

8.4 **Part 5 Application - Construction of Hutley Drive Northern Extension.DOC**



Ballina Shire Council
 40 Cherry Street
 BALLINA NSW 2478

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 BALLINA NSW 2478

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 council@ballina.nsw.gov.au
 www.ballina.nsw.gov.au



**Part 5 Application - Construction of Hutley Drive Northern Extension - Lot 2 DP 620838, No. 9
 Byron Bay Road and Lot 31 DP 787876 Ocean Breeze Reserve, Lennox Head**

ballinashire council
 geographical information system
 Projection: GDA94 / MGA zone 56
 Date: 17/10/2019

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HUTLEY DRIVE NORTHERN EXTENSION BYRON BAY ROAD ROUNDABOUT

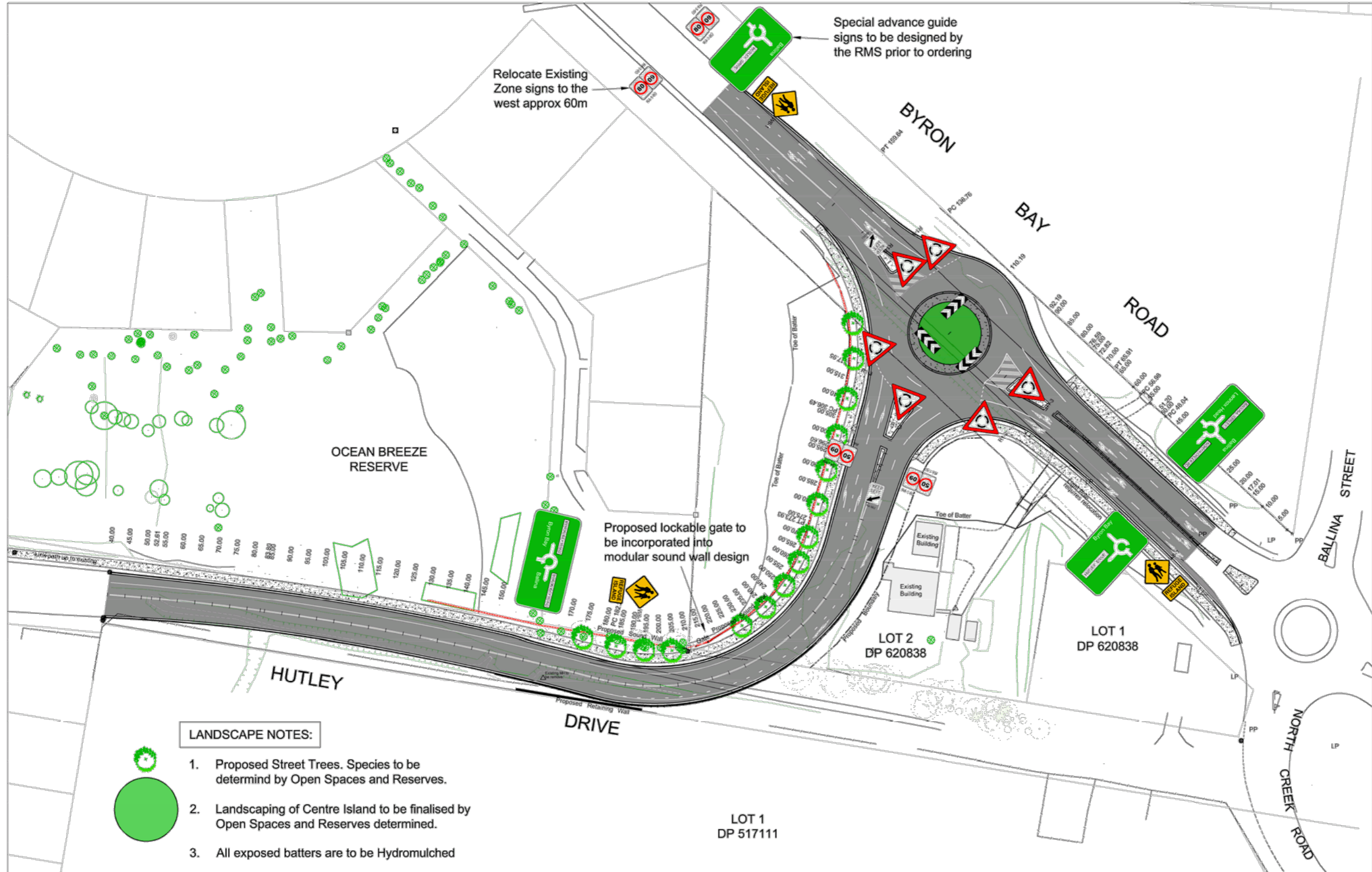
ISSUE E JULY 2019
DESIGN DRAWINGS



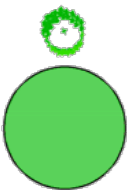
LOCALITY PLAN

DRAWING	SHEET	REVISION	DATE	TITLE
SR31_049_03	1 OF 24	6	30/07/2019	Hutley Drive Northern Extension and Byron Bay Road Roundabout Signs and Linemarking
SR31_049_03	2 OF 24	4	30/07/2019	Hutley Drive Northern Extension and Byron Bay Road Roundabout Contour Plan
SR31_049_03	3 OF 24	4	30/07/2019	Hutley Drive Northern Extension and Byron Bay Road Roundabout Services
SR31_049_03	4 OF 24	2	04/01/2019	Hutley Drive Northern Extension Stormwater and Sewer Longsections
SR31_049_03	5 OF 24	3	08/07/2019	Hutley Drive Northern Extension Longsection Hutley Drive
SR31_049_03	6 OF 24	2	04/01/2019	Byron Bay Road Longsection
SR31_049_03	7 OF 24	4	08/07/2019	Typical Crosssections
SR31_049_03	8 OF 24	2	04/01/2019	Hutley Drive Northern Extension Cross Sections CH 45 to 75
SR31_049_03	9 OF 24	2	04/01/2019	Hutley Drive Northern Extension Cross Sections CH 80 to 115
SR31_049_03	10 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections CH 120 to 155
SR31_049_03	11 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections CH 160 to 195
SR31_049_03	12 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections CH 200 to 230
SR31_049_03	13 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections Ch 235 to 265
SR31_049_03	14 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections CH 270 to 280
SR31_049_03	15 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections CH 285 to 295
SR31_049_03	16 OF 24	4	08/07/2019	Hutley Drive Northern Extension Cross Sections Ch300
SR31_049_03	17 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 20 to 30
SR31_049_03	18 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 35 to 45
SR31_049_03	19 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 50 to 60
SR31_049_03	20 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 65 to 75
SR31_049_03	21 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 80 to 90
SR31_049_03	22 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 95 to 105
SR31_049_03	23 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 120 to 130
SR31_049_03	24 OF 24	2	04/01/2019	Byron Bay Road Cross Sections CH 135 to 145
SR31_049_03	25 OF 25	2	10/07/2019	Detention Basin Cross Sections
SR31_049_04	1 OF 1	1	10/07/2019	Longsection and Typical Section Rendered and Painted Block Sound Wall

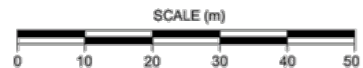




LANDSCAPE NOTES:



1. Proposed Street Trees. Species to be determined by Open Spaces and Reserves.
2. Landscaping of Centre Island to be finalised by Open Spaces and Reserves determined.
3. All exposed batters are to be Hydromulched



No.	Date	By	Change	X'd
6	7/19	MF	Lane and linemarking to RMS requirements	
5	7/19	MF	Concept Landscaping indicated	
4	5/19	MF	Up dated sound wall Landscaping	
3	3/19	MF	Extend Sound Wall to Byron Bay Road	
2	1/19	MF	Final	
1	10/18	MF	Preliminary	



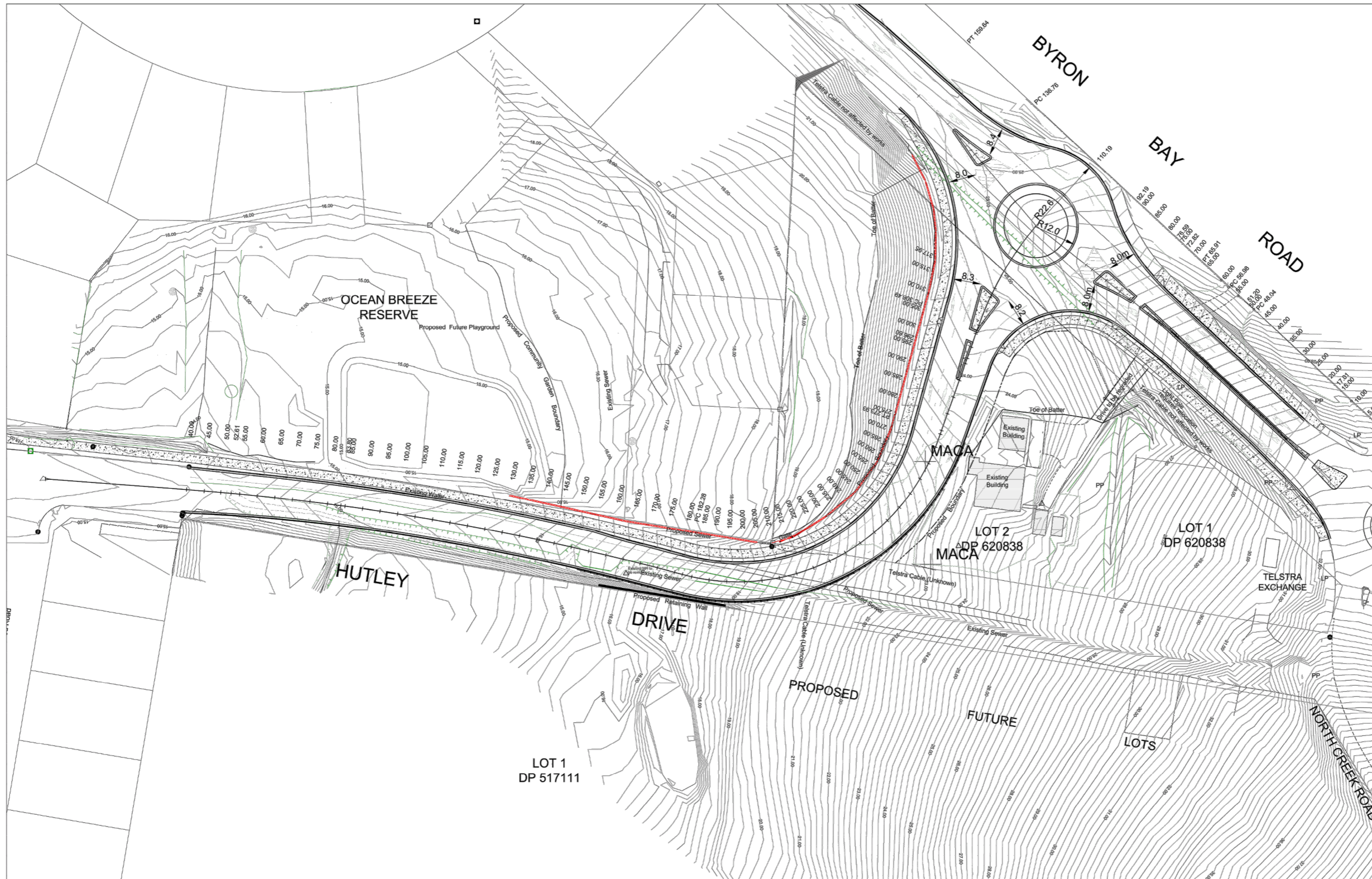
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DATE	15/08/2018	DRAWN
F.B.	L.B.	CHECKED
DATUM	AHD	APPROVED
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SHEET 1 OF 25		


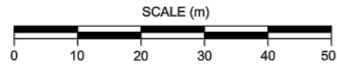

BALLINA SHIRE COUNCIL

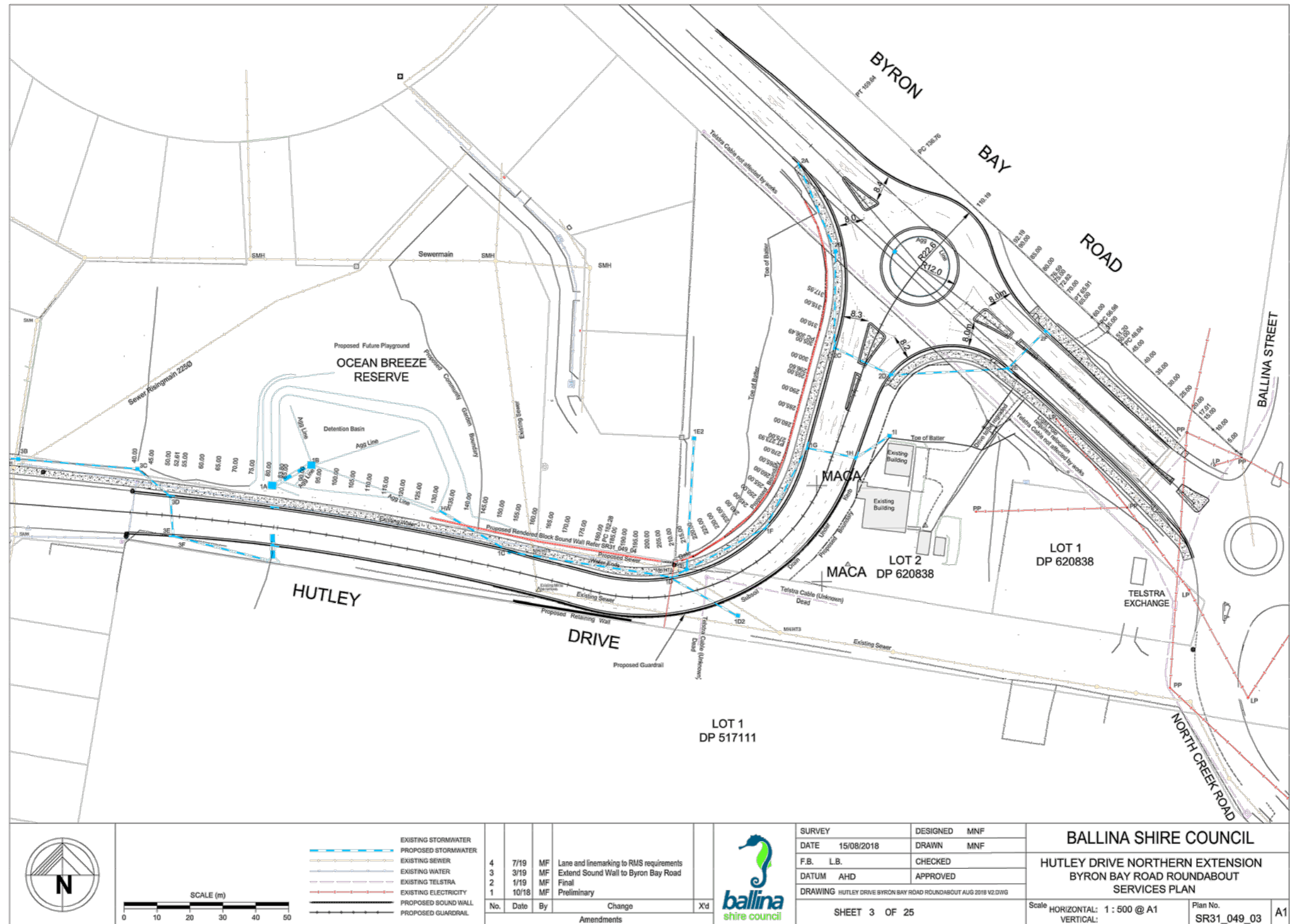
**HUTLEY DRIVE NORTHERN EXTENSION
BYRON BAY ROAD ROUNDABOUT
SIGNS AND LINEMARKING PLAN**

Scale HORIZONTAL: 1 : 500 @ A1
VERTICAL:

