

Urunga School
Part 3A Application
for the development of a
school and residential development



Urunga School

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Introduction

1.1 Background

GeoLINK has been engaged by the Lismore Diocese of the Roman Catholic Church to act as town planners in relation to a proposed development of land at Urunga, on the mid-north coast of NSW.

Pursuant to advice received from the Department of Planning dated 17 February 2006, the Director-General, as a delegate of the Minister for Planning, has formed the opinion that the proposed development is a Project and that Part 3 A of the Act applies.

This report, therefore, supports an application to the Department for approval to carry out the Project, as described herein.

1.2 Structure of this Report

This report provides a Preliminary Assessment of the Project, pursuant to the requirements of the Department of Planning. Section 2 of the report provides a written and graphical description of both the subject site and the Project, including preliminary concept plans illustrating the proposed development.

Section 3 of the report summarises the planning provisions applying to the site and the project. Section 4 summarises the views of the local Council and relevant agencies, based on the consultation undertaken to date.

The final section provides a summary of 'Key Issues' that come from the Preliminary Assessment.

1.3 Further Information

Should any further information be required to clarify any aspects of this report, please contact **Rob van Iersel** of GeoLINK's Coffs Harbour office on 6651 7666.

The Project

2.1 The Site

The subject site, known as Lots 1 & 2 DP 792596, is located on the Pacific Highway at the southern edge of the village of Urunga, on the NSW mid-north coast. As shown in **Figure 1**, it is located some 28 kms south of Coffs Harbour, and approximately 32 kms north of Macksville.

Figure 2 shows the site, whilst **Figures 3A and 3B** provide a preliminary site analysis. As shown, the site is largely vegetated, apart from a cleared area located toward the north-west corner and cleared areas associated with existing and previous transmission easements. An industrial shed is located on Lot 1 in the extreme north-west corner of the site.

The site contains a number of relatively low ridgelines, generally running north-south. A defined watercourse and other intermittent drainage lines exist between the ridgelines.

The site is characterised by large forested areas of high conservation value. An area of low lying wetland, protected under the provisions of *State Environmental Planning Policy No. 14 – Coastal Wetlands (SEPP 14)*, is present on the eastern part of the site.

2.2 The Project

The land is owned by the Lismore Diocese of the Roman Catholic Church, whose main aim is to establish a new secondary school. As shown in **Figure 4**, the Church also proposes to implement a residential development to assist with funding the development of the school. Other components of the project include an aged care facility, a small neighbourhood-scale commercial site and environmental enhancement and rehabilitation. It is expected that a small supermarket / general store would be built within the commercial site.

The proposed development has been located within the cleared or degraded parts of the site. It is proposed that all significant vegetation, including the SEPP 14 wetland areas, be retained. Internal road alignments have been designed to also minimise impacts on significant vegetation.

The project involves the construction of a new intersection with the Pacific Highway and the provision of road connection points to adjoining land.

In summary, the development proposal involves:

- the establishment of a new Catholic High School, providing for children in Years 7 to 12;
- a residential subdivision of land comprising a mix of low and medium density allotments;
- an aged care facility;
- a neighbourhood-scale commercial area; and
- environmental enhancement of two degraded parts of the site.

Urunga School Development

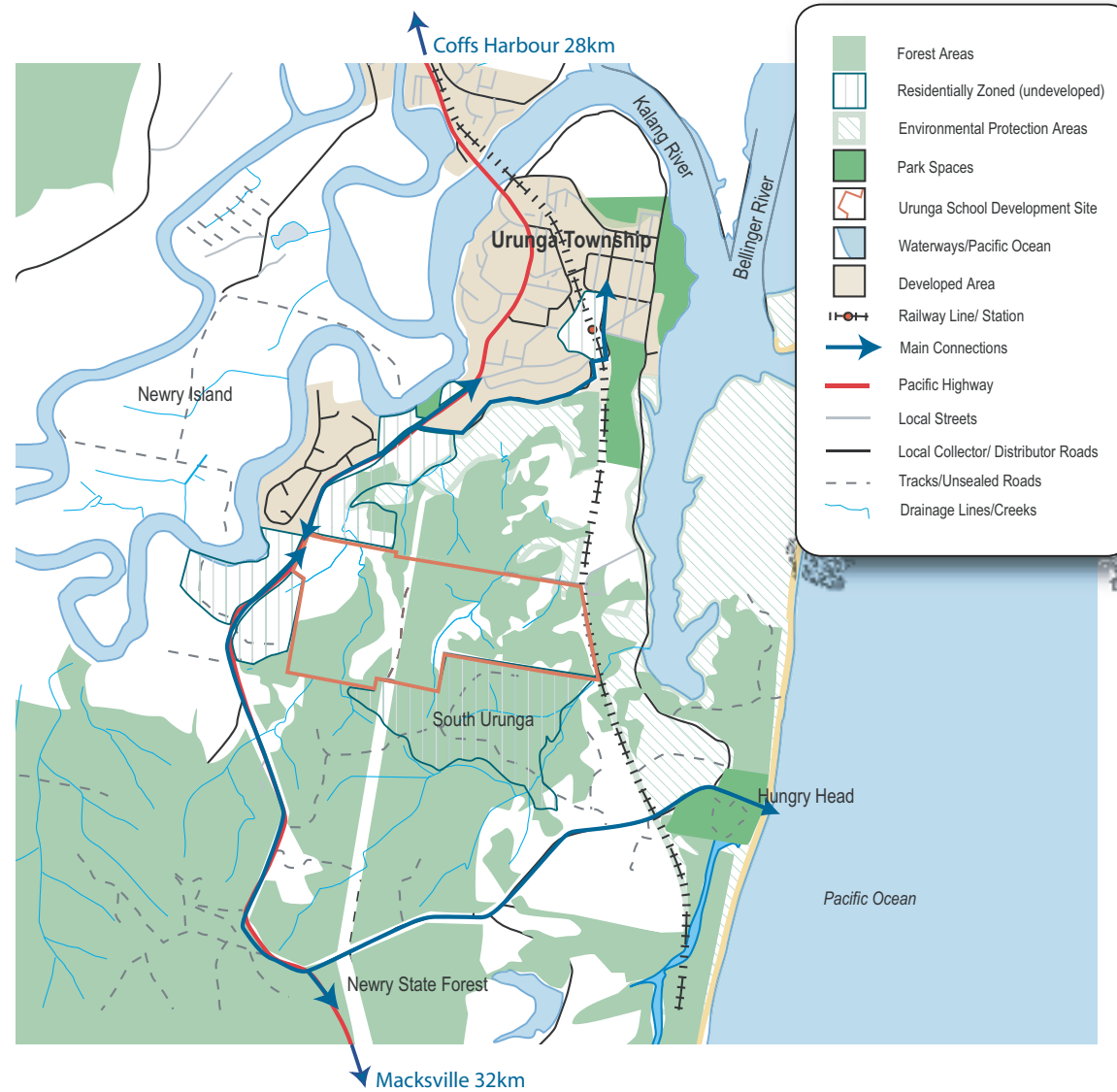
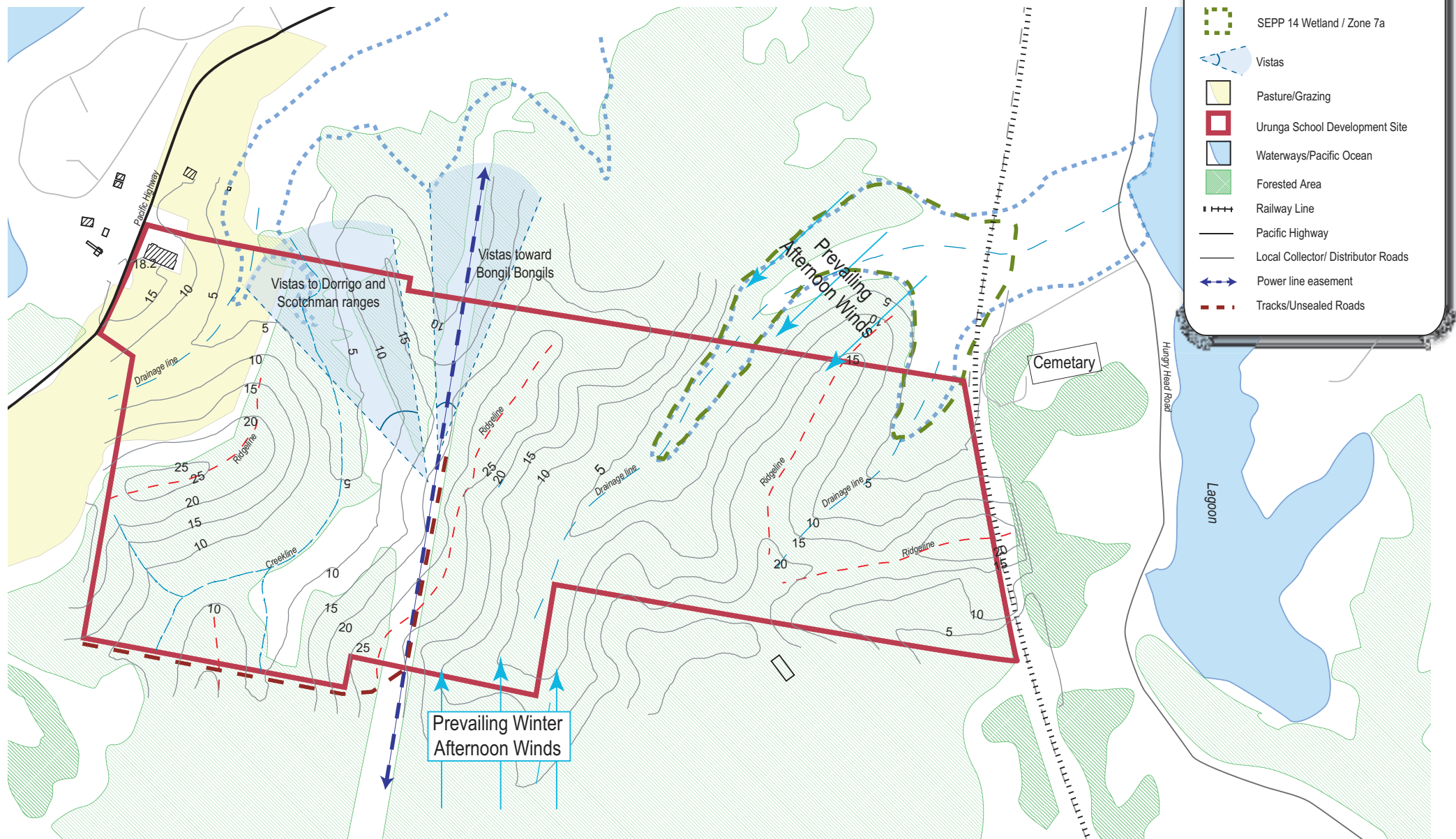








