

Director-General's Requirements

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

Major Project No.	MP 08_0234
Project	Concept Plan for Rise Estate comprising of a residential, educational, retirement, retail and recreational development.
Site	Rise Estate, Bilambil Heights – Marana Street Bilambil Heights.
Proponent	Terranora Group Management
Date of Issue	6 February 2009
Date of Expiration	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
General Requirements	<p>The Environmental Assessment (EA) must include</p> <ol style="list-style-type: none"> (1) An executive summary; (2) A detailed description of the project including the: <ol style="list-style-type: none"> (a) strategic justification for the project; (b) alternatives considered; and (c) various components and stages of the project in detail (and should include infrastructure staging); (3) A consideration of the following with any variations to be justified: <ol style="list-style-type: none"> (a) all relevant State Environmental Planning Policies, (b) all applicable planning instruments, including relevant Council LEP and DCP instruments, and (c) relevant legislation and policies, including the <i>Far North Coast Regional Strategy</i>. (4) A draft Statement of Commitments, outlining commitments to the project's management, mitigation and monitoring measures with a clear identification of who is responsible for these measures; (5) A detailed conclusion justifying the project, taking into consideration the environmental impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; (6) Identify the development contributions applicable to the site and, if relevant, and any public benefits to be provided with the development, consistent with any development contributions plans prepared to date; (7) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and (8) A report from a quantity surveyor identifying the correct capital investment value for the concept plan.
Key Assessment Requirements	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> 1. Urban Design and Built Form <ol style="list-style-type: none"> (1) Demonstrate that the type, bulk, scale, size and design quality controls for future development, including road layouts, building style, building heights, and landscaping on the site will be able to respond to the location and sub-region appropriately. (2) Provide suggested new controls and urban design guidelines to regulate the development, including development controls and management arrangements. (3) Undertake a site analysis that identifies the relevant natural and built environmental features. The site analysis should form the basis for justifying the configuration of the development of the land and the mix of land uses. (4) Visual analysis of the proposal, including but not limited to projected view analysis, photomontages (local and context) with particular attention to development on the hilltop. (5) Strategic context and justification in terms of market demand including analysis of design with regard to the target market of proposed product. (6) Proposed staging and timing of the development.

2. Biodiversity and Threatened Species

- (1) Address the impact of the development on existing native flora and fauna and their habitats, including identified threatened species, having regard to the Threatened Species Assessment Guidelines and recommend offset measures to avoid or mitigate impacts on threatened species and their habitat.
- (2) Address the Management of threatened species and natural open space areas.
- (3) Assess impacts of native vegetation clearing and provide details of any offset strategy or suitable mitigation measures.
- (4) Outline the management arrangements for ongoing control of weeds and pests.
- (5) Discuss as relevant the development of ecological corridors to link flora and fauna corridors both on and adjoining the site, as well as ecological buffers between land uses such as asset protection zones.
- (6) Assess any potential impact on surrounding waterways in terms of water quality and aquatic ecosystems. This should include but not be limited to:
 - (a) Onsite pollution such as accidental spills and sewer overflows;
 - (b) Stormwater management and treatment;
 - (c) Risks such as weed invasion, encroachment and litter; and
 - (d) Vegetated buffer zones.
- (7) Detailed plan for the control of environmental weeds and pest animal species.

3. Traffic and Transport

- (1) Prepare a Traffic Management Plan that considers the traffic constraints of the site and surrounding locality
- (2) Prepare a Traffic Study in accordance with RTA's *Guide Traffic Generating Developments* that satisfactorily address:
 - (a) Impacts of the proposal on regional and local road networks;
 - (b) Opportunities to minimise traffic on sensitive road frontages;
 - (c) Proposed access and circulation;
 - (d) Efficiency of emergency vehicle access/egress;
 - (e) Proposed access from the wider road network as well the opportunities and constraints of alternative vehicular access points;
 - (f) Proposed pedestrian and cycle access within and to the site that connects to all relevant transport services and key off-site locations and measures to promote the use of these;
 - (g) Consideration of the capacity, limitations and constraints of the road network including the Kennedy Drive and Pacific Highway interchange and the Cobaki Parkway;
 - (h) Consideration of traffic implications from a wider network perspective including history of current developer agreements for the provision and timing of roadworks and their relationship with the development of Rise Estate.
- (2) Identify package of public transport measures to support the proposed development and suggest appropriate funding mechanisms.
- (3) Provide a road network plan identifying the proposed road hierarchy including cycleways, footpaths and car parking. Plan should identify public, private roads and typical cross sections and long sections.

4. Heritage

- (1) Identify and assess the impacts of the proposal on any item of heritage significance.
- (2) The EA is to address the requirements set out in the draft *"Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation"*.