Plan No. SR31_049_03 A1



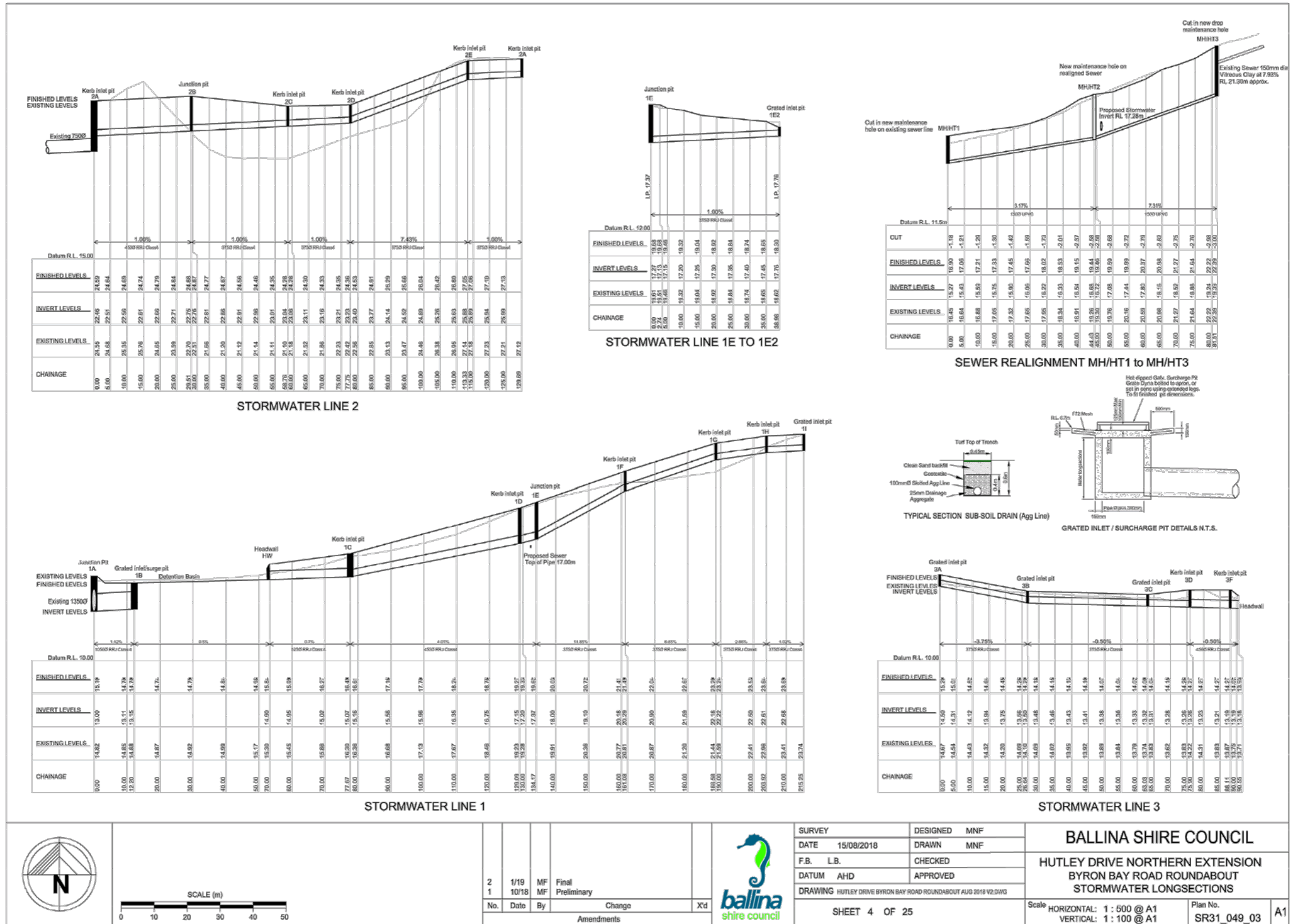
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SHEET 2 OF 25		Scale HORIZONTAL: 1 : 500 @ A1 VERTICAL:	Plan No. SR31_049_03	A1																																			

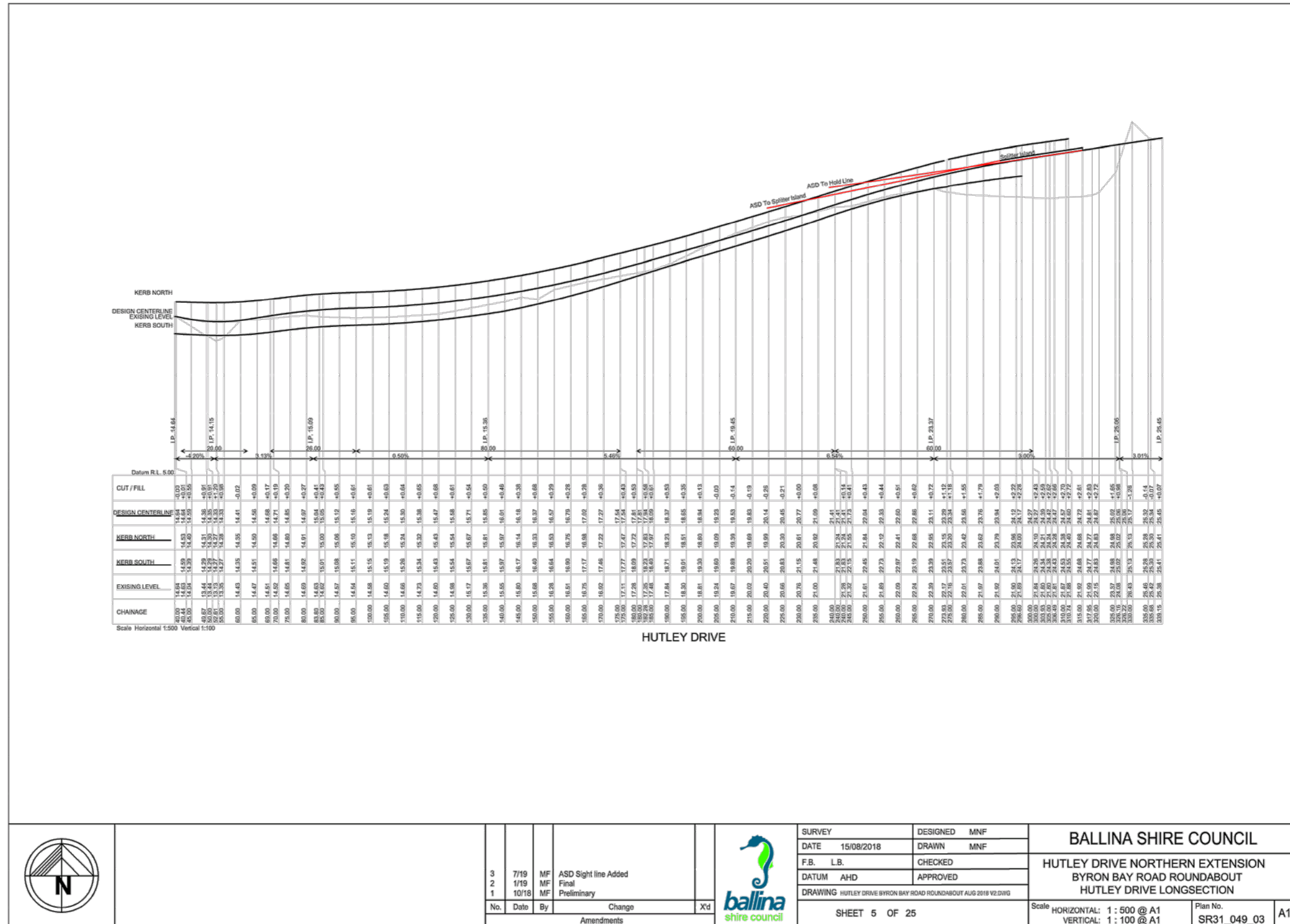


No.	Date	By	Change	X'd
4	7/19	MF	Lane and linemarking to RMS requirements	
3	3/19	MF	Extend Sound Wall to Byron Bay Road	
2	1/19	MF	Final	
1	10/18	MF	Preliminary	

SURVEY		DESIGNED	MNF
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DATUM	AHD	APPROVED	
DRAWING HUTLEY DRIVE BYRON BAY ROAD ROUNDABOUT AUG 2018 V2.DWG			
SHEET 3 OF 25			

BALLINA SHIRE COUNCIL		
HUTLEY DRIVE NORTHERN EXTENSION BYRON BAY ROAD ROUNDABOUT SERVICES PLAN		
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		A1



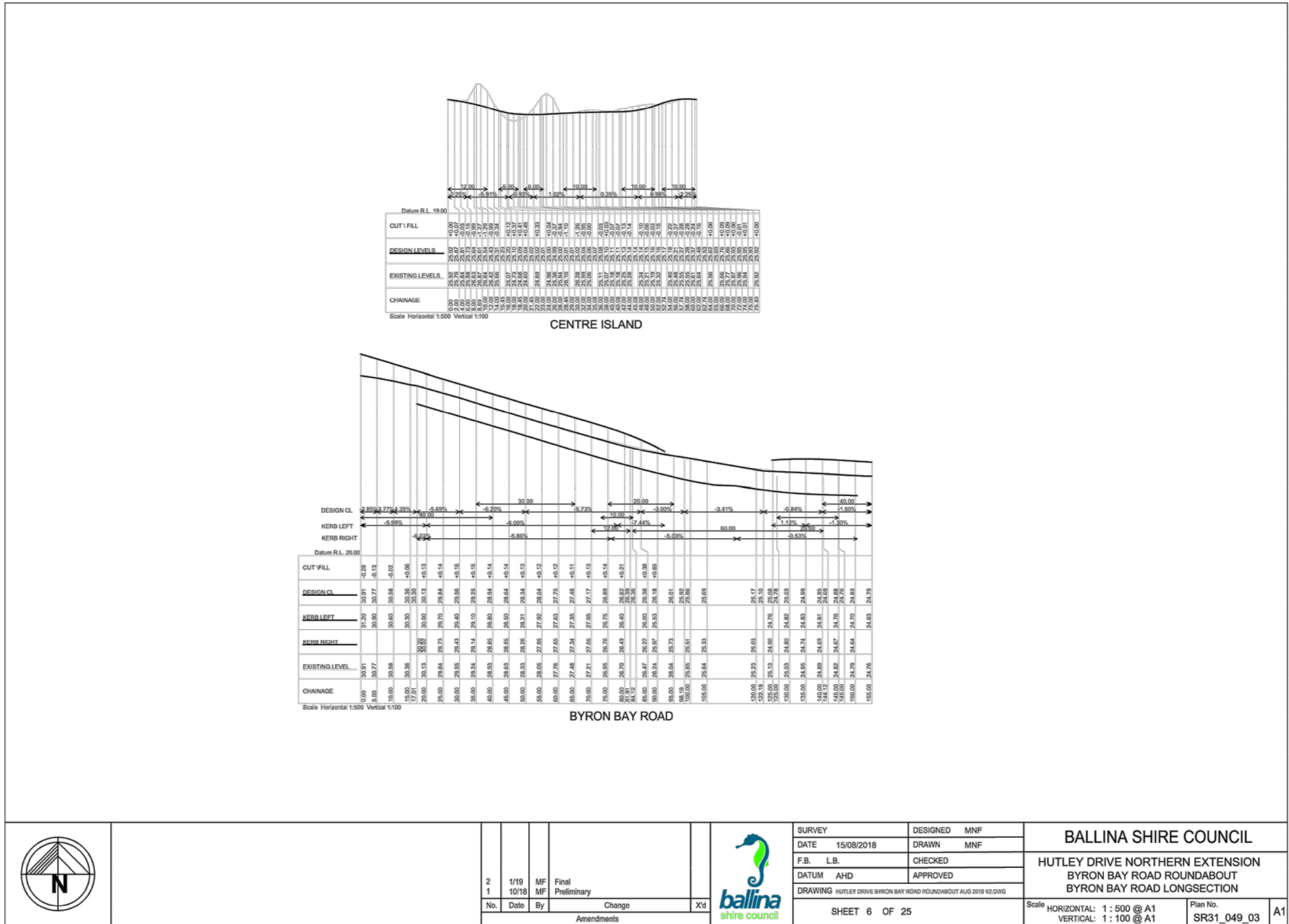


3	7/19	MF	ASD Sight line Added	
2	1/19	MF	Final	
1	10/18	MF	Preliminary	
No.	Date	By	Change	Xd
Amendments				



SURVEY	DESIGNED	MNF
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DATUM AHD	APPROVED	
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SHEET 5 OF 25		

BALLINA SHIRE COUNCIL	
HUTLEY DRIVE NORTHERN EXTENSION BYRON BAY ROAD ROUNDABOUT HUTLEY DRIVE LONGSECTION	
Scale HORIZONTAL: 1 : 500 @ A1 VERTICAL: 1 : 100 @ A1	Plan No. SR31_049_03 A1