Figure 1
Site Location / Context




Urunga School Development





-  Urunga School Development Site
-  Slopes of 10-15%
-  Slopes of 5-10%
-  Pacific Highway
-  Local Collector/ Distributor Roads



0 100m 200m 300m



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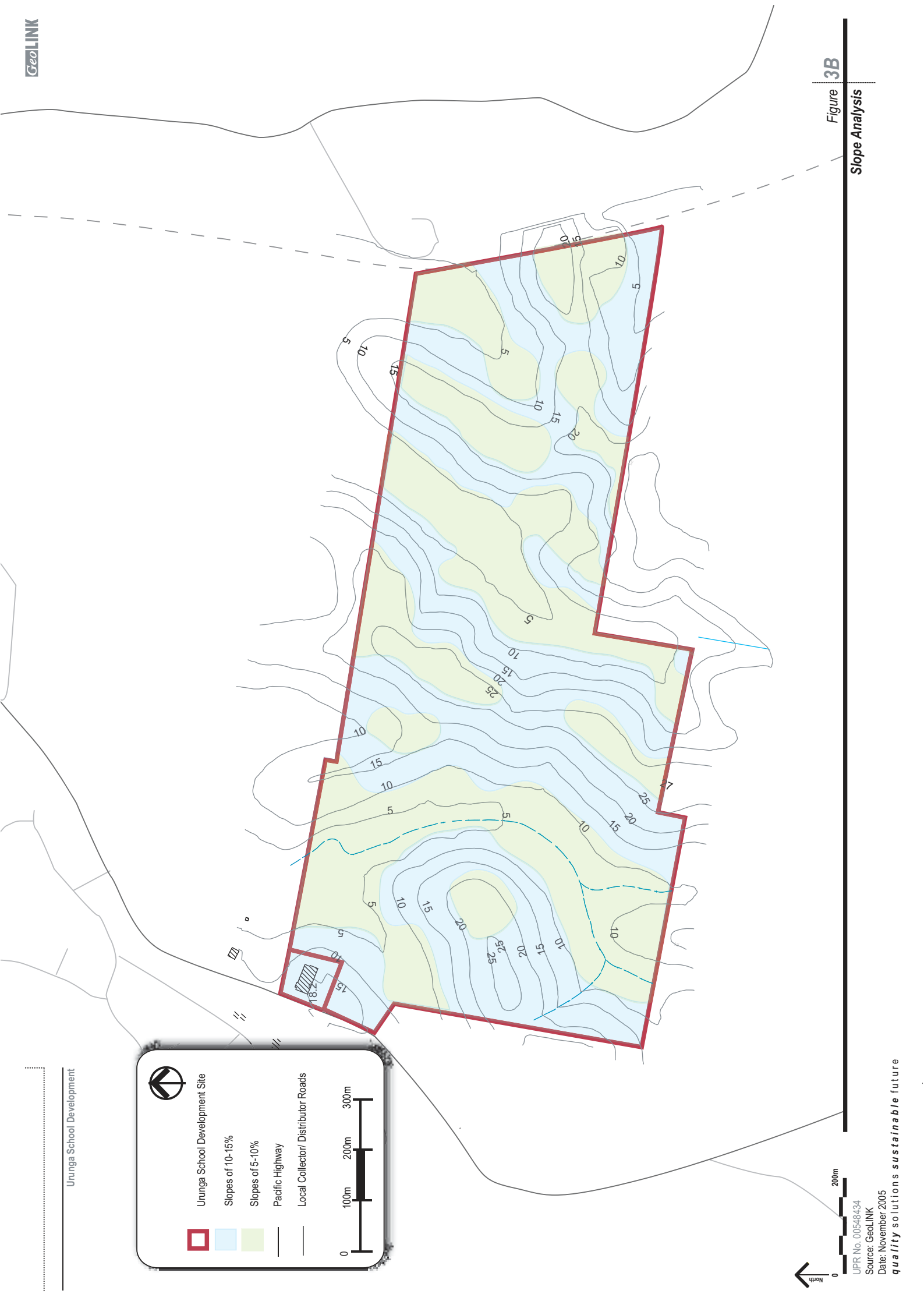
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Figure 3B

