

# REVIEW OF ENVIRONMENTAL FACTORS

## PROPOSED ROAD CONSTRUCTION

PROPERTY: Patricia Street, Casino  
PROPONENT: Richmond Valley Council  
OUR REF: 250055  
DATE: June 2025



## DOCUMENT AND PROJECT DETAILS

Document title:	Proposed road construction
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Date of issue:	5 June 2025
Job reference:	250055
Project outline	Demolition of an existing shed, fencing and removal of vegetation and roadworks to Patricia Street involving associated infrastructure works

## REVISION HISTORY

Rev	Date	Description	Author	Approved
A	04.03.2025	DRAFT REF	KB	KV
B	17.03.2025	REVISED DRAFT REF	KB	KV
C	29.05.2025	REVISED REF – NEW PLANS	KB	KV
D	05.06.2025	FINAL REVISED REF	KB	KV

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## ATTACHMENTS

<b>Attachment 1</b>	DP 976660
<b>Attachment 2</b>	AHIMS Search
<b>Attachment 3</b>	Civil Design Plans
<b>Attachment 4</b>	RVRJP Heritage Report
<b>Attachment 5</b>	RVRJP Biodiversity Report
<b>Attachment 6</b>	RVRJP Flood Impact Assessment
<b>Attachment 7</b>	Casino RJP Additional Flood Modelling
<b>Attachment 8</b>	RVRJP Hydrogeology, Quality and Demand Analysis Report
<b>Attachment 9</b>	RVRJP Soils, Geology and Contamination Report
<b>Attachment 10</b>	Adjoining Landowners Consent
<b>Attachment 11</b>	SES Consultation

## 1. Executive Summary

Newton Denny Chapelle has been engaged by Richmond Valley Council (RVC) to prepare a Review of Environmental Factors (REFs) for construction of a road, being known as Patricia Street, Casino. The proposal will facilitate access to future industrial land forming part of the Johnston Street Industrial Precinct as identified in the Richmond Valley Regional Job Precinct (RVRJP) Master Plan.

The proposed works are able to proceed as 'development permitted without consent' by virtue of Section 2.109 of *State Environmental Planning Policy (Transport & Infrastructure) 2021* (T&I SEPP). For development nominated as 'permitted without consent', a development application is not required under Part 4 of the *Environmental Planning and Assessment Act 1949* (the Act).

This Review of Environmental Factors (REF) has been prepared to assess the potential degree of environmental impacts of the proposed activity in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and Section 171 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regs).

It is concluded that the proposed works as described are not likely to significantly affect the environment within the meaning of Part 5 of the *EP&A Act 1979*, provided that the safeguard and mitigation measures documented in Section 7 of this report are adhered to.

## 2. Site Context and Analysis

### 2.1 Overview and Background

This Review of Environmental Factors relates to road construction within an existing unformed road reserve at Patricia Street. The works involve associated earthworks and infrastructure works to establish a stormwater channel and essential services within the road verge. The purpose of this REF is to assess the potential degree of environmental impacts of the proposed works, and where relevant, identify ameliorative measures to minimise potential impacts.

The environmental assessment has been undertaken under the provisions of Clause 171 of the *Environmental Planning and Assessment Regulation 2021 (EPA Regulation)*. If the findings of the REF indicate that the proposal is likely to result in “significant” impacts, an Environmental Impact Statement (EIS) will be required to be prepared and evaluated prior to the determining authority deciding whether to proceed with the project. The proponent and determining authority for the project is Richmond Valley Council.

### 2.2 Location and Description of Site

This assessment relates to road construction at Patricia Street, Casino. The road is to provide access to future industrial allotments forming part of the Johnston Street sub-precinct within the RVRJP. The road is currently unformed and is surrounded by land recently rezoned for industrial use. A Planning Proposal to facilitate the industrial rezoning of land was recently finalised, as depicted in **Plate 1**.

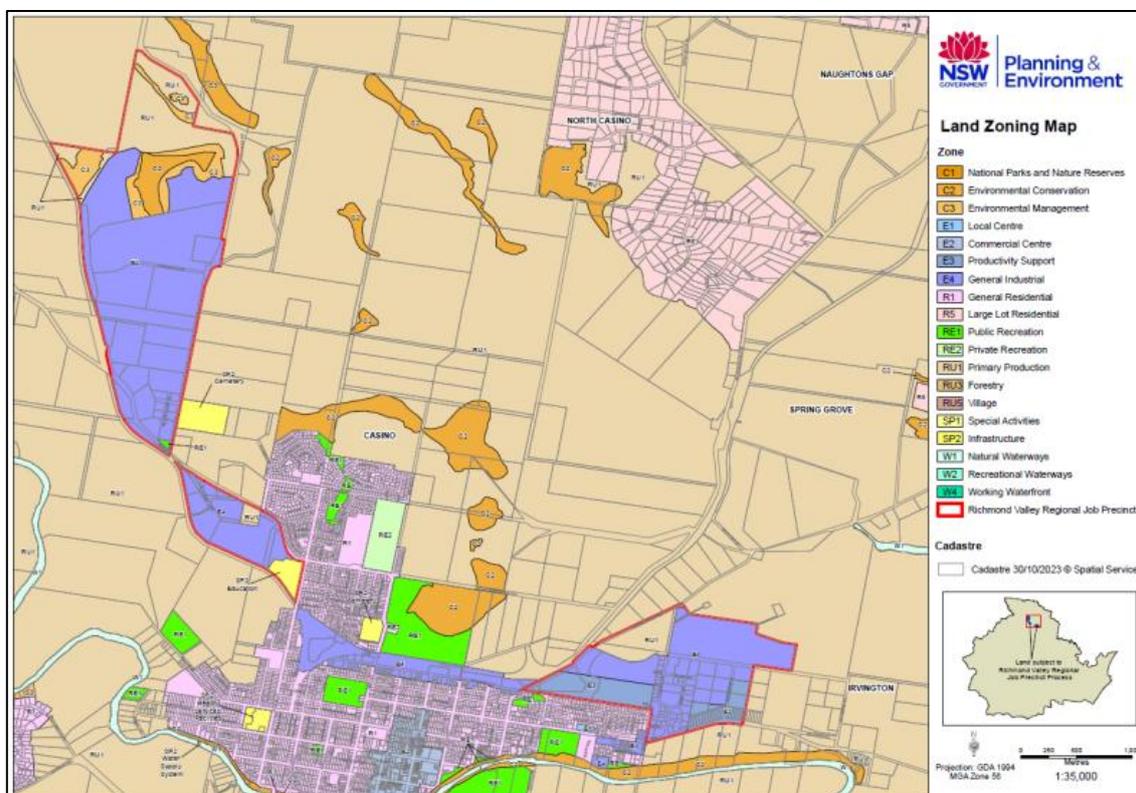


Plate 1: Land Zoning Map

Patricia Street is directly accessed from the Bruxner Highway and a separate REF authorised the construction of a roundabout connecting the Bruxner Highway to Patricia Street, to accommodate future traffic generation projections as a result of the industrial precinct. It should be noted that this scope of works involved works within the southern portion of Patricia Street, including the removal of the existing advertising signage. The construction of the roundabout has not yet occurred.

Patricia Street provides access to an existing dwelling at 18 Patricia Street, Casino. While this dwelling is intended to be demolished at a later date to facilitate development of the land for industrial purposes, no timeframe has yet been confirmed for when this dwelling will be demolished.

**Plate 1** illustrates the location of Patricia Street with respect to the surrounding locality, including the existing connection to the Bruxner Highway.

**Table 1: Site Details**

Component	Response
Property Address	Patricia Street, Casino
Lot & DP	Patricia Street Road Reserve, Lot 1 DP 783330, Lot 2 DP783330, Lot 1 DP 1314364 and Lot 18-20 Sec 7 DP 976660.
Landowner	Richmond Valley Council and T & D Gill
Proponent	Richmond Valley Council

**Plate 2** which provides an aerial view of the subject site and surrounds whilst **Plate 3** provides an extract of the relevant deposited plan for the site. A complete copy of the DP is provided at **Attachment 1**.



**Plate 2: Aerial view of the subject site**

Source: Richmond Valley Council GIS mapping

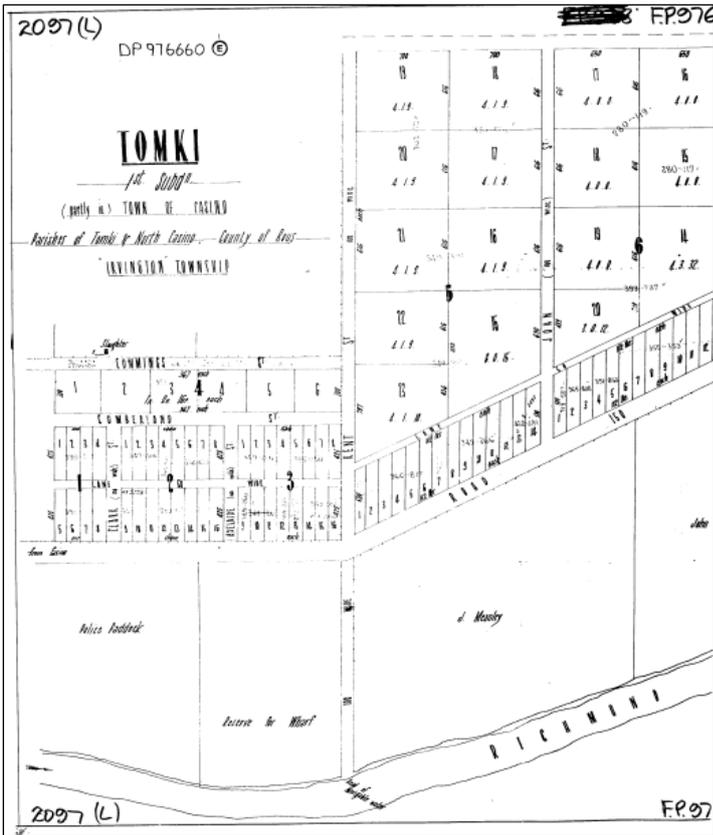


Plate 3: Extract from Deposited Plan (DP 976660)

## 2.3 Photographic Plates

Plates 4 – 6 illustrate the subject land and surrounding properties.