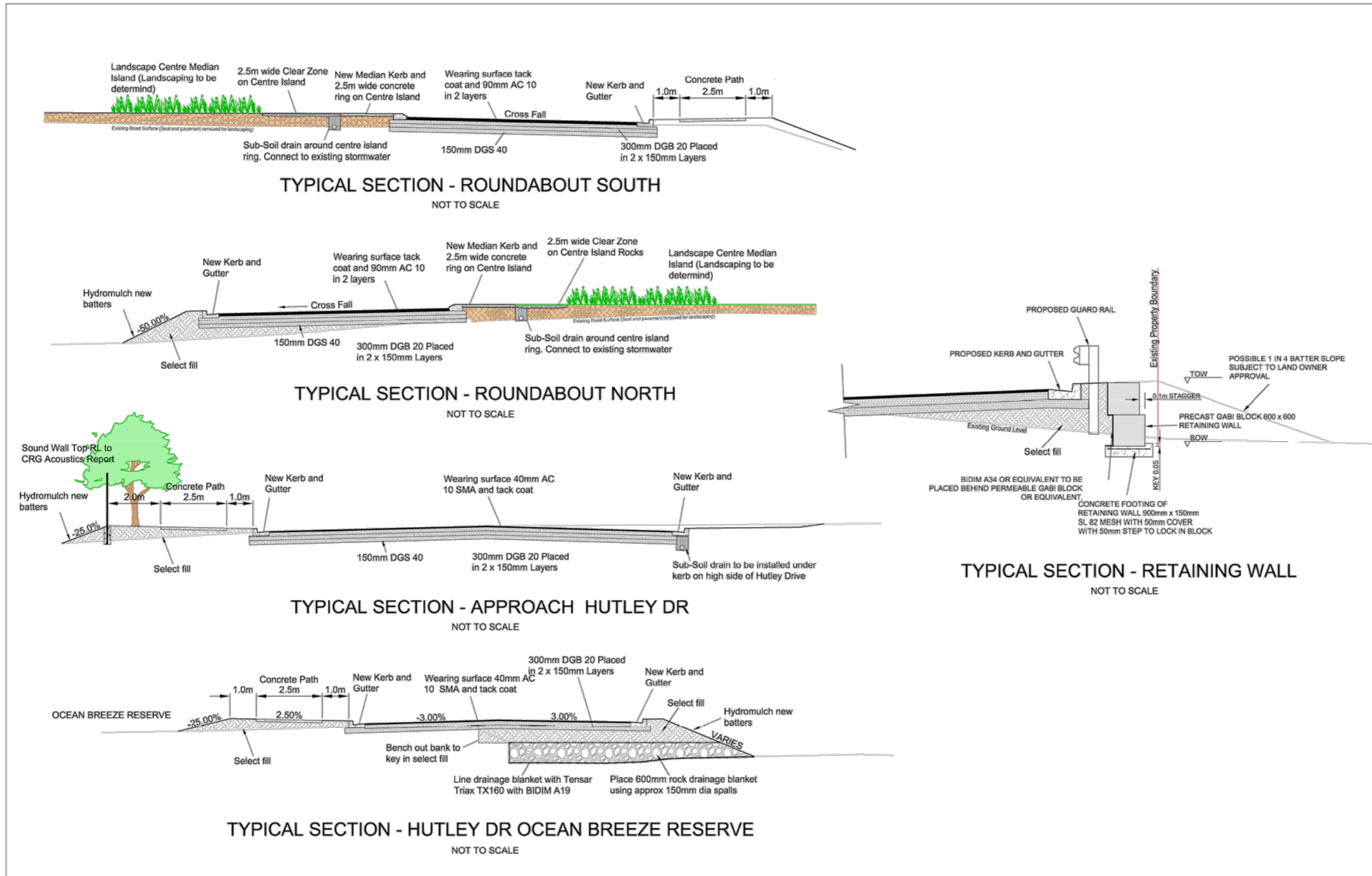


2	1/19	MF	Final	
1	10/18	MF	Preliminary	
No.	Date	By	Change	X'd
Amendments				

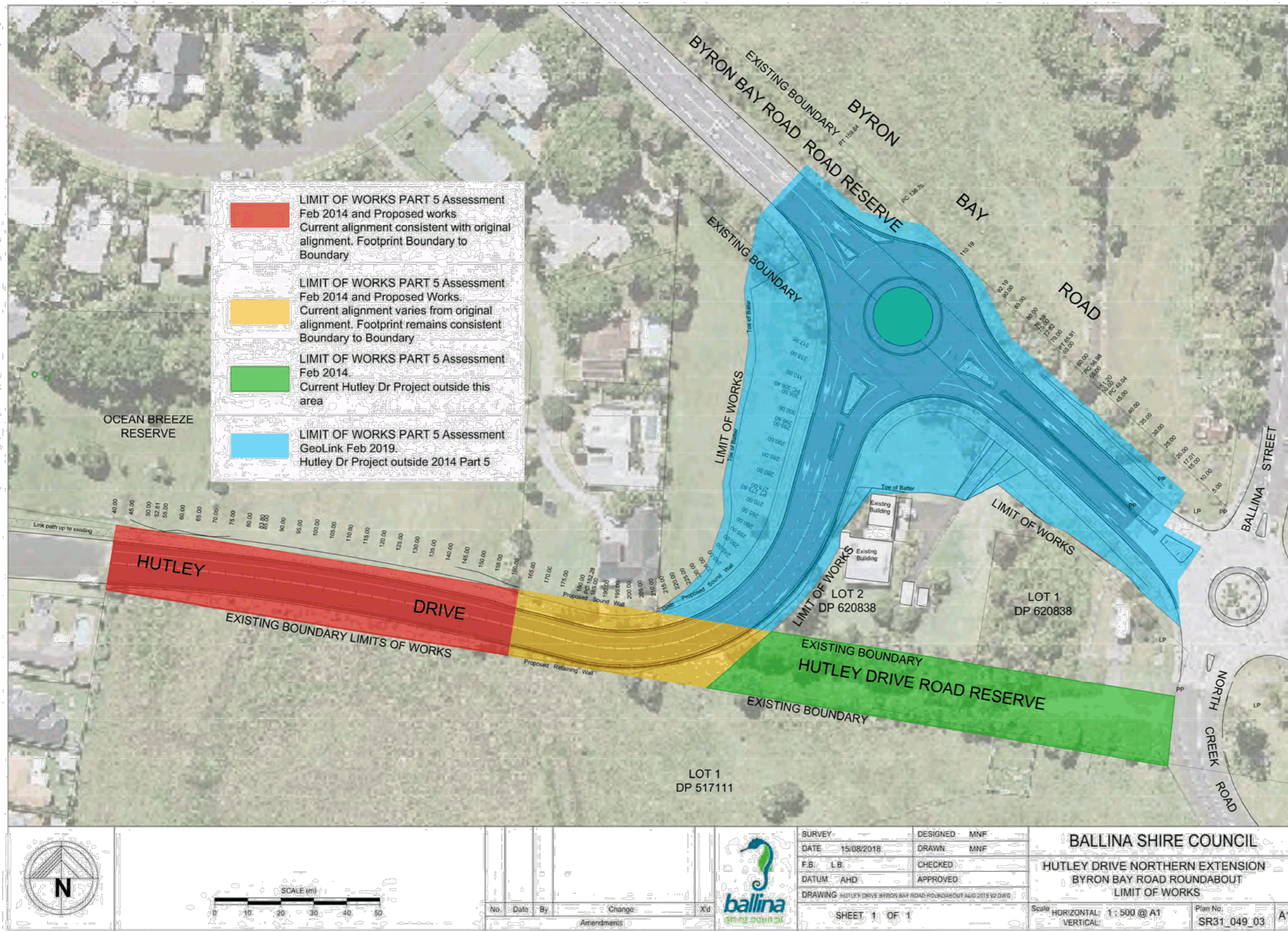


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SHEET 6 OF 25		

BALLINA SHIRE COUNCIL		
HUTLEY DRIVE NORTHERN EXTENSION BYRON BAY ROAD ROUNDABOUT BYRON BAY ROAD LONGSECTION		
Scale	HORIZONTAL: 1 : 500 @ A1 VERTICAL: 1 : 100 @ A1	Plan No. SR31_049_03
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	DATE	15/08/2018	DRAWN	MNF		HUTLEY DRIVE NORTHERN EXTENSION BYRON BAY ROAD ROUNDABOUT TYPICAL CROSSSECTIONS					
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	DRAWING	HUTLEY DRIVE BYRON BAY ROAD ROUNDABOUT AUG 2018 V2.DWG							SHEET 7 OF 25		
				Amendments							



To Ballina Shire Council,

Re: Hutley Drive Northern Extension

We are writing this letter in relation to the proposed new road which is being built directly behind our home in 7 Ocean Breeze Drive, Lennox Head. We have attended three meetings now with Council Staff to gain information about the devastating changes which Council are planning around us, which also includes a Community Garden and Toilet Block at our front door and a new road to service new estates, existing estates, and a new Woolworths shopping centre at our back door. We were assured that no plans were set in motion yet and that the purpose of the meetings was purely to inform us of the purchase of Condon's farm and possible options Council were looking at.

One of three proposals put forward was that a road may be built behind our homes with Council perhaps giving us the small portion of land left between us and the road and we were also told there would be a Sound proof wall or a Nature Mound between us and the road, or double glazed windows to ensure our privacy and to eliminate noise, but at that early stage it was all "maybe's".

On the 13 February Malcome Fox met with us and showed us the plans and studies which Council has had commissioned, which has left our Privacy, security and any regard for traffic noise inflicted on us by this road, totally ignored, not to mention the devaluing of our properties. We are going to have:

- * 3 metre high road, overlooking our pool and main living rooms and bedrooms which have large windows, exposed so that every car, bike, bus, truck and pedestrian using the road, will definitely look straight into our home and backyard.

- * Traffic noise all these vehicles will create. Council's report suggests this will only be approximately 3% more noise than we currently have, which is totally absurd because all the Meadows traffic will be diverted along the new road as well as all the new Lots of land coming up for sale, the new Estates which have already been established and it is logical to predict that all these new homes will have one or two cars per home, using the road.

- * Woolworths shopping centre will have delivery trucks driving too and from their store.

- * It will be a main link to schools, meaning buses and extra cars.

- * Our Property Value will decrease.

- * Security of our home is now exposed to anyone using the road.

- * Will the Rural Fire Service and proposed Pre School also be using this road?

I would like to thank all the Council representatives who have met with us because they have all been very nice and respectful at these meetings, but I feel that Ballina Shire

Council on the whole, has betrayed us and the faith we put in our elected representatives to put forward a plan that is ***fair to both us and Council***. Council has gained:

- * Council has saved **millions** of dollars by acquiring this land, saving them from relocating the Telstra building.

- * This road has enabled Council to open up new land allotments for sale and better access to new and existing estates, schools and the proposed new Woolworths.

We would like to plead with Council to reconsider us and:

- * Extend the Sound Proof Wall to 3 metres high and build it the whole distance from the Roundabout to the end of No.9 Ocean Breeze property as this will help ensure our privacy, security and eliminate some of the road noise.

- * Council is unsure of how it will maintain the small parcels of land behind our property and we would like Council to gift this land to us so it does not become overgrown.

- * Double glazing of our exposed windows so we can shut out the noise.

- * And ducted air conditioning because our hot summers will be unbearable with all our windows closed.

I have spoken to our neighbours and we request a meeting with the Council General Manager and other stake holders involved in this project.

Awaiting your reply.

Ray and Mari-anne Cox

Sent from Mail for Windows 10

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Anthony Peters

From: Ross and Cathy Brown <rossandcathy.brown@yahoo.com.au>
Sent: Sunday, 3 March 2019 9:50 PM
To: Leah Toole; Malcolm Fox
Cc: Ross Brown
Subject: Hutley Drive Extension - Residents Response

Dear Malcolm & Leah

While my wife and I appreciated the time recently given via phone to discuss the council plans for this area we are again disappointed by the lack of consideration given by council with regards to the direct impact their proposals have on residents, owners and ratepayers. This proposal for the Hutley Drive extension and the council's plans for the reserve are again an example of this.

We have owned the land at 9 Ocean breeze Drive for over 20 yrs and in that time have had to object many times to unreasonable plans posed by the council that would have altered the original use for this area. We again see council adjusting their town plans with little consideration of the impact of these plans to existing owners. When purchasing our property we were enticed by the public reserve on our western boundary but also realised that the unformed road reserve on our southern boundary maybe developed over time but not to the extent that is currently being proposed by the Hutley Drive extension which will virtually wrap around two sides of our property. On several occasions we have had to object to council's plans for the use of the reserve as it limited the public's use of the land. These objections were for projects such as a bush fire brigade headquarters, a council depot, BMX tracks, bikeways and now a public park, amenity facilities and a community garden. In all these projects we have had to question the value the council places on their own planning process and the respect they show to immediate residents and ratepayers.

While we understand the need to plan for infrastructure improvements we would strongly challenge council to respect the decisions made by existing owners to purchase property in the area at great expense based on environmental conditions and zoning existing at the time and as such any significant changes needs to be incorporated into the planning of new developments thereby limiting the impact on existing residents, ratepayers and council voters.

This should be the case with regards to the Hutley Drive extension. Planning for this extension could and was incorporated into the plans for the new residential development on our southern boundary. I ask the council why the change from those initial planning proposals to this new proposal especially considering the extra expense that the latter has incurred on ratepayers firstly for the acquisition of Lot 2 for this proposal and secondly for the construction costs of the project? We question the council as to why this proposal exists at great expense to ratepayers when it could be have been more cost effective to include these plans in the adjacent residential land development thereby sharing the costs between the developer, council and ratepayers. Basically what are the costs of this new Hutley Dr. extension proposal to ratepayers and what is the contribution by developers? For comparisons please provide a costing assessment of the initial development proposals and those of the new proposal costs.

With regards to the environmental impact the Hutley Drive Extension will have on our property we question the validity of the council's environmental report that indicates the noise level will increase by only 3% even with the provision of sound barriers. With regards to the Ballina / Byron/ Bay bypass construction the noise level increase was and is considerable despite the noise barrier mounds constructed. We would like to know how this assessment was derived given that presently there is no traffic passing directly around our property and even with the proposed inadequate sound reduction options presented (sound barrier fence) the extension will bring quite a significant increase in traffic and consequently noise pollution to our property?

Further to our property concerns regarding the Hutley Dr. extension this project will cause fundamental public main roads issues with regards to traffic flow and public safety. As these concerns are supported by advice from an independent consultant we question this project due to the impact it will have on traffic conditions for several reasons:

- The proposed roundabout on the Ballina / Byron Bypass will result in 2 x roundabouts within a hundred metres of each other. This will severely impact the safe and efficient flow of traffic along this busy main thoroughfare especially for heavy trucks, buses and caravans.
- The construction of the extension will include in a significant curve causing unsafe traffic conditions. Such a road development proposed by the Hutley Dr. extension will heighten the risk of possible accidents caused by vehicles losing control on such a sharp downhill corner.
- As these conditions are a major consideration in any planning they are generally avoided in any new development. Given these planning requirements why is this proposal even been considered?

In addition to further our understanding of the impact of the proposal on our property I request a firm indication in writing from council on the following:

- The height of the new road adjacent to our property.
- Full details of any effective noise reduction plans for affected landowners.
- Full details of any privacy and security measures for affected landowners
- Proposal for the use of the unformed land from Lot 2.
- Compensation to owners for loss of property value.

I again stress that the impact of this proposal on residents, owners and ratepayers could have been greatly lessened if plans for this project were incorporated into the plans for the existing residential land development adjacent to our southern boundary. In an effort to understand the council rationale for making this new development proposal I would like a response as to why this is now not the case especially as it was included in earlier proposals.

We look forward to your response

Ross & Cathy Brown
9 Ocean Breeze Drive
Lennox Head

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Dear Ballina Shire Council

Refer: Malcolm Fox

RE: Hutley Drive Northern Extension

Following up from our recent meeting, we have some concerns regarding the extension of Hutley Drive. We are land owners of 5 Ocean Breeze Drive and direct border sharing neighbours, we are most impacted by the connecting road.

We are concerned about the road noise and how this will greatly impact our peace and quiet. There will be a huge amount of traffic and heavy delivery vehicles that will use this road to access new residential estates and the new shopping centre. We are concerned that the estimation of traffic and noise mitigation is inaccurate.

We feel a reasonable request is:

- an extension of the sound barrier wall to continue past the length of our property. Also to be of maximum height. This is doubling as sound protection but also for safety for any out of control vehicle that could possibly end up in our backyard where our baby plays.
- Double glazing windows, our bed rooms are east facing closest to the new road. We are concerned the traffic will impact our sleep.
- Ducted air conditioning throughout the house, as windows will need to be closed as a sound barrier.
- Upgrade of our border sharing fence to make it higher for privacy as the road will be built up and traffic will look straight into our property, also will work as sound protection.
- There was mention or gifting the remaining parcel of land to border sharing neighbours, we are in favour of this, which would also work in Ballina Shire councils favour as we would be responsible of maintaining the land.

We are not opposing the development of Huntley drive extension, but are hoping to come to an amicable agreement that suits all.

Regards Jodi Anderson and Grant Gerathy

From: Civil Secretary Mail <Civil.Mail@ballina.nsw.gov.au>
Sent: Thursday, March 28, 2019 3:39:01 PM
To: m-annec@hotmail.com
Subject: Response - Hutley Drive North Extension

Dear Mr & Mrs Cox

Attached is a response from John Truman regarding your email about the Hutley Drive North Extension.

As the attachments are quite large I have sent them via mail.

Kind Regards

Joanne

Civil Services Group
Administration Officer



ballina.nsw.gov.au | discoverballina.com
p: 02 6686 1497 | f: 02 6686 9514 |



LENNOX HEAD VILLAGE
one-way traffic trial
11 MARCH – JULY 2019
for project details visit ballina.nsw.gov.au

The logo for Lennox Village Vision, featuring a stylized leaf or tree icon and the text "lennox VILLAGE VISION".

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19125468

Janelle Snellgrove

From: Mari-anne Cox <m-annec@hotmail.com>
Sent: Monday, 1 April 2019 7:20 PM
To: Civil Secretary Mail; Ballina Shire Council
Subject: RE: Response - Hutley Drive North Extension

To: Anthony Peters, John Truman and Malcolm Fox

Dear Sirs,

The purpose of this email is to acknowledge that we have received both the letters from Council regarding the Hutley Drive Northern Extension dated 18 March and 28 March, and to again clarify our concerns:

- Our meeting on the 18 March with John Truman, Malcolm Fox, Mat Wood and Paul Buskain settled one of our concerns which was the extension of the noise wall to extend to the existing bypass road at a height no less than 1.8mts or preferably for us 2mts plus, which we are very thankful for.
- The parcel of land behind our property and the new road is of interest to us and we are very willing to discuss with Council what is to be done with it once Council has had time to work through their statutory processes, as it will depend on Councils assessment of this residue land. At previous meetings we have had with Council your representatives have suggested that this parcel of land may be gifted to us which we would be our preference.
- One point that was not fully covered in this meeting was the installation of windows in our homes to eliminate some of the traffic noise that will be occurring which will require us to keep our bedroom windows closed so the traffic noise will not affect our sleep, as well as the extra street lights illuminating our bedrooms which also means we will have to keep curtains drawn to eliminate the added light from street lights thus stopping breezes and airflow. Our letter from Greg Alderson Associates suggests Council install double glazed windows and air conditioning to compensate for having to keep our windows closed in order to attain a proper nights sleep. This letter from Alderson's has cost each neighbour what we consider to be a significant personal cost in order to protect ourselves and our personal welfare regarding these matters as Councils noise report did not seem accurate.
- The other important concern for us is the devaluing of our property now that we are going to have a busy road just over our back fence, my question to Council is, can Council take our peaceful almost rural property and spoil it by building a 3mtr high busy road on our back boundary and a community garden and toilet block in the front of our properties and not offer us any compensation for the extensive financial loss of value our homes are going to incur?

We know Council is keen to have this matter resolved so you can start planning the construction of this road but we the residents would like to have our concerns addressed before work commences so we too can feel as if our concerns have been heard and achieve a reasonable and fair outcome. In the three meetings we have had with Council representatives it has been explained to us the enormous amount of money that has been saved by constructing this road on the land behind our homes and we are not opposing the road even though we don't think it is the wisest place to have it, we understand why it is being built there, what we are asking is that we are not made to suffer so that Council can achieve this.

Awaiting your reply to these issues,
Ray and Mari-anne Cox

Sent from Mail for Windows 10

19/26432

Dear Ballina Shire Council

Re: Hutley Drive North Extension

Refer John Truman

Quote: Doc No: 19/24547

Thank you for meeting with us recently, also for responding to some of our concerns. We are pleased to hear the plans have been amended to extend the length of the wall and the height.

