Hume City Council

PROCEDURES FOR CONSIDERATION OF ENVIRONMENTAL EFFECTS OF DEVELOPMENTS WITHIN THE HUME CITY COUNCIL

Adopted February 1990
Amended April 1995
1. **PREAMBLE:**

The Hume City Council, through its decision making process is committed to a full and proper consideration of the impacts on the environment that a given development or Planning Scheme amendment may have. In implementing measures to ensure that such consideration occurs, the Council pursuant to Section 4(2) of the Planning and Environment Act 1987, must "ensure that the effects on the environment are considered ....when decisions are made about the use and development of land." Provisions within the Hume Planning Scheme require that development should be assessed with regard to its impact on the local and regional environment.

2. **APPLICATION OF POLICY:**

It is intended that this policy should apply to proposed developments, or changes to the Planning Scheme, which in the opinion of Council have the potential to have an adverse effect on the environment.

3. **PROCEDURE:**

3.1 **Application for Planning Permit (refer flow chart in Appendix 1)**

- Upon the receipt of an Application for Permit a Delegate of Council will decide whether;

  - there is sufficient information lodged with the proposal and
  - whether the proposal requires the completion of a Land Use Questionnaire (a copy of which is included as appendix 3 to this policy).

4. **SITUATIONS WHICH MAY RESULT IN A REQUEST OF A LAND USE QUESTIONNAIRE:**

Whilst each proposal will be evaluated on its individual merits the following is a general guide to the circumstances which may result in Council requesting the completion of an L.U.Q.:

- proposals which could affect areas of high conservation value, including wetlands, rivers and streams, unique flora and fauna communities and those areas containing uncommon or protected species.

- proposals which could damage important historic, archaeological, scenic, scientific or educational sites.
proposals which involve the designation of areas for special
development, ie major tourist centres or 'one off' developments.

- establishment or major expansions of:
  * piggeries, poultry farms etc
  * manufacturing and processing industries
  * activities involving the manufacture, storage, processing of disposal
    of significant amounts of hazardous materials
  * extractive industry and for soil removal operations
  * major waste (solid and liquid) disposal operations

5. PREPARATION OF ENVIRONMENTAL IMPACT REPORT (E.I.R.):

In order to request the preparation of an E.I.R. the Council would have to be
satisfied that a project - if approved - would have a potentially significant
adverse environmental impact.

In the event that an E.I.R. is requested the applicant, at their own cost,
must supply a report from a suitably qualified consultant - endorsed by
Council - addressing the matters listed below as well as any other specific
issues identified by the Council.

The completed E.I.R. should contain:

- summary of the contents;
- objectives of the proposals;
- description of the proposals;
- need for the proposal;
- description of the environment that could be affected by the proposal;
- analysis of potential impacts;
- description of proposed mitigating measures and analysis of the
effectiveness of any safeguards or standards for environmental
protection intended to be applied.

In the event that it is decided that L.U.Q. is required a request will be made
for this to be supplied - together with any other information that is required
under Section 54 of the Planning and Environment Act.

Following the receipt of the completed L.U.Q. the Council may then
determine that, having regard to the development proposed and any
particular issues raised in the questionnaire, that the preparation of an
Environmental Impact Report (E.I.R.) is warranted prior to the further
consideration of the proposal. In order to make this decision the Council
will have to be satisfied that a proposal has a potentially significant adverse
environmental impact.
The applicant will be requested to submit a report pursuant to the guidelines contained in Clause 5 of this policy. If the Council makes this request the completion of the E.I.R. in a satisfactory manner will be viewed as fundamental to the further consideration of the proposal. Continuing processing of the application will be delayed until the E.I.R. has been prepared and submitted. Alternatively the Council may refuse the application - pending receipt of an E.I.R. as part of a subsequent application.

6. **REQUEST FOR AMENDMENT TO PLANNING SCHEME:**
   (refer flow hcart in appendix 2)

   A similar procedure as outlined in (i) above though it is recognised that statutory time limits with respect to processing the request do not apply.
APPEARANCE FOR PERMIT

APPLICATION LODGED WITH R.A.