Plate 4: Patricia Street viewed from Bruxner Highway



**Plate 5: View toward future and existing industrial land**



**Plate 6: Proximity to neighbouring dwelling (18 Patricia Street)**

## 2.4 Site Analysis

**Table 2: Site Analysis**

Local Environmental Plan	Richmond Valley Local Environmental Plan 2012
Zoning	E3 Productivity Support & E4 General Industrial
Heritage (LEP)	The land is <u>not</u> identified as containing a heritage item or as being within a heritage conservation area under Schedule 5 of the RVLEP 2012.
Indigenous Heritage (AHIMS)	<p>An AHIMS search conducted over the subject land and surrounding properties reveals no Aboriginal sites or places were recorded or declared. Refer to <b>Attachment 2</b> for detail.</p> <p>A Heritage Report was prepared as part of the application for the RVRJP Masterplan which did not identify any items of heritage significance over the subject land.</p>
Mapped Stream (LCC)	The site does <u>not</u> contain any mapped streams.
Drinking Water Catchment	The site <u>not</u> mapped as being located within a drinking water catchment.
Potential Contaminated Land	The allotment is <u>not</u> identified by RVC GIS mapping as a potential contaminated site.
Acid Sulphate Soils	Reference should be made to <b>Section 4.2.4</b> for further comments. The allotment is <u>not</u> mapped as containing Acid Sulfate Soils.
Flood Prone (RVC)	The allotment is identified by RVC GIS mapping as flood prone land. The proposed works include the installation of stormwater drainage and filling of the proposed roads to address potential flooding and runoff impacts. Further detail regarding flooding is provided in <b>Section 4.3</b> .



Topography	The subject land is flat.
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Reticulated Urban Infrastructure	N/A
Surrounding Land Uses	<b>North</b> – Vacant land and Casino Sewage Treatment Plant. <b>East</b> – Dwelling house and cattle grazing. <b>South</b> – Rural land and Richmond River. <b>West</b> – Future and existing industrial estate.
Easements	Nil
Bushfire Prone Land (LCC)	The subject land is not identified as bushfire prone under Council's current mapping, however is included as Category 3 vegetation under the Draft Bushfire Prone Land map.
Biodiversity Mapping	The subject land is not identified as containing 'biodiversity values' on the Biodiversity Values mapping.

### 3. Proposed Activity

#### 3.1 Concept Development

##### 3.1.1 Objectives and Aims of the Proposal

The proposed road construction works are to provide access to future industrial land forming part of the Johnston Street sub-precinct in the RVRJP. A Planning Proposal for rezoning of the land has recently been finalised and the proposed road works will provide formalised access to the land, with connection from a new roundabout off the Bruxner Highway (which was subject to a separate Part 5 approval). The design proposed for Patricia Street incorporates associated stormwater management, as well as establishing connections to sewer and water reticulation.

##### 3.1.2 Need for the Proposal

The construction of Patricia Street is required to facilitate access to the allotments within the future industrial estate and following future works, will provide connection to the established areas of the Johnston Street sub-precinct to the west. The proposed road will provide connection to the approved roundabout off the Bruxner Highway which is to be constructed to manage the anticipated increase to traffic generation.

##### 3.1.3 Justification

The proposed works provide necessary access to the adjacent land as required for the establishment of the industrial area. With effective implementation of the mitigation measures imposed in this REF, the proposal is unlikely to have any significant environmental impacts.

##### 3.1.4 Options Considered

The following options were considered by the proponent.

**Table 3: Options Considered**

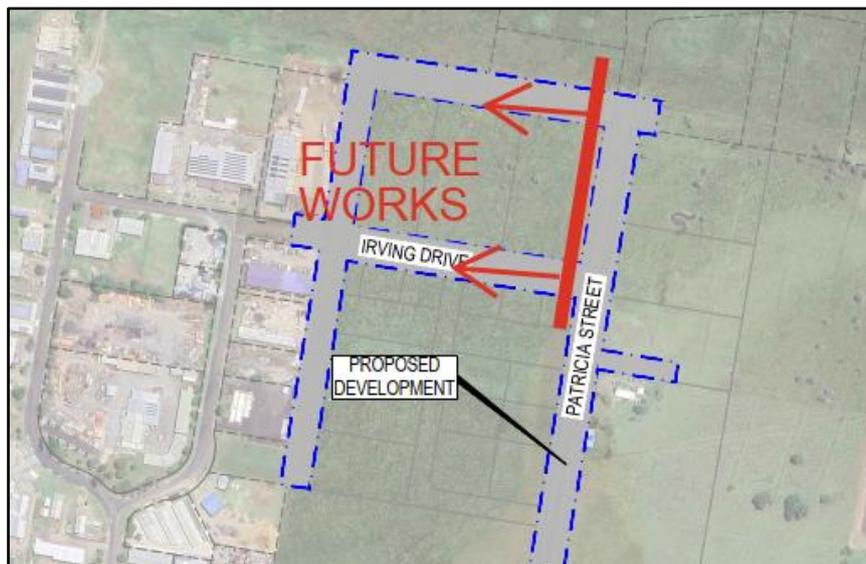
#	Option	Proponent Consideration
1	Do nothing	This option would not allow for suitable access to the proposed industrial area given Patricia Street is currently unformed and not capable of supporting the likely increase to traffic.
2	Proposed Works	The proposed construction of Patricia Street and associated infrastructure works will facilitate suitable access to the future industrial allotments within the Johnston Road sub-precinct of the RVRJP. The proposal is compatible with the strategic direction for the land and supports future use of the land. The inclusion of associated stormwater management works will assist in managing stormwater runoff from the proposed roads and future industrial sites to limit impacts to neighbouring properties.

### 3.2 Project Overview

The proposed scope of works broadly involves demolition of an existing shed, fencing and removal of vegetation and roadworks to Patricia Street involving associated infrastructure works. Civil works comprising the construction of Patricia Street for the provision of access to the proposed industrial land forming part of the RVRJP. The proposed works involve associated earthworks and stormwater drainage works in response to the site's characteristics.

Due to the flood behaviour of the land, further works required to provide connection to Irving Drive within the existing industrial estate cannot occur until works are carried out to reinstate a flow path to the north-west through the Casino Sewage Treatment Works site. A temporary access will however be utilised within this location to enable access for construction vehicles and will provide turning area for vehicles accessing Patricia Street.

**Plate 7** below depicts the location of the proposed works and identifies areas of future works, including the extension to Irving Drive.



**Plate 7: Location Plan**

It should be noted that the illustrated future works do not form part of this REF and associated impacts have not been assessed.

Details of the proposed road is as follows:

#### Patricia Street

- Total road reserve width – 20.1m
- Through lane widths – 3.5m
- Kerb parking lane width – 3m
- Verge – variable width

The proposed bulk earthworks involve an approximate maximum fill of 1.5m for construction of the road and approximate maximum cut of 1m for creation of the stormwater channels. Infrastructure

works involving the installation of water reticulation, sewer reticulation and stormwater drainage services are proposed and will provide service availability for future industrial land uses over the land. Reference should be made to the Civil Design Plans prepared by Burchills Engineering Solutions and provided in **Attachment 3** for further details of the earthworks and infrastructure design.

Some works encroach into the adjacent property to the east, being 18 Patricia Street, Casino. Landowners consent has been obtained to carry out works within the neighbouring property and is provided at **Attachment 10**.

The demolition of an existing shed and fencing is required to facilitate the works, in addition to vegetation removal of 7 paddock trees. The RVRJP Biodiversity Report provided at **Attachment 5** confirms that the site includes only exotic/ planted vegetation and no ecologically significant plant communities were identified to be present. Further to this, the scattering of the trees does not provide for habitat connectivity within the site.

### 3.3 Project Details

**Table 4: Project Details**

Element	Response
Project Cost	\$2,000,000 (approx.)
Funding Source	Bushfire Local Economic Recovery Fund
Construction Commencing	June 2025
Expected Construction Timeframe	6 months

### 3.4 Design Plans

#### 3.4.1 Civil Design Plans

The proposed development is illustrated in the Civil Design Plans prepared by *Burchills Engineering* as provided at **Attachment 3**.

**Table 5: Civil Design Plans (Attachment 3)**

Project	Drawing	Title	Dated	Rev
BE230077-02	C000	Drawing Schedule and Locality Plan	21/03/2025	B
BE230077-02	C001	Typical Cross Sections and Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C002	Typical Cross Sections and Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C100	Overall Layout and Key Plan	21/03/2025	B
BE230077-02	C150	Demolition Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C151	Demolition Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C152	Demolition Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C153	Demolition Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C200	Earthworks Layout Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C201	Earthworks Layout Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C202	Earthworks Layout Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C203	Earthworks Layout Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C230	Earthworks Notes & Details	21/03/2025	B