1. We still feel some of our concerns with the development of Hutley road are not being met. As mentioned in our previous letter and our recent meeting, we feel double glazed windows and air conditioning is a necessary step for noise mitigation. With constant heavy vehicle delivery trucks to Woolworths through the night, residential construction and the new street lighting illuminating through our windows, we will be forced to have our windows closed and curtains drawn in order to sleep. We feel this is a very fair request considering how disruptive this road is to our quiet lifestyle and the impact it will have on our lives. We would much prefer to go ahead with this then wait for the project to finish, to then complete another noise assessment. We find this process very disruptive and stressful.
2. We are very interested in council divesting the remaining parcel of land to us. Thank you for beginning the process of interest and preparing the appropriate reports.
We bought here knowing the land adjacent was of rural zoning, to now have the zoning changed, subdivided and a road right behind us, we feel it devalues our property substantially.
3. We would also like to bring forward the question of our shared fence, currently we, council and us land owners have a pool fence and short timber fence. We will be forced into purchasing a taller fence for privacy as the road is being built up 3metres and looking straight into our house and bedrooms leaving us with no privacy. Is council willing to share the costs of this?
4. We have already spent what we consider a large amount of money consulting with Greg Alderson and Associates regarding the noise, which is our greatest concern. We will be happy when these matters are addressed and behind us.

Thank you again for listening and acting on our concerns in achieving the best possible outcome for us most affected by this project.

Warm regards,

Grant Gerathy and Jodi Anderson, Land Owners no. 5 Ocean Breeze Drive

18/57985

Janelle Snellgrove

From: John Truman
Sent: Friday, 6 July 2018 10:07 AM
To: Brad Pollard
Subject: Hutley Drive North Extension & Pedestrian/Cycling Access --Brad Pollard (incs&resps)

Good Morning Brad

Thank you for your email.

I have forwarded it to our design team for their information.

Regards

John

John Truman
Group Manager - Civil Services



ballina.nsw.gov.au | discoverballina.com
p: (02) 6686 1260 | f: (02)6686 7035 | m: 0414 365 408



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From: Brad Pollard [mailto:brad@fatdigital.com.au]
Sent: Thursday, 5 July 2018 5:20 PM
To: John Truman
Subject: Re: Hutley Drive Nth Extension & Pedestrian/Cycling Access

Hi John,

Thanks for your reply to my email concerning an underpass adjacent to 9 Byron Bay Road.

The area of 9 Byron Bay road that I was referring to is the location nearer to the existing roundabout. At this point the vertical geometry is more suitable and would require less earthworks.

While pedestrians would obviously benefit from an underpass so would cyclists. Council and community groups should be encouraging more residents to get on a bike to go to town and not just jump in their car. Dismounting a bike and walking it across the road discourages cycling.

Be great if your team could give this some more consideration. Pedestrian and cycling linkages will become extremely important to the function of Lennox as population rises.

Kind regards,
Brad

On 22/4/18 1:20 pm, John Truman wrote:

Hello Brad

Thank you for your email, we appreciate your feedback supporting this proposal.

At this point in time we have only completed sufficient concept design work to inform our a decision in respect of whether or not to purchase the required property.

Pedestrian access and connectivity is very important and will be carefully considered and incorporated into the detail engineering design that will be required to support the construction of the project.

At this point in the process we do not propose an underpass as the location of the roundabout is at a low point on the Byron Bay Road. This means we would have to undertake significant earthworks to adjust the vertical geometry to provide for the underpass. We are also mindful of potential issues in terms of security as there is a lack of available passive surveillance in this area.

Other types of pedestrian facilities that are compliant with the relevant standards for this type of road will be considered and a preferred option selected.

Again, thank you for taking the time to write to us with your feedback.

Regards

John Truman

John Truman
Group Manager - Civil Services



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From: Brad Pollard [mailto:brad@fatdigital.com.au]
Sent: Wednesday, 11 April 2018 10:40 PM
To: John Truman
Subject: Re: Hutley Drive Nth Extension & Pedestrian/Cycling Access

Hi John,

I'm supportive of the decisions council have taken in relation to Hutley Drive Nth extension. Well done!

The extension is obviously very important from a road network perspective. Of further importance is pedestrian access. Car parking is constrained in the town centre so we need to encourage as many residents of Meadows/Epiq to walk/cycle to town/school. Coast Road is a busy road - a pedestrian underpass is what is probably needed.

With 9 Byron Bay Road sitting below the coast road (in terms of elevation) this would seem a perfect opportunity.

Has council considered pedestrian access in relation to Hutley Drive Nth extension yet? More specifically is a pedestrian underpass being considered?

Kind regards,
Brad

Lennox Head
mob 0403 855 100

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19/26863

Joanne Cordery

From: Ross and Cathy Brown <rossandcathy.brown@yahoo.com.au>
Sent: Thursday, 4 April 2019 8:39 AM
To: Malcolm Fox; Anthony Peters; Klaus Kerzinger; John Truman; mathew.wood@ballina.nsw.gov.au; Civil Secretary Mail
Subject: Objection to the Hutley Drive North Extension- Submission - April 4th, 2019
Attachments: 19346_Acoustic Letter - 13 03 19 .pdf

To Whom It May Concern,

As owner's of 9 Ocean Breeze Drive we offer the following background information to help you understand our current frustrations with Council and their latest proposal that again threatens to significantly impact our lives. Both my wife and I grew up in the area with many of our family members still residing there. We have owned the property for over 25 years with the view that we would return to this location and retire. In this time we have seen the area change from scenic lakes, to dumping ground and to now a well kept reserve available for general use of the public. However in this time we have also weathered many challenges by Council to change the area from a public green space to a: Council depot, bush fire brigade headquarters, bike track, a community garden and now back again to a public reserve. With so many changes being proposed for this small area over an extended period of time we have lost confidence in the Council's strategic planning and zoning process as it would seem that any long terms plans for the area can be changed at the whim of those in management with little or no regard for the impact these plans have on long term residents of the area.

As we are planning for retirement in the next year you can understand our frustration to yet again find out about the most recent development plans for the extension of Hutley Drive that will take our quiet secluded property to one that is surrounded on 2 sides by a main road. While we have endured over many year several invasive proposals planned by Council for the area none are as intrusive and as costly as the latest proposal for extension of Hutley Drive.

Another source of our frustration is the lack of communication from Council. We learnt of these plans not from the Council but from our neighbours. On learning of these plans we expressed our concerns via email to Council. Council failed to acknowledge receipt of our concerns or respond to our email in a timely manner. It was only after several weeks and many attempts to contact Council via phone and email did we eventually receive a response from them which still failed to address any of our objections. Even though we reside overseas we are Australian citizens and request that any future correspondence be emailed to us in a timely manner.

Hutley Drive Extension Objections:

Location & Cost: Firstly, I wish to again strongly object to the location of the proposed Hutley Drive extension, because of its direct intrusive impact on two sides of our property but also due to the large cost of construction now being born by Council and ratepayers. As stated in my earlier email date March 3rd two previous proposals for the extension of Hutley Drive all have had this passing through the development of the Condon Land adjacent to our property. This would have meant that the costs of construction would have been shared by the developer, Council and ratepayers and lessened the impact this project would have had on established property owners. With this new proposal it appears that Council and ratepayers will not only be funding the full costs of construction but an additional \$2.5 million to cover the purchase of Lot 2. In Council's reply dated March 29th very few of our concerns including this relocation and funding of the expansion were addressed. I again ask Council to explain why this new proposal for the Hutley Drive extension is occurring in this proposed location at great expense to ratepayers and to also give details of the funding sources for this project?

Noise and Visual Pollution. We strongly object to the Hutley Drive North proposal due to the considerable increase in noise caused by traffic from this main road. The affected residents have commissioned an independent consultant, Greg Alderson Associates to undertake a Noise Impact Study. The cost of this has been shared by the residents. Please find this Noise Impact Report attached to this email. This report disputes the findings of the Council's report with its findings indicating the noise increase from traffic will be significantly higher than that proposed by the Council. Consequently, if this project goes ahead we request the following inclusions as recommended in the report be undertaken to lessen the noise impact of this project on us as long-term existing landowners.

- **Sound Proofing Fencing Extension-** From the Council plans it appears that the proposed sound proofing fence stops just at our southern boundary. This will lessens the effectiveness of this system and seeing our property is being greatly impacted, a further extension of this sound proofing is demanded to go 10-20m further along the reserve.
- **Sound Proofing Fencing:** This to be of a form that is both environmentally and visually appealing, preferably in the style of our existing fence i.e rendered columns to a height of 2.5-3m.

- **Sound Proofing Landscaping:** We demand that the existing landscaping on the southern boundary of our block be retained to further promote the effectiveness of any noise reduction measures. This landscaping consists of mature native trees. In addition, we request landscaping be provided by Council along the full length of the sound proofing to aid sound reduction measures and be visually appealing. This landscaping and fencing could be in a zigzag manner making the Hutley drive entrance more inviting to residents.
- **Double glazed windows** to be installed in our existing residence at the Council's expense. As we are planning to build another residence on our dual-occupancy block within the next 2 years, we also want this to be extended to the new dwelling at the Council's expense.

Privacy Protection: We strongly object to the Hutley Drive North project due to the impact it will have on our privacy. While measures such as fencing and landscaping may be effective in noise reduction they will also enhance privacy. For these reasons we strongly recommend that these measures be included in this project.

In addition to these measures above and with regards to privacy, we also demand consideration and measures to be undertaken to lessen the impact of the extra street lighting required for this project. The additional street lights will significantly impact our quality of sleep as well as privacy. Therefore, we request blackout curtains to be provided in our residence at the Council's expense.

Property Devaluation Compensation: We strongly object to the Hutley Drive North project due to the impact it will have on our property valuation. With a considerable change to the existing peaceful environment in our neighbored caused by this main road being built in close proximity, we have been advised by our real estate agent that this will have a considerable impact on our property value. Consequently, we expect that the Council would compensate us for the financial loss of value to our homes caused by this project.

Lot 2 Residue Land: With the unused land from Lot 2 lacking access, please advise as to how this land will be maintained and who will be responsible for the ongoing cost of this maintenance? As discussed with Council representatives we request that an alternative arrangement for this land would be that it is gifted to the adjacent landowners and that the land be retitled and rezoned accordingly.

Personal Road Access: With the construction of Hutley Drive North extension we understand that the market garden being planned for the Ocean Breeze Reserve adjacent to our property has been granted direct access to Hutley Drive. We request that this direct access also be given to our property.

Finally, we again stress our objection to the location of the Hutley Drive North extension due to the significant impact on our property, personally and that of our neighbours as well as the extra cost this project places solely on ratepayers and Council. Our demands outlined above are required in order to minimize this projects impact on ourselves and our neighbours as long time landowners and ratepayers in the unfortunate event that this project proceed.

Regards
Ross & Cathy Brown

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19/12/033



RE: 19346 ACQU... 1303 19

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

*Received by
hand of a
resident advised with
copy of this letter on post
to the residents of
the P.V. application
development*

*Do, please
advise if
the Hutley Road
Drawings*

RE: Proposed northern extension of Hutley Drive, Lot 2 DP 620838

To whom it may concern,

Greg Alderson and Associates have been engaged by the residents of 5 & 7 Ocean Breeze Drive, Lennox Head to provide a preliminary assessment of the following documentation relating to the proposed northern extension of Hutley Drive and construction of Byron Bay Road roundabout:

- CRG Acoustic, Hutley Drive Extension, Lennox Head, Road Traffic Noise Impact Assessment, 20 December 2018 (18122 report rev.1)
- Ballina Shire Council, Hutley Drive Northern Extension, Byron Bay Road Roundabout Design Drawings, January 2019 (Issue B – SR31_049_03 A1)

This preliminary assessment is to aid in expressing the clients concern with regards to a potential reduction of their existing amenity as a result of the proposed Hutley Drive extension and construction of Byron Bay Road roundabout.

1. CRG Acoustic, Road Traffic Noise Impact Assessment

We raise the following points with regards to potential noise impact upon our clients after review of the above road traffic noise impact assessment:

- a) No model calibration was undertaken. Whilst the PEN3D model predictions have proven to be within 2dB of measured levels in the past, there are typically many input variables in a noise model that could result in the need for specific model calibration.
- b) Whilst the noise assessment did address the relative increase criteria, it is worth noting that the combined road noise from the proposed development (Hutley Road) and Byron Bay Road would likely result in a greater cumulative road noise level at the receivers than that identified in the noise report (resulting solely from the Hutley Road extension). This cumulative noise impact above existing road noise levels is what is likely to be the perceived loss of amenity by neighbouring receivers.

Greg Alderson Associates

- c) It is also questioned whether a separate road noise assessment has been undertaken for the additional traffic generated by the subdivisions being constructed to the west of Ocean Breeze Drive. This should be assessed under the additional traffic generated by land use developments criteria and would address traffic noise resulting from all associated roads as oppose to just the new road being constructed (Hutley Drive). This may result in a greater cumulative impact than predicted in the CRG report, as alluded to in Point 1. c). above.
- d) The Road Traffic Noise Assessment did not address potential sleep disturbance at the receivers. Section 5.4 from the NSW Road Noise Policy (RNP) outlines research results with regards to sleep disturbance and quotes the following World Health Organisation guideline recommendation:

“where noise is continuous, the equivalent sound pressure level should not exceed 30 dB(A) indoors, if negative effects on sleep are to be avoided”

“as a rule for planning for short-term or transient noise events, for good sleep over 8 hours the indoor sound pressure level measured as a maximum instantaneous value should not exceed approximately 45 dB(A) $L_{A, (MAX)}$ more than 10 or 15 times per night”

For correlation with the Road Traffic Noise Assessment, the NSW RNP outlines the following $L_{A,night, outside}$ levels (roughly equivalent to the $L_{Aeq,night}$ night-time descriptor) for consideration with regards to health concerns:

- $L_{A,night, outside}$ levels between 30 dB(A) and 40 dB(A), a number of effects are observed but their impact is modest;
- $L_{A,night, outside}$ levels between 40 dB(A) and 55 dB(A), adverse health effects are observed, with many people needing to adapt their lives to cope;
- $L_{A,night, outside}$ levels above 55 dB(A), adverse health effects occur frequently, and a sizeable proportion of the population is highly annoyed and sleep disturbed.

The CRG report predicts $L_{Aeq,night}$ external façade traffic noise levels of 45dB(A) and 47 dB(A) for 5 & 7 Ocean Breeze Drive respectively for the 2.0m high barrier with OGA / MGA scenario.

It is recommended that Council considers further noise amelioration measures for receivers 5 & 7 Ocean Breeze Drive (along with adjoining neighbours), in addition to construction of an acoustic barrier adjacent to the Hutley Drive Extension. Amelioration measures should aim to maintain existing amenity as far as practical. These could include:

- Extension of modelled acoustic barrier further to the north,
- Increasing the height of receivers' boundary fence,
- Modification of existing dwellings such as installation of ducted air-conditioning and improved glazing as required.

The above additional amelioration measures may also prove beneficial in protecting neighbouring receivers against potential construction noise impact of the proposed Hutley Drive extension.

2

Greg Alderson Associates

2. Hutley Drive Northern Extension, Design Drawings

- We raise the following points with regards to the potential loss of amenity for 5 & 7 Ocean Breeze Drive after review of the above design drawings:

- a) It is questioned as to whether a formal traffic impact assessment has been undertaken with regards to the proposed Hutley Drive extension and Byron Bay Road roundabout construction.
- b) It is envisaged that the proposed Byron bay Road intersection would require installation of lighting. Considering the height difference from 5 & 7 Ocean Breeze Drive to the proposed Hutley Drive intersection is approximately 6m (RL24 – RL18), any lighting is likely to disrupt the existing amenity of 5 & 7 Ocean Breeze Drive. It is recommended that visual screening is provided if lighting is to be installed.

We trust that the above will assist Council in considering the provision of further amelioration measures for the residences of 5 & 7 Ocean Breeze Drive, Lennox Head, with regards to the proposed Hutley Drive northern extension and Byron Bay Road roundabout.

Please don't hesitate to contact our office if you have any further questions.

Yours Faithfully,

Greg Alderson & Associates


Jacob Blucher
Civil & Environmental Engineer

19/26433

Dear Ballina Shire Council

Re: Hutley Drive North Extension

Refer Anthony Peters

Quote: Part V 22.2019.1

Thank you for your recent letter informing us of the application proposal the extension of Hutley Drive North.

We, Grant Gerathy and Jodi Anderson, land owners of no.5 Ocean Breeze Drive have some concerns which we are in discussion with council over. We are not opposing the development of Hutley drive extension, but are asking for an amicable agreement that suits all.