Slope Analysis



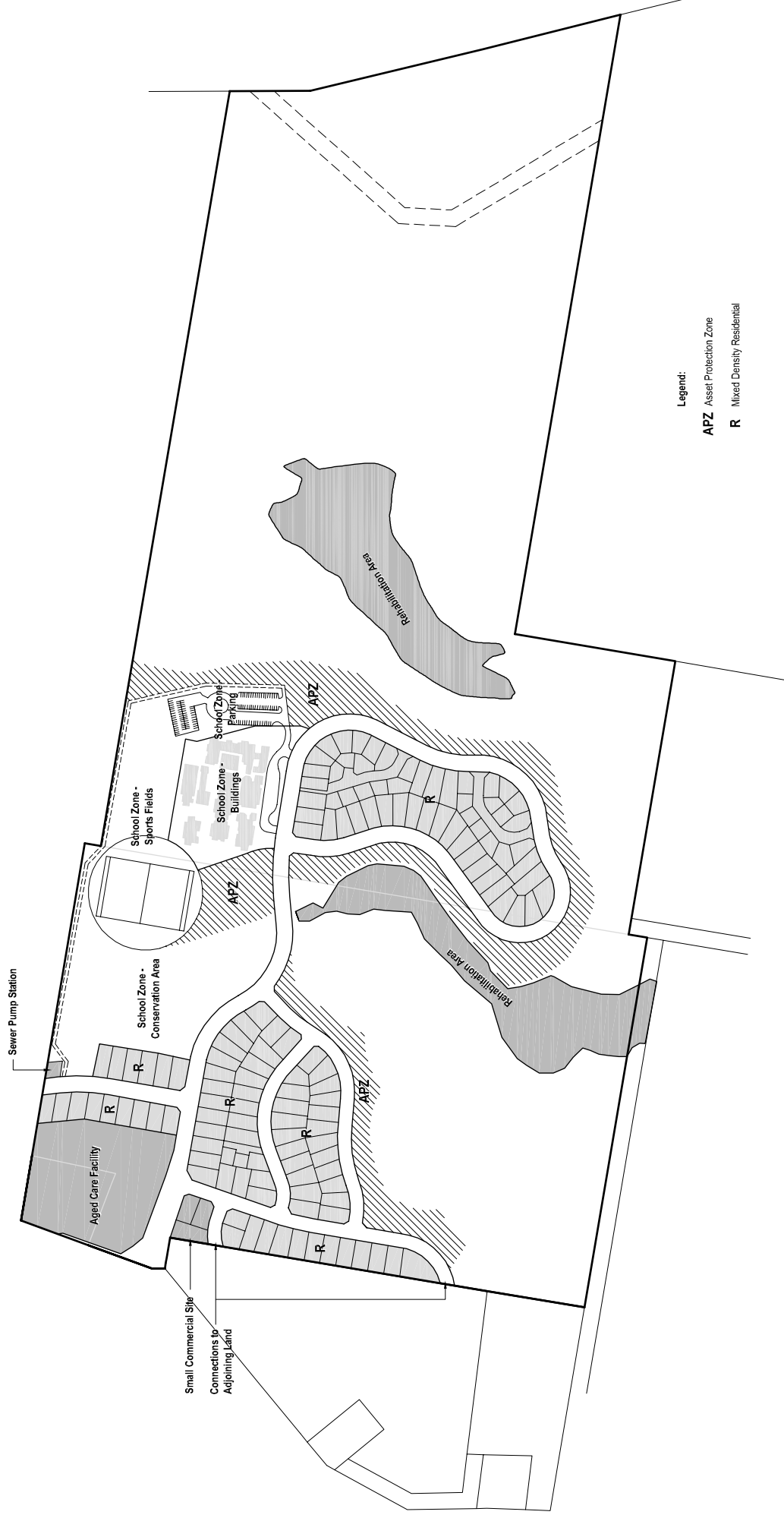


Figure 4

Site Concept Plan

Planning Provisions

3.1 Bellinghen Local Environmental Plan

Zone: As shown in **Figure 5**, the majority of the site is zoned 2(b) Village Area. A small area, located in the south-west of the site, is zoned 1(a2) Secondary Agriculture, with two smaller areas located in the site's north-east zoned 7(a) Environmental Protection (Wetlands).

The majority of the site is also shown as 'stippled' on the LEP Map, meaning that the provisions of clause 49 of the LEP are applicable. This clause is addressed below.

Permissibility: Pursuant to Clause 15 of the LEP (see below), subdivision of land is permissible with the consent of Council. The proposed land uses, being a school, an aged care facility, special uses and residential housing, are also permissible with Council's consent in the 2(b) Village Area Zone.

Special Provisions Applicable: The following provisions of the Bellinghen LEP 2003 are applicable to the development of the site:

Clause 11 – Zone objectives and development control table

The development of the subject land will take place wholly within part of the site that is zoned 2(b) Village Area. The objectives of the 2(b) zone are stated and addressed below:

(a) to make provision for certain suitable lands to be used for urban purposes;

The zoning of the subject site as 2(b) Village Area would suggest that the land is suitable for development. Preliminary site analysis, however, has demonstrated that there are a range of ecological considerations that limit such suitability.

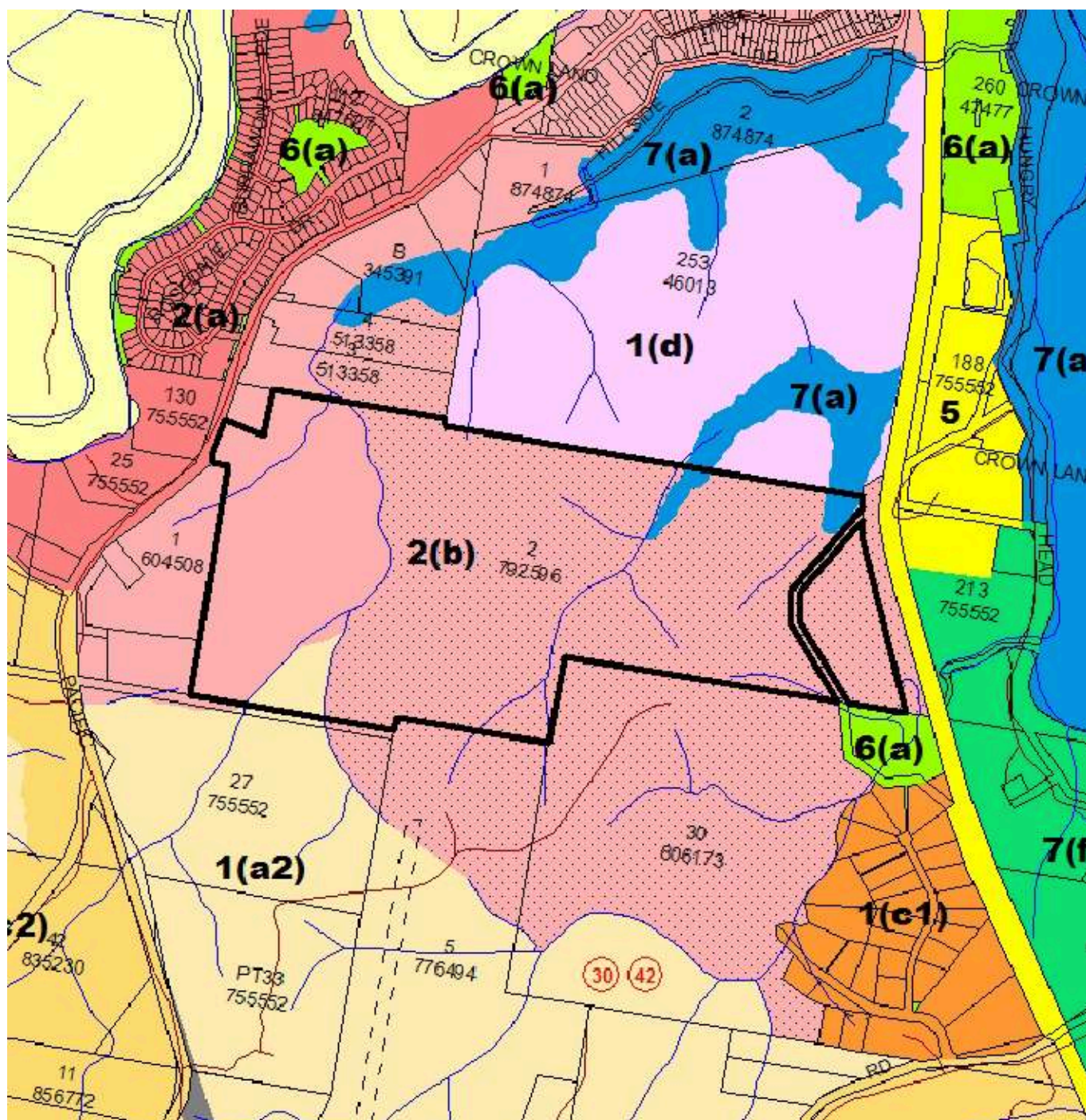
The concept shown in **Figure 4** is proposed to occupy those parts of the site that have been demonstrated as being suitable for urban development. The remainder of the site will remain in a forested state.

(b) to encourage a range of housing types in appropriate locations;

A number of housing options will be proposed. Generally, it is expected that the residential subdivision will provide lots in the range of 550m² to 650m². These lots are smaller than the average lot size in Urunga and therefore add to the diversity of housing choice in the village. Medium density lots will also be proposed, together with an aged care facility.

(c) to enable development for retail, commercial and service purposes for the local and nearby rural community in appropriate locations where the scale and type of development is compatible with living areas;

A small commercial area is proposed, located close to the new intersection with the Pacific Highway and close to the proposed aged care facility. The use of this area will be determined at a later date, but it is expected that a small neighbourhood-scale supermarket would be built on the site.



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Source: Bellingen Shire Council

Date: November 2005

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Zoning

- (d) *to recognise existing villages and to enable future development appropriate to their function;*

The site is located at the southern edge of the village of Urunga. Its development, and that of the suitable land adjoining to the north, will provide an in-fill for the village. The construction of a school and an aged care facility on the site will also provide services needed in the village of Urunga and surrounding area.

- (e) *to preserve and enhance the local character and identity of villages within the Bellingen Local Government Area;*

According to community consultation undertaken in association with the 'Bellingen Growth Management Strategy', the community identified a strong desire to preserve the small town feel of the locality. The proposed subdivision will not be an overdevelopment of the site, particularly as 67% of the site would be preserved within a significant conservation area. The development will therefore not have a significant impact on the character or small town feel of Urunga.

The development will add to the village character and identity of Urunga by providing new local facilities that will discourage further outsourcing of education and health for local residents.

- (f) *to provide for a range of development appropriate to the needs of a village community.*

The development will provide for additional population in the village, where demand exists for additional housing. The proposed school and aged care facility will be of direct benefit to the community in the village and surrounding areas. Currently, children from Bellingen and Urunga are travelling to the John Paul College Catholic High School, which has reportedly reached its student capacity.

Clause 15 Subdivision Generally

A person must not subdivide land without development consent

Development consent will be sought for the subdivision of land following the approval of a Concept Plan for the site.