BE230077-02	C250	Erosion and Sediment Control Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C251	Erosion and Sediment Control Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C252	Erosion and Sediment Control Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C253	Erosion and Sediment Control Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C260	Erosion and Sediment Control Notes and Details	21/03/2025	B
BE230077-02	C300	Roadworks & Drainage Layout Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C301	Roadworks & Drainage Layout Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C302	Roadworks & Drainage Layout Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C303	Roadworks & Drainage Layout Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C310	Reference String Setout Plan	21/03/2025	B
BE230077-02	C320	Longitudinal Section Patricia Street	21/03/2025	B
BE230077-02	C321	Longitudinal Section Irving Drive	21/03/2025	B
BE230077-02	C322	Cross Sections Patricia Street – Sheet 1 of 6	21/03/2025	B
BE230077-02	C323	Cross Sections Patricia Street – Sheet 2 of 6	21/03/2025	B
BE230077-02	C324	Cross Sections Patricia Street – Sheet 3 of 6	21/03/2025	B
BE230077-02	C325	Cross Sections Patricia Street – Sheet 4 of 6	21/03/2025	B
BE230077-02	C326	Cross Sections Patricia Street – Sheet 5 of 6	21/03/2025	B
BE230077-02	C327	Cross Sections Patricia Street – Sheet 6 of 6	21/03/2025	B
BE230077-02	C328	Cross Sections Irving Drive – Sheet 1 of 3	21/03/2025	B
BE230077-02	C329	Cross Sections Irving Drive – Sheet 2 of 3	21/03/2025	B
BE230077-02	C330	Cross Sections Irving Drive – Sheet 3 of 3	21/03/2025	B
BE230077-02	C332	Intersection Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C333	Intersection Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C335	Driveway Details	21/03/2025	B
BE230077-02	C350	Signs and Linemarking Plan – Sheet 1 of 3	21/02/2025	B
BE230077-02	C351	Signs and Linemarking plan – Sheet 2 of 3	21/03/2025	B
BE230077-02	C352	Signs and Linemarking – Sheet 3 of 3	21/03/2025	B
BE230077-02	C400	Stormwater Catchment Plan	21/03/2025	B
BE230077-02	C410	Longitudinal Section Channel 01	21/03/2025	B
BE230077-02	C411	Longitudinal Section Channel 02	21/03/2025	B
BE230077-02	C420	Stormwater Longitudinal Sections – Sheet 1 of 4	21/03/2025	B
BE230077-02	C421	Stormwater Longitudinal Sections – Sheet 2 of 4	21/03/2025	B
BE230077-02	C422	Stormwater Longitudinal Sections – Sheet 3 of 4	21/03/2025	B
BE230077-02	C423	Stormwater Longitudinal Sections – Sheet 4 of 4	21/03/2025	B
BE230077-02	C424	Stormwater Calculation Tables	21/03/2025	B
BE230077-02	C430	Stormwater Notes and Details	21/03/2025	B
BE230077-02	C440	Stormwater Culvert Details – Sheet 1 of 3	21/03/2025	B
BE230077-02	C441	Stormwater Culvert Details – Sheet 2 of 3	21/03/2025	B

BE230077-02	C442	Stormwater Culvert Details – Sheet 2 of 3	21/03/2025	B
BE230077-02	C451	Culvert Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C452	Culvert Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C453	Wingwalls and Headwalls Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C454	Wingwalls and Headwalls Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C501	Water Reticulation Layout – Sheet 1 of 2	21/03/2025	B
BE230077-02	C502	Water Reticulation Layout – Sheet 2 of 2	21/03/2025	B
BE230077-02	C510	Water Reticulation Notes and Details	21/03/2025	B
BE230077-02	C601	Sewer Reticulation Layout – Sheet 1 of 2	21/03/2025	B
BE230077-02	C602	Sewer Reticulation Layout – Sheet 2 of 2	21/03/2025	B
BE230077-02	C610	Sewer Longitudinal Section – Sheet 1 of 3	21/03/2025	B
BE230077-02	C611	Sewer Longitudinal Section – Sheet 2 of 3	21/03/2025	B
BE230077-02	C612	Sewer Longitudinal Sections – Sheet 3 of 3	21/03/2025	B
BE230077-02	C700	Turn Path Layout Plan – Sheet 1 of 3	21/03/2025	B
BE230077-02	C701	Turn Path Layout Plan – Sheet 2 of 3	21/03/2025	B
BE230077-02	C702	Turn Path Layout Plan – Sheet 3 of 3	21/03/2025	B

## 4. Legislative and Planning Framework

### 4.1 Relationship to Planning and Environmental Policies

This section of the REF assesses and responds to the relevant current and draft Commonwealth, State and Local planning controls and policies, including:

- Environment Protection and Biodiversity Conservation Act 1999
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Contaminated Lands Management Act 1997
- Heritage Act 1977
- Local Government Act 1990
- National Parks and Wildlife Act 1974
- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021
- North Coast Regional Plan 2041
- Planning for Bushfire Protection 2019

#### Local Planning Context

- Richmond Valley Local Environmental Plan 2012
- Richmond Valley Development Control Plan 2021

### 4.2 Commonwealth and State Planning Context

#### 4.2.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, defined in the EPBC Act as Matters of National Environmental Significance (MNES).

The proposed road works will occur predominantly within the existing Patricia Street road reserve. The road connects to the Bruxner Highway and is within proximity of the established areas of the Johnston Street industrial estate, being highly disturbed areas with minimal vegetation present. While the removal of 7 paddock trees will be required to facilitate the works, the proposal does not involve the removal of any significant vegetation and no impact upon any item protected under the EPBC Act is considered likely. The RVRJP Biodiversity Report provided at **Attachment 5** confirms that the site contains only exotic or modified/ planted/ urban vegetation.

In addition, we note that the works are not located in proximity to: World Heritage Property; National Heritage Places; Wetlands of International Importance; Great Barrier Reef Marine Park; or Commonwealth Marine Area.

#### **4.2.2 Environmental Planning and Assessment Act 1979**

The proposal has been assessed under Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and an REF has been prepared.

This REF has been prepared in accordance with Section 5.5 of the Act, which requires that the proponent take into account to the fullest extent possible all matters affecting or likely to affect the environment due to the proposed activity. Consideration of the factors listed under Section 171 of the EP&A Regulation 2021 have been used to assist in assessing the significance of the project and is provided in **Section 6**.

#### **4.2.3 Environmental Planning and Assessment Regulation 2021**

This REF has been prepared in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021. The REF has had regard to Clause 171(2) of the Regulations and in doing so addressed the factors that must be taken into account when considering the likely impact of an activity on the environment.

Under the EP&A Regulation 2021, the proposal must address the principles of ecologically sustainable development. The reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations, include the following principle of ecologically sustainable development:

- *the precautionary principle, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

In the application of the precautionary principle, public and private decisions should be guided by:

- a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and an assessment of the risk-weighted consequences of various options,
- b) inter-generational equity, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
- c) conservation of biological diversity and ecological integrity, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- d) improved valuation, pricing and incentive mechanisms, namely, that environmental factors should be included in the valuation of assets and services, such as:
  - polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement;
  - the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste; and
  - environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

**Comment:** The proposal relates to road construction works to formalise Patricia Street and establish essential services to support future industrial development on the adjacent land. The works are to be carried out within an existing road reserve and across vacant former rural land. The proposal incorporates stormwater management into the design to minimise environmental impacts to surrounding land, property and waterways. The design gives consideration to avoiding any serious or irreversible damage to the environment through avoiding impacts to any ecologically significant vegetation and managing potential flood impacts (via limiting the scope of works).

#### **4.2.4 Contaminated Land Management Act 1997**

The *Contaminated Land Management Act 1997* (CLA) establishes a process for investigating and (where appropriate) remediating land that the Environment Protection Agency (EPA) considers to be contaminated significantly enough to require regulation.

**Comment:** The proposed works relate to the construction of a road only and are not associated with any sensitive residential land uses. As part of the investigations carried out to inform the Planning Proposal over the land, site contamination was assessed. The RVRJP Geology and Soils Report provided at **Attachment 9** requires a consistent approach to potential contamination be adopted precinct-wide. The recommended approach involves any demolition or removal works of structures and infrastructure be carried out in accordance with Australian Standards and NSW EPA guidelines. The report also requires an inspection to be carried out prior to commencement of development to identify any potential hazards or wastes.

The proposed works involve a total 19,035m<sup>3</sup> of fill which will comprise clean material sourced from a suitable supplier which will limit potential contact with any contaminated soils. Some excavation works are also required however as per the recommendations of the RVRJP report, a site inspection was carried out on 29 April 2025 by Richmond Valley Council staff who did not identify any potential hazardous materials or waste. Any material being removed from the site is to be tested to ensure compliance with VENM/ ENM requirements prior to removal, and a mitigation measure has been imposed under **Section 7** in this regard.

#### **4.2.5 Heritage Act 1977**

The Heritage Act 1977 (Heritage Act) seeks to identify, conserve, protect and promote an understanding of the State's heritage. Clause 57 of the Heritage Act requires approval to be granted for controlled activities affecting an item with an interim heritage order or listing on the State Heritage Register.

**Comment:** The site is not identified on the State Heritage Register and is not subject to an interim heritage order, and accordingly approval is not required under the Heritage Act. The subject site is also not listed as a heritage item under the RVLEP 2012.

#### **4.2.6 Local Government Act 1993**

The Local Government Act 1993 provides the legal framework for the system of local government for New South Wales. It sets out the responsibilities and powers of councils, councillors and other persons and bodies that constitute the system of local government. Clause 68 establishes the range of activities which require approval of the council, this includes carrying out water supply work, sewerage work, operating a sewage management system and stormwater drainage work.

**Comment:** Section 68 approval will be required for the proposed water and sewer connection works.

#### **4.2.7 National Parks and Wildlife Act 1974**

The site is not part of a National Park. The *National Parks and Wildlife Act 1974* (NPW Act) also seeks to conserve nature and cultural heritage, including places, objects and features of significance to Aboriginal people.

**Comment:** As confirmed by **Attachment 2**, a basic search of the Aboriginal Heritage Information Management System (AHIMS) identifies no Aboriginal sites or places at or near the subject site. The site is considered to be highly disturbed given it accommodates existing development. A Heritage Report was prepared for the Planning Proposal which provided an assessment of Aboriginal heritage across all subject parcels of land to be rezoned.

The development site was not identified to contain any archaeological sites, based on the images provided within the Heritage Report.

Mitigation measures provided in **Section 7** include a requirement that if any item of Aboriginal archaeological significance is discovered during the works, work shall cease immediately and the National Parks and Wildlife Service shall be notified.

#### **4.2.8 Protection of the Environment Operations Act 1997**

The Protection of the Environment Operations Act 1997 sets out protection of the environment policies and adopt more innovative approaches to reducing pollution. Schedule 1 of the Act establishes scheduled activities for which a license is required for the premises at which it is carried out.