1. We still feel some of our concerns with the development of Hutley road are not being met. As mentioned in our previous letter and our recent meeting, we feel double glazed windows and air conditioning is a necessary step for noise mitigation. With constant heavy vehicle delivery trucks to Woolworths through the night, residential construction and the new street lighting illuminating through our windows, we will be forced to have our windows closed and curtains drawn in order to sleep. We feel this is a very fair request considering how disruptive this road is to our quiet lifestyle and the impact it will have on our lives. We would much prefer to go ahead with this then wait for the project to finish, to then complete another noise assessment. We find this process very disruptive and stressful.
2. We are very interested in council divesting the remaining parcel of land to us. Thank you for beginning the process of interest and preparing the appropriate reports. We bought here knowing the land adjacent was of rural zoning, to now have the zoning changed, subdivided and a road right behind us, we feel it devalues our property substantially.
3. We would also like to bring forward the question of our shared fence, currently we, council and us land owners have a pool fence and short timber fence. We will be forced into purchasing a taller fence for privacy as the road is being built up 3metres and looking straight into our house and bedrooms leaving us with no privacy. Is council willing to share the costs of this?
4. We have already spent what we consider a large amount of money consulting with Greg Alderson and Associates regarding the noise, which is our greatest concern. We will be happy when these matters are addressed and behind us.

Thank you again for listening and acting on our concerns in achieving the best possible outcome for us most affected by this project.

Warm regards,

Grant Gerathy and Jodi Anderson, Land Owners no. 5 Ocean Breeze Drive



Design Report

**>> Construction of Roundabout –
Hutley Drive Byron Bay Road**

14 June 2019

ballina
shire council



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Construction of Roundabout – Hutley Drive and Byron Bay Road

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1. Proposal Identification and Options

- 1.1 The link from the current end of Hutley Dr to Byron Bay Road has long been identified as part of Ballina Shire Council strategic plan to provide a link to the current and future developments in the south western development area of Lennox Head. Included in this area is a commercial area consisting of a supermarket and speciality shops which currently has development approval and is reliant of the extension of Hutley Drive for its occupation.
- 1.2 Options
1. Option 1 consisted of extending Hutley Drive along the existing Hutley Dr road reserve and joining North Creek Road just south of the existing roundabout at North Creek Road Byron Bay Road, Ballina St and The Coast Road. The centre of this connection would have been approximately 25m from the circulating lane of the existing roundabout to the centre of the new road. Due to the close proximity of the roundabout this would have had to be a left in and left out only intersection. The approach grade of the Extended Hutley Dr would also be around 12%. Due to the reduced access due to the left in and out traffic flows and the approach grade this option was not considered. Refer Appendix E
 2. Option 2 was to provide another leg to the existing roundabout. This would involve demolishing the existing concrete roundabout and relocating and existing Telstra exchange build. It would also require the new roundabout to have 5 legs with the angle of North Creek Road and Hutley Drive being acute with steep approach grades from Hutley drive and North creek Road these would be in the vicinity of 12%. Due to the costs involved in the demolition of the existing roundabout and the relocation of the Lennox Head Telstra exchange and the issues with the geometric design this option was also not considered. Refer Appendix E
 3. Option 3 was to realign North Creek Road to below the existing reservoir and through Lot 1 DP 517111 (20 North Creek Road Lennox Head) Refer Appendix E. This involved some large cuts up to 5m deep and fill of over 3m. The approach grades from Hutley Dr and the southern approach from North Creek Road were up to 12%. This proposal also relied on successfully negotiating the land acquisition with the property owners which are in the process of developing the lot into a residential development. These negotiations stalled and the property being 9 Byron Bay Road Lot 2 DP 620838 came up for sale providing the opportunity to explore the current proposal
 4. Option 4, this is the current proposal which involves Hutley Dr to be extended along the existing road reserve then turn north through lot 2 DP 620838 then intersect with Byron Bay Road with a roundabout. This option allowed the approach grade to be reduced to approx. 6% and reduced the volume of earthworks required. Council purchased the land and has undertaken the design with option 4 being the preferred option.

2. Detailed Design

2.1

The design consists of extending Hutley Drive to the east along the existing road reserve then making a left turn through lot 2 DP 620838. Then links with Byron Bay Road

An intersection analysis was undertaken by Councils Traffic Engineer Mr Patrick Knight. Refer Appendix A

The results indicated that a 2 lane roundabout would be an appropriate intersection treatment with 4 lanes between the existing round about at North Creek Road and the Proposed Hutley Dr Roundabout.

The design was undertaken in accordance with the Autroads Guide to Road Design Part 4B Roundabouts and RMS Supplement 11.095 Version 2.0 Oct 2016, and taking into consideration local topography and constraints.

Design vehicles used for the design were a 14.5 ridged Bus and a 19m Semi Trailer. Turning Path shown on Plan Refer Appendix B

- 2.2 Several Roundabout sizes and approach angles were trialled and the optimum size used for a two lane roundabout was 12m radius Centre Island and a 10.6m circulating lane. Refer tables 4.1 and 4.3 of Autroads Guide to Road Design Part 4B Roundabouts. This size allowed for a better transition for the left hand turn into Hutley Drive from Byron Bay Road due to the change of grade and the super development for the curve on Hutley Dr. Sight distances were checked using Criterion 2 of Autroads Guide to Road Design Part 4B Roundabouts. Using a gap of 5 seconds and a 40km/h circulating speed the distance required is 56m this was achieved with additional sight distance available on the Hutley Dr approach and the western approach on Byron Bay Road looking right towards Hutley Dr. The sight Lines for Byron Bay Road heading both east and west looking through the centre Island require any landscaping to be low levels ground cover to maintain the sight lines. Trees which have been under pruned may be planted within the roundabout provided they do not restrict these lines of sight. A final landscape plan is yet to be developed by Councils open spaces, however any design will have to incorporate these issues. Refer Appendix C
- 2.3 Byron Bay Road is to be widened between the two roundabouts to two 3.5m travelling lanes plus 0.5 kerb gutter in each direction separated by a centre median island this is to cater for traffic volumes and queuing. On the western approach to the roundabout the entry has been reduced to one lane by installing a median island against the kerb. This was put in place to slow the through traffic and to reduce the incidence of through traffic not giving way to traffic turning right out of Hutley Dr. therefore reducing the potentially conflict with traffic exiting Hutley Dr in the centre lane then merging to the left hand lane to turn into Ballina St. Should the land directly to the north be developed in the future there is potential to provide another leg to the roundabout, this Island could then be removed and a left turn lane provided.
- 2.4 Hutley Drive is a local collector road and is proposed to be signposted at 50km/h. Hutley Dr was extended along the existing alignment then a large 750m radius curve was used to ensure it remained within the current road reserve a 60m radius curve was used to curve the road to the north towards Byron Bay Road. Several radii were trialled with larger radii not being able to align with the proposed roundabout location or encroaching onto private property. Even though this is a 50km/h speed zone superelevation of 5% was applied to this curve to maintain driver safety and comfort. As the southern section on this curve is approx 2m off the boundary a small retaining wall is to be constructed to prevent fill spilling onto the adjoining property. It is also proposed to install guardrail on the outside of this curve.
- 2.5 The stormwater design was undertaken with the roundabout to connect into the existing system on Byron Bay Road. A new system for Hutley Dr was designed. To maintain the existing outlets and not providing additional outlets and flows onto Lot 1 DP 517111 a detention basin is to be constructed on Ocean Breeze Reserve. This is to cater for the 1:100 flows. The basin is to have a maximum depth of 300mm and batter slopes of 1 in 6.
- 2.6 The street lighting design was undertaken by Preferred Energy and Gerard Lighting this was done in accordance with AS1158.1.1.2005 and AS1158.3.1.2005 See Attachment D
- 2.7 Geotechnical bores holes were undertaken. This resulted in highlighting unsuitable material to be excavated between CH40m and 160m. A geo grid is to be placed on the excavated site and a 600mm rock mattress encased in geotextile placed on top. Select fill is then to be placed and compacted to subgrade level. The pavement is to consist of 2 150mm layers of compacted DGB20 and a 40mm AC10 wearing surface. The pavement in the circulating lanes around the roundabout is to be 150mm of DGB40 then 2 150mm layers of DGB20 bringing the total granular pavement to 450mm then two 45mm layers of AC10 are to be placed for the wearing surface

- 2.8 Council engaged CRG Acoustics to undertake a noise assessment of the proposed project. Base sound readings were taken prior to any works then the proposed works were modelled and a report produced showing a sound wall from CH135m to 275m on the western side of Hutley Dr. After consultation with the adjoining property owners the wall is to be extended from CH275m for another 80m to link into the existing sound mound on Byron Bay Road.
- 2.9 It is proposed to link the existing shared path in Hutley Dr. to the path that runs down Ballina Street to Lennox Head CBD. This involves constructing a 2.5m wide shared path from 60m west of the project along the northern side of the Hutley Drive extension and link to the existing path in Byron Bay Road. The Path is also to cross Hutley Drive at the Splitter Island at approx Ch303. This crossing point is located 12m back from the hold line and is constructed in accordance with the dimensions of a pedestrian refuge being 3.0m wide with a minimum depth of 2.0m. The path is to continue down Byron Bay Road to Ballina St on both the north and south sides of Byron Bay Road. There are to be two crossing points on Byron Bay Road. One is to be one the splitter island on the eastern approach to the new roundabout. This is also 12m back from the hold line and 3.0m wide and a minimum of 2.0m deep. There is also the existing crossing point on the western side of the existing roundabout on Byron bay Road. Tis is to be upgraded so is also and 3.0m wide and a minimum of 2.0m deep.
- 2.10 Blackwoods Ecological Services has been engaged to undertake an ecological assessment and determine and map the various types of vegetation in the affected site of the works. This will determine the amount of compensation planting required.
- 2.11 The sign and linemarking plan is to be submitted to the Local Traffic Committee for approval. As part of this design the existing 60\80 speed zone is to be moved approx. 40m to the west. Once this has been through traffic committee the request of the speed zone change will be submitted to the RMS for approval.
- 2.12 Prior to commencement of construction a Traffic Management plan will be prepared by Councils accredited designer

8. Conclusion

This Design Report provides a true and fair review of the design process and

Malcolm Fox

Design Engineer

14 June 2019

8.4 **Part 5 Application - Construction of Hutley Drive Northern Extension.DOC**

APPENDIX A – Proposed Hutley Drive/Byron Bay Road Roundabout, Intersection Analysis

APPENDIX B – Plan showing Turning paths of 19.0m semi and 14.5m ridged Bus

APPENDIX C – Plan showing Site lines in accordance with Criterion 2 Austroads Guide to Road Design
Part 4B Roundabouts

APPENDIX D – Street lighting design plans

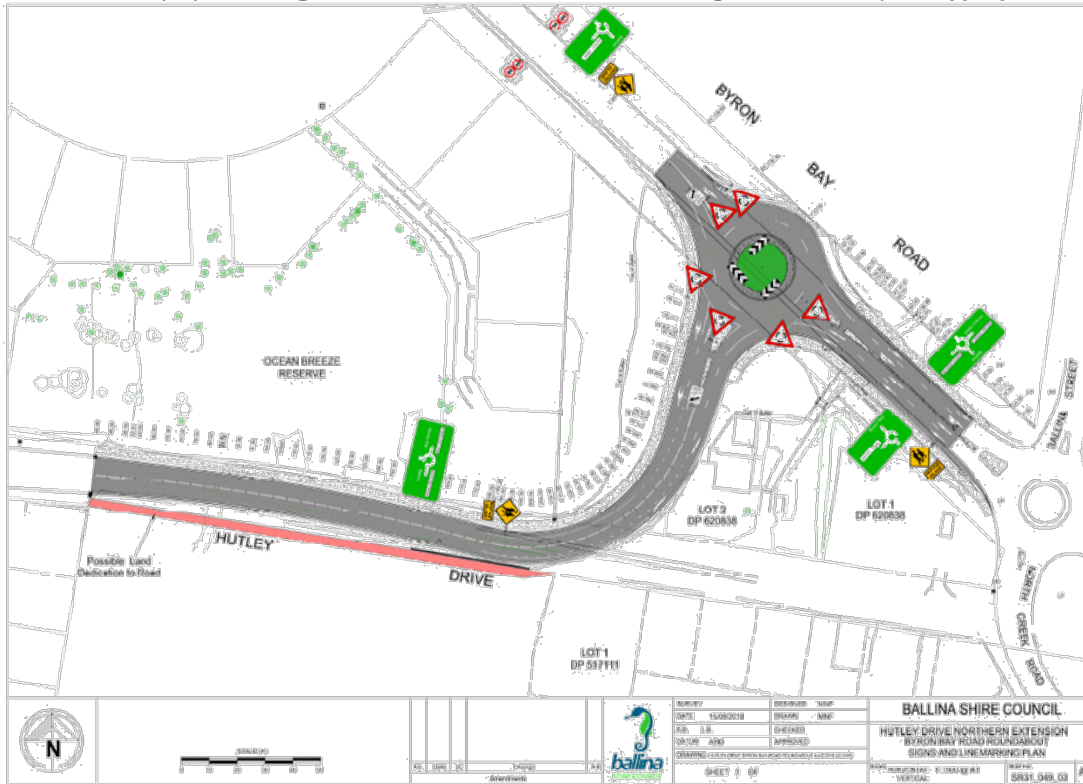
APPENDIX E Option Plans

APPENDIX A

Proposed Hutley Drive/Byron Bay Road Roundabout, Intersection Analysis – 2036+ Predicted Traffic Volumes

1. Background

It is proposed to extend Hutley Drive north to intersect with Byron Bay Road approximately 85 m west of the existing Byron Bay Rd/Ballina St/Coast Rd/Nth Ck Rd roundabout. The proposed configuration of the intersection is a two circulating lane roundabout, see copy of plan below.



8.4 Part 5 Application - Construction of Hutley Drive Northern Extension.DOC

An intersection analysis has been conducted using SIDRA Intersection software to determine the performance of the proposed roundabout in peak am and pm hours in the year 2036. This year has been used as it is the planning horizon year used in Council's strategic modelling of the road network based on adopted strategic land use predictions.

2. Flow Splits

Flow splits have been predicted for 2036+ volumes with an am bias for vehicles exiting Hutley Drive and a pm bias of vehicles entering Hutley Drive to coincide with predicted commuter behaviour. See Appendix A for input flow splits into the SIDRA model.

3. Intersection Modelling

The am and pm peak flows were analysed using SIDRA Intersections software, see Appendix B for SIDRA Movement Summaries.

The proposed intersection performs well within capacity in both am and pm peak periods with Level of Service (LOS) A for all movements. Maximum queue length is 4.6 vehicles or 33.3m in the pm peak for eastbound and westbound vehicles on Byron Bay Road and ample storage is available on Byron Bay Road to accommodate queues without affecting the adjacent roundabout to the east. Degree of saturation of the intersection (Volume/Capacity) is 0.513 in the 2036 pm peak hour and 0.352 in the 2036 am peak hour.

4. Conclusion

The proposed intersection will perform satisfactorily and will have more than sufficient capacity to accommodate predicted traffic volume growth up to and beyond the year 2036.