Clause 18 Development in the vicinity of creeks and streams and other water bodies

- (1) *A person must not carry out development within a waterbody or within 50 metres of the banks of a waterbody except with development consent, unless the development is exempt development.*

Due to the medium to high conservation value of the creek located within the south western portion of the site, extensively vegetated buffers are proposed. Subsequently, in these areas, no development will be located within 50m of the creek bank. Further north, where riparian vegetation is highly disturbed and not connective, adequate protection measures will be adopted to ensure surrounding development does not impact on the creek. These will include comprehensive stormwater treatment and control measures designed to ensure the protection of the existing watercourse.

Other water bodies are located within high conservation areas on site and will therefore remain undeveloped.

- (2) *Consent must not be granted to any such development unless the consent authority has made an assessment of the effect that the development is likely to have on:*
- (a) *the stability of banks, and*
 - (b) *flows to and water table levels in any nearby wetland, and*
 - (c) *water quality, and of the needs of existing and potential users of water downstream from the development.*

It is not expected that the development will affect the stability of banks, impede natural flow patterns or impact on the water quality of the creek, as adequate buffer areas and appropriate stormwater treatment control measures have been incorporated into the design of the development.

Clause 19 Flood Considerations

- (1) *A person must not carry out development on flood liable land except with development consent, unless the development is exempt development.*
- No dwellings will be located on land (irrespective of filling being undertaken) below the 100 year ARI flood extent.
- (2) *Subclause (1) does not apply to development for the purpose of agriculture that may otherwise be carried out on the land without development consent.*
- (3) *Consent must not be granted to the erection of a building or the carrying out of a work on flood liable land unless the consent authority is satisfied that:*
- (a) *the development will not unduly restrict the flow characteristics of flood waters, and*
 - (b) *the development will not unduly increase the level of flooding on other land in the vicinity, and*
 - (c) *the structural characteristics of any building or works the subject of the application are capable of withstanding flooding, and*
 - (d) *the development does not involve any risk to life, human safety or private property in time of flood, and*
 - (e) *satisfactory arrangements have been or are to be made for access to the building or work during a flood.*

There is only a small portion of the land, located on the northern boundary, which is identified as flood affected under a Probable Maximum Flood (see **Figure 3A**). The development concept involves residential development within part of this area. It is expected that minor site works in this area will reduce the flood risks in a manner that has no impacts on flooding downstream of the site.

Clause 20 Development on land identified on the Acid Sulfate Soils Planning Map

- (1) *A person must not, without development consent, carry out on land within a class shown in Column 1 of the following Table the works described in Column 2 of that Table, except as provided by subclause (3).*

The subject site is identified as being within Class 5 on the Acid Sulfate Soils Planning Map.

Preliminary sampling and analysis for acid sulfate soils reveals that neither actual nor potential acid sulfate soils are a constraint to the development. An acid sulfate soil assessment report will be submitted with future development applications to verify these preliminary findings.

Clause 22 Coastal Lands

- (1) *This clause applies to land to which the NSW Coastal Policy 1997 applies.*
- (2) *Before granting consent to development, the consent authority must take into account:*
 - (a) *the NSW Coastal Policy 1997, and*
 - (b) *the Coastline Management Manual produced by the Department of Public Works in 1990, and*
 - (c) *the North Coast Design Guidelines produced by the Department of Planning in 1989.*
- (3) *Consent must not be granted to development that would impede any existing lawful public access to the foreshore.*
- (4) *Consent must not be granted to development that would result in beaches or waterfront open space being overshadowed before 3 pm midwinter (standard time) or 7 pm midsummer (daylight saving time).*

The development of the site will be consistent with the policy documents outlined in this clause. Development will not impede any public foreshore access nor result in any overshadowing of beaches or waterfront open space.

Clause 23 Wetlands and fisheries

Consent must not be granted to any development within a river or stream, coastal or inland wetland or fishery habitat area or within the drainage catchment of, or on land adjoining, a river or stream, coastal or inland wetland or fishery habitat area unless the consent authority has considered the following matters:

- (a) *the need to maintain or improve the quality and quantity of flows of water to the wetland or habitat, and*
- (b) *the need to conserve existing amateur and commercial fisheries, and*
- (c) *any loss of habitat which will or is likely to be caused by the development, and*
- (d) *whether an adequate public foreshore reserve is available or is to be provided and, if so, whether there is or will be, adequate public access to that reserve, and*
- (e) *whether the development will, or is likely to, result in pollution of the river, stream, wetland or habitat area and any measures to eliminate pollution, and*
- (f) *the proximity of aquatic reserves declared under the Fisheries Management Act 1994 and the effect the development will have on these reserves, and*
- (g) *whether the site of the development is State protected land within the meaning of the Native Vegetation Conservation Act 1997 and any measures to prevent soil erosion, and*
- (h) *the need to ensure that native vegetation surrounding the wetland or fishery habitat area is conserved, and*
- (i) *the recommendations of any environmental audit or water quality study prepared by the Department of Land and Water Conservation or the Environment Protection Authority relating to the river, stream, wetland, area or catchment of which the Council has been notified for the time being by that Department or Authority.*

A small creek is located within the western portion of the development site, flowing across the site from south to north. For the majority of its length, land adjoining the creek will remain in a vegetated state, providing significant buffers to any development. In the northern portion of the site, vegetated buffers will be reduced. However, stormwater control and treatment measures are proposed to provide adequate protection for the creek and the quality of the water therein.

A SEPP No. 14 wetland is located within the eastern portion of the site. This area of the site has been identified as being unsuitable for intensive residential development due to the high conservation significance of vegetation communities within this area. Substantially vegetated buffers will protect this area from impacts associated with the proposed adjoining development.

Clause 37 Development on main road and highway frontages

(1) This clause applies to development on land:

- (a) that has frontage to a main road or State highway, or*
- (b) that has a direct vehicular access to a main road or State highway by a right-of-way or other means, or*
- (c) that has a direct vehicular access to a road that intersects with a main road or State highway and the point of access is within 90 metres of the intersection of the road and the main road or State highway.*

(2) Consent must not be granted to development unless the consent authority is satisfied that:

- (a) the development, by its nature or intensity, or the volume and type of traffic likely to be generated, is unlikely to constitute a traffic hazard or to materially reduce the capacity and efficiency of the main road or State highway, and*
- (b) the development is of a type, whether or not related to the characteristics of the land on which it will be carried out, that justifies a location in proximity to a main road or State highway, and*
- (c) the location, standard and design of access points, and on-site arrangements for vehicle movement and parking, ensure that through traffic movements on the main road or State highway will not be impeded, and*
- (d) the development will not prejudice future improvements or realignments to a main road or State highway, as have been indicated to the Council for the time being by the RTA, or any proposal of that Authority, of which the Council is aware, to proclaim part of the road as a controlled access road within the meaning of the Roads Act 1993.*

The site fronts the Pacific Highway. Therefore the location, standard and design of access points, and onsite arrangements for vehicular movement and parking need to ensure that through traffic movements on the main road will not be impeded and also that the development will not prejudice future improvements or realignments to a main road or to proclaim part of the road as a controlled access road within the meaning of the Roads Act 1993.

Preliminary discussions with the RTA have suggested an achievable option to provide an appropriate intersection access to proposed subdivision. The RTA has provided in-principle support for the location and design of a new intersection with the Pacific Highway.

Clause 38 Restriction on access

A point of access to any main road or State highway must not be formed except with development consent.

Development consent will be sought to form an intersection on the Pacific Highway at the development application stage.

Clause 49 Subdivision of certain land within South Urunga

- (1) *This clause applies to the land within Zone No 2 (b) shown stippled on the map.*
- (2) *Land to which this clause applies is referred to in this clause as an **excluded area**.*
- (3) *Notwithstanding any other provision of this plan, consent must not be granted to subdivision that will create an allotment within an excluded area, other than a subdivision that will create an allotment for a public purpose or a boundary adjustment, until:*
 - (a) *a development control plan applying to the land subject to the subdivision has been approved by the Council making recommendations for lot yields and road network layouts that are different from those set out in Development Control Plan No 10—South Urunga Development Area at 19 June 2001, and*
 - (b) *a review of the capacity of the Urunga Waste Water Treatment Plant and the Lower Bellinger Water Supply has been completed and the Council is of the opinion that the allotments to be created within the excluded area can be adequately serviced.*

Council is in the process of developing a DCP that will include this area. Consultation with Council indicates that the DCP will provide for development as proposed in this draft Concept Plan. Council has also advised that they are satisfied that the development, as proposed, can be adequately serviced.

Clause 55 Community use of school facilities or sites

- (1) *Where land to which this plan applies is used for the purposes of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purposes of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not the use is a commercial use of the land.*
- (2) *Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.*

The proposed development involves the erection of a new Catholic School. It is not proposed that the school buildings be used for any other community or commercial purposes.

