned area for such uses within Area C should be addressed.
 - Analysis of the planned components and potential impacts of the live work development on the Lennox Head village centre relative to the principles set out in the Ballina Retail Strategy, Lennox Head Community Aspirations Strategic Plan and the Lennox Head Structure Plan. In particular, potential impacts on the maintenance of the intended retail hierarchy in Lennox Head (i.e. that

commercial activity in the Epiq development will be secondary to the village centre) as well as the potential for loss of business activity from the village centre should be addressed. This analysis should incorporate an address of the impacts on the Lennox Head village centre associated with the Epiq neighbourhood shopping centre so as to determine both the impacts on the village centre associated the proposal for super lot 7 and the Epiq development overall.

- Provision of information addressing the need for, and viability of, live work development within the Epiq development.
- Of note is that the child care (preschool) site is consistent with Council's intention to negotiate with Clarence Property to obtain land for future community use within Epiq. Council resolved to enter a negotiation process at the December Ordinary Meeting as follows (part resolution):

9.6 Epiq Development - Community Facilities and Infrastructure

141217/15 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

1. That Council authorises the General Manager (or delegate) to negotiate with Clarence Property for an alternate community infrastructure outcome at the Epiq development site based on the following principles:
 - That Council works with Clarence Property to determine an agreed value for the community infrastructure works required under the current Concept Approval.
 - That the negotiation be based on the application of the value of the required community infrastructure works to Council's preferred infrastructure outcomes.
 - That Council negotiates for an enhanced amenities building at the playing fields inclusive of toilets, change rooms, a canteen space, storage areas and a meeting space.
 - That Council negotiates for piece of land in a future development stage suitable for the siting of a community preschool and/or community facility.
 - That if the above items are secured and any funding remains, that Council negotiates for such monies to be applied to the lighting of the Epiq playing fields.
 - That the requirement for cricket practice wickets (nets) is to be determined following consultation with stakeholders.
- The applicant it to provide details regarding the intent of the proposed 10 metre buffer along the northern side of the Super Lot 7 adjoining Henderson Lane (presumably a vegetation buffer) to indicate the intended maintenance of this area.
 - The applicant should provide details of the proposed street system addressing compliance with the requirements of the Northern Rivers Local Government Design Manual, including but not limited to address of carriageway width and road reserve width.
 - An eight metre wide laneway road reserve (including a six metre pavement) is required as per other stages within the EPIQ (previously Pacific Pines) development.
 - Council does not support the proposed cul-de-sac in the north-eastern corner of the Super Lot 7. It is suggested that a loop road is a preferred alternative.

- Provide analysis of the geometry of the internal road system relative to the movement of heavy vehicles (including waste collection vehicles), and in particular the proposed cul-de-sac adjacent to Hutley Drive.
- The applicant should provide details to the conformity of pedestrian and shared pathways with Austroads and Northern Rivers Local Government Design Manual standards.
- The applicant is required to provide information demonstrating that a road link can be provided between Super Lot 7 and the adjoining road reserve to the west in the vicinity of the proposed regeneration area.

Should you have any further questions or require clarification in relation to the matters raised above, please contact Jessica Hutley of Council's Development Services on 6686 1254.

Yours faithfully



Vince Hunt
Acting Group Manager
Development and Environmental Health

Callie Shovlin

From: rohan.macdonald@dpi.nsw.gov.au on behalf of Landuse Enquiries
<landuse.enquiries@dpi.nsw.gov.au>
Sent: Monday, 7 May 2018 11:17 AM
To: Callie Shovlin
Subject: Response to SEAR's - MP 07_0026 Mod 6 - Super Lot 7 EPIQ; MP 07_0026 Mod 7 - Super Lot 5 EPIQ
Attachments: OUT17 48371 CL&W Response - Mixed Use Development, Lennox Head (MP 07_0026 MOD 6) - SEARs.pdf; OUT17 48374 CL&W Response - Mixed Use Development, Lennox Head (MP 07_0026 MOD 7) - SEARs.pdf

Hi Callie,

Please find attached the Lands & Water and DPI advice relating to Environmental Assessment requirements for the proposed modifications. Lands & Water and DPI have no additional requirements at this stage, however we would be happy to provide further advice should you have any specific enquiries during the preparation of the EA.