Patrick Knight, (BE, M Transport, M Traffic, MBA)

Ballina Shire Traffic Engineer

27 November 2018

PREDICTED INPUT FLOW SPLITS

**Table 1. Byron Bar Rd, Hutley Dr New Roundabout
2036+ Predicted Flow Splits
2014 Modelling for 2036+**

Hutley DR		Left	Right	EB	WB	Total						
Daily (both ways)	5,310											
av pk	531						BB Rd St	414			465	BB Rd St
av pk one way	266	40%	60%				BB Rd R	46			82	BB Rd L
		106	159				EB	460	106	159		
am tide	130%						WB		Hutley L	Hutley R		
am pk hr		138	207				Total		NB	SB	Total	
pm tide	70%											
pm pk		74	112									

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BB Rd from West		Right	Straight	NB	SB	Total			am peak				
Daily (both ways)	9199												
av pk	920												
av pk one way	460	10%	90%							NCRd R	NCRd St		
		46	414										
am tide	70%							BB Rd St	290			326	BB Rd St
am pk hr		32	290					BB Rd R	32			57	BB Rd L
pm tide	130%							EB	322	138	207		
pm pk		60	538					WB	138	Hutley L	Hutley R		

BB Rd from East		Left	Straight	NB	SB	Total							
Daily (both ways)	10,942												
av pk	1,094	547	547						pm peak				
av pk one way	547	15%	85%										
		82	465										
am tide	70%												
am pk hr		57	326										
pm tide	130%							BB Rd St	538			605	BB Rd St
pm pk		107	605					BB Rd R	60			107	BB Rd L
								EB	598	74	112		
										Hutley L	Hutley R		

SIDRA MOVEMENT SUMMARIES

MOVEMENT SUMMARY

Site: 1 [36+am]

New Site
Roundabout

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Hutley Dr											
1	L2	145	3.0	0.352	6.5	LOS A	2.4	17.2	0.62	0.71	39.9
3	R2	218	0.0	0.352	11.3	LOS A	2.4	17.2	0.62	0.71	45.4
Approach		363	1.2	0.352	9.4	LOS A	2.4	17.2	0.62	0.71	43.4
East: Byron Bay Rd East											
4	L2	60	3.0	0.268	4.1	LOS A	1.8	13.1	0.17	0.40	48.3
5	T1	343	3.0	0.268	4.3	LOS A	1.8	13.1	0.17	0.40	36.7
Approach		403	3.0	0.268	4.3	LOS A	1.8	13.1	0.17	0.40	38.4
West: Byron Bay Rd West											
11	T1	305	0.0	0.296	5.6	LOS A	2.2	15.2	0.53	0.55	45.2
12	R2	34	3.0	0.296	10.3	LOS A	2.2	15.2	0.53	0.55	44.4
Approach		339	0.3	0.296	6.1	LOS A	2.2	15.2	0.53	0.55	45.1
All Vehicles		1105	1.6	0.352	6.5	LOS A	2.4	17.2	0.43	0.55	42.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
 Vehicle movement LOS values are based on average delay per movement.
 Intersection and Approach LOS values are based on average delay for all vehicle movements.
 Roundabout Capacity Model: SIDRA Standard.
 SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

MOVEMENT SUMMARY

Site: 1 [36+pm]

New Site
Roundabout

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Hutley Dr											
1	L2	78	3.0	0.250	8.6	LOS A	1.7	11.9	0.76	0.80	37.4
3	R2	118	0.0	0.250	13.4	LOS A	1.7	11.9	0.76	0.80	42.9
Approach		196	1.2	0.250	11.5	LOS A	1.7	11.9	0.76	0.80	40.9
East: Byron Bay Rd East											
4	L2	113	3.0	0.513	4.3	LOS A	4.6	33.3	0.33	0.43	47.0
5	T1	637	3.0	0.513	4.6	LOS A	4.6	33.3	0.33	0.43	35.8
Approach		749	3.0	0.513	4.6	LOS A	4.6	33.3	0.33	0.43	37.5
West: Byron Bay Rd West											
11	T1	566	0.0	0.469	5.1	LOS A	4.5	31.6	0.49	0.49	45.6
12	R2	63	3.0	0.469	9.7	LOS A	4.5	31.6	0.49	0.49	44.8
Approach		629	0.3	0.469	5.6	LOS A	4.5	31.6	0.49	0.49	45.5
All Vehicles		1575	1.7	0.513	5.8	LOS A	4.6	33.3	0.45	0.50	40.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

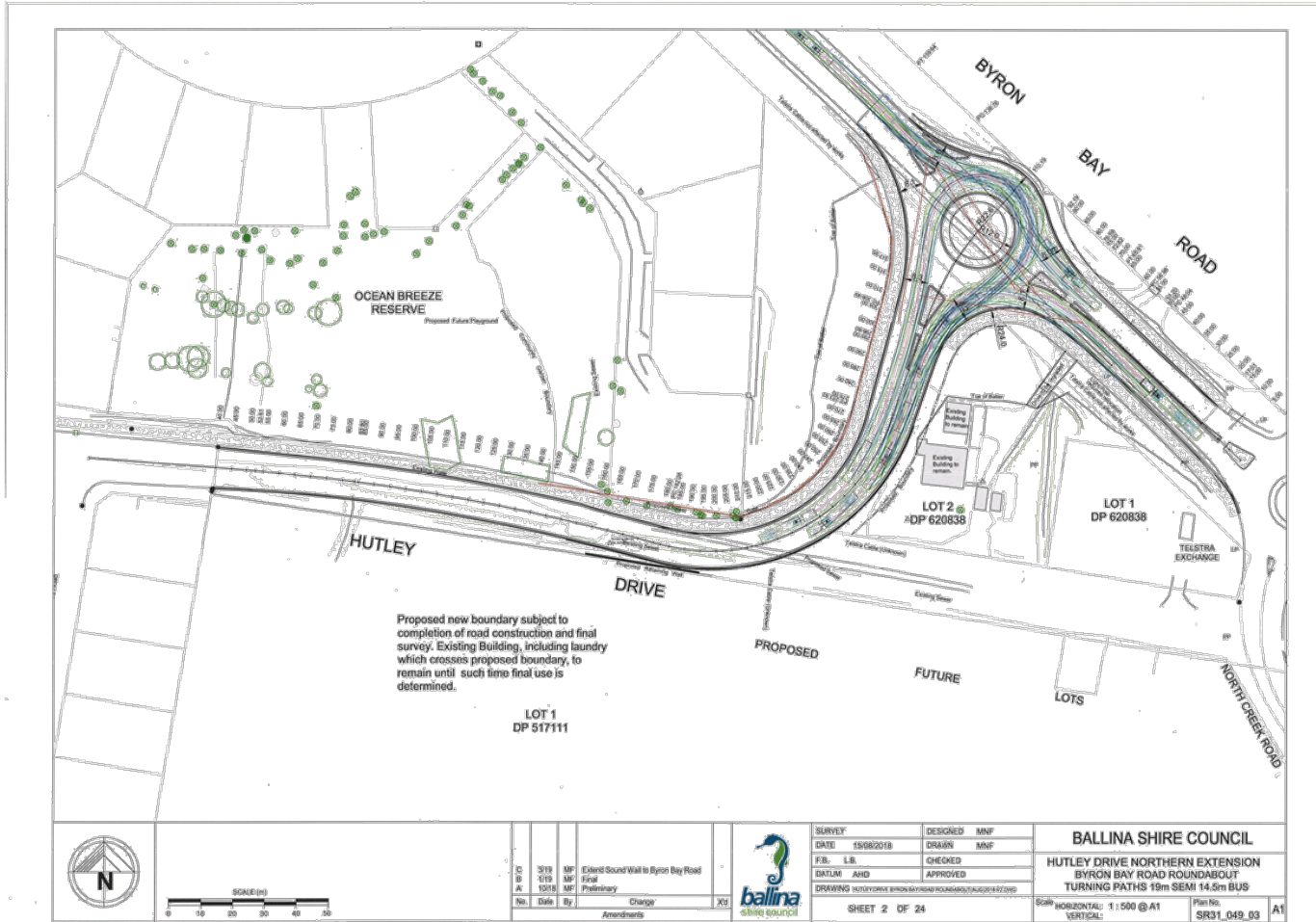
Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

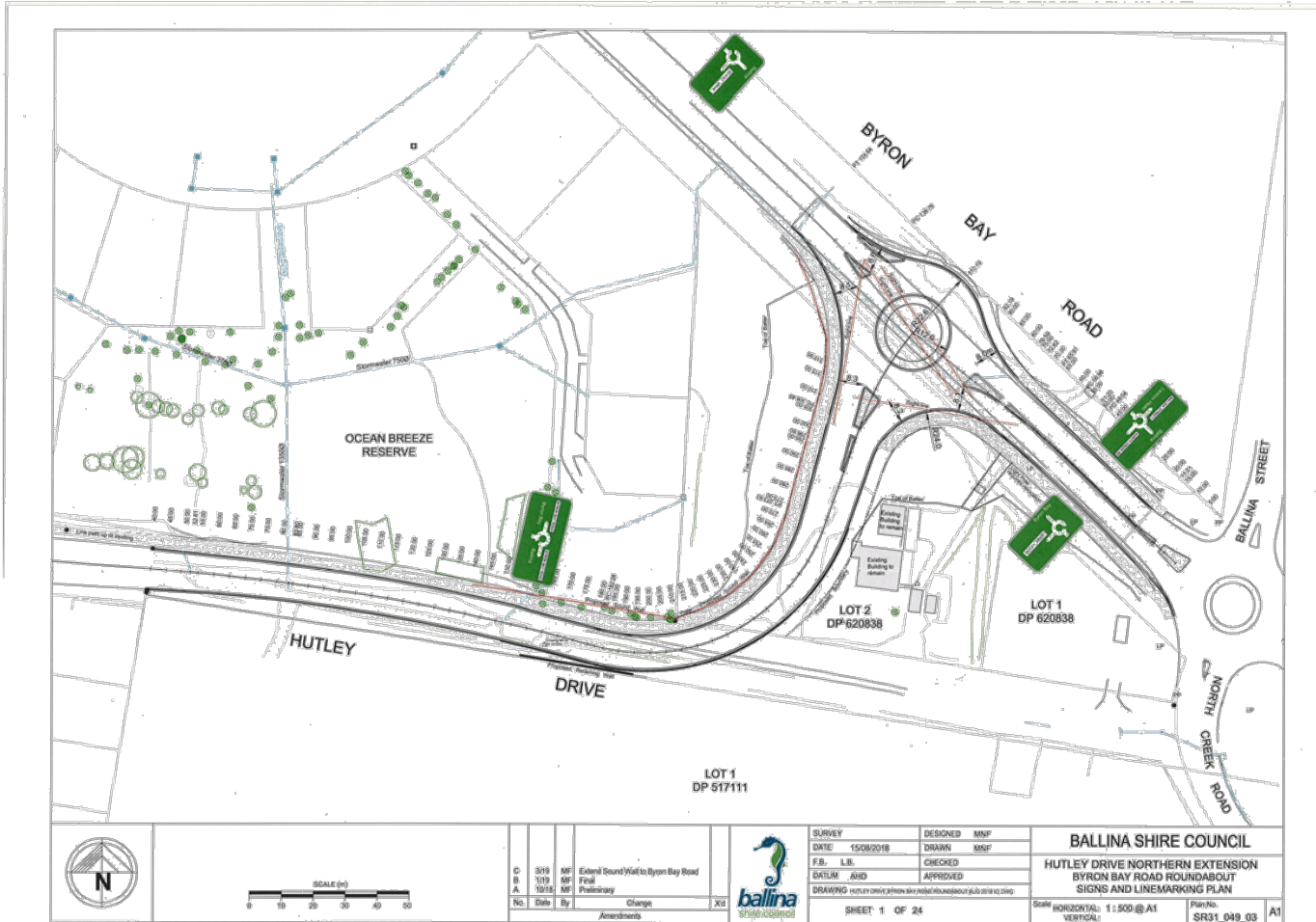
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