3.2 Development Control Plans

The following Development Control Plans are applicable to the development:

- DCP 10 – South Urunga Development Area: This DCP has been repealed and will be replaced with a new DCP, which is currently being prepared by Bellinger Shire Council. This new DCP will be consistent with the development concept shown in Figure 4.
- DCP 15 – Energy Smart Homes: Council will take into consideration the provisions of this plan when assessing DA's for new residential development, with the aim of maximising energy efficiency. Since this DCP was adopted, BASIX has further strengthened the need to incorporate energy efficient design into new residential development. The subdivision of the site will be designed with all lots orientated to allow for maximum solar efficiency, so that each home will be easily able to achieve energy efficiency requirements.
- DCP 16 – Notification and Advertising: All development applications lodged in accordance with this draft Concept Plan will be "advertised development" under the provisions of the DCP. At DA stage, Council will advertise the development according to this plan.
- DCP 17 – Equity of Access: This Plan will be taken into consideration at the development application stage in relation to the design of buildings proposed for the site.

- DCP 26 – Contaminated Land Management: SEPP 55 requires that the Council must not consent to the carrying out of any rezoning or development of a site unless it has considered whether the site is contaminated, and, if it is contaminated, whether remediation is necessary in, over or under the land. Preliminary assessment indicates the potential for minor hydrocarbon contamination associated with the shed located in the north-west corner of the site. Detailed assessment, and the development of a remediation plan (if required) will be undertaken at DA stage.

3.3 North Coast Regional Environmental Plan

The following provisions of the North Coast Regional Environmental Plan 1988 are relevant to a consideration of the subject project:

Clause 15 Wetlands or fishery habitats

The site is within the catchment of nearby SEPP No. 14 wetland. The following matters are therefore relevant to a consideration of the development proposal:

- (a) *the need to maintain or improve the quality or quantity of flows of water to the wetland or habitat,*

The restriction of development to the western part of the site will maintain the existing quality of stormwater flow to the SEPP 14 wetland, as significant vegetation buffers remain in the vicinity of the wetland area.

- (b) *the need to conserve the existing amateur and commercial fisheries,*

The proposed development will not affect fish habitat.

- (c) *any loss of habitat which will or is likely to be caused by the carrying out of the development,*

The proposed development will involve the embellishment of existing habitat, in particular along the riparian vegetation corridor. Development will generally occur in the portions of the site that are already cleared or modified and all high conservation areas will be untouched.

- (d) *whether an adequate public foreshore reserve is available and whether there is adequate public access to that reserve,*

The protection of the local watercourse in the western part of the site will ensure that its foreshore areas remain protected in a vegetated state. In the vicinity of the school, it is proposed that the foreshore of the waterway will provide a 'natural classroom' where various environmental curricula can be taught.

- (e) *whether the development would result in pollution of the wetland or estuary and any measures to eliminate pollution,*

The quality of water entering the SEPP 14 wetland will be maintained or improved as a result of the development. A range of water sensitive urban design measures will be integrated into the development.

- (f) *the proximity of aquatic reserves dedicated under the Fisheries Management Act 1994 and the effect the development will have on these reserves,*

No aquatic reserves are likely to be affected by the proposed development.

- (g) *whether the watercourse is an area of protected land as defined in section 21AB of the Soil Conservation Act 1938 and any measures to prevent soil erosion,*

Not applicable in this instance.

- (h) *the need to ensure that native vegetation surrounding the wetland or fishery habitat area is conserved, and*

Native vegetation will be conserved and embellished as part of the proposed development. Riparian vegetation buffers are proposed. Once the development is completed, a considerable portion of the site will become a conservation area.

- (i) *the recommendations of any environmental audit or water quality study prepared by the Department of Water Resources or the Environment Protection Authority and relating to the river, stream, wetland, area or catchment.*

No such studies are known for the adjacent wetland.

Clause 32B Coastal Lands

In determining an application for consent to carry out development on such land, the Council must take into account:

- (a) the NSW Coastal Policy 1997,
- (b) the Coastline Management Manual, and
- (c) the North Coast: Design Guidelines.

The NSW Coastal Policy is addressed in detail in the State Policy section of this report. The provisions of the Coastline Management Manual are not directly relevant to the subject proposal, as it deals with coastal process in the active coastal zone. The North Coast Design Guidelines have been superseded by the Coastal Design Guidelines for NSW, which have been used as the basis for the conceptual design of the project.

Clause 43 Residential development

Council must not grant consent to development for residential purposes unless:

- (a) *it is satisfied that the density of the dwellings have been maximised without adversely affecting the environmental features of the land,*

The residential density of the land will be approximately 10 dwellings per hectare. The actual density of the entire site if the reserve areas were to be taken into account, would be only two dwellings per hectare. The environmental features of the land have been the subject of considerable analysis and input into the master planning process. The density is well within the environmental capability of the site and its context.

- (b) *it is satisfied that the proposed road widths are not excessive for the function of the road,*

The road widths will generally be variable from 8 to 12 metres formation width. Minor roads and access ways will be kept to the minimum safe width appropriate to their use.

- (c) *it is satisfied that, where development involves the long term residential use of caravan parks, the normal criteria for the location of dwellings such as access to services and physical suitability of land have been met,*

Not applicable.

- (d) *it is satisfied that the road network has been designed so as to encourage the use of public transport and minimise the use of private motor vehicles, and*

A ring road network has been designed to facilitate, among other environmental reasons such as bushfire and vegetation buffers, bus movement throughout the development area. A cycleway will eventually connect the development area with the Urunga village.

- (e) *it is satisfied that site erosion will be minimised in accordance with sedimentation and erosion management plans.*

A soil and water management plan will be prepared at the Development Application stage.

Clause 66 Adequacy of community and welfare services

Before granting consent to a development application for the subdivision of land intended for residential or rural residential purposes, the council shall consider the adequacy of community and welfare services available to the land and take into account the results of that consideration.

The site is in close proximity to Urunga village and to Bellingen, where a wide range of community and welfare services are available. Further facilities are available in Coffs Harbour, including a University and a Base Hospital.

Clause 82 Sporting fields or specialised recreation facilities

The council shall not grant consent to the development of sporting fields or other specialised recreational facilities unless it has considered the need for access by the community to the facilities and included relevant conditions in its approval to achieve an acceptable level of public access.

The proposed sporting and recreational fields associated with the proposed school site will have high level public access and are considered necessary in terms of the increase in residences in the area and adjacent residential developments in the locality.

3.4 State Environmental Planning Policies

State Environmental Planning Policy No. 11 - Traffic Generating Developments

This Policy requires development applications for certain traffic generating developments to be referred to the RTA.

As the proposed development involves 'an educational establishment' that will accommodate more than 50 students, the development will need to be referred to the RTA. Additionally, the proposed access to the subdivision is via an intersection off the Pacific Highway. Initial consultation with the RTA has resulted in the recommendation that the intersection be designed using a "Seagull" treatment incorporating raised medians with highway lighting. This recommendation is conditional upon obtaining development consent from Council and the submission of appropriate plans and specifications.

The Development Application, when received by Bellingen Shire Council, will require referral to the Regional Development Advisory Committee for comment.

State Environmental Planning Policy No. 14 – Coastal Wetlands

Pursuant to this Policy, areas of wetland vegetation are mapped throughout the State of NSW. The subject site contains an area of SEPP 14 wetland located in the eastern part of the site. There will be no development proposed within the immediate vicinity of this wetland, and substantial vegetated buffers will be provided. In this way, the project will have no direct or indirect impact on the SEPP 14 wetland.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

A preliminary ecological assessment of the subject site has indicated that there are no areas of potential or core koala habitat within the subject site.

State Environmental Planning Policy No. 55 – Remediation of Land

Council must not consent to the carrying out of any development on land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose*

Lot 1 DP 792596 Pacific Highway, Urunga was formerly used as a trucking depot and, as such, there is potential for elevated levels of hydrocarbons to occur on the site. An EPA accredited Site Auditor will be engaged to certify any remediation works on the site prior to further development of the land. The remainder of the development area has been declared safe for residential development by a suitably qualified engineer.

State Environmental Planning Policy No. 71 – Coastal Protection

The land is located within the coastal zone. Accordingly, the provisions of SEPP 71 are relevant to Council's consideration of this application. The relevant matters are addressed below:

Clause 8 Matters for Consideration

Clause 8 of SEPP 71 sets out matters to be considered for any development within the coastal zone. These matters are stated and addressed below in Table 3.1.