R.A. CHECKS THAT SUFFICIENT INFORMATION IS PROVIDED
R.A. DETERMINES WHETHER L.U.Q. IS REQUIRED

NORMAL PLANNING PROCESS
i.e. ADVERTISING DETERMINATION
APPEAL

APPLICANT REQUESTED - PURSUANT TO S.54 OF ACT TO SUPPLY L.U.Q.

APPLICANT RETURNS L.U.Q. R.A. DETERMINES WHETHER E.I.R. IS REQUIRED

APPLICANT REQUESTED TO SUPPLY E.I.R.

E.I.R. SUBMITTED R.A. CHECKS THAT SUFFICIENT INFORMATION IS PROVIDED

APPLICANT REFUSED

YES NO

AGREES

YES NO

REFUSES

KEY

R.A. : Council or Delegate of Council
L.U.Q. : Land Use Questionnaire
E.I.R. : Environmental Impact Report
REQUEST FOR AMENDMENT TO PLANNING SCHEME

APENDIX 2

RE-ZONING OR AMENDMENT SUBMITTED TO COUNCIL

R.A. CHECK FOR ADEQUATE INFORMATION DETERMINE WHETHER L.U.Q. SHOULD BE REQUIRED FROM APPLICANT

APPLICANT REQUESTED TO COMPLETE L.U.Q.

NO

APPLICANT RETURNS L.U.Q. R.A. DETERMINES WHETHER E.I.R. IS REQUIRED

YES

COUNCIL CONSIDERS REQUEST

NO

E.I.R. PREPARED AND SUBMITTED R.A. ENSURES THAT SUFFICIENT INFORMATION INCLUDED

KEY

R.A. : Council or Delegate of Council
L.U.Q. : Land Use Questionnaire
E.I.R. : Environmental Impact Report
LAND USE APPLICATION QUESTIONNAIRE

FOR OFFICE USE ONLY
Received: ________________________________
Application No: __________________________

APPLICANT, PLEASE COMPLETE EACH STATEMENT OR ANSWER EACH QUESTION to the best of your ability. Unanswered questions may result in a delay in the processing of your application. If the answer is unknown or the question is not applicable, please write "Don't Know" or "Not Applicable" as appropriate.

A. PROJECT INFORMATION

APPLICATION TYPE: ____________________________________________

APPLICANT'S NAME: __________________________________________

(Street Address) (City) (Post Code) (Phone)

REPRESENTATIVE'S NAME: _____________________________________

(Street Address) (City) (Post Code) (Phone)

PROJECT DESCRIPTION AND PURPOSE:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

If zone change: Existing ___________ Proposed: ___________

LOCATION DESCRIPTION (Distance and direction from cross streets):

________________________________________________________________________

________________________________________________________________________

ALLOTMENT SIZE (Total acres or sq. metres): _______________________

DEVELOPMENT AREA (If different from Allotment size): ____________

TITLE AND DATE OF ANY EXISTING ENVIRONMENTAL IMPACT REPORT
PREPARED FOR PROJECT SITE: ________________________________
3. List type and density of vegetation existing on site. Is site considered potential habitat for protected or endangered plant species?


4. List approximate number, size and type of native trees.


5. Is site considered potential habitat for endangered or protected species of animal or fish.


6. Have any fossils, deposits or historical artifacts, including Aboriginal relics been observed on or near the site? If yes, please describe:
   Yes
   No

7. Indicate the general percentage slope of the site. If slope varies sharply among different portions of the site, list the percentage slope for each part of the site with different slope characteristics. Submit a copy of a slope analysis map (if any), with the application. (Slope analysis maps are required for large scale subdivisions and development in the conservation zone.)