**Comment:** The proposal is not identified to comprise a scheduled activity under the provisions of this Act.

#### **4.2.9 Rural Fires Act 1997**

The objective of the Rural Fires Act is to provide for the protection of persons from injury or death, and property from damage, arising from fires. The subject site is not identified as bush fire prone land under Council's current mapping. However, the site has been identified as Category 3 vegetation on the Draft Bushfire Prone Land map. Accordingly, the planning framework documented in the Rural Fires Act 1997 applies to the project.

Planning for Bush Fire Protection 2019 (PBP) is legislatively adopted under the Regulations. The proposed works are limited to demolition, road construction and associated earthworks and infrastructure works. As identified above, the site is not mapped as bushfire prone land under the current adopted mapping. Consideration has however been given to PBP 2019 given the site is included in the draft bushfire prone land map.

**Comment:** Given the nature of the works, no issues have been raised with regard to bushfire impacts. Future industrial development on the land will have regard to any bushfire hazards. Where relevant, the CEMP will have regard for potential hazards relating to bushfire.

#### **4.2.10 Water Management Act 2000**

Controlled activities carried out in, on or under waterfront land are regulated by the Water Management Act. Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40m of the highest bank of the river, lake or estuary. As identified in **Section 2.2** the subject site does not contain any mapped streams.

**Comment:** The proposed works are not located within 40m of any mapped waterways and over 400m from Richmond River to the south. As such, the project does not require a Controlled Activity Permit under *Section 91 of the Water Management Act 2000*.

#### **4.2.11 Biodiversity Conservation Act 2016**

As identified in **Section 2.4**, the site is not mapped as comprising 'biodiversity value' by the Biodiversity Values Map.

**Comment:** The road reserve does not intersect with any mapped areas on the Biodiversity Values Map. Furthermore, the proposed road works will not require the removal of any native vegetation. Vegetation removal is limited to 7 exotic/ planted trees. Reference should be made to the RVRJP Biodiversity Report provided at **Attachment 5** which confirms no threatened species were identified within the subject site. On this basis, it is concluded that the proposed works do not constitute an activity that *'is likely to significantly affect threatened species'* for the purpose of the *Biodiversity Conservation Act 2016* and a Biodiversity Development Assessment Report (BDAR) is not required.

#### **4.2.12 State Environmental Planning Policy (Resilience and Hazards) 2021**

##### **Chapter 4 – Remediation of Land**

Chapter 4 of the SEPP relates to the remediation of land. The objective of Chapter 4 is to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. Clause 4.6 of the SEPP relates to contamination and remediation that should be considered in determining a development application. A consent authority must first consider whether a site is contaminated. If the land is contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state, or it will be suitable after remediation, for the proposed development.

**Comment:** Historically, the land has been utilised for agricultural purposes and is currently an unsealed road. The proposal is for road construction only and will involve filling of the land which will further reduce exposure to existing soils. The RVRJP Soils, Geology and Contamination Report provided at **Attachment 9** identified the overall change of use of the land for industrial purposes would result in a less sensitive land use over the site. Further comments regarding potential contamination are provided in **Section 4.2.4** and mitigation measures have been imposed in **Section 7** to address potential impacts. Given this, no further concerns about contamination have been raised.

#### **4.2.13 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

##### **Chapter 4 – Koala Habitat Protection 2021**

Chapter 4 of the SEPP aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their

present range and reverse the current trend of koala population decline. The subject site is within the Koala Plan of Management (KPoM) study area, with mapped areas of ‘primary’ koala habitat.

**Comment:** The proposal involves the removal of 7 exotic/ planted trees only and the site does not contain any mapped koala habitat or wildlife corridors. Therefore, no concerns regarding koala habitat have been identified during the preparation of this assessment.

#### 4.2.14 State Environmental Planning Policy (Transport and Infrastructure) 2021

Section 2.109 of the T&I SEPP specifies the circumstances under which development may be undertaken by or on behalf of a public authority without development consent. For such works, a ‘Review of Environmental Factors’ (REF) must occur prior to the works occurring.

**Table 6: 2.109 Roads and Road Infrastructure Facilities - Development Permitted Without Consent**

<b>CHAPTER 2 INFRASTRUCTURE</b>	
<b>SECTION 2.109 - DEVELOPMENT PERMITTED WITHOUT CONSENT - GENERAL</b>	
<b>Provision</b>	<b>Comment</b>
(1) Development for the purpose of a road or road infrastructure facilities may be carried out by or on behalf of a public authority without consent on any land. However, such development may be carried out without consent on land reserved under the National Parks and Wildlife Act 1974 only if the development—	<b>Comment</b> The proposed road works are to be carried out by/ on behalf of RVC, being a public authority.
(a) is authorised by or under the National Parks and Wildlife Act 1974, or	<b>N/A.</b>
(b) is, or is the subject of, an existing interest within the meaning of section 39 of that Act, or	<b>N/A.</b>
(c) is on land to which that Act applies over which an easement has been granted and is not contrary to the terms or nature of the easement.	<b>N/A.</b>
(2) Development for any of the following purposes may be carried out by or on behalf of a public authority without consent on land in a prescribed zone—	<b>N/A.</b>
(a) bus depots,	<b>N/A.</b>
(b) permanent road maintenance depots and associated infrastructure (such as garages, sheds, tool houses, storage yards, training facilities and workers’ amenities).	<b>N/A.</b>
(2A) The following development for the purposes of bus depots may be carried out by or on behalf of a public authority without consent on land within the boundaries of an existing bus depot—	<b>N/A.</b> The proposal does not involve development for the purposes of a bus depot.
(a) the erection of a building that is—	<b>N/A.</b>
(i) no more than 12.5m high, and	<b>N/A.</b>
(ii) not located within 5m of a property boundary for a lot in a residential or conservation zone,	<b>N/A.</b>
(b) the demolition of a building.	<b>N/A.</b>

#### 4.2.15 North Coast Regional Plan 2041

The *North Coast Regional Plan 2041* (NCRP) has been prepared by the Department of Planning Industry and Environment to manage expected growth in a sustainable manner. The NCRP applies to the Far North Coast and Mid North Coast of NSW (being an area which stretches from Port Macquarie in the south to Tweed Heads in the north). The NCRP includes Richmond Valley Council LGA and is therefore applicable to the current proposal. The objectives of the strategy include protecting environmental assets, cultural values and natural resources of the region.

The NCRP identifies the need to support the development of the Regional Job Precinct. The proposed road fosters the delivery of smart connected and accessible infrastructure in accordance with the Local Government Narrative for Richmond Valley through the provision of a new access road to future industrial lots within this RVRJP.

### 4.3 Local Strategic and Statutory Framework

#### 4.3.1 Richmond Valley Local Environmental Plan 2012

##### Defined Use

The proposal involves the construction of Patricia Street, including associated earthworks and stormwater infrastructure works. A road is defined under the RVLEP 2012 as follows:

*road means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road.*

The proposed road is associated with providing access to future industrial zoned land, however the Planning Proposal for the rezoning is imminent.

##### Zoning and Permissibility

The site is zoned E3 Productivity Support and E4 General Industrial pursuant to the RVLEP 2012. The following plate illustrates the zoning of the subject land and surrounding locality.



**Plate 8: Richmond Valley LEP 2012 Land Zoning**

As detailed in **Section 2.1**, the site was identified within the RJVP and a Planning Proposal for the rezoning of the land to an industrial land zoning which has now occurred. The construction of a road is permissible with consent in both zones E3 and E4.

The proposal is considered to be consistent with the objectives of both the E3 and E4 zones as addressed below:

#### **E3 - Objectives of zone**

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.*

**Comment:** The proposal is consistent with the objectives of the E3 zone, particularly the proposed works:

- Will contribute to providing land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- provide opportunities for new and emerging light industries through the provision of suitable road access and essential services; and
- Services the needs of future businesses and workers.

The proposal will facilitate access to a future industrial estate through the provision of a sealed road which is a permitted land use within both the current and future site, pursuant to the RVLEP 2012.

#### **E4 - Objectives of zone**

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*

**Comment:** The proposal is consistent with the objectives of the E4 zone, particularly the proposed works:

- Ensure the efficient and viable use of future industrial land uses over the adjacent land;
- Minimises traffic impacts from industrial operations on other land uses nearby; and
- Services the needs of future businesses and workers.

The proposal will facilitate access to a future industrial estate through the provision of a sealed road which is a permitted land use within both the current and future site, pursuant to the RVLEP 2012.

## **General Provisions**

### **Clause 4.3 – Height of Buildings**

**Comment:** Not applicable.

### **Clause 4.4 – Floor Space Ratio**

**Comment:** Not applicable.

### **Clause 5.10 – Heritage Conservation**

**Comment:** The subject land does not contain any Items of Environmental Heritage under Schedule 5 of the RVLEP 2012.

### **Clause 5.21 – Flood Planning**

**Comment:** The subject land is identified within a flood planning area.

A Flood Impact Assessment was prepared by BMT for the RVRJP Planning Proposal which is provided in **Attachment 6**. The assessment identifies flood constraints over the subject land, identified within RJP Area 3 for the purposes of the report. RJP Area 3 is noted to be subject to flood inundation during flood events, where water enters the site predominantly from the west and south. A gully flows along the west of the subject land and is obstructed by the Sewage Treatment Plant to the north west of the development site. Filling of the land was identified to meet flood planning levels for the industrial land was identified to increase flood risk to land areas to the west and south of the site.

Recommendations of the report therefore include reinstatement of the flow path within the area of the sewage treatment plant. Works to reinstate this flow path have not yet occurred and therefore filling across the entire proposed industrial precinct cannot occur.

As this flood assessment did not involve modelling of the proposed Patricia Street civil design, further flood modelling has been commissioned and is provided at **Attachment 7** to demonstrate that the interim fill will not exceed the accepted flood impact criteria established for the RVRJP.

Reference should be made to the mitigation measures in **Sections 5 and 7** imposed to manage potential flood impacts.