Table 3.1 SEPP 71 Matters for Consideration

Sub-clause	Matters for Consideration	Comment	Complies
(a)	Aims of SEPP No.71	The development is consistent with the policy objectives.	Yes
(b)	Maintain existing public access to coastal foreshore	The proposal will not restrict public access to foreshore areas.	Yes
(c)	Opportunities to provide public access to foreshore areas.	The development does not propose providing new public access to foreshore areas.	Yes
(d)	The suitability of the development given its type, location and design.	The proposal is suitable as it is a residential development that accords with the planning intentions for the land. The design of the proposal is integrated, incorporating a high school and aged care facility. The scale and type of these uses complement other residential and commercial development in the area.	Yes
(e)	Detrimental impacts on coastal amenity	The proposal will not result in any detrimental impacts on the amenity of the coastal foreshore.	Yes
(f)	Protection of the coasts scenic qualities.	The proposed development will not be visible from the coastal area because of the topography and existing vegetation.	Yes
(g)	Measures to protect threatened plant and animal species	Approximately 67.5% of the site will be set aside for conservation purposes.	Yes
(h)	Measures to conserve threatened fish species.	No threatened fish species will be affected by the proposal.	Yes

Sub-clause	Matters for Consideration	Comment	Complies
(i)	Impacts on wildlife corridors	The proposal will enhance, protect and preserve wildlife corridors.	Yes
(j)	The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	Although the site is located within the coastal zone, the development area is well clear of the coastline and buffered by approximately 2km of vegetation and wetland.	Yes
(k)	Conflicts between land-based and water-based coastal activities.	The proposal will not result in increased conflicts between land-based and water-based activities.	Yes
(l)	Measures to protect matters of Aboriginal cultural significance.	There are no known items of Aboriginal Heritage significance located on the proposed site. Refer to the Heritage Study.	Yes
(m)	Impacts on water quality of coastal waterbodies.	Water sensitive urban design measures will be adopted for the site ranging from stormwater capture devices to minimising the development footprint and maximising permeable surfaces.	Yes
(n)	Preservation of items of heritage significance.	No items of heritage significance are known to occur in the area.	Yes
(o)	Preparation of draft LEPs	Bellingen Shire Council is preparing a new Development Control Plan (DCP) for the South Urunga area.	Yes
(p)	Cumulative impacts and energy use	Energy use will be minimised by adopting Bellingen Shire Council's DCP 15 – Energy Smart Homes guidelines and the provisions of BASIX.	Yes

Clause 13 Flexible zone provisions

A provision of an environmental planning instrument that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect. The subject proposal does not rely on any zone flexibility provisions.

Clause 14 Public access

The proposal will not impact upon public access to or from coastal foreshore.

Clause 15 Effluent disposal

Effluent will be connected into the town reticulated sewer main for treatment at the Urunga Sewerage Treatment Plant.

Clause 16 Stormwater

Stormwater will be treated and detained within the site by a variety of management measures including garden infiltration, water tanks, street swales, and bioretention pits. Water cycle management measures are proposed to ensure that post development stormwater pollutant loads do not exceed pre development pollutant loads. Road widths are to be as narrow as practical to reduce the impervious area, while being consistent with safety and practical considerations. An erosion and sediment control plan will be submitted for each stage of the development.

Clause 18 Master plan required before certain consents may be granted

A master plan must be prepared as the proposal involves the subdivision of land within a residential zone into more than 25 lots and the subdivision is within a 'sensitive coastal location'. Verbal advice from officers from the Department of Planning indicates that a request to the Minister for a

waiver pursuant to Clause 18(2) of the SEPP will be successful given that the Project will be dealt with by way of a Part 3A approval. A request for such a waiver has been submitted concurrently with the Part 3A application.

State Environmental Planning Policy (Major Projects) 2005

The Director-General, as a delegate to the Minister, has confirmed his opinion that the Project can be dealt with as a Part 3A application. This is consistent with Schedule 2 item 1 (1)(i) of this SEPP.

State Environmental Planning Policy (Seniors Living) 2004

At this stage, the project involves the provision of a site for the construction of an aged care facility, hence the Policy does not strictly apply. A subsequent application, consistent with the requirements of the policy, will be made for the facility itself.

3.5 State Policies

NSW Coastal Policy

Provisions of the NSW Coastal Policy are stated and addressed below in Table 3.2.

Table 3.2 Coastal Policy Matters for Consideration

Strategic Action Number	Summary Provisions
Goal: Natural Environment	
Objective: To identify coastal lands and aquatic environments with conservation values and devise and implement acquisition policies, management strategies and controls to ensure that those values are protected.	
1.1.6	Voluntary conservation agreements <i>No voluntary conservation agreements are known to have been negotiated for or apply to the subject land. Once the conservation areas are dedicated as public reserve, the responsible body (either DEC or Council) will be required to draft a Plan of Management for the area.</i>
1.1.7	Seagrass, mangroves, saltmarsh and other wetland associated species <i>A SEPP 14 Wetland occurs to the north east of the site, therefore urban development is limited to the western portion of the site. Soil erosion and sedimentation control plans will be prepared to prevent adverse impacts during construction. Stormwater and wastewater reuse will be managed to prevent any adverse impacts upon water quality or flow entering the wetland from the site across the surface and to groundwater. Environmental rehabilitation works are proposed along the riparian corridor of the site to extend and embellish the existing wetland.</i>
1.1.9	Local Environmental Plans <i>A new DCP will be drafted by Council and will have regard to Coastal Policy issues.</i>
Objective: To conserve the diversity of all native plant and animal species and to protect and assist the recovery of threatened and endangered species.	
1.2.1	Distribution, diversity and condition of native plants, animal habitats and natural environments <i>Approximately 67.5% of the site will be set aside for conservation purposes.</i>
1.2.5	Threatened Species Conservation Act <i>Refer to the Flora and Fauna Assessment undertaken by Eco Pro. Endangered Ecological Communities are present on the part of the site that will be reserved for conservation purposes.</i>
Objective: To improve water quality in coastal and estuarine waters and coastal rivers where it is currently unsatisfactory and to maintain water quality where it is satisfactory.	
1.3.2	Non-point source pollution <i>Water cycle management measures are proposed to ensure that post development stormwater pollutant loads do not exceed pre development pollutant loads.</i>

Strategic Action Number	Summary Provisions
1.3.7	Waste water discharge limits <i>The proposed development will be connected to the town reticulated sewer network.</i>
1.3.8	Contaminated stormwater <i>Water cycle management measures are proposed to ensure that post development stormwater pollutant loads do not exceed pre development pollutant loads.</i>
1.3.13	Re-use of treated biosolids and effluent <i>The proposed development will be connected to the Urunga Sewerage Treatment Plant. It is unlikely that effluent will be recycled in the immediate future.</i>
Objective: To manage the coastline and estuarine environments in the public interest to ensure their health and vitality.	
1.4.5	Assessment of coastline development proposals <i>The site is located almost 1 kilometre from the beach foreshore.</i>
1.4.7	Assessment of estuarine development proposals <i>The development area is located well away from the wetland in the north east corner of the site.</i>
Goal: Natural Processes and Climate Change	
Objective: To give the impacts of natural processes and hazards a high priority in the planning and management of coastal areas.	
2.1.3	Physical and ecological processes to be considered when assessing development applications <i>The proposed development will be sited in an area west of a cleared transmission line and well clear of any EECs and SEPP 14 wetlands. Water will be managed to ensure that post development stormwater pollutant loads do not exceed pre development pollutant loads. An erosion and sediment control plan provided for all stages of the development.</i>
2.1.4	Acid sulfate soils – environmental studies, DLWC mapping and EPA guidelines; requirement for EIS; monitoring and restoration works; management plans <i>DLWC mapping indicates that the development area is located on class 5 land. A more detailed assessment of any impacts to ASS will be provided at the development application stage.</i>
Goal: Aesthetic Qualities	
Objective: To design and locate development to complement the surrounding environment and to recognise good aesthetic qualities.	
3.2.1	North and South Coast Design Guidelines and Guidelines for Tourism Development along the NSW Coast <i>The proposed development is consistent with the provisions of the North Coast Design guidelines.</i>
3.2.4	Design and locational principles for development applications <i>The proposed development does not compromise the natural and cultural values of the area. The development is located approximately 1 km from the coastline.</i>
Goal: Cultural Heritage	
Objective: To recognise the rights and needs of indigenous people and to ensure inputs by Aboriginal communities prior to making decisions affecting indigenous communities.	
4.2.3	Coastal sites of Aboriginal heritage significance <i>A Cultural Heritage Assessment has found that the site has been disturbed and is unlikely to contain sites of Aboriginal heritage significance.</i>
Goal: Ecologically Sustainable Use of Resources	
Objective: To develop land use and management plans which ensure the sustainable development and use of resources.	
5.2.3	Management plans prepared for coastal areas will be considered in the preparation of REPs, LEPs and DCPs.

