

3 October 2012  
Ref No: 1675-1003



The Director-General  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2000

**Attention: Ms Sally Munk**



Dear Sally

**Pacific Pines MP 07\_0026 Concept and Project Approval MOD 4**

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Further to our recent meetings and correspondence, we are please to provide the following information in support of our application to modify the approvals:

- an Environmental Management Plan (EMP), as required by Condition B1 of the Concept Approval;
- a Conservation Zone Management Plan (CZMP), as required by Condition B2 of the Concept Approval;
- an Environmental Management Plan (EMP) for the Conservation Zone, as required by Condition 5 of the Commonwealth's EPBC Act approval (EPBC 2007/3585);
- civil engineering drawings illustrating details of the proposed stormwater management measures associated with maintenance of the existing hydrology; and
- updated plan sets that provide additional detail to support the applications.

Based on this information, we request that the Department now approve:

1. the proposed modifications to the Concept Approval and Project Approval;
2. the Environmental Management Plan, in accordance with Condition B1 of the Project Approval;
3. the design modifications required by Condition B2 of the Project Approval; and
4. the Conservation Zone Management Plan, in accordance with Condition C1 of the Project Approval.

The summary information provided below addresses the issues included in your correspondence of 21<sup>st</sup> August, and provided further explanation to assist the department in reviewing the enclosed material.

**Mapping**

*No constraints mapping has been provided from recent surveys undertaken in 2011. The department needs to see constraints mapping that represents density and specific locations of existing EECs and threatened species across the whole site with polygons (as illustrated in GeoLINK's Conservation Zone Rehabilitation Map), not just within the conservation zone.*

Constraints mapping is provided within Section 3 of the EMP, showing all mapped threatened species and ecologically endangered communities across the whole of the site.



*Mapping of HJG lost versus HJG protected as provided to the SEWPaC has not been included in the modification application.*

That mapping is now provided within the EMP, with further detail of protection and enhancement outlined in the CZMP.

*Representation of HJG habitat lost versus protected should be consistent. At the moment it is dots versus polygons in plan submitted to SEWPaC labelled as "Hairy Joint Grass Habitat in Conservation Zone" dated June 2012. If represented by polygons, what is the actual area of HJG lost?*

The mapping within the EMP and CZMP provides the comparative information required. It should be noted that the HJG mapping in the EMP shows actual presence / absence of the species. The rehabilitation strategy in the CZMP (Illustration 4.1) shows HJG habitat, because the strategy includes enhancement of the species within this habitat in addition to protection of the existing population within the Conservation Zone.

### Conservation Zone

*Previously it was noted and acknowledged as part of the department's assessment of Modification 2 that a 2:1 offset ratio is achievable on site. Can this still be achieved?*

The table below provides a tabulation of retained versus lost habitat for all threatened species and ecologically endangered communities, based on GeoLINK's 2011 mapping. As confirmed in the notes of our meeting of 16 August 2012, it is our understanding that the Department does not have a requirement for the development to achieve a 2:1 offset ratio.

*Please provide a table that provides a clear indication of the areas of threatened species and EECs on the site, area to be lost, area to be protected and overall offset ratios. Calculations to be based on most recent mapping undertaken in 2011.*

	<b>Total area mapped on site (ha)</b>	<b>Area to be removed (ha)</b>	<b>Area within conservation zone to be retained (ha)</b>	<b>Retention ratio (retained to removed)</b>
Hairy Joint Grass	3.56	1.85	1.40 (39%)	0.76:1*
Square-stemmed Spike Rush	2.79	0.69	2.00 (72%)	2.9:1
Freshwater Wetland	5.17	0.77	4.40 (85%)	5.7:1
Littoral Rainforest	3.87	0.00	3.87 (100%)	-

*\* In relation to HJG, the Conservation Zone will provide for the protection/ enhancement of 3.85 ha of suitable habitat, within which HJG presence will be enhanced by weed control and translocation.*

*The department is concerned about the residential lots backing on to the conservation zone in Stage 1A, Stage 2 and Stage 5. The perimeter road should be extended to provide separation between these areas that are now to be managed as part of the conservation zone (previously identified as bush revegetation areas)*

In terms of lots being contiguous with the Conservation Zone, it is only the side boundaries of a small number of lots – 1 in Stage 1A; 4 in Stage 2; and 1 in Stage 5. We are of the view that extension of public roads in these circumstances is not warranted.



In the case of Stage 1A and Stage 5, those very short sections of road would not connect to another public road, therefore providing short 'dead-ends'. The ongoing maintenance of those 'dead-ends' would have very little public benefit.

In Stage 2, provision of a public road at the sides of those lots would provide a connection point to Stonyhurst Road. Council had previously expressed concern about 'short-circuits' or 'rat-runs' that could increase through-traffic in low traffic parts of the site.

Connection of roads in this area would cause this problem. Having the roads not connected would again create 'dead space' to be managed for very little public benefit.

The proponents will erect 1.8 m high pool fencing to establish a boundary between public and private property, to encourage surveillance of the Conservation Zone, and to discourage residents from throwing household rubbish over a solid fence.

### Stormwater and Sewer Infrastructure

*Illustration C7 shows sediment ponds in the conservation zone – advice to SEWPaC confirms there will be no drainage infrastructure in the conservation zone area. Please confirm that the revised stormwater layout and services layout will not include any infrastructure in the conservation zone.*

Revised Illustration C7 is attached and shows that there is no longer any stormwater infrastructure located in the Conservation Zone.