### **Clause 6.3 – Earthworks**

**Comment:** The proposal requires associated earthworks involving an approximate maximum fill of 1.5m and cut of 1m. The works include proposed batters with a 1 in 4 grade and sediment and erosion control measures are to be implemented during all relevant stages of the development. Stormwater drainage is to be installed as part of the proposed works which will minimise potential drainage and runoff impacts resulting from the development.

Further details of the earthworks are depicted in **Attachment 3** and mitigation measures imposed to limit impacts of the proposed earthworks are provided within **Sections 5 and 7** of this report.

### **Clause 6.2 - Essential services**

**Comment:** The proposed works include reticulated water and sewer infrastructure within the road verge for connection to the future industrial estate. Further extensions of these services will be established when the future industrial lots are formed.

### 4.3.2 Richmond Valley Development Control Plan 2021

Whilst not directly relevant to a Review of Environmental Factors, the following assessment has been completed against the LEP for the sake of completeness.

**Table 7: Richmond Valley Development Control Plan 2021**

Richmond Valley Development Control Plan		Applies	Comment
Part A	Residential Development	<input type="checkbox"/>	
Part B	Commercial Development	<input type="checkbox"/>	
Part C	Industrial Development	<input type="checkbox"/>	
Part D	Rural Land Uses	<input type="checkbox"/>	
Part E	Tourist and Visitor Accommodation	<input type="checkbox"/>	
Part F	Signage	<input type="checkbox"/>	
Part G	Subdivision	<input type="checkbox"/>	
<b>Part H</b>	<b>Natural Resources and Hazards</b>	<input checked="" type="checkbox"/>	The subject land is identified as flood prone with an applicable 1 in 100 year ARI flood level of RL 20m AHD. The proposed road will be established at a minimum finished ground level that meets the 1 in 100 year flood level. Reference should be made to the Flood Modelling at <b>Attachment 7B</b> which confirms that the proposed fill works will not result in unreasonable flood impacts when assessed against the RVRJP accepted flood impact criteria. Stormwater management is incorporated into the design to mitigate runoff impacts to neighbouring properties.
<b>Part I</b>	<b>Other Considerations</b>	<input checked="" type="checkbox"/>	The proposal incorporates water sensitive urban design into the proposed stormwater arrangements.

## 4.4 Consultation and Notification

Section 2.111 of the SEPP prescribes the following notification requirements for carrying out development under section 2.109:

*(2) Before development to which this section applies is carried out on land, the public authority concerned must—*

- (a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the public authority is that council) and to the occupiers of adjoining land, and*
- (b) take into consideration any response to the notice that is received within 21 days after giving the notice.*

The subject land is owned by Richmond Valley Council, and therefore written notice to council is not required.

Section 2.13 of the SEPP specifies, in part, as follows:

### **2.13 Consultation with State Emergency Service—development with impacts on flood liable land**

*(1) A public authority, or a person acting on behalf of a public authority, must not carry out*

development on flood liable land that may be carried out without development consent under a relevant provision unless the authority or person has—

- (a) given written notice of the intention to carry out the development (together with a scope of works) to the State Emergency Service, and
- (b) taken into consideration any response to the notice that is received from the State Emergency Service within 21 days after the notice is given.

As part of the RVRJP Planning Proposal process, consultation with SES was undertaken to discuss the parameters of infrastructure to be constructed on the subject land. In an email response dated 4 June 2023, SES raised no objections to the infrastructure services plan provided as part of the RVRJP Flood Impact Assessment and the levels at which the proposed roads were to be established, including Patricia Street.

An approach to consultation with SES consistent with the previous REF for the Bruxner Highway and Patricia Street roundabout (document number 5064-1005 prepared by GeoLINK) has therefore been taken. This document stated:

*“Section 2.13 contains provisions requiring consultation with State Emergency Service (SES) for development with impacts on flood liable land. The Bruxner Highway and Patricia Street have previously been filled and are above the 1 in 100-year flood inundation event, based on the 2023 Flood Study. As such, consultation with the SES is not required.”*

As the current design is substantially the same as what was presented under the RVRJP Planning Proposal with regard to fill levels, and the further flood modelling carried out confirms the proposal will not result in flood impacts which do not meet the acceptable criteria under the RVRJP Flood Impact Assessment, it is considered that no further consultation is necessary.

However, for completeness, written notice of intention to carry out the subject works has been provided to SES to advise that works will be commencing (**Attachment 11**).

Notification was issued to adjoining land owners and occupiers by RVC on 25 February 2025 and was emailed to the adjoining landowner and delivered to the occupiers of the dwelling. No comments were received in response to the formal notification and no concerns were raised through previous consultations carried out by RVC.

## 5. Environmental Impact Assessment

### 5.1 Heritage

The Planning Proposal for the industrial rezoning of the broader locality involved the preparation of a Heritage Report which included the subject land. The Heritage Report, prepared by ERM and provided in **Attachment 4**, has been reviewed in addition to the RVC’s LEP mapping and AHIMS web services to assess the potential heritage impacts of the proposal.

#### 5.1.1 Existing Environment

The site comprises predominantly of clear former rural land, historically used for cattle grazing, with scattered paddock trees located across the land. A review of the abovementioned Heritage Report

indicates no historical or Aboriginal heritage values were identified within proximity of the subject land during investigations.

An AHIMS search was conducted on 26 February 2025 (**Attachment 2**) which further confirmed no known Aboriginal sites or places have been recorded within proximity of the subject land.

The subject site is not identified within Schedule 5 of the RVLEP 2012 as containing an item of environmental heritage and is not identified within a heritage conservation zone.

### **5.1.2 Potential Impacts**

The development is to occur predominantly within an existing road reserve and over land which is currently vacant adjacent to an existing industrial estate. As identified above, the site is not known to contain any heritage values based on recent investigations and relevant legislation.

It is considered unlikely that any relics or artefacts will be uncovered as part of the works, however safeguards have been imposed to ensure any unexpected findings are appropriately dealt with. Reference should be made to the following management and mitigation measures imposed to reduce potential heritage impacts.

### **5.1.3 Management & Mitigation Measures**

The following safeguards are proposed to manage impacts from the proposal relating to heritage:

- **Unexpected Finds Protocol – Non-Indigenous Heritage**

If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the NSW Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the NSW Heritage Division.

- **Unexpected Finds Protocol – Aboriginal Heritage**

In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by the NSW Environment, Energy and Science (EES) Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

## **5.2 Biodiversity**

Similarly to the above, ecological significance of all land relevant to the Planning Proposal for rezoning was assessed within a Biodiversity Technical report prepared by ERM, provided at **Attachment 5**. The subject land was therefore considered as part of these investigations.

## 5.2.1 Existing Environment

As identified, the works are to be carried out on land which is predominantly clear. Some scattered vegetation, identified to be Swamp Turpentine trees, are located within the footprint of the proposed works however the site is not mapped as containing any known ecologically significant vegetation. The investigations associated with the Biodiversity Technical report do not identify the subject land as being of moderate or high biodiversity constraint and no plant community types were identified within proximity of the subject land which form part of a threatened ecological community.

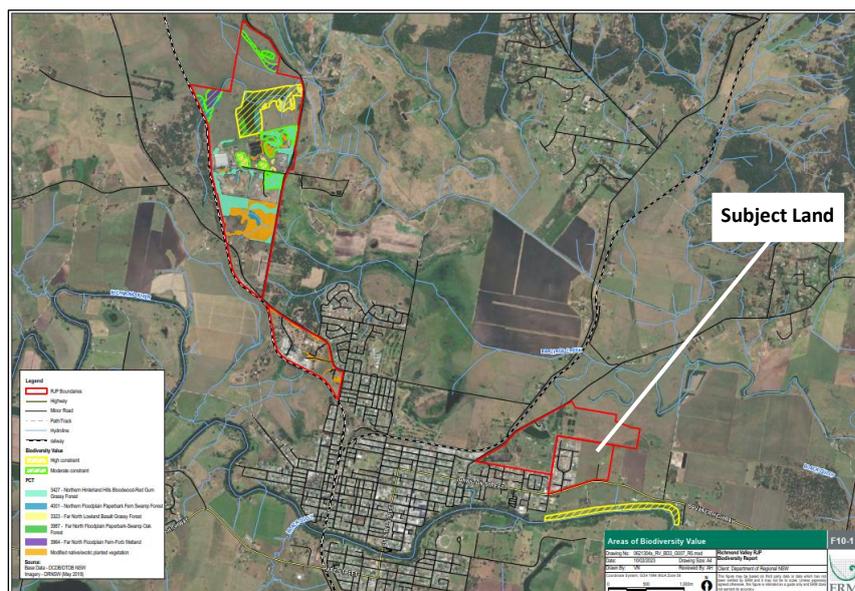


Plate 9: RVRJP Biodiversity Areas

(Source: ERM)

## 5.2.2 Potential Impacts

The proposal involves the removal of approximately 7 exotic/ planted trees. While the trees are not known to be of ecological significance based on the above, it is acknowledged that the trees may provide habitat. The below safeguards have been imposed to ensure vegetation management works don't result in significant impacts to any additional vegetation or wildlife.

## 5.2.3 Management & Mitigation Measures

The following safeguards are proposed to manage impacts from the proposal relating to biodiversity:

- **Marking of Vegetation**  
All vegetation proposed for removal should be clearly marked and easily identifiable to contractors.
- **Injured Wildlife**  
Should any wildlife be injured as a result of the works, WIRES are to be contacted on 1300 094 737.

- **Threatened Flora and Fauna**

If unexpected threatened flora or fauna species are identified during works, all works must halt and notification to the relevant Project Manager and seek advice from an ecologist before works are able to recommence.

## **5.3 Flooding, Water Quality and Soil**

Assessment of the potential flood impacts resulting from the development have been made with regard to the RVLEP and the RVDCP. The RVRJP masterplan included the submission of a Flood Impact Assessment, prepared by BMT (**Attachment 6**), and a Hydrogeology, Water Quality and Demand analysis report, prepared by GHD (**Attachment 8**), which have further informed this assessment. Further flood modelling was required to determine the flood impacts resulting associated with the civil design for Patricia Street which is provided in **Attachment 7**.