Strategic Action Number	Summary Provisions
	<i>Bellingen Shire Council are likely to draft a Management Plan prepared under the Local Government Act for the management of the conservation areas of the site.</i>
Objective: To develop and implement “best practice” approaches to achieving sustainable resource management.	
5.3.1	Sustainable land and water management practices. <i>It is recommended that the Council support and promote the formation of a catchment management committee or a Landcare group to promote the ongoing protection of the conservation area. The Catholic School may wish to support an environmental protection group as part of the school curriculum.</i>
Goal: Ecologically Sustainable Human Settlement	
Objective: To ensure that future expansion or redevelopment of urban and residential areas, including the provision of infrastructure, avoids or minimises impacts on environmentally sensitive areas and cultural heritage.	
6.1.2	Urban Land Release/Settlement Strategies. <i>Council commissioned the preparation of a Draft Growth Management Strategy in November 2003. This report identified that the South Urunga area has the potential to provide approximately 700 new allotments. It also recommended that 70 lots be released per year commencing from 2004.</i>
Objective: To promote compact and contained planned urban development in order to avoid ribbon development, unrelated cluster developments and continuous urban areas on the coast.	
6.2.1	Planning instruments and DCPs to define boundaries. <i>Council are in the process of drafting a new DCP for the South Urunga development area. The Part 3A approval for this area will guide the preparation of this DCP.</i>
Objective: To provide for choice in both housing and lifestyles.	
6.4.2	Higher density development in coastal town centres to be encouraged. <i>The use of low to medium density designed allotments will minimise the footprint of the development whilst providing the resources required for the development of the new school.</i>

Coastal Design Guidelines for NSW

The design was influenced by the *Coastal Design Guidelines for NSW*. Extracts from the guidelines that are relevant to new settlements (i.e. subdivisions over 25 lots) are addressed below in Table 3.3.

Table 3.3 Coastal Design Guidelines Matters for Consideration

New Settlements
Respect the ecological limits of the site and its context. <i>The development has been planned and designed in response to an analysis of key biophysical attributes including flora and fauna, hydrology and soils. Approximately 67.5% of the site will be held in a conservation area. Within that area, significant areas of revegetation of blackbutt, ironbark and swamp mahogany will occur.</i>
Are developed with careful consideration for landform and views from public areas. <i>The development has been designed to avoid areas of high ecological value. The subdivision layout acknowledges the natural topography of the site and allows good opportunities for visual access to the remaining conservation areas. An integral part of this proposal is the revegetation of significant areas of modified vegetation.</i>

<p>Provide alternative transport option from private car use.</p> <p><i>It is proposed to link the development to the village of Urunga via a cycle and walkway connected to the proposed Hillside Drive. This will be completed over time as the development area progresses. Opportunities exist to provide cycle and walkway connections to Urunga of high aesthetic value given the presence of the proposed conservation areas and existing wetlands.</i></p>
<p>Have a public domain.</p> <p><i>The proposed Catholic School and special uses area will provide opportunities for public gathering and recreation. The eventual formation of a Landcare or Catchment Management Group will generate social capital within the South Urunga development area.</i></p>
<p>Part of the key to the success of new settlements is the way the public domain relates to the geographical location and topography. The components of the public domain include:</p>
<p>A pattern of development on the unique natural, urban, historic visual and environmental features of the location.</p> <p><i>The pattern of development preserves and embellishes significant habitat and integrates with the surrounding settlement pattern.</i></p>
<p>Reserves for nature conservation and flood process.</p> <p><i>Approximately 67.5% of the site is to be reserved for conservation purposes. Vegetation buffering further conserves the natural bushland and waterways.</i></p>
<p>Open space and public places for the recreation and social needs of residents and visitors.</p> <p><i>Recreational facilities are situated in the special use allotments around the school site. The parkland and ovals provides for social interaction and passive recreation. A creek that runs between the residential precincts of the site will act as a passive recreational open space area, with a further opportunity for this area to provide for environmental education into its significance.</i></p>
<p>An interconnected street pattern providing long-term access and social and economic opportunities for the settlement.</p> <p><i>The street system has been designed to provide a high level of connectivity and permeability. The somewhat dispersed settlement pattern has been overcome due to the street system design without compromising the ecological integrity of the site.</i></p>
<p>Areas for total water cycle management.</p> <p><i>Stormwater will be treated and detained within the site by a variety of management measures including garden infiltration, water tanks, street swales, and bioretention pits. Water cycle management measures are proposed to ensure that post development stormwater pollutant loads do not exceed pre development pollutant loads.</i></p>
<p>Relationship to the environment</p>
<p>New development avoids areas of ecological value and respects setbacks between natural areas.</p> <p><i>No development is proposed within sections of the site that have significant ecological habitat. Appropriate setbacks and buffer zones have determined the lot layout and design.</i></p>
<p>Wildlife corridors, existing mature trees, rivers, streams, lakes and natural features are incorporated into green space networks reserve areas, riverine and foreshore corridors.</p> <p><i>Areas of significant habitat and natural features have been maintained along with adequate buffer zones to provide protection from potential impacts caused by the proposed development.</i></p>
<p>Aboriginal and European places, relics and items are protected.</p> <p><i>A cultural heritage assessment has been undertaken for the site by Davies (2004). No items or places of aboriginal cultural heritage significance were identified and no items of European heritage are listed for the site or its surrounds.</i></p>
<p>Foreshore and estuarine vegetation is protected.</p> <p><i>The development area is approximately 1 km from the coastline.</i></p>
<p>The potential disturbance to acid sulfate soils is managed.</p> <p><i>A preliminary inspection indicates that acid sulfate soils are unlikely to be encountered in the development area. The DLWC acid sulfate soil map indicates the development is in a class 5 area.</i></p>

<p>Original native landscape is maintained and reinstated.</p> <p><i>Significant areas of blackbutt, ironbark and swamp mahogany will be revegetated providing increased flora and fauna connectivity and improving the aesthetic value of the development area.</i></p>
<p>Waterways and coastal lakes are protected through water sensitive urban design and total cycle water management.</p> <p><i>A comprehensive integrated water cycle management system is proposed for the site that includes an extensive range of WSUD measures for water saving, capture, treatment, reuse and disposal.</i></p>
<p>Degraded natural areas are rehabilitated.</p> <p><i>Significant areas of blackbutt, ironbark and swamp mahogany will be revegetated providing increased flora and fauna connectivity and improving the aesthetic value of the development area.</i></p>
<p>Vegetation is maintained whilst managing asset protection areas for bushfire protection.</p> <p><i>Vegetation removal to achieve asset protection zones to be undertaken in areas with high conservation value will be limited to some minor underscrubbing in the powerline easement area; otherwise APZs will be located outside the conservation and buffer areas. .</i></p>
<p>Land swaps, community stewardship programs, transferable development rights and voluntary conservation agreements provide opportunities to sensitively locate development and protect ecosystems and views.</p> <p><i>No requirement for "land swaps" or other agreements are necessitated by this development. It is likely that the conservation areas will be dedicated as reserve and managed by either the DEC or the Council.</i></p>
<p>Native vegetation is preferred on public and private land.</p> <p><i>No development is proposed within areas of native habitat, these areas will be designated as reserve areas and will be maintained on public land.</i></p>
<p>Land is revegetated with species native to the local area.</p> <p><i>Ecological rehabilitation and urban landscaping will utilise native species including those endemic to the area.</i></p>
Visual Sensitivity
<p>Views to and along the foreshore align with streets.</p> <p><i>No views of the foreshore are available from the site due to distance and intervening landform and vegetation.</i></p>
<p>Views and vistas of the foreshore and natural features in or surrounding the site are aligned with public streets.</p> <p><i>No views of the foreshore are available from the site due to distance and intervening landform and vegetation.</i></p>
Edges to the water and natural areas
<p>In new coastal settlements the centre and surrounding residential areas are separated from the foreshore by a parkland or roadway or natural reserve.</p> <p><i>The site is not adjacent to the foreshore, however, the design of the development includes the use of roadways to separate residential lots from the adjoining bushland.</i></p>
<p>Setbacks from the coastal edge and other surrounding natural areas, such as reserves and lakes, respect environmental constraints and protect properties from coastal hazards.</p> <p><i>The site is not adjacent to the foreshore but does adjoin a small area of swamp forest. This area will not be developed and will be protected by the conservation area.</i></p>
<p>Public access along the foreshore is generally located on the boundary between public and private land and along streets.</p> <p><i>The site is not adjacent to the foreshore.</i></p>
<p>Pathways through foreshore vegetation are restricted to ensure the ecological integrity is not degraded.</p> <p><i>The site is not adjacent to the foreshore.</i></p>
<p>Foreshore vegetation is not removed to create views.</p> <p><i>The site is not adjacent to the foreshore.</i></p>
<p>Land is not filled to promote views.</p> <p><i>The land is sloping and is unlikely to require any fill for residential construction. It may be necessary to fill some areas around the school site, but this will be for drainage reasons, not to improve views.</i></p>