Thank you for your consultation.

Regards,
Rohan

Rohan Macdonald | Senior Policy Officer
NSW Department of Industry | Lands and Water | Strategy and Policy
[161 Kite Street | Orange NSW 2800](#)
P: 02 6391 3788
E: rohan.macdonald@dpi.nsw.gov.au
W: www.industry.nsw.gov.au

We work flexibly. If you have received an email from me outside of normal business hours, I'm sending it at a time that suits me. Unless it's urgent, I'm not expecting you to read or reply until normal business hours.

On 2 May 2018 at 15:59, Callie Shovlin <cshovlin@newtondennychapelle.com.au> wrote:

Attention: Graeme White

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin

Town Planner

Callie Shovlin

From: rohan.macdonald@dpi.nsw.gov.au on behalf of Landuse Enquiries
<landuse.enquiries@dpi.nsw.gov.au>
Sent: Monday, 7 May 2018 11:17 AM
To: Callie Shovlin
Subject: Response to SEAR's - MP 07_0026 Mod 6 - Super Lot 7 EPIQ; MP 07_0026 Mod 7 - Super Lot 5 EPIQ
Attachments: OUT17 48371 CL&W Response - Mixed Use Development, Lennox Head (MP 07_0026 MOD 6) - SEARs.pdf; OUT17 48374 CL&W Response - Mixed Use Development, Lennox Head (MP 07_0026 MOD 7) - SEARs.pdf

Hi Callie,

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Thank you for your consultation.

Regards,
Rohan

Rohan Macdonald | Senior Policy Officer
NSW Department of Industry | Lands and Water | Strategy and Policy
[161 Kite Street | Orange NSW 2800](#)
P: 02 6391 3788
E: rohan.macdonald@dpi.nsw.gov.au
W: www.industry.nsw.gov.au

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On 2 May 2018 at 15:59, Callie Shovlin <cshovlin@newtondennychapelle.com.au> wrote:

Attention: Graeme White

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin

Town Planner

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Cabinet & Legislation Services

NSW Department of Industry | Lands & Water

E: landuse.enquiries@dpi.nsw.gov.au

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Callie Shovlin

From: Don Owner <Don.Owner@environment.nsw.gov.au>
Sent: Friday, 11 May 2018 2:47 PM
To: Callie Shovlin
Subject: OEH Response - Epiq Subdivision Approval MOD 6 - signed DY 20180511
Attachments: OEH Response - Epiq Subdivision Approval MOD 6 - signed DY 20180511.pdf

Hi Damian,

Attached is a digital copy of the OEH response letter relating to Epiq MOD6. A hard copy of the letter has also been posted out to you today. Please contact me if you have any questions about the recommendations provided.

Regards,

Don Owner



Don Owner

Snr Conservation Planning Officer
North East Branch
Regional Operations Division

Federation House, Level 8
24 Moonee Street, Coffs Harbour
Locked Bag 914, Coffs Harbour 2450
T 02 6659 8233 F 02 6659 8281

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Our Ref: DOC18/275943
Your Ref: 14/351

Mr Damian Chappelle
Newton Denny Chappelle
PO Box 1138
Lismore NSW 2480

Dear Mr Chappelle

Re: Response to SEARs for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 MOD 6 relating to Lot 7 DP 1239938

Thank you for your letter dated 1 May 2018 about the proposed modification (MOD 6) to the approvals for MP 07_0026 seeking comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input.