### **5.3.1 Existing Environment**

The site is identified within a flood planning area under the RVLEP. The site is elevated above the Richmond River to the south, with the subject land being at an approximate level of RL 20m AHD. The flood planning levels applicable across the footprint of the proposed works ranges from RL 21.3-21.6m AHD. The existing land comprises predominantly pervious surfaces given the site is predominantly undeveloped former rural land apart from the shed structure to be demolished.

### **5.3.2 Potential Impacts**

The proposed earthworks associated with the road construction will result in changes in peak flood levels in the surrounding locality. The flood modelling provided at **Attachment 7** demonstrates that the increase to flood levels will not exceed the accepted flood impact criteria adopted from the RVRJP for the extent of works proposed.

As the proposed earthworks also involve disturbance to soils, potential impacts on water quality during construction have been assessed and appropriate safeguard measures are imposed below to reduce risk of runoff into nearby waterways.

### **5.3.3 Management & Mitigation Measures**

The following safeguards are proposed to manage impacts from the proposal relating to flooding, water quality and soils:

- **Sediment and Erosion Control Plan**

The Head Contractor shall prepare a detailed Stormwater Management Plan which will cover all aspects of stormwater and sediment management & control during construction.

Erosion and sediment control should be in accordance with the manual 'Managing Urban Stormwater: Soils and Construction - 4th Edition', dated March 2004 (the 'Blue Book'), or a suitable and effective alternative method. Erosion and sediment control measures must:

- Remain in place until the site works have been completed and/or has been adequately revegetated or landscaped to prevent soil erosion;

- Be regularly inspected and be managed and maintained to ensure the measures operate to the design requirements and to meet all relevant environment protection standards;
  - Be properly maintained to prevent soil erosion and the transport of sediment from the site to natural or constructed drainage lines or water courses.
- **Works During Rain Events**  
Works should be avoided during periods of high rainfall and should occur, where possible, during periods of no or low flow.
  - **Drainage of wastewater**  
Wastewaters are not to be discharged directly or indirectly to drains or watercourses.
  - **Removal of Potentially Contaminated Materials**  
  
Any demolition or removal works of aged structures and infrastructure from the site is to be removed in accordance with relevant Australian Standards and NSW EPA guidelines to a licensed waste facility. If materials being removed from the site do not meet VENM/ENM requirements, further contamination investigations are to be undertaken prior to works progressing.

## 5.4 Waste

Demolition and construction wastes will result from the proposed works and have therefore been considered as part of this environmental impact assessment. Given the nature of the works, consideration of ongoing wastes is not required as the works are relative to the construction of roads only.

### 5.4.1 Existing Environment

The works are to be carried out within an unformed road reserve and over former rural land. An existing farm structure is located within the Patricia Street road reserve and will require demolition as part of the proposed works. Removal of existing fencing is also required to accommodate the proposed road widths.

### 5.4.2 Potential Impacts

The proposed works are unlikely to generate large volumes of waste, however potential impacts may arise should wastes not be appropriately stored and disposed of. Safeguard measures identified below will limit potential impacts by ensuring the appropriate treatment and disposal of wastes throughout the relevant stages of works.

### 5.4.3 Management & Mitigation Measures

The following safeguards are proposed to manage impacts from the proposal relating to waste management:

- **No Waste Disposal on Site**  
No burning or burying of wastes shall be permitted on site.

- **Construction Waste**

All waste generated by the project, shall be reused, recycled or directed to a waste facility lawfully permitted to accept the materials in accordance with the DECC's "Waste Classification Guidelines (2008)" and the Protection of the Environment Operations Act 1997.

Any bulk garbage bins delivered by authorised waste contractors shall be placed and kept within the construction site boundary.

- **Waste disposal**

All waste is to be removed from the site at completion of works.

- **Contractor Waste**

Work areas used by contractors are to be kept free of general wastes and cleaned up at the end of each day.

## **5.5 Traffic and Access**

The overall intent of the proposed works is to establish a formalised road access on Patricia Street to support the future extension of the Johnston Street industrial estate. Closure of the unformed road throughout the duration of the works will be required.

### **5.5.1 Existing Environment**

Patricia Street provides access for the adjacent residential dwelling at 18 Patricia Street, Casino. The road is connected to the Bruxner Highway at the south where a new roundabout has been approved to manage increased traffic generation predicted from the future industrial area. As part of the approval for the roundabout, a reduction to the speed along the Bruxner Highway was required which will result in a 50km/h reduction in the speed of traffic approaching the roundabout and Patricia Street entrance.

### **5.5.2 Potential Impacts**

Impacts to traffic on the Bruxner Highway will be limited given the approved roundabout works which involve construction of the road connection to Patricia Street. Some additional traffic generation is expected to occur during the construction works, although given the natures of the works these are likely to be minor.

It is however noted that the works will affect accessibility to the adjacent site at 18 Patricia Street which relies on the current unformed road for access.

### **5.5.3 Management & Mitigation Measures**

The following safeguards are proposed to manage impacts from the proposal relating to traffic and access:

- **Construction Environmental Management Plan**

Prior commencement of works, the Head Contractor shall prepare a Construction and Environmental Management Plan (CEMP) outlining measures relating to, but not limited to:

- Public safety and site security;

- Construction hours;
- 24-hour contact details of site foreman;
- Noise & vibration controls;
- Air and dust management;
- Bushfire management;
- Waste management;
- Demolition works plans;
- Unexpected finds procedures;
- Emergency Management Plan;
- Traffic management; and
- Work Place Health and Safety.

The CEMP shall reference and be compliant with applicable Australian Standards and be endorsed by the RVC's Project Manager prior to construction works commencing.

- **Pedestrian and Vehicle Management Plan**

The Head Contractor shall prepare a detailed plan documenting site access, pedestrian protection measures and all associated vehicle movements associated with the construction project.

- **Notification of Works**

Appropriate notification is to be provided to the occupants of 18 Patricia Street prior to commencement of works regarding the date of planned commencement and duration of works, including the contact number of the site supervisor/ project manager to be contactable should any access issues arise.

## **5.6 Noise and Vibration**

The proposed works are anticipated to be completed within a 6 month timeframe, throughout which the proposed works will involve noise and vibration impacts. Management of ongoing noise as a result of the new roads will also be required.

### **5.6.1 Existing Environment**

The location of the subject site adjoining formerly rurally zoned land to the north and east, the Bruxner Highway to the south and the existing industrial estate to the west limits the amount of sensitive noise receivers within proximity of the land. The dwelling at 18 Patricia Street to the east is within close proximity of the boundary adjoining Patricia Street and is likely to be most susceptible to any potential impacts. While the site is will form part of the future industrial estate, the dwelling is proposed to be retained at this time and therefore impacts are to be managed. As works will encroach into this property, the neighbours have provided written owners consent (**Attachment 10**) authorising the works.

### **5.6.2 Potential Impacts**

The proposed works may result in potential noise and vibration impacts for the duration of works, as well as during operation of the road. RVC has consulted with the adjoining landowner of 18 Patricia Street to discuss the potential impacts of the development and to form an agreement regarding the

rectification of any damages. Construction hours and noise limits are imposed as part of the safeguard measures to limit unreasonable noise and vibration impacts to adjacent properties.

Ongoing impacts during operation of the road have been considered and are considered to be minor given the context of the development. As the staging of the industrial subdivision involves the redevelopment of 18 Patricia Street within an early stage of the works, the existing dwelling will not be impacted by traffic on Patricia Street given no development beyond the subject land will have yet occurred. A mitigation measure is proposed in the event that the staging of the future subdivision works is altered, and amelioration measures are required to minimise road noise impacts.

### **5.6.3 Management & Mitigation Measures**

The following safeguards are proposed to manage impacts from the proposal relating to noise and vibration:

- **Construction Noise Limits**

The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the Construction & Environmental Management Plan.

- **Demolition / Construction Hours**

Demolition and construction, may only be carried out between the following hours:

- (a) 7am and 6pm, Mondays to Fridays inclusive.
- (b) Saturday: 8am to 4pm.
- (c) No work may be carried out on Sundays or public holidays.

- **Complaints**

Adjoining sensitive receivers are to be provided with a contact phone number for the site supervisor/ project manager for any complaints or updates associated with the construction works.

- **Damage during Construction**

Any damages to the neighbouring property, including to boundary fencing, that occur during construction works as a result of heavy machinery or trucks entering or operating within the property boundaries are to be rectified at the expense of the developer (RVC).

- **Future Subdivision Staging**

Should changes to the proposed staging of the future industrial subdivision occur and road noise impacts result to the dwelling at 18 Patricia Street, Casino, the developer (RVC) is responsible for implementing amelioration measures to prevent impacts to the dwelling.

## 6. Summary of Impacts

### 6.1 Section 171 of the EP&A Regulation 2021

Section 171 of the EP&A Regulation indicates for the purposes of Part 5 of the Act the factors that must be considered in relation to the likely impact of an activity on the environment.

The following table cross-references the factors of Section 171 that must be considered with the sections of this REF where impacts are assessed. Detailed below is an assessment of the proposal against the relevant environmental factors.