The illustration shows the *function* of 'onsite detention basin and storage basin' within the Conservation Zone. This does not require nor involve the construction of any structures or earthworks within the Conservation Zone. It merely notes the current hydraulic regime where, during and immediately after significant rain events, water temporarily ponds in this central area before discharging to the water quality control ponds.

In relation to sewer, site constraints are such that a very small encroachment into the extreme south-western corner of the Conservation Zone is required. As shown in Illustration 3.1 of the EMP, there are no threatened species or EECs located in this part of the site. The sewer main will be located at depth and, once laid, will have no surface effects that could constrain the rehabilitation proposed for this part of the Conservation Zone.

*A revised stormwater management plan is required that shows that no infrastructure will be located within the conservation zone.*

Updated plans C7 and P4 enclosed.

*Propose that condition B6 of the Concept Plan be modified to include the following: (3) that all stormwater infrastructure is located outside the conservation zone.*

Noted. No objection.

### Plans

Comment	Response
<i>Illustration C7 shows sediment ponds in the conservation zone</i>	Illustration revised to remove stormwater infrastructure. See attached.
<i>Illustration C3 still shows the tavern, this needs to be updated</i>	Illustration C3 was original submitted to provide an indicative example of how the Neighbourhood Centre might be developed. We do not believe that it contains any specific information that should constrain the future development of that site, which will be subject of a

<b>Comment</b>	<b>Response</b>
	<p>separate DA process.</p> <p>The important conditions of approval governing this future use include the maximum allowable retail floor space (item 2 in Condition A1 Concept Approval), noise assessment (Condition C7 Concept Approval), a requirement for an Operational Management Plan (Condition C9 Concept Approval), and traffic assessment (C10 Concept Approval).</p> <p>It is requested that this illustration be removed from the list of approved plans.</p>
<i>Illustration C4 still shows the larger site area for the retirement village</i>	<p>As above, Illustration C4 was original submitted to provide an indicative example of how the retirement Community might be developed. We do not believe that it contains any specific information that should constrain the future development of that site, which will be subject of a separate DA process.</p> <p>It is requested that this illustration also be removed from the list of approved plans.</p>
<i>Illustration P4 shows stormwater infrastructure in the conservation zone</i>	Illustration revised to remove stormwater infrastructure. See attached.
<i>Illustration P5 shows bulk earthworks in the conservation zone</i>	Illustration revised. See attached.
<i>Illustration P6 shows revised design contours in the conservation zone</i>	The revised design contours are now shown on the updated Illustration P5. It is therefore requested that Illustration P6 be removed from the list of approved plans.

## Staging

*There is no justification for proposed changes to development staging*

The proposed staging has been revised based on the efficiency of infrastructure / services construction and to increase the number of lots included within an individual stage (as compared to approved staging). These changes have come about following an update to the concept servicing plan, to ensure that construction packages are as efficient as possible and to simplify the construction sequencing.

## Project Description

<b>Comment</b>	<b>Response</b>
<i>Description of green space network should still include '6.3ha of revegetation around littoral rainforest' as part of the conservation zone.</i>	Agreed
<i>Area of lot sizes in modified Condition A1 of the Project Approval is incorrect</i>	<p>The correct areas for the approved super lots are:</p> <ul style="list-style-type: none"> <li>a) Super Lot 1      1.44 ha</li> <li>b) Super Lot 2      now deleted</li> <li>c) Super Lot 3      0.21 ha</li> <li>d) Super Lot 4      0.18 ha</li> <li>e) Super Lot 5      4.2 ha</li> <li>f) Super Lot 6      0.24 ha</li> </ul>



<b>Comment</b>	<b>Response</b>
	g) Super Lot 7      5.59 ha h) Super Lot 8      4.98 ha
<i>Area of Super Lot 5 in modified Condition A1 of the Project Approval is incorrect</i>	Noted. As shown in the updated Illustration P2, Super Lot 5 has an area of 4.2 ha

### **Additional Matter – Design Guidelines**

The original Environmental Assessment documentation included Design Guidelines as an appendix. It is noted that Condition A4 of the consent does not specifically nominate these Guidelines as an approved document. Condition B13 of the Concept Approval appears to be the only specific reference to this document, and amends the Guidelines as they apply to 'park court lots'.

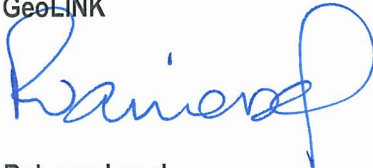
The Design Guidelines contains a number of development controls that were intended to be specific to the lot types shown in the approved Concept Plan, and I note that this was an issue of concern expressed by Ballina Shire Council at the time of the original approval.

The proponent has now reviewed the Design Guidelines and no longer seeks to have them apply to the site. The proponent is happy to have the future development designed, assessed and determined based on the relevant Council and State Government development controls applicable at the time of future applications (subject, of course, to consistency with the approved Concept Plan).

It is requested therefore, that Condition A4 of the Concept Approval be further modified by adding the words "with the exception that the Design Guidelines (as described in correspondence from GeoLINK dated 18 August 2008) are not approved and do not apply to any development undertaken in accordance with this approval".

Yours sincerely

**GeoLINK**



**Rob van Iersel**

Director / Senior Planner

Attach:      Environmental Management Plan  
                  Conservation Zone Management Plan  
                  Environmental Management Plan (EPBC Act Approval)  
                  Engineering drawings for stormwater  
                  Concept Approval plan set  
                  Project Approval plan set

CC:            Manel Samarakoon, Dept Sustainability, Environment, Water, Population and Communities  
                  Krister Waern, Office of Environment and Heritage  
                  Ian Gaskill, Ballina Shire Council  
                  Eve Monement, Lend Lease