The OEH provided input to the Secretary's Environmental Assessment Requirements in a letter to the Department of Planning and Environment (DPE) dated 21 December 2017, which detailed OEH's assessment requirements for matters relating to biodiversity, Aboriginal cultural heritage, historic heritage, acid sulphate soils, flooding, stormwater and coastal erosion.

The OEH does not have any additional site-specific matters that require addressing as part of the environmental assessment process for MOD 6.


Nevertheless, we recommend that assessments in support of the proposed modification:

- a. Demonstrate that the proposal will be consistent with the project Environmental Management Plan prepared in accordance with Concept Approval Condition B1;
- b. Demonstrate that the 'development footprint' and overall performance of any proposed changes to the stormwater management system will be consistent with the project Stormwater Management Plan prepared in accordance with Concept Approval condition B6;
- c. Identify any additional direct or indirect impacts by the proposal on the proposed conservation area, ecological corridor or retained areas of littoral rainforest (including buffer areas); and
- d. Describe any additional management or mitigation measures necessary to ensure the the proposal remains consistent with the intent of the Concept Plan and Project Approval requirements.

We look forward to reviewing the environmental assessment documents once they have been lodged with DPE.

If you have any further questions about this issue, Mr Don Owner, Senior Conservation Planning Officer, Regional Operations, OEH, can be contacted on 6659 8233 or at don.owner@environment.nsw.gov.au.

Yours sincerely

 11 May 2018

DIMITRI YOUNG
Senior Team Leader Planning, North East Branch
Regional Operations

Contact officer: DON OWNER
6659 8233

Callie Shovlin

From: Paul Creenaune <Paul.Creenaune@rfs.nsw.gov.au>
Sent: Thursday, 3 May 2018 2:11 PM
To: Callie Shovlin
Subject: RE: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Hi Callie,

The NSW RFS provided comments regarding MP 07_0026 (Mod 6) to NSW Planning & Environment in a letter dated 16 January 2018 (our ref: D17/4728). Please advise if you have not been provided with a copy of the RFS submission.

At this stage, the NSW RFS has no further comments to make.

Regards,
Paul.



Paul Creenaune | Development Assessment & Planning Officer
Planning & Environment Services (North)
NSW RURAL FIRE SERVICE
Suite 1 / 129 West High Street, Coffs Harbour 2450
P 02 6691 0400 **F** 02 6691 0499 **E** paul.creenaune@rfs.nsw.gov.au
www.rfs.nsw.gov.au | www.facebook.com/nswrfs | www.twitter.com/nswrfs
PREPARE. ACT. SURVIVE.

From: Callie Shovlin <cshovlin@newtondennychapelle.com.au>
Sent: Wednesday, 2 May 2018 4:03 PM
To: Planning & Environment Services <CustomerService.Centre@rfs.nsw.gov.au>
Subject: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Attention: Mr Paul Creenaune

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin
Town Planner



Suite 1/31 Carrington Street, Lismore
Post: PO Box 1138, Lismore NSW 2480
T: 02 66221 011 F: 02 6622 4088
E: cshovlin@newtondennychapelle.com.au
W: www.newtondennychapelle.com.au

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Callie Shovlin

From: Paul Creenaune <Paul.Creenaune@rfs.nsw.gov.au>
Sent: Thursday, 3 May 2018 2:11 PM
To: Callie Shovlin
Subject: RE: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Hi Callie,

The NSW RFS provided comments regarding MP 07_0026 (Mod 6) to NSW Planning & Environment in a letter dated 16 January 2018 (our ref: D17/4728). Please advise if you have not been provided with a copy of the RFS submission.

At this stage, the NSW RFS has no further comments to make.

Regards,
Paul.



Paul Creenaune | Development Assessment & Planning Officer
Planning & Environment Services (North)
NSW RURAL FIRE SERVICE
Suite 1 / 129 West High Street, Coffs Harbour 2450
P 02 6691 0400 **F** 02 6691 0499 **E** paul.creenaune@rfs.nsw.gov.au
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PREPARE. ACT. SURVIVE.