Section 171 Factors & Assessment	Impacts			
	NA	Neg	Nil	+ve
<b>Any environmental impact on the community.</b>				
<p><b>Comments:</b> The works are predominantly limited to within the existing Patricia Street road reserve, however some works encroach into the neighbouring property to the east. While the works will be carried out within close proximity of an existing dwelling, consultation with the adjacent land owner has been undertaken and owner's consent has been obtained for the works to be completed.</p> <p>Mitigation measures have been imposed to ensure construction works are carried out to limit impacts to the dwelling and where any damages occur, the developer will repair all damages.</p> <p>The proposal will not result in environmental impacts to the broader community.</p>		✓		
<b>Any transformation of a locality.</b>				
<p><b>Comments:</b> The proposal will support the RVRJP master plan by providing access to the future industrial estate and connectivity to the existing industrial area to the west. The proposal positive economic impacts for the locality, contributing the facilitation of a significant increase to industrial land availability.</p>				✓
<b>Any environmental impact on the ecosystems of the locality.</b>				
<p><b>Comments:</b> The proposed works will not result in any significant environmental impact on the ecosystems of the locality.</p>			✓	
<b>Any diminution of the aesthetic, recreational, scientific or other environmental quality or value of a locality.</b>				

Section 171 Factors & Assessment	Impacts			
	NA	Neg	Nil	+ve
<p><b>Comments:</b> The proposal involves the construction of a sealed road within an existing unformed road reserve, as well as the extension of an existing road. Earthworks have been limited to the extent modelled which demonstrates no adverse flood impacts will result to adjoining land. Mitigation measures are imposed to ensure the works are carried out in accordance with the plan set to ensure flood displacement does not extend beyond the acceptable impacts modelled.</p> <p>The site comprises vacant former rural land and is predominantly clear of vegetation.</p> <p>Given the nature of the proposal and characteristics of the site, no adverse impacts are expected with respect to the aesthetic, recreational, scientific or other environmental quality or value of the locality.</p>		✓		
<b>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.</b>				
<p><b>Comments:</b> Given the nature of works no impacts are envisaged. The proposal is located within an existing road reserve and vacant agricultural land and is not anticipated to impact on any aesthetic or heritage values. The proposed works will contribute to the future use of the land for industrial purposes as part of the establishment of the RVRJP.</p>			✓	
<b>Any impact on the habitat of protected fauna (within the meaning of the National Parks and Wildlife Act 1974)</b>				
<p><b>Comments:</b> No impacts are envisaged having regard to the nature and location of the project.</p>			✓	
<b>Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air.</b>				
<p><b>Comments:</b> No impacts are envisaged having regard to the nature and location of the project.</p>			✓	
<b>Any long-term effects on the environment.</b>				
<p><b>Comments:</b> No impacts are envisaged having regard to the nature, scale, location &amp; design of the works.</p>			✓	
<b>Any degradation of the quality of the environment.</b>				
<p><b>Comments:</b> No impacts are envisaged having regard to the nature of the project.</p>			✓	
<b>Any risk to the safety of the environment.</b>				
<p><b>Comments:</b> No impacts are envisaged having regard to the nature of the project.</p>			✓	

Section 171 Factors & Assessment	Impacts			
	NA	Neg	Nil	+ve
<b>Any reduction in the range of beneficial uses of the environment.</b>				
<b>Comments:</b> No impacts are envisaged having regard to the nature of the project.			✓	
<b>Any pollution of the environment.</b>				
<b>Comments:</b> Appropriate erosion and sediment control measures will be implemented during the installation phase of the project.			✓	
<b>Any environmental problems associated with the disposal of waste.</b>				
<b>Comments:</b> Demolition and construction wastes will be appropriately stored and disposed of throughout the duration of works. Through implementation of the safeguards, potential impacts resulting from waste disposal will be mitigated.			✓	
<b>Any increased demands on resources, natural or otherwise, which are, or are likely to become in short supply.</b>				
<b>Comments:</b> No impacts are envisaged having regard to the nature of the project.			✓	
<b>Any cumulative environmental effect with other existing or likely future activities.</b>				
<b>Comments:</b> The proposed works will not result in any negative cumulative environmental effects.  The works provide access to future industrial land which will be subject to further assessment to determine any impacts resulting from future land uses. The proposed road works incorporate stormwater drainage and limit overall filling to address potential flood displacement resulting from the road and future use of the adjacent land.			✓	
<b>The impact on coastal processes and coastal hazards, including those under projected climate change conditions.</b>				
<b>Comments:</b> The proposed works will not impact on any coastal processes or coastal hazards.			✓	
<b>Applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1.</b>				
<b>Comments:</b> The North Coast Regional Plan 2041 and the Richmond Valley Regional Job Precinct Master Plan apply to the subject land and the proposal is supportive of the strategic direction provided under these plans to facilitate industrial land uses over the land.				✓
<b>Other relevant environmental factors.</b>				
No further relevant environmental factors beyond those addressed under this REF.			✓	

## 6.2 Cumulative Impacts

The proposed road construction will provide suitable access to the future industrial allotments and provide connectivity to the established area of the Johnston Street sub-precinct to the west. The works are not anticipated to result in any adverse long-term impacts and mitigation measures for the management if short-term impacts have been imposed.

## 6.3 The Public Interest

Provision of the proposed new roads is considered to be in the public interest. The works contribute to the delivery of the RVRJP which will have positive social and economic contributions to the community.

## 7. Management & Mitigation Measures

The following safeguard measures are imposed comprising the mitigation measures identified in Section 5 and other measures relevant to the nature of the proposal.

### STANDARD REQUIREMENTS

#### 1. Obligation to Prevent Impacts to the Environment

In addition to meeting all of the conditions/mitigation measures in this determination, all reasonable and feasible measures should be implemented to prevent impacts to the environment that may result from the construction and on-going use of the roads.

#### 2. Details of the Activity

The development is to be carried out be in accordance with the following:

- a. Civil Design Plans prepared by *Burchills Engineering Solutions*.

Project	Drawing	Title	Dated	Rev
BE230077-02	C000	Drawing Schedule and Locality Plan	21/03/2025	B
BE230077-02	C001	Typical Cross Sections and Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C002	Typical Cross Sections and Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C100	Overall Layout and Key Plan	21/03/2025	B
BE230077-02	C150	Demolition Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C151	Demolition Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C152	Demolition Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C153	Demolition Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C200	Earthworks Layout Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C201	Earthworks Layout Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C202	Earthworks Layout Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C203	Earthworks Layout Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C230	Earthworks Notes & Details	21/03/2025	B

BE230077-02	C250	Erosion and Sediment Control Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C251	Erosion and Sediment Control Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C252	Erosion and Sediment Control Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C253	Erosion and Sediment Control Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C260	Erosion and Sediment Control Notes and Details	21/03/2025	B
BE230077-02	C300	Roadworks & Drainage Layout Plan – Sheet 1 of 4	21/03/2025	B
BE230077-02	C301	Roadworks & Drainage Layout Plan – Sheet 2 of 4	21/03/2025	B
BE230077-02	C302	Roadworks & Drainage Layout Plan – Sheet 3 of 4	21/03/2025	B
BE230077-02	C303	Roadworks & Drainage Layout Plan – Sheet 4 of 4	21/03/2025	B
BE230077-02	C310	Reference String Setout Plan	21/03/2025	B
BE230077-02	C320	Longitudinal Section Patricia Street	21/03/2025	B
BE230077-02	C321	Longitudinal Section Irving Drive	21/03/2025	B
BE230077-02	C322	Cross Sections Patricia Street – Sheet 1 of 6	21/03/2025	B
BE230077-02	C323	Cross Sections Patricia Street – Sheet 2 of 6	21/03/2025	B
BE230077-02	C324	Cross Sections Patricia Street – Sheet 3 of 6	21/03/2025	B
BE230077-02	C325	Cross Sections Patricia Street – Sheet 4 of 6	21/03/2025	B
BE230077-02	C326	Cross Sections Patricia Street – Sheet 5 of 6	21/03/2025	B
BE230077-02	C327	Cross Sections Patricia Street – Sheet 6 of 6	21/03/2025	B
BE230077-02	C328	Cross Sections Irving Drive – Sheet 1 of 3	21/03/2025	B
BE230077-02	C329	Cross Sections Irving Drive – Sheet 2 of 3	21/03/2025	B
BE230077-02	C330	Cross Sections Irving Drive – Sheet 3 of 3	21/03/2025	B
BE230077-02	C332	Intersection Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C333	Intersection Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C335	Driveway Details	21/03/2025	B
BE230077-02	C350	Signs and Linemarking Plan – Sheet 1 of 3	21/02/2025	B
BE230077-02	C351	Signs and Linemarking plan – Sheet 2 of 3	21/03/2025	B
BE230077-02	C352	Signs and Linemarking – Sheet 3 of 3	21/03/2025	B
BE230077-02	C400	Stormwater Catchment Plan	21/03/2025	B
BE230077-02	C410	Longitudinal Section Channel 01	21/03/2025	B
BE230077-02	C411	Longitudinal Section Channel 02	21/03/2025	B
BE230077-02	C420	Stormwater Longitudinal Sections – Sheet 1 of 4	21/03/2025	B
BE230077-02	C421	Stormwater Longitudinal Sections – Sheet 2 of 4	21/03/2025	B
BE230077-02	C422	Stormwater Longitudinal Sections – Sheet 3 of 4	21/03/2025	B
BE230077-02	C423	Stormwater Longitudinal Sections – Sheet 4 of 4	21/03/2025	B
BE230077-02	C424	Stormwater Calculation Tables	21/03/2025	B
BE230077-02	C430	Stormwater Notes and Details	21/03/2025	B
BE230077-02	C440	Stormwater Culvert Details – Sheet 1 of 3	21/03/2025	B
BE230077-02	C441	Stormwater Culvert Details – Sheet 2 of 3	21/03/2025	B

BE230077-02	C442	Stormwater Culvert Details – Sheet 2 of 3	21/03/2025	B
BE230077-02	C451	Culvert Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C452	Culvert Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C453	Wingwalls and Headwalls Details – Sheet 1 of 2	21/03/2025	B
BE230077-02	C454	Wingwalls and Headwalls Details – Sheet 2 of 2	21/03/2025	B
BE230077-02	C501	Water Reticulation Layout – Sheet 1 of 2	21/03/2025	B
BE230077-02	C502	Water Reticulation Layout – Sheet 2 of 2	21/03/2025	B
BE230077-02	C510	Water Reticulation Notes and Details	21/03/2025	B
BE230077-02	C601	Sewer Reticulation Layout – Sheet 1 of 2	21/03/2025	B
BE230077-02	C602	Sewer Reticulation Layout – Sheet 2 of 2	21/03/2025	B
BE230077-02	C610	Sewer Longitudinal Section – Sheet 1 of 3	21/03/2025	B
BE230077-02	C611	Sewer Longitudinal Section – Sheet 2 of 3	21/03/2025	B
BE230077-02	C612	Sewer Longitudinal Sections – Sheet 3 of 3	21/03/2025	B
BE230077-02	C700	Turn Path Layout Plan – Sheet 1 of 3	21/03/2025	B
BE230077-02	C701	Turn Path Layout Plan – Sheet 2 of 3	21/03/2025	B
BE230077-02	C702	Turn Path Layout Plan – Sheet 3 of 3	21/03/2025	B

### 3. Australian Standards

All work is to be undertaken in accordance with the relevant Australian Standards.

## PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE

### 4. Notification to occupiers of adjoining land

Occupiers of adjoining land shall be advised in writing, of the date it is intended to commence work, including demolition. A minimum period of seven (7) days notification shall be given.

### 5. Construction Environmental Management Plan

Prior commencement of works, the Head Contractor shall prepare a Construction and Environmental Management Plan (CEMP) outlining measures relating to, but not limited to:

- Public safety and site security;
- Construction hours;
- 24-hour contact details of site foreman;
- Noise & vibration controls;
- Air and dust management;
- Waste management;
- Demolition works plans;
- Unexpected finds procedures;
- Emergency Management Plan;
- Traffic management; and
- Work Place Health and Safety.

The CEMP shall reference and be compliant with applicable Australian Standards and be endorsed by the SCU's nominated Project Manager prior to construction works commencing.

## **6. Sediment and Erosion Control Plan**

The Head Contractor shall prepare a detailed Stormwater Management Plan which will cover all aspects of stormwater and sediment management & control during construction.

Erosion and sediment control should be in accordance with the manual '*Managing Urban Stormwater: Soils and Construction - 4<sup>th</sup> Edition*', dated March 2004 (the 'Blue Book'), or a suitable and effective alternative method. Erosion and sediment control measures must:

- Remain in place until the site works have been completed and/or has been adequately revegetated or landscaped to prevent soil erosion;
- Be regularly inspected and be managed and maintained to ensure the measures operate to the design requirements and to meet all relevant environment protection standards;
- Be properly maintained to prevent soil erosion and the transport of sediment from the site to natural or constructed drainage lines or water courses.

## **7. Pedestrian and Vehicle Management Plan**

The Head Contractor shall prepare a detailed plan documenting site access, pedestrian protection measures and all associated vehicle movements associated with the construction project.

## **8. Overhead and Underground Service Location**

Prior to commencement of construction activities, any underground or overhead services near the building site which may be impacted by the works are to be accurately located and identified.

## **9. Complaints**

Adjoining sensitive receivers are to be provided with a contact phone number for the site supervisor/ project manager for any complaints or updates associated with the construction works.

## **10. Section 68 Approval**

Section 68 approval is to be obtained for the sewer, water supply and stormwater drainage works.

## **DURING DEMOLITION AND CONSTRUCTION**

### **11. Demolition Works**

Demolition work must comply with the demolition work plans required by Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001) and endorsed by a suitably qualified person.

### **12. Demolition / Construction Hours**

Demolition and construction, may only be carried out between the following hours:

- (a) 7am and 6pm, Mondays to Fridays inclusive.
- (b) Saturday: 8am to 4pm.
- (c) No work may be carried out on Sundays or public holidays.

Deliveries may occur outside the hours of demolition and construction referred to Condition 12(a) above, but not before 6.30am or after 6.30pm.

### **13. Construction Noise Limits**

The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the Construction & Environmental Management Plan.

### **14. Removal of Potentially Contaminated Materials**

Any demolition or removal works of aged structures and infrastructure from the site is to be removed in accordance with relevant Australian Standards and NSW EPA guidelines to a licensed waste facility. If materials being removed from the site do not meet VENM/ENM requirements, further contamination investigations are to be undertaken prior to works progressing.

### **15. Unexpected Finds Protocol – Aboriginal Heritage**

In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by the NSW Environment, Energy and Science (EES) Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

### **16. Unexpected Finds Protocol – Non-Indigenous Heritage**

If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the NSW Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the NSW Heritage Division.

### **17. Unexpected Finds Protocol – Contaminated Material**

If unexpected contaminated material is encountered during the works, all work shall cease, the site will be secured and a safe work method statement(s) and appropriate documented practices would be implemented to ensure the site is suitable for its use in accordance with the approved CEMP (Condition 5).

The removal, handling and disposal of asbestos and other hazardous materials shall be undertaken by a suitably qualified professional in accordance with standards set by Safework NSW and the NSW Office of Environment and Heritage (NSW OEH).

### **18. Works During Rain Events**

Works should be avoided during periods of high rainfall and should occur, where possible, during periods of no or low flow.

### **19. Damage During Works**

Any damages to the neighbouring property, including to boundary fencing, that occur during

construction works as a result of heavy machinery or trucks entering or operating within the property boundaries are to be rectified at the expense of the developer (RVC).

#### **20. Drainage of wastewater**

Wastewaters are not to be discharged directly or indirectly to drains or watercourses.

#### **21. Construction Waste**

All waste generated by the project, shall be reused, recycled or directed to a waste facility lawfully permitted to accept the materials in accordance with the DECC's "Waste Classification Guidelines (2008)" and the Protection of the Environment Operations Act 1997.

Any bulk garbage bins delivered by authorised waste contractors shall be placed and kept within the construction site boundary.

#### **22. No Waste Disposal on Site**

No burning or burying of wastes shall be permitted on site.

#### **23. Contractor Waste**

Work areas used by contractors are to be kept free of general wastes and cleaned up at the end of each day.

#### **24. Marking of Vegetation**

All vegetation proposed for removal should be clearly marked and easily identifiable to contractors.

#### **25. Injured Wildlife**

Should any wildlife be injured as a result of the works, WIRES are to be contacted on 1300 094 737.

#### **26. Threatened Flora and Fauna**

If unexpected threatened flora or fauna species are identified during works, all works must halt and notification to the relevant Project Manager and seek advice from an ecologist before works are able to recommence.

### **COMPLETION**

#### **27. Works as Executed Plans**

Works-as-executed drawings are to be prepared at the completion of the project and provided to Richmond Valley Council. Written confirmation is to be provided to RVC that the works comply with The Northern Rivers Design Guide and all applicable Australian Standards.

#### **28. Future Subdivision Staging**

Should changes to the proposed staging of the future industrial subdivision occur and road noise impacts result to the dwelling at 18 Patricia Street, Casino, the developer (RVC) is responsible for implementing amelioration measures to prevent impacts to the dwelling.

## 8. Recommendation and Conclusion

This REF has been prepared to document the environmental assessment of the proposed road construction at Patricia Street, Casino and associated earthworks and infrastructure works. In accordance with Part 5 of the EP&A Act, this REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity, including with regard to the factors identified pursuant to Section 171 of the EP&A Regulation.

The assessments undertaken demonstrate that all potential environmental impacts may be suitably managed through the mitigation measures documented herein.

It is concluded that the proposed activity is unlikely to significantly affect the environment. As such, an EIS would not be required. Furthermore, a Species Impact Assessment is not required.

On this basis, it is recommended that Council approve the proposed activity in accordance with Part 5 of the EP&A Act and subject to adoption and implementation of the mitigation measures outlined in **Section 7**.

## 9. Declaration, Review and Determination

### 9.1 Declaration and Review

This REF has been prepared for Richmond Valley Council to assess the potential environmental impacts which could arise from the proposed road construction at Patricia Street, Casino and associated earthworks and infrastructure works. The REF has been prepared in accordance with the relevant provisions of the EP&A Act, the EP&A Regulation and its associated State Environmental Planning Policies.

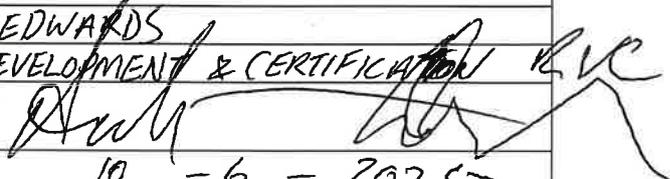
On the basis of the consideration of key environmental aspects and the information presented in this REF, it is concluded that by adopting the mitigation measures identified in this assessment it is unlikely that there would be any significant environmental impacts associated with the proposal and that an EIS is not required.

This REF provides a true and fair review of the proposal in relation to its potential effects on the environment. It addresses to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposal. The information contained in this REF is neither false nor misleading and on balance, although some impacts would occur, the proposal is recommended to proceed given its stated need and justification. Person(s) who prepared the REF:

Person who prepared the REF	
I certify that I have prepared the contents of this REF and, to the best of my knowledge, it is in accordance with the Code approved under Section 201 of the Environmental Planning and Assessment Regulation 2021, and the information it considered is neither false or misleading.	
Name	Keely Bradley
Position	Town Planner
Signature	
Date	5 <sup>th</sup> June 2025

Person who reviewed the REF	
I certify that I have reviewed the contents of this REF and, to the best of my knowledge, it is in accordance with the Code approved under Section 201 of the Environmental Planning and Assessment Regulation 2021, and the information it considered is neither false or misleading.	
Name	Karina Vikstrom
Position	Town Planner
Signature	
Date	5 <sup>th</sup> June 2025

## 9.2 Determination

Determination By Delegated Officer of Richmond Valley Council	
I certify that I have reviewed the contents of this REF and, to the best of my knowledge, it is in accordance with the Code approved under Section 201 of the Environmental Planning and Assessment Regulation 2021, and the information it considered is neither false or misleading.	
I accept this Review of Environmental Factors on behalf of Richmond Valley Council as the determining authority and determine that the proposed works associated with the formalisation of Patricia Street, Casino as described in <b>Section 3</b> of this report can proceed subject to the mitigation measures in <b>Section 7</b> being implemented prior to and during works commencing on the site.	
Name of Delegated Officer	ANDY EDWARDS
Position of Delegated Officer	MANAGER DEVELOPMENT & CERTIFICATION RVC
Signature	
Date	10 - 6 - 2025