5. Utilities and Infrastructure

- (1) Prepare a utility and infrastructure servicing report and plan for the site that includes (but is not limited to):
 - (a) Identification and assessment of the capacity of existing utility and infrastructure servicing the site,
 - (b) Identification and assessment of all necessary augmentation works to service the site and whether these works can sustain this and other development foreshadowed for the Bilambil release area,

- (c) How infrastructure will be managed by each stage of development,
- (2) Preparation of a Concept Stormwater Management Plan that outlines general measures for stormwater and effluent management in relation to climate, topography, soil types and local geology and identify potential risk issues. Measures to be incorporated on site, include (but not limited to) on site stormwater detention, water sensitive urban design measures, the impact on the quality of surface water and groundwater.
 - (3) Identify the proposed sources of water supply for the development including any reliance on groundwater or local catchments including addressing water sustainability and efficiency principles
 - (4) Identify any risks of groundwater depletion or water table rise
- 6. Ecologically Sustainable Development** – Demonstrate how the development will commit to ESD principles in design, construction and ongoing operation phases.
- 7. Open Space and Community Facilities** – Details of the proposed open space and community facilities and the ongoing maintenance of open space and such facilities. Provide details of any arrangements with Council for public use of such facilities.
- 8. Ownership and Management** – Identify the proposed ownership and titling arrangements for each of the proposed land uses.
- 9. Bushfire**
- (1) Demonstrate compliance with the current version of *Planning for Bush Fire Protection* and *Australian Standard 3959 (Building in Bush Fire Prone Areas)*. The EA is to identify the ongoing management arrangements of any proposed APZs.
 - (2) Provide a plan of management for any areas of hazard including maintenance of APZs.
- 10. Flooding**
- Assessment of any flood risk for the site should be conducted in accordance with the NSW Government's Flood Prone Land Policy as set out in the Floodplain Development Manual, 2005.
- 11. Planning Agreements and/or Developer Contributions**
- The environmental assessment should identify and address the additional demand created by the development on existing public facilities. The likely scope of any planning agreement and/or developer contributions between the proponent, Council and other agencies are to be detailed.
- 12. Site preparation works**
- (1) Provide a report that includes (but is not limited to):
 - (a) a detailed survey showing existing and proposed levels and proposed quantities of cut and fill necessary for site preparation works, and
 - (b) details on the source of fill including types of materials and their source.
 - (2) A geotechnical study to identify any constraints on the site including slope analysis.
 - (3) Provide a preliminary Erosion and Sediment Control Plan.
 - (4) Provide a contaminated land report that identifies and assesses any land contamination.
- 13. Subdivision**
- (1) Provide proposed plans of subdivision that identify all covenants, easements and notations proposed for each land title and, if relevant, how the subdivision is to be staged.
 - (2) Provide a staging Plan that identifies the staging of the development and demonstrates how each precinct will be developed in a coordinated manner
 - (3) Outline the long-term management and maintenance of any areas of open space or conservation, including the ownership and control, management and maintenance of funding public access revegetation and rehabilitation works and bushfire management.

	<p>15. Agriculture</p> <p>(1) Consider potential impacts of the proposal on existing agriculture in the area.</p> <p>(2) Monitoring of the quality and volumes of any discharged water to ensure no reduction in quality and quantity to downstream agricultural users of the water.</p> <p>(3) Demonstrate consistency with requirements of the Northern Rivers Catchment Action Plan (http://www.northern.cma.nsw.gov.au/region_catchment_action_plan.php).</p>
Consultation Requirements	<p>An appropriate and justified level of consultation should be undertaken with the following relevant parties during the preparation of the environmental assessment, having regard to any previous consultation:</p> <p><i>a) Agencies and other authorities:</i></p> <ul style="list-style-type: none"> • Tweed Shire Council; • NSW Department of Water and Energy; • NSW Department of Primary Industries; • NSW Department of Environment and Climate Change; • NSW Roads and Traffic Authority; • NSW Ministry of Transport; • Northern River Catchment Management Authority; • NSW Emergency Service agencies, namely NSW Rural Fire Service, NSW Police Department, the Ambulance Service of NSW, the State Emergency Service; and • All utility providers. <p><i>b) Adjoining Landowners</i></p> <p>Consultation with adjoining landowners is to be undertaken to discuss and address, where appropriate, the cumulative impact of new development upon the existing township including potential impacts upon existing and proposed regional and local infrastructure.</p> <p><i>c) 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>
Test of Adequacy	<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>The Director-General may modify these requirements by further notice to the proponent.</p>
Deemed refusal period	120 days (see Clause 8E of the Environmental planning and Assessment Regulation)
Landowner's Consent	Landowner's consent is to be provided within the EA in accordance with clause 8F of the Environmental Planning & Assessment Regulation 2000.
Application Fee Information	The application fee is based on Capital Investment Value of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the Environmental Planning and Assessment Regulation 2000. To verify the cost of works for this project you are requested to submit a Quantity Surveyor's report for the project.
Documents to be submitted	<p>Once the draft EA has been submitted and determined to be adequate by the Department the applicant should submit:</p> <ul style="list-style-type: none"> • 10 hard copies of the environmental assessment report & 10 sets of the architectural plans; and • 10 copies of the environmental assessment report and plans on CD-ROM (in PDF or other relevant format with one PDF file per report or section of the EA in a sequential order – please ensure each PDF file is less than 2Mb in size).