

enquiries refer
Anthony Peters
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Pt V Register No: 22.2018/1



Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Notice to Applicant of Determination of an Environmental Assessment for a Part V “Activity”

Issued pursuant to Section 111 of the Environmental Planning and Assessment Act 1979

Part V Register No: 22.2018/1

Project File Reference: PF 2018/0001

Applicant: Ballina Shire Council

Subject Land: All public foreshore lands between Old Bangalow Road and Emigrant Creek from the intersection with Tamarind Drive to the village area of Tintenbar. Crosby's Lane (on the western side of Emigrant Creek) along the riverbank.

Activity Proposal: Bank Revegetation, Rehabilitation and Stabilisation - Emigrant Creek

Determination: The proposed activity has been determined by Ballina Shire Council on 6 February 2019 by way of **the grant of approval subject to the following ameliorative/mitigation measures being implemented to reduce any likely environmental impact:**

GENERAL

1. Approved Plans & Supporting Documentation

Works being carried out generally in accordance with the plans and associated documentation lodged by the applicant, including the following documents, except as modified by any ameliorative measures required to be implemented by this approval. Where there is any inconsistency with the REF and the specific requirements listed within this approval, the specific requirements listed within this approval shall prevail.

 (initial)
Assessment Officer

Document	Reference	Dated
Review of Environmental Factors	Emigrant Creek – Riverbank Stabilisation and Rehabilitation, prepared by Ballina Shire Council	October 2018
Acid Sulfate Soil Investigation and Management Plan	Ballina Shire Council	October 2018
Traffic Control Plan	Ballina Shire Council	Stamped Approved 6 February 2019

PRIOR TO CONSTRUCTION WORK COMMENCING

The following conditions in this section of the consent must be complied with or addressed prior to commencement of construction works relating to the approved development.

2. A waste management plan shall be developed for the site. The waste management plan shall be submitted to and approved by Ballina Shire Council prior to the commencement of works.

DURING CONSTRUCTION

The following conditions in this section of the consent must be complied with or addressed during the course of carrying out the construction works relating to the approved development.

3. Where the removal of bankside trees is required, mulch, sediment socks, hay bales and a sediment boom shall be utilised, to reduce the potential for movement of sediment into the creek.
4. Dust controls measures must be implemented where necessary to prevent a dust nuisance to surrounding properties
5. The Acid Sulfate Soil Management Plan prepared by Ballina Shire Council dated October 2018 must be implemented in full during the construction period.
6. Any Acid Sulfate Soils (ASS) disturbed during construction shall be managed appropriately on site. The subject soil should be tested for the presence of ASS and treated accordingly.
7. Chemicals, herbicides, fuels and toxic substances must not be stored onsite.
8. Any new information which comes to light during works, which has the potential to alter previous conclusions about the site contamination, must be immediately notified to Ballina Shire Council.
9. An Erosion and Sediment Control Plan (ESCP) which has been prepared in accordance with the requirements of Managing Urban Stormwater – Soils and Construction, LANDCOM, March 2004 shall be implemented in full for the duration of the works.
10. No burning of cleared vegetation or other waste material shall occur on site. All vegetation waste should be chipped and reused onsite or removed to a licenced waste management facility. If an alternative method of disposal is sought written approval of Council is required.
11. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts on the object(s). A suitably qualified archaeological specialist and the representatives of the local Aboriginal community must be contacted to determine the significance of the object(s) and to develop an appropriate



(initial)
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management strategy. The management strategy must comply with the provisions of the National Parks and Wildlife Act, 1974. This may include avoiding impact, additional investigations and/or the submission of an Aboriginal Heritage Impact Permit application. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) managed by OEH and the management outcome for the site included in the information provided to the AHIMS.

12. The hours of operation for any noise generating activity on the proposed development are to be limited to within the following times:

Monday to Friday - 7.00am to 6.00pm
Saturday - 8.00am to 1.00pm

No noise generating operational activities are to take place on Sundays or public holidays.

13. All traffic control during construction shall be in accordance with the Roads and Maritime Services - Traffic Control at Work Sites Manual and the certified traffic control plan. At least one person at the site must be qualified to "Apply Traffic Control Plans" (Yellow Card).

CONDITIONS OF USE/DURING OCCUPATION

The following conditions in this section of the consent are to be complied with in the day-to-day use or operation of the approved development.

14. Adequate resources, inclusive of ongoing weed control, are to be applied for the life of the project to ensure the project achieves its desired outcome.

Signed:



Anthony Peters
Town Planner

6/2/2019

Signed:



Vince Hunt
Acting Group Manager
Development and Environmental Health

6/2/2019

 (initial)
Assessment Officer