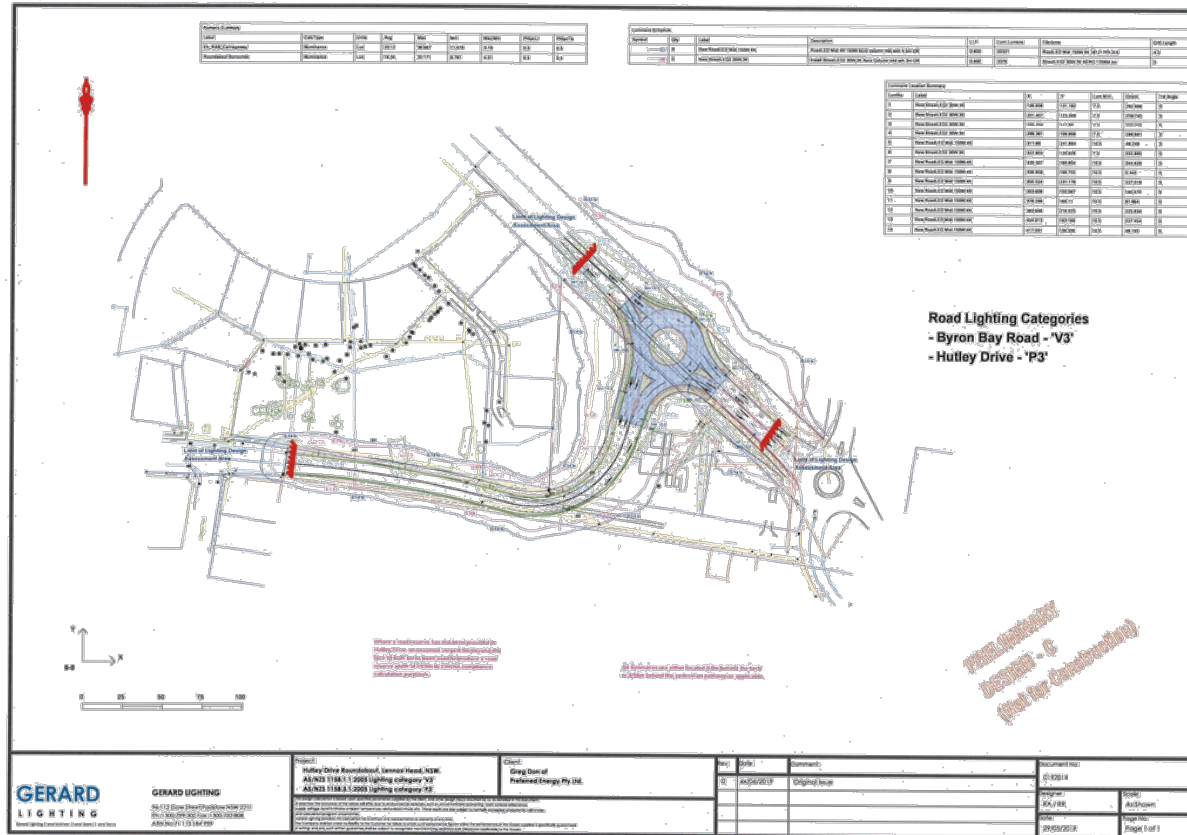
APPENDIX B



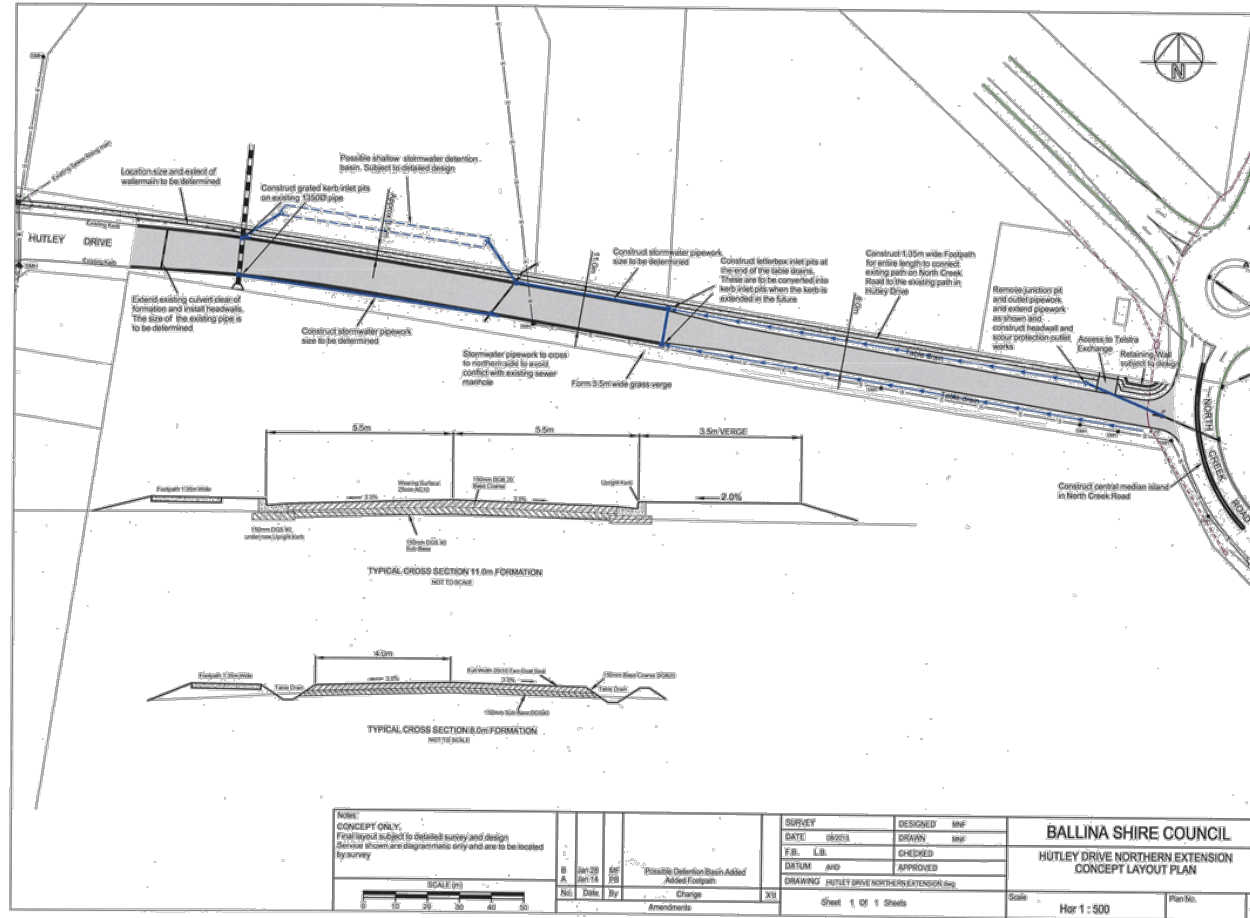
APPENDIX C

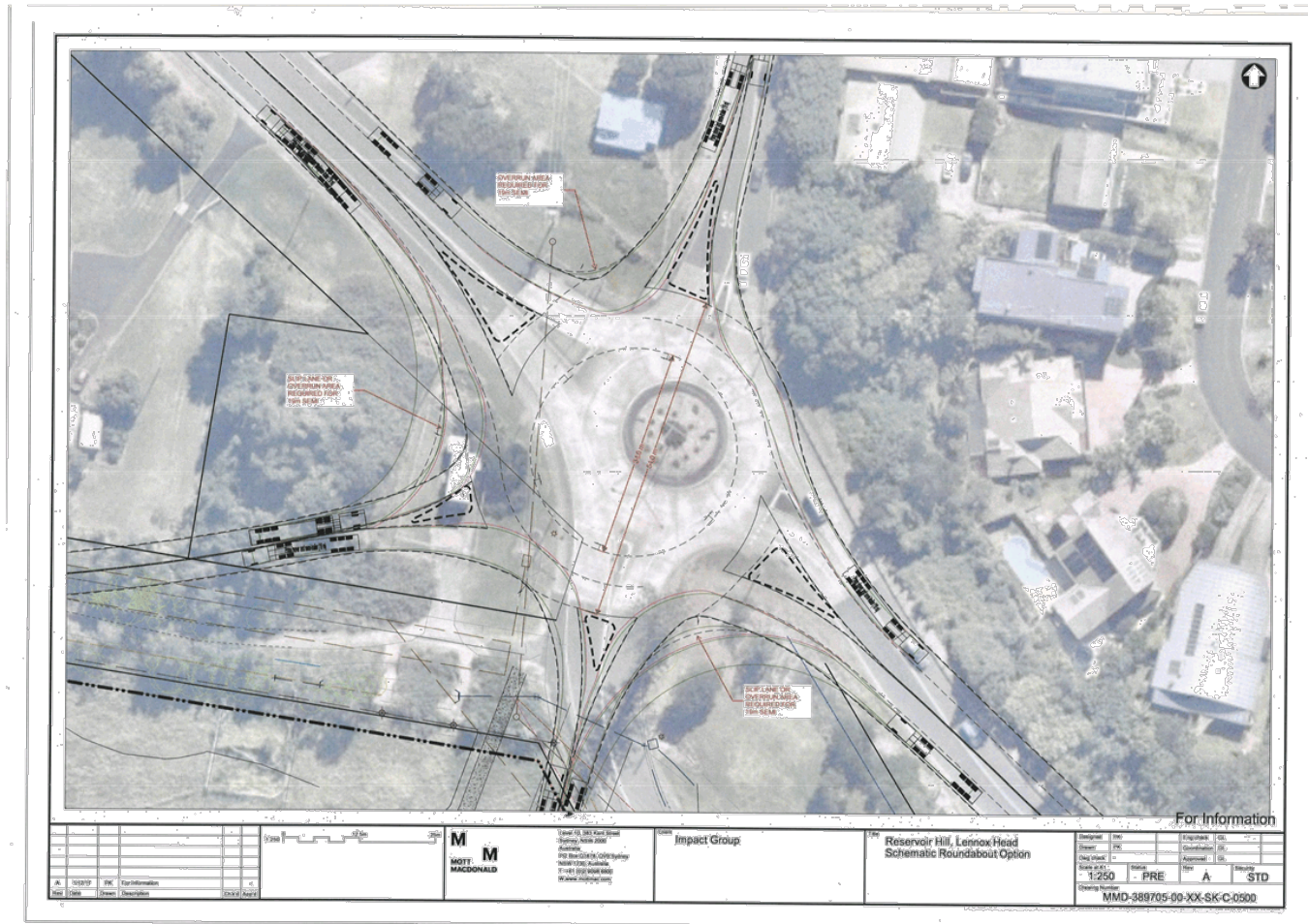


APPENDIX D



APPENDIX E





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Environmental Planning and Assessment Regulation 2000

Current version for 13 September 2019 to date (accessed 15 October 2019 at 18:24)

Part 14 > Division 1 > Clause 228

228 What factors must be taken into account concerning the impact of an activity on the environment? (cf clause 82 of EP&A Regulation 1994)

- (1) For the purposes of Part 5 of the Act, the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment include—
 - (a) for activities of a kind for which specific guidelines are in force under this clause, the factors referred to in those guidelines, or
 - (b) for any other kind of activity—
 - (i) the factors referred to in the general guidelines in force under this clause, or
 - (ii) if no such guidelines are in force, the factors referred to subclause (2).
- (2) The factors referred to in subclause (1) (b) (ii) are as follows—
 - (a) any environmental impact on a community,
 - (b) any transformation of a locality,
 - (c) any environmental impact on the ecosystems of the locality,
 - (d) any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality,
 - (e) any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations,
 - (f) any impact on the habitat of protected animals (within the meaning of the *Biodiversity Conservation Act 2016*),
 - (g) any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air,
 - (h) any long-term effects on the environment,
 - (i) any degradation of the quality of the environment,
 - (j) any risk to the safety of the environment,
 - (k) any reduction in the range of beneficial uses of the environment,
 - (l) any pollution of the environment,
 - (m) any environmental problems associated with the disposal of waste,
 - (n) any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply,

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10/15/2019

Environmental Planning and Assessment Regulation 2000 - NSW Legislation

- (o) any cumulative environmental effect with other existing or likely future activities,
 - (p) any impact on coastal processes and coastal hazards, including those under projected climate change conditions.
- (3) For the purposes of this clause, the Planning Secretary may establish guidelines for the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment, in relation to activities generally or in relation to any particular kind of activity.
- (4) The Planning Secretary may vary or revoke any guidelines in force under this clause.

<https://www.legislation.nsw.gov.au/#/view/regulation/2000/557/part14/div1/sec228>

2/2

Attachment 7 - Review of Environmental Factors - Checklist / Peer Review

1. Project Details

Project Summary	
Name	Part 5 Application No. 22.2019.1
Description	Construction of the Hutley Drive Northern Extension
Location	Hutley Drive and Byron Bay road reserves Lot 2 DP 620838 and Lot 31 DP 7878769 Byron Bay Road and Ocean Breeze Reserve, Lennox Head
Proponent Name	Ballina Shire Council

2. REF Details

REF Summary	
Documents Considered	<ul style="list-style-type: none"> - Review of Environmental Factors, Ballina Shire Council, Hutley Drive Northern Extension (V3) – Prepared by GeoLINK (13/02/2019) - Response to Request for Information - Prepared by Ballina Shire Council (19/58508) (02/08/2019) - Design Report, Construction of Roundabout – Hutley Drive Byron Bay Road – Prepared by Ballina Shire Council (14/06/2019) - Road Safety Audit, Hutley Drive Northern Extension Detailed Design – Prepared by GeoLINK (15/08/2019) - Road Traffic Noise Impact Assessment, Hutley Drive Extension Lennox Head (v1) – Prepared by CRG Acoustics (20/12/2018) - Road Traffic Noise Impact Assessment, Hutley Drive Extension Lennox Head (v3) – Prepared by CRG Acoustics (2/07/2019) - Site Assessment, Proposed Vegetation Management, Hutley Drive Northern Extension – Prepared by Blackwood Ecological Services Pty Ltd (23/07/2018) - Ecological Assessment, Proposed Hutley Drive Northern Extension – Prepared by Blackwood Ecological Services Pty Ltd (18/07/18) - Additional Ecological Assessment, Hutley Drive Northern Extension – Prepared by Blackwood Ecological Services Pty Ltd (6/07/2019) - Heritage Search results (AHIMS) (13/11/2018) - Heritage Search results (Australian Heritage Database) (20/12/2018)



	<ul style="list-style-type: none"> - Heritage Search results (State Heritage Inventory) (20/12/2018) - Report on Geotechnical Investigation for Proposed Extension of Hutley Drive, Lennox Head – Prepared by Geotech Investigations Pty Ltd (20/12/2018) - Contaminated Land Search Results (DECCW Contaminated Land Register) (9/01/2019) - RMS Correspondence with Council (20/6/2019-026/7/2019) - Management Plan for Rough-Shelled Bush Nut (Macadamia Tetraphylla) – Prepared by Blackwood Ecological Services (06/07/2019) - Soil Remediation Plan (July 2019 (Rev A)) - Intersection Analysis – Prepared by Patrick Knight, Ballina Shire Traffic Engineer (27/11/2018) - Hydraulic Capacity Assessment – Prepared by Alistair Weallans, Ballina Shire Council (23/01/2018) - Biodiversity Development Assessment Report, GeoLINK Date - Public Submissions - Council correspondence to public submitters - Council internal assessment reports / file notes 				
Final Plans Considered	<ul style="list-style-type: none"> - Plan No. SR31_049_03 LIMIT OF WORKS (Not dated) - Hutley Drive Northern Extension Byron Bay Road Roundabout, Design Drawings, Issue E (July 2019) - Drawing No. 115575FPLAN, ELECTRICAL RETICULATION & LIGHTING (20/02/2019) - Document No. 0192014 ROAD LIGHTING CATEGORIES (June 2019) 				
Site Inspection Date	3/04/2019				
Designated Development/EIS Required	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">Yes</td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;">No</td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>		
How is the proposed activity permitted without consent under the EP&A Act 1979	<p>Clause 94 and 111 of <i>State Environmental Planning Policy (Infrastructure) 2007</i> permit development of a road, road infrastructure facilities and stormwater management systems to be carried out without consent when undertaken on any land by or on behalf of a public authority.</p> <p>The proposed works are not on land that are removed from the SEPP, nor do the works qualify as state significant infrastructure.</p>				

3. Applicable Legislation & Approval Pathways Checklist

Commonwealth Legislation				
Environment Protection & Biodiversity Conservation Act 1999	Yes	No	N/A	Adequate Safeguards Imposed
Referral to Commonwealth required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Any impact on a World Heritage property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on a National Heritage place?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on a wetland of international importance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on a listed threatened species or communities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any impacts on listed migratory species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve a nuclear action (including uranium mining)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on a Commonwealth marine area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on the Great Barrier Reef Marine Park?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on water resources from coal seam gas development and large coal mining development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additionally, any significant impact (direct or indirect) on Commonwealth land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additionally, any significant impact (direct or indirect) on the environment generally as a result of a Commonwealth action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additional Comments				
<p>Concern has been raised around the potential impacts on two Rough-shelled Queensland nut trees (Macadamia Tetraphylla).</p> <p>The Macadamia trees are listed as vulnerable under <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>A Biodiversity Development Assessment Report (BDAR) has been prepared to assess the potential impact.</p> <p>Council staff have reviewed the BDAR and consider that the BDAR confirms the potential impacts on these trees are not characterised as serious or irreversible. Obligations for offsetting any potential detrimental impacts are included in the BDAR. These requirements have been included as proposed recommendations for this approval.</p>				
Native Title Act 1993 Cth				
	Yes	No	N/A	Adequate Safeguards Imposed
Is the site or any other land likely to be impacted by the proposal subject to Native Title or an undetermined claim?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does an Indigenous Land Use Agreement or draft agreement apply to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the proposed activity a 'future act'?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed activity impair or extinguish Native Title?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New South Wales State Legislation				
Environmental Planning and Assessment Act 1979				
	Yes	No	N/A	Adequate Safeguards Imposed?
Development permissible without consent under Part 5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sections 5.5, 5.6 and 5.7 addressed by examining, and taking into account to the fullest extent possible, all matters which are likely to affect the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The requirements of clause 228 of the EP&A Regulation 2000 are met?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Planning and Assessment Regulation 2000 - Clause 228				
	Yes	No	N/A	Adequate Safeguards Imposed?
Any environmental impact on a community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any transformation of a locality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any environmental impact on the ecosystems of the locality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any impact on the aesthetic, recreational, scientific or other environmental quality or value of a locality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any long-term effects on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any degradation of the quality of the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any risk to the safety of the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any reduction in the range of beneficial uses of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any pollution of the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any environmental problems associated with the disposal of waste?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any cumulative environmental effect with other existing or likely future activities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Biodiversity Conservation Act 2016	Yes	No	N/A	Adequate Safeguards Imposed?
Is the proposal likely to affect threatened species or ecological communities, or their habitats?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal exceed the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal be carried out in a declared area of outstanding biodiversity value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additional Comments				
<p>Concern has been raised around the potential impacts on two Rough-shelled Queensland nut trees (<i>Macadamia Tetraphylla</i>).</p> <p>The <i>Macadamia</i> trees are listed as vulnerable under <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>A Biodiversity Development Assessment Report (BDAR) has been prepared to assess the potential impact.</p> <p>Council staff have reviewed the BDAR and consider that the BDAR confirms the potential impacts on these trees are not characterised as serious or irreversible. Obligations for offsetting any potential detrimental impacts are included in the BDAR. These requirements have been included as proposed recommendations for this approval.</p>				
Contaminated Land Management Act 1997 No 140	Yes	No	N/A	Adequate Safeguards Imposed?
Has a search of the NSW Environment Protection Authority's (EPA) Contaminated Lands Register been undertaken?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the site contaminated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If required, has a remediation action plan been prepared?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposed activity result in the contamination of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Additional Comments				
<p>A Preliminary Contaminated Site Investigation was undertaken for Council in association with the proposed rezoning of No. 9 Byron Bay Road. This assessment is suitable for the purposes of this REF given it relates to the same land.</p>				



This assessment identified levels of potential lead contamination in the location of some proposed works that exceed Health Investigation Levels.

A site remediation plan has been developed to remove and dispose of the material and therefore eliminate any future risk or future management requirements.

Council's Environmental Health Officer is satisfied that the proposed remediation is suitable; however, has recommended that validation, monitoring and completion reports be submitted to Council following remediation.

These requirements have been included as proposed recommendations for this approval.

Fisheries Management Act 1994	Yes	No	N/A	Adequate Safeguards Imposed?
Does the proposed activity involve dredging or reclamation, harm to marine vegetation, blocking fish passage, using explosives or electrical devices in a waterway or any other activity requiring a permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has the permit been obtained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forestry Act 2012 No 96	Yes	No	N/A	Adequate Safeguards Imposed?
Does the proposal require the use of a forestry area for a non-forestry use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If required, has a permit been obtained for the non-forestry use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heritage Act 1977	Yes	No	N/A	Adequate Safeguards Imposed?
Has a search of the Office of Environment and Heritage (OEH) State Heritage Branch database been undertaken?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposed activity relate to any place, building, work, relic, moveable object, precinct, or land which an interim heritage order or listing on the State Heritage Register applies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If required, has approval from the Heritage Council been obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Local Government Act 1993	Yes	No	N/A	Adequate Safeguards Imposed?
Is the proposal compliant with the Local Government Act?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Parks and Wildlife Act 1974	Yes	No	N/A	Adequate Safeguards Imposed?
Is the proposed activity within or adjoining a national park, nature reserve or other type of conservation land protected by the NPW Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal have any impact on a national park, nature reserve or other type of conservation land protected by the NPW Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has a search of the OEH State Heritage Branch AHIMS database been undertaken?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposal have an unavoidable impact on Aboriginal items or places as a result of the activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If required, has an AHIP been obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Additional Comments				
A detailed Aboriginal Cultural Heritage Assessment was prepared for Council by Everick Heritage Consultants in November 2018. This assessment related to the rezoning of No. 9 Byron Bay Road, though it did consider potential cultural significance and impacts associated with future works and use on and around this site. The findings of this report are suitable for consideration under this REF given they relate to the same land.				
This assessment report includes recommendations to ensure appropriate awareness and management responses are in place when undertaking works on / near the site. These recommendations have been				



adopted (whilst reworded) under the REF and environmental safeguards. No further safeguards are considered necessary.				
Protection of the Environment Operations Act 1997	Yes	No	N/A	Adequate Safeguards Imposed?
Is the proposed activity a scheduled activity, requiring a permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or will the proposal be compliant with the Protection of the Environment Operations (Clean Air) Regulation 2010?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or will the proposal be compliant with the Protection of the Environment Operations (General) Regulation 2009?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or will the proposal be compliant with the Protection of the Environment Operations (Noise Control) Regulation 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is or will the proposal be compliant with the Protection of the Environment Operations (Waste) Regulation 2014?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roads Act 1993	Yes	No	N/A	Adequate Safeguards Imposed?
Does the proposal involve works or structures that require approval under Section 138 relating to classified roads?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Additional Comments				
While Ballina Shire Council is a roads authority, sign, line marking and speed zones change will need to be agreed to through Council's Traffic Committee as well as Roads and Maritime. While this is a normal process, a general condition should be included considering the matter was specifically raised by Roads and Maritime.				
Rural Fires Act 1997	Yes	No	N/A	Adequate Safeguards Imposed?
Does the proposal involve rural/residential subdivision or a special fire protection purpose?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, has a bushfire safety authority been obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policies				
State Environmental Planning Policy (Infrastructure) 2007	Yes	No	N/A	Adequate Safeguards Imposed?
Is the proposal permitted without consent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposal require consultation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, has this consultation been completed in accordance with the specified period?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have responses to the consultation process been considered in the REF?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Additional Comments				
As noted above, sign, line marking and speed zones change will need to be agreed to through Council's Traffic Committee as well as Roads and Maritime. While this is a normal process, a general condition should be included considering the matter was specifically raised by Roads and Maritime.				
Is the proposal consistent with EPIs?	Yes	No	N/A	Adequate Safeguards Imposed?
Local Environmental Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Environmental Planning Policy No 33—Hazardous and Offensive Development	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy 44 – Koala Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Environmental Planning Policy No 55—Remediation of Land	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Environmental Planning Policy (Aboriginal Land) 2019	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Environmental Planning Policy (Concurrences) 2018	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy (Primary Production and Rural Development) 2019	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State Environmental Planning Policy (State and Regional Development) 2011	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy (State Significant Precincts) 2005	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. Consultation Requirements

