



Crown Land Services Instruction Sheet No.1

Major Project Assessment Guideline

***A GUIDE FOR MAJOR
DEVELOPMENT/SIGNIFICANT
IMPACT ASSESSMENTS***

CROWN LANDS ACT 1976

Instruction Sheet No. 1

A GUIDE FOR MAJOR DEVELOPMENT/SIGNIFICANT IMPACT ASSESSMENTS

This Instruction Sheet provides a guide to the assessment requirements for major new development proposals and those developments/land uses which are likely to have a significant environmental, economic or social impact.

It may also be used where existing Crown land occupancies are undergoing redevelopment, expansion, or a change of use, or when long term leasing arrangements are sought.

Information provided also responds to and provides background to the Agency's Public Benefits Test (as attached).

DEVELOPMENT AND USE APPLICATION REQUIREMENTS

Prior to submitting a development or use application for assessment, the required statutory forms and fees must be lodged.

A detailed plan of the area must be provided which clearly indicates the current natural values and state of the area. It is also necessary to provide the following information:-

Architectural drawings, copies of existing studies and/or any relevant planning documents affecting the area, details of infrastructure and methods of construction and details of major consultants working on the proposal. The location of council infrastructure should be shown together with any easements or registered land dealings that may affect the development. Note that all drawings must be to scale.

Evidence of relevant technical experience and capacity (if the development involves construction and operation of a facility) is required.

Depending on the activity, copies of any licences or permissions required under relevant legislation must be provided. This can range from, and is not limited to, the *Threatened Species Act 1995*, *Water Management Act 1999*, *Land Use Planning & Approvals Act 1993*, *Environmental Management and Pollution Control Act 1994*, *Living Marine Resources Management Act 1995* etc and various State policies.

If environmental effects are noted during the assessment stage, then the degree of vulnerability or sensitivity to the proposal should be identified. Construction methods and ongoing use issues must be framed in a manner to reduce identified adverse impacts and a monitoring plan may be required to assess impacts and compliance with performance standards that will form part of the contract.

The information contained in this guide should be compiled in a document called the Development Plan, which commences with a summary of the proposal and its intended benefits and impacts.

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As an annexe to the development plan, a business plan must be provided. This will cover such matters as the level of planned investment, possibly in stages (over a specified timeframe), and the source of funding.

In the event that a mortgage is the intended funding source, details of this should be supplied, as the Crown must extend approval and join any mortgage as a party.

The business plan should include a projected Profit & Loss statement covering at least a ten year period.

A statement of cash flows is similarly required to provide some guidance on the proposal's capacity to generate cash flows, meet its financial obligations when they fall due, obtain external finance and fund any changes in the scope or nature of business.

Note that prior to lodging a planning permit application, the consent of the Minister administering the *Crown Lands Act 1976* is required. This is a requirement of the *Land Use Planning & Approvals Act 1993*. The application to council must be accompanied by specific correspondence from this Agency approving the lodgement. The lodgement of a planning approval application does not imply approval for the development from the Crown.

It is also useful to note that the Commonwealth *Environmental Protection & Biodiversity Conservation Act 1999* may have a significant impact on planned activities.

1. **Detail the economic benefits and burdens of the proposal.**

- This should address development/use viability;
- Target market;
- Seasonal variations;
- Employment effects (construction through to operational phase including indirect employment);
- Impact on other sectors of economy and
- Effects on Government revenue (incl. requirements for additional services ie roads, health services, access etc).

Attach a separate sheet

2. **Detail the social and community benefits and burdens of the proposal**

This should address opportunities to maximise benefits to Tasmanians for example, the effect on;

- Local industry & maximisation of employment;
- Other users of the land (and adjoining land/water) and services in the vicinity (ie traditional use, recreational use & patterns);
- Detail the rationale (or need) behind the development;
- Existing and future property values;

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- Existing tourism levels and projected rates of growth;
- Aesthetic values;
- Community values and perceptions (in particular, has public input been canvassed in this proposal and dealing with possible negative community feedback);
- How are amenity and access affected and how are the impacts ameliorated?;
- Traffic and parking issues; and,
- Impact on public access to the Crown land and how this might be preserved.

Attach a separate sheet

3. **Detail the environmental impacts of the development/land use.**

Detail should be provided on the existing environment and how development/use impacts will be ameliorated. This should address:

- visual impacts;
- Impacts on flora and fauna;
- Aboriginal heritage and historic cultural heritage;
- Landscape values;
- Fire/emergency services management;
- Soils, geology/geomorphology;
- Noise & vibration impacts (construction & operational) and lighting impacts;
- Air and water quality impacts;
- Surrounding land use issues/impacts;
- Weed & phytophthora management;
- Waste storage & handling and
- Contingency risk management plan.

Attach a separate sheet

4. **Detail where the proposal sits within the planning scheme and if an amendment is required.**

- What does the planning scheme suggest about this development?;
- What is the zoning and is a change required and
- How does the proponent intend to address any scheme amendments?

Attach a separate sheet

GENERAL CONTRACT REQUIREMENTS:

As a rule, Crown contracts for significant and high impact development and use contain mandatory provisions dealing with performance, viability and liability/insurance issues. These range from provision of Director's guarantees, evidence of public liability insurance at the rate of \$20 million in each case, replenishable environmental sureties/bonds in relation to rehabilitation requirements, contamination requirements and restriction on transfer of agreements and renewal options to third parties.

*Depending on the scale and impact of the development/use, an Environmental Management Plan may be required. This should be addressed in a separate stand-alone document and the applicant will be advised if an EMP is required following initial assessment.

(Level 2 developments under the *Environmental Management & Pollution Control Act 1994* require the preparation of a Development Plan & Environmental Management Plan (DP&EMP). Prior to the preparation of a DP&EMP, a "Notice of Intent" (NOI as attached) is required for assessment by the Board of Environmental Management.

The NOI compliments and builds on the information requirements outlined in this Instruction Sheet. The applicant will be advised if the activity is likely to be assessed as a Level 2 development.

CROWN LAND SERVICES
ISSUES & PROJECTS
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GUIDELINES FOR THE PREPARATION OF A NOTICE OF INTENT

General

This document outlines the general requirements for the preparation of a Notice of Intent (the 'NOI') for major projects to be assessed as level 2 activities under the *Environmental Management and Pollution Control Act 1994*.

The NOI is prepared by the project proponent and provides an outline of the proponent, proposed project and the project location to the Board of Environmental Management and Pollution Control.

Content of the NOI

The NOI must contain the following:

1. Title of the proposed project and project location.
2. Background of the project proponent, including details of experience and financial capacity to undertake the project and contact details.
3. A description of the proposed project, including the key physical components of the project.
4. An outline of the proposed geographical location of the project, including land titles and ownership, and a general site location map.
5. An outline of the stakeholder consultation process undertaken or proposed, including the consultation method, stakeholders consulted and the issues raised.
6. A general description of the physical environment that may be affected by the project.
7. The key environmental, economic and social issues identified for the project to date and a description of their potential positive and adverse effects, along with any secondary issues and effects identified.
8. The surveys and studies proposed (or underway) in relation to the key issues that will form part of the DPEMP.
9. The proposed timetable for the project.