From: Callie Shovlin <cshovlin@newtondennychapelle.com.au>
Sent: Wednesday, 2 May 2018 4:03 PM
To: Planning & Environment Services <CustomerService.Centre@rfs.nsw.gov.au>
Subject: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Attention: Mr Paul Creenaune

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin
Town Planner



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Callie Shovlin

From: Development Northern <development.northern@rms.nsw.gov.au>
Sent: Wednesday, 30 May 2018 1:07 PM
To: Callie Shovlin
Subject: RMS Response - RE: Mod 6 & 7 - Response to SEAR's - MP 07_0026 - Super Lot 7 & 5 EPIQ
Attachments: NTH10_00202 - RMS Response - MP 07_0026 Mod 6-7 Lennox.pdf; NTH10_00202_09 - RMS response - Montwood Drive, Lennox Heads - MOD 7 - Super Lot 5.pdf; NTH10_00202_08 - RMS response - Montwood Drive, Lennox Heads - MOD 6 - Super Lot 7.pdf

Good Afternoon,

Please see attached response.

Kind regards,

Leisa Sedger

Administration Officer | Land Use Assessment
Northern Region | Regional & Freight
T 02 6640 1362 M 0418 486 966
www.rms.nsw.gov.au
Every journey matters

Roads and Maritime Services
Level 1 76 Victoria St Grafton NSW 2460

From: Callie Shovlin [<mailto:cshovlin@newtondennychapelle.com.au>]
Sent: Wednesday, 2 May 2018 4:05 PM
To: Development Northern
Subject: Mod 6 - Response to SEAR's - MP 07_0026 - Super Lot 7 EPIQ

Attention: Liz Smith

Please find attached correspondence relating to the SEARS for the proposed modification to the Concept Plan Approval and Project Approval MP 07_0026 (Mod 6) relating to Super Lot 7 at EPIQ.

Kind regards,

Callie Shovlin
Town Planner



Suite 1/31 Carrington Street, Lismore
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File No: NTH10/00202
Your Ref: MP 07_0026_MOD_6

The Manager
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Natasha Harras

Dear Sir / Madam,

Secretary's Environmental Assessment Requirements for SSD 07_0026 Modification 6 (Super Lot 7)

I refer to your email of 1 December 2017 requesting input to the Secretary's Environmental Assessment Requirements (EARs) for the abovementioned state significant development.

Roles and Responsibilities

The key interests for Roads and Maritime Services are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.

Montwood Drive is a public (local) road and The Coast Road (MR545) is a classified (regional) road. In accordance with Section 7 of the *Roads Act 1993* (the Act) Ballina Shire Council is the Roads Authority for all other public roads in the subject area. Roads and Maritime's concurrence is required prior to Council's approval of works on classified (regional) roads under Section 138 of the Roads Act.

Roads and Maritime Response

It is understood that the proposed modification to the major project concept design seeks to modify Super Lot 7 from 47 Torrens title residential lots into 34 residential lots, 26 live-work lots and 2 neighbourhood commercial lots.

The Environmental Assessment should identify the impact of any increase in peak hour traffic demands generated at connections to The Coast Road and propose suitable infrastructure to maintain the safety and efficiency of the classified road network. The assessment should also identify suitable facilities to accommodate any increase the demand generated for active and public transport modes.

An Updated Traffic Impact Assessment (TIA) should be prepared in accordance with the Austroads Guide to Traffic Management Part 12 and the Guide to Traffic Generating Developments. The current Austroads Guidelines, Australian Standards and Roads and Maritime Supplements are to be adopted for any proposed works on the classified road network.

If you have any further enquiries regarding the above comments please contact Matt Adams, A/Manager Land Use Assessment on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully

for Liz Smith
A/Network & Safety Manager, Northern Region
Date: 15/12/2017