Infrastructure SEPP, Part 2, Division 1 Consultation				
	Not Applicable	Applicable	Notification Completed	Response Considered in REF
Consultation with councils - development with impacts on council-related infrastructure or services				
Will the proposal have a substantial impact on stormwater management services provided by a council?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the proposal likely to generate traffic to an extent that will strain the capacity of the road system in a local government?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal involve connection to, and a substantial impact on the capacity of, any part of a sewerage system owned by a council?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal involve connection to, and use of a substantial volume of water from, any part of a water supply system owned by a council?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal involve the installation of a temporary structure on, or the enclosing of, a public place that is under a council's management or control that is likely to cause a disruption to pedestrian or vehicular traffic that is not minor or inconsequential?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposal involve excavation that is not minor or inconsequential of the surface of, or a footpath adjacent to, a road for which a council is the roads authority under the <i>Roads Act 1993</i> (if the public authority that is carrying out the development, or on whose behalf it is being carried out, is not responsible for the maintenance of the road or footpath)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation with councils - development with impacts on local heritage	Not Applicable	Applicable	Notification Completed	Response Considered in REF
Is the proposal likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item, in a way that is more than minor or inconsequential, and is development that this Policy provides may be carried out without consent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation with councils - development with impacts on flood liable land	Not Applicable	Applicable	Notification Completed	Response Considered in REF
Is the proposed activity located on flood liable land and will change flood patterns other than to a minor extent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation with State Emergency Service - development with impacts on flood liable land	Not Applicable	Applicable	Notification Completed	Response Considered in REF
Is the proposed activity located on flood liable land and proposed to be carried out without development consent under a relevant provision?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation with councils - development with impacts on certain land within the coastal zone	Not Applicable	Applicable	Notification Completed	Response Considered in REF



Infrastructure SEPP, Part 2, Division 1 Consultation				
Is the proposed development on land that is within a coastal vulnerability area and is inconsistent with a certified coastal management program that applies to that land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation with public authorities other than councils	Not Applicable	Applicable	Notification Completed	Response Considered in REF
Is the development adjacent to land reserved under the National Parks and Wildlife Act 1974 or to land acquired under Part 11 of that Act—the Office of Environment and Heritage?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development on land in Zone E1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone—the Office of Environment and Heritage?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development adjacent to an aquatic reserve or a marine park declared under the Marine Estate Management Act 2014—the Department of Industry?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development in the foreshore area within the meaning of the Sydney Harbour Foreshore Authority Act 1998—the Sydney Harbour Foreshore Authority?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development comprising a fixed or floating structure in or over navigable waters—Roads and Maritime Services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development for the purposes of a health services facility, correctional centre or group home, or for residential purposes, in an area that is bush fire prone land (as defined by the Act) the NSW Rural Fire Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the development increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map—the Director of the Observatory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument—the Secretary of the Commonwealth Department of Defence?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the development on land in a mine subsidence district within the meaning of the Mine Subsidence Compensation Act 1961—the Mine Subsidence Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Proposed Activity Impact Assessment Checklist

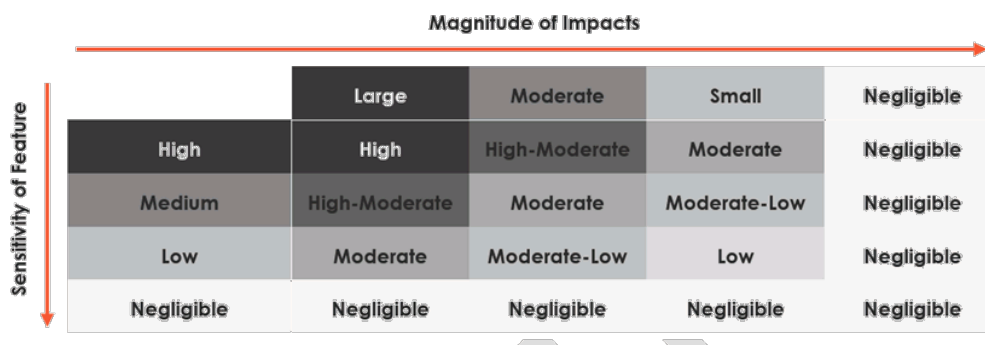


Figure 1: Impact Significance Matrix

Impact Assessment				
	Yes	No	Adequate Safeguards Imposed	Impact Significance
Landform, Geology and Soils				
Does the project involve the disturbance of large areas (e.g. >2ha) for earthworks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Does the site have constraints for erosion and sedimentation controls such as steep gradients or narrow corridors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Is the project footprint in or nearby a highly sloping landform?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Are there any sensitive receiving environments that are located in or nearby the likely project footprint or that would likely receive stormwater discharge from the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Additional Comments				
There is some potential for the road to result in a change in hydrological conditions which could have some impact on nearby wetland habitat. The road design incorporates a stormwater surcharge basin that will moderate flows. Similarly, the REF includes safeguards regarding sediment and erosion control and is supported by a geotechnical assessment that confirms land capability. It is unlikely that the proposed development will affect landform, geology and soil conditions in the area.				
Contaminated Land and Acid Sulfate Soils				
Is there any evidence within or nearby the likely footprint of potential contamination?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Are there any known occurrences of salinity or acid sulfate soils in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Additional Comments				
A site remediation plan has been developed to remove and dispose of potentially contaminated material and therefore eliminate any future risk or future management requirements. Council's Environmental Health Officer is satisfied that the proposed remediation is suitable; however, has recommended that validation, monitoring and completion reports be submitted to Council following remediation.				
In regard to acid sulfate soils, the REF confirms that further testing is to be undertaken and management plans prepared and adopted for the works (as required). No further safeguards are considered necessary.				
Water Quality and Hydrology				
Are the works located within, adjacent to or near a waterway or body of water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low



Impact Assessment				
Is the location known to flood or be prone to water logging?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Will the proposed works be undertaken on a bridge?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the works likely to require the extraction of water from a local water course?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Biodiversity	Yes	No	Adequate Safeguards Imposed	Impact Significance
Have relevant database searches been carried out?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Did the database searches identify any endangered ecological communities, threatened flora and/or threatened or protected fauna within the vicinity of the proposed works?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Will the proposed works require the removal of any vegetation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Will the proposed works affect any tree hollows or hollow logs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Are there any known areas of critical habitat, coastal wetland or littoral rainforest area within the vicinity of the proposed works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Will the proposed works provide any additional barriers to the movement of wildlife?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Will the proposed works disturb any natural waterways or aquatic habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Will the proposed works disturb any crevices or other locations (such as on bridges and culverts) for potential bat habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Will there be impact on any vegetation or land that is part of an offset or is protected under a condition of approval from a previous project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Additional comments				
<p>There is some potential for the road to result in a change in hydrological conditions which could have some impact on nearby wetland habitat. The road design incorporates a stormwater surcharge basin that will moderate flows. Similarly, the REF includes safeguards regarding sediment and erosion control. It is unlikely that the proposed development will affect hydrological conditions in the area.</p> <p>Council staff have reviewed the BDAR and consider that the BDAR confirms the potential impacts on vulnerable tree species are not characterised as serious or irreversible. Obligations for offsetting any potential detrimental impacts are included in the BDAR. These requirements have been included as proposed recommendations for this approval.</p>				
Trees	Yes	No	Adequate Safeguards Imposed	Impact Significance
Do the proposed works involve pruning, trimming or removal of any tree/s?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Do the trees form part of a streetscape or roadside planting?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Have the trees been planted by a community group, Landcare group, by Council, or is a memorial or part of a memorial group (eg. has a plaque)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Do the trees form part of a heritage listing or have other heritage value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Additional Comments				
<p>Note comments above regarding potential biodiversity impacts.</p> <p>The Norfolk Pine is not a tree on the Significant Tree Register.</p> <p>Landscape planting and hydro mulched batter areas will be provided along the frontage of the proposed rendered and painted besser block acoustic barrier to break up and soften its visual appearance when viewed from Hutley Drive and Byron Bay Drive. The final landscape strategy will be confirmed with Council's Open Space and Reserves team.</p>				

Impact Assessment				
While the loss of vegetation within this area was considered and approved under the former Part 5 Application, opportunities for reinstatement / replanting of vegetation could be negotiated with the landowners of No. 9 Ocean Breeze Drive as part of the final landscape strategy being undertaken by Council's Open Space and Reserves team.				
Aboriginal Heritage	Yes	No	Adequate Safeguards Imposed	Impact Significance
Would the works involve disturbance in any area that has not been subject to previous ground disturbances?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Has online AHIMS search been completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Is there potential for the proposed works to impact on any items of Aboriginal heritage?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Would the works impact on any features that may indicate any potential archaeological remains?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Is the site subject to a Native Title determination, for which Native title was found to exist?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Additional Comment				
As noted previously, environmental safeguards are proposed under the REF that are similar to those recommended for the site under Aboriginal Cultural Heritage Assessment, Everick Heritage Consultants, November 2018. No further safeguards are considered necessary.				
Historic Heritage	Yes	No	Adequate Safeguards Imposed	Impact Significance
Have online heritage database searches been completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are there any items of non-Aboriginal heritage or heritage conservation areas located within the vicinity of the proposed works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are there any items of potential non-Aboriginal heritage significance within the vicinity of the works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are works likely to occur in or near features that indicate potential archaeological remains?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Noise and Vibration	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are there any residential properties or other noise sensitive areas near the location of the proposed works that may be affected by the works (i.e. church, school, hospital)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moderate
Are the proposed works going to be undertaken only during standard working hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moderate-Low
Will the construction duration be greater than 3 weeks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moderate
Is any explosive blasting required for the proposed works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Will operation of the works alter the noise environment for sensitive receivers?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moderate
Will the works result in vibration being experienced by any surrounding properties or infrastructure (during either construction or operation)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moderate
Additional comments				
Both the REF and Council's Environmental Health Officer have recommended the same construction / noise generating timeframes. The conditions proposed under both the EHO comments and REF duplicate one another. No additional conditions above what is included in the REF are considered necessary.				
The REF confirms that consultation should be undertaken with the landowner of No. 9 Ocean Breeze Drive regarding the materials to be used to construct the noise wall. The updated Design Plans indicate that a painted rendered besser block wall will be constructed. It is considered suitable that the condition under the REF remain though, considering the wall will form the new property fence for No. 9 Ocean Breeze Drive.				



Impact Assessment				
Air Quality	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are the proposed works likely to result in large areas (>2ha) of exposed soils?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Will there be any dust sensitive receivers located within the vicinity of the proposed works during the construction period?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Is there likely to be an emission to air during construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Additional Comments				
Additional safeguards regarding dust management have been proposed by Council's Environmental Health Officer, above what is included under the REF. Including these additional safeguards is not considered a duplication of environmental management measures, considering it is a key construction requirement given the proximity to residential dwellings.				
Waste and Chemical Management	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are the proposed works likely to generate >200 tonnes of waste material?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Contaminated waste material?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Negligible
Are the proposed works likely to require a licence from the EPA?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Additional Comment				
Additional safeguards regarding waste management have been proposed by Council's Environmental Health Officer, above what is included under the REF. Including these additional safeguards is not considered a duplication of environmental management measures and therefore could be included under any future approval.				
Bushfire	Yes	No	Adequate Safeguards Imposed	Impact Significance
Is the site identified as bushfire prone land or located near vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Does the proposal involve a Special Fire Protection Purpose or Rural/Residential Subdivision?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Will the proposed works likely to cause an open flame/spark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Negligible
Traffic	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are the proposed works likely to result in detours or disruptions to traffic flow (vehicular, cycle and pedestrian) or access during construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Are the proposed works likely to affect any other transport nodes or transport infrastructure (e.g. bus stops, bus routes) in the surrounding area? Result in detours or disruptions to traffic flow (vehicular, cycle and pedestrian) or access during operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Additional Comments				
The REF requires both a Traffic Control Plan and Access Management Plan. In addition to these requirements the Design Report, Ballina Shire Council, June 2019, specifies that a Traffic Management Plan is to be prepared by Council.				
The approval should endorse the Design Report, though it is not considered necessary for the safeguards recommended under this Design Report to be specifically listed under the approval. This is considered a duplication with the recommendations in the REF and unnecessary in the case.				
Sign, line marking and speed zones change will need to be agreed to through Council's Traffic Committee as well as Roads and Maritime. While this is a normal process, a general condition should be included considering the matter was specifically raised by Roads and Maritime.				
Visual Amenity and Landscape	Yes	No	Adequate Safeguards Imposed	Impact Significance



Impact Assessment				
Are the proposed works over or near an important physical or cultural element or landscape? (Heritage items and areas, distinctive or historic built form, National Parks, conservation areas, scenic highways etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Would the proposed works obstruct or intrude upon the character or views of a valued landscape or urban area? For example locally significant topography, a rural landscape or a park, a river, lake or the ocean or a historic or distinctive townscape or landmark?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Would the proposal require the removal of mature trees or stands of vegetation, either native or introduced?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Would the proposal involve new noise walls or visible changes to existing noise walls?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Would the proposal involve substantial changes to the appearance of a bridge (including piers, girders, abutments and parapets) that are visible from the road or residential areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
If involving lighting, would the proposal create unwanted light spillage on residential properties at night (in construction or operation)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Would any new structures or features being constructed result in over shadowing to adjoining properties or areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate
Additional Comments				
A detailed assessment of this component is undertaken within the attached assessment report. This was a key issue raised under the submissions.				
Socio-economic Considerations	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are the proposed works likely to detrimentally impact on local business?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the proposed works likely to require any property acquisition (additional)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the proposed works likely to alter any access for properties (either temporarily or permanently)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moderate-Low
Are the proposed works likely to alter any on-street parking arrangements (either temporarily or permanently)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the proposed works likely to change pedestrian movements or pedestrian access (either temporarily or permanently)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the proposed works likely to impact on any items or places of social value to the community (either temporarily or permanently)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Are the proposed works likely to reduce or change visibility of any businesses, farms, tourist attractions or the like (either temporarily or permanently)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Additional Comments				
A detailed review of potential social impacts is provided under the attached assessment report. This was a key issue raised under the submissions.				
Cumulative impacts	Yes	No	Adequate Safeguards Imposed	Impact Significance
Are other projects proposed to be undertaken at the same time within the vicinity of the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible
Is the proposal likely to result in detrimental cumulative effects to the environment in when considered in combination with other past, present, and future actions or works?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Negligible

Peer Review & Assessment - Review of Environmental Factors
 Construction of the Hutley Drive Northern Extension
 Prepared for Ballina Shire Council
 By Planit Consulting Pty Ltd



6. Declaration

I have reviewed the REF and all associated documentation and consider that the factors which must be taken into account concerning the potential impact of the proposed activity have been appropriately considered.

The proposed safeguards proposed under the REF, the additional environmental management safeguards proposed through Council's internal and this peer assessment, as well as the safeguards and environmental management measurements that will be imposed through a Construction Environmental Management Plan (CEMP) will ensure that any potential detrimental impacts will be mitigated and managed; ensuring no significant environmental impact.

Declaration	
Peer Reviewer Name:	Luke Blandford
Authority/Company:	Planit Consulting Pty Ltd
Position:	Senior Town Planner
Phone:	(02) 6674 5001
Signature:	
Date:	15/10/2019

DRAFT