<table>
<thead>
<tr>
<th>Slope</th>
<th>Ha or M2 and Percent of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5% (flat to gently sloping)</td>
<td>___________________________</td>
</tr>
<tr>
<td>5-15% (gently sloping)</td>
<td>___________________________</td>
</tr>
<tr>
<td>15-30% (moderately sloping)</td>
<td>___________________________</td>
</tr>
<tr>
<td>30-40% (steep)</td>
<td>___________________________</td>
</tr>
<tr>
<td>Over 40% (very steep)</td>
<td>___________________________</td>
</tr>
</tbody>
</table>
13. Is the property part of a known overflow area or traversed by natural stream beds, channels, ground swales or washes, or subject to high water table? If yes, indicate the approximate location and depth of each.

Yes __________________________

No __________________________

14. Are each of the proposed lots or building site(s) free of any drainage course, swale, water overflow or ponding area? If no, please explain.

Yes __________________________

No __________________________

15. Has surface water originating outside the property been known to overflow onto the property in the past? If yes, please explain how and give direction of flow.

Yes __________________________

No __________________________

16. Are there any flood-protective measures or devices existing or proposed between natural or artificial water courses and the property? If yes, please explain.

Yes __________________________

No __________________________

17. Does the proposed project require excavation or emplacement of structures, etc., which will encroach into, obstruct, alter or divert any flood flows from a major wash, channel, stream, swale, ditch or watercourse? If yes, please explain.

Yes __________________________

No __________________________
23. Are there any known property line conflicts, disagreements or encroachments with adjoining property owners? If yes, please indicate the problem.

   Yes

   No

24. Are there any easements, deed restrictions, covenants, conditions and restrictions (CC&Rs) or other restrictions on the title of the property? If yes, please explain, and include supporting documentation.

   Yes

   No

25. Has the property been surveyed by a Licensed Land Surveyor or Civil Engineer? If yes, please include a copy of the survey map with this application.

   Yes

   No

26. Identify the entities that are/or would be providing the following services or utilities:

   Electricity:
   (Name of Agency)
   (Address)  (Phone)
   a) Site presently served: (Circle one) Yes  No
   b) If an extension will be necessary, how far? _____

   Gas:
   (Name of Agency)
   (Address)  (Phone)
   a) Site presently served: (Circle one) Yes  No
   b) If an extension will be necessary, how far? _____
29. Will your project require any permits from local, state or federal agencies? If yes, please identify the agency and type of permit.

____ Yes ____________________________

____ No ____________________________

30. Please include a copy of any studies or other documents (soils, geology, marketing, preliminary grading, drainage, traffic, etc.) that have been prepared for this project or for this site.

C. PROJECT IMPACT

1. Will the proposed project cause noise, vibration, night glare, dust or air pollution? If yes, please explain.

____ Yes ____________________________

____ No ____________________________

2. Will project development result in the removal or relocation of trees? If yes, please indicate how many, what kind and whether they will be removed or relocated.

____ Yes ____________________________

____ No ____________________________

3. Will any earth material be exported from or imported to the site? If yes, please indicate the approximate quantity in cubic metres, whether imported or exported and the location of the borrow pit or dump site.

____ Yes ____________________________

____ No ____________________________
10. Does the proposed use for the site involve pesticides, chemicals, oils, salts, hazardous or toxic materials? If yes, are these:

   _ Yes
   _ No

   a) Used in the production or processing of a product, or by product, or the provision of a service?

      _ Yes
      _ No

   b) Waste products resulting from the production or processing of a product or the provision of a service?

      _ Yes
      _ No

   c) Stored on site in large quantities? If yes, how much and how long will the materials be stored?

      _ Yes

      _ No

11. For each of the questions "a" through "c" listed above (#10) that were answered "yes", indicate the type and quantity of materials involved.

                                                                                                           

E. COMMERCIAL PROJECTS:

Provide the following information for all commercial or office commercial projects, including zone change(s).

1. How far is the proposed project from:
   a) Other commercially zoned property? ____________________________
   b) Existing commercial uses presently in operation?
      (Indicate location) ____________________________________________

2. Indicate the principal market area from which the project is anticipated to receive most of its business?
   a) Within a one km radius of the site: ____________________________
   b) Within a five km radius of the site: ____________________________
   c) Outside a five km radius: ________________________________