Streets
<p>New coastal settlements have a street pattern similar to coastal hamlets or coastal villages. They present an ideal opportunity to provide a street pattern responding to the landform, views and permitting a high level of visual, pedestrian, cycle and vehicular permeability.</p> <p><i>The street pattern of the proposed development is highly permeable and connected as well as providing opportunity for safe pedestrian and cycle access. The street pattern maximises visual opportunities to the surrounding conservation areas.</i></p>
<p>The street pattern also:</p> <ul style="list-style-type: none"> - creates public neighbourhood centres and a main street - avoids privatised enclaves by providing direct access to the foreshore - provides an interconnected and permeable street pattern <p>responds to pedestrian and cycle distances and connects to a local and regional network.</p> <p><i>The street pattern has a hierarchy that is in-built by a variety of street and landscaping design measures. The street pattern does not provide direct access to the foreshore but does form a buffer between private space and the conservation area.</i></p>
Buildings
<p>The pattern of land development within the settlement is designed to promote amenity.</p> <p><i>The street pattern and land development design will maximise amenity due to the use of the road reserve to create a buffer between the allotments and the conservation area. This will allow both visual and physical (pedestrian) access into the conservation areas.</i></p>
<p>The settlement has a compact footprint to reduce land intake.</p> <p><i>The building form and layout has been designed to reduce land intake, with only approximately 33% being utilised for development purposes.</i></p>
<p>Blocks and streets are walkable and safe.</p> <p><i>Street environments have been designed to slow vehicles and facilitate pedestrian movement.</i></p>
<p>The neighbourhood centre has commercial, retail, education and civic buildings and some shop-top housing.</p> <p><i>A neighbourhood centre will be reinforced by the location of a commercial precinct in the north western portion of the site, near to an aged care facility and a school.</i></p>
<p>Buildings address the street.</p> <p><i>All buildings will address the street.</i></p>
<p>Tourist developments integrate into the settlement's street pattern and define the edge between public and private land.</p> <p><i>Tourist development is not proposed, however at a future stage there may be the potential for a motel to be located in the western portion of the site.</i></p>
<p>Lot sizes and configurations are design to support a range of housing types that integrate into the street pattern and the location of functions throughout the settlement.</p> <p><i>The subdivision pattern provides sites for a range of housing types including detached dwelling allotments of various sizes and medium density sites.</i></p>
<p>Residential areas consist of coastal cottages, detached and semi-detached houses, town houses and terraces.</p> <p><i>The proposed subdivision will facilitate the future development of a variety of housing forms.</i></p>
<p>A diversity of lot and housing types are developed to accommodate various household sizes and types.</p> <p><i>Housing choice, including unit developments, and a variety of dwelling sizes can be accommodated within the proposed subdivision.</i></p>

Buildings are designed to suit the climate and use environmentally sustainable building design and materials.

Environmental design measures are integral to the subdivision layout and infrastructure provision. Environmentally sustainable building design and material will be determined at the development stage of the subdivision. All new residential buildings will require a BASIX assessment prior to lodgement with Council.

Housing types optimize visual and acoustic privacy, integrate passive solar design principles, minimize water use, and seek to achieve architectural distinction and excellence.

Lot layouts and positions seek to optimise privacy, facilitate solar access and reduce water use by the use of a variety of measures such as solar orientation and permeable open spaces.

Height

Residential buildings are one to two storeys.

All residential buildings will be 2 storeys or less in accordance with the Bellingen Local Environmental Plan 2003.

The neighbourhood centre or the main street has buildings up to two storey.

The commercial precinct of the site will be reinforced by 2 storey development.

Where visual prominence is not apparent three storey buildings may be appropriate.

No three storey development is proposed.

Heights are subject to place-specific urban design studies. New development is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement. Buildings avoid overshadowing of public open spaces, the foreshore and beaches.

Lot layouts have been designed to incorporate potential for overshadowing of public open spaces, however this will be determined during the development stage of the subdivision. The development will not overshadow the foreshore or beach.

Consultation

4.1 Bellingen Shire Council

The proponents have liaised closely with planning officers from Bellingen Shire Council in the development of this project. Council has expressed support for the project, in principle. A copy of correspondence from Council in this regard is attached as **Appendix A** to this report.

Council has also indicated that they are willing and able to deal with subsequent development applications should the Minister determine that such applications should be dealt with under the provisions of Part 4 of the Act.

4.2 State Government Agencies

Department of Environment and Conservation

Given the forested nature of the site, the development of this project has been undertaken in consultation with officers of the Department of Environment and Conservation. A number of meetings were held, both at their offices and on-site, and correspondence was exchanged, with the goal being to establish a development footprint that would result in acceptable conservation outcomes.

This process was assisted and informed by comprehensive ecological assessment undertaken on behalf of the proponent by EcoPro Pty Ltd.

The correspondence and discussions culminated in the provision to the Department of a concept development plan, dated March 2005, and the receipt of written advice from the Department dated 30 May 2005. A copy of both is enclosed as **Appendix B** to this report.

As can be seen from the Department's letter, there are two aspects of the development concept about which the Department remains concerned. These both relate to development proposed within the edges of degraded areas of vegetation. It is the view of EcoPro Pty Ltd that the development concept, as currently proposed, minimises ecological impacts and that the environmental offsets associated with retention and protection of the majority of the site and the rehabilitation of degraded areas provides ecological benefits.

This is obviously a 'key issue' that will need to be addressed in more detail during the environmental assessment phase of the Part 3A process.

Roads and Traffic Authority

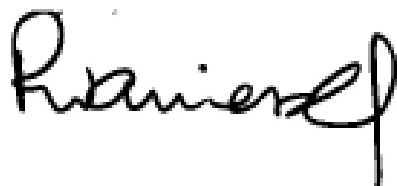
The RTA was consulted very early in the design process to determine requirements for a new intersection with the Pacific Highway. Concept plans showing intersection options were sent to the RTA by the project traffic engineers, RoadNet Pty Ltd. The RTA's response, dated April 2003, indicates that a 'seagull' layout with raised traffic islands and associated lighting will be acceptable. A copy of the RTA advice is enclosed as **Appendix C** to this report.

Key Issues

Based on the preliminary assessment and consultation, the key issues associated this project relate to ecological matters, and more particularly the impact of the proposed development on Ecologically Endangered Communities (EECs).

The vegetation surrounding the western watercourse constitutes an EEC, and the development has been specifically designed to minimise impacts on this vegetation. Ecological assessment undertaken for the proponents indicates that the concept development described in this report can be designed and constructed in a way that minimises such impacts. Further, the ecological assessment indicates that it is possible to design the project such that it results in a net positive benefit to the environment, by retention and protection of significant environmental areas; by the rehabilitation of degraded areas on site, and by the implementation of a range of controls such as restrictions or prohibitions on the keeping of animals, fauna friendly fencing and the clever landscaping of forest edges and roadsides.

It is expected that these key issues will be developed further in the subsequent stages of the Part 3A approval process.



Rob van Iersel
Director
GeoLINK

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The dimensions, number, size and shape of lots shown on plans to this document are subject to detailed engineering design, final survey and may vary subject to Council conditions of consent.

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GeoLINK declares that it does not have, nor expects to have, a beneficial interest in the subject project.

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Bellingen Shire Council Correspondence

.au

S Waterworth

18 November 2005

Geolink
Attn: Keely Hunter
PO Box 9
LENNOX HEAD 2478

Keiley@geolink.net.au

Dear Sir/Madam,

Re: Part 3A of EPAA - Catholic School & Subdivision of land at South Urunga

I refer to our recent discussions in regard to the above-mentioned proposal and wish to confirm Council's support for consideration of the proposal under Part 3A of the *Environmental Planning and Assessment Act 1979* as a Major Project Concept Plan.

Council staff have been working closely with Geolink on the preparation of the previously required SEPP 71 Master Plan and have an intimate knowledge of the site and history of the proposed development. Council considers it very much appropriate for a Part 3A Concept Plan to be approved by the Department of Planning and then further stages of the development being approved by Council as the Determining Authority.

This subject development has been proposed for some time and the land owner, the Catholic Church, has been frustrated in its bid to progress the development by various changes in legislation. Whilst cognisant of the need to undertake a rigorous environmental planning assessment of any development of the site, it is considered that the Catholic Church has demonstrated a willingness to comply with relevant environmental legislation and has reduced the scale of the development considerably over the last ten years. Council is now of the view that relevant State agencies have had significant input into the proposal and the proposed development generally meets the requirements of those State agencies.

Should you wish to discuss this matter further, please do not hesitate to contact the undersigned between the hours of 8.30 am to 4.30 pm Monday to Friday on telephone 6655 7328.

Yours faithfully



S Waterworth
**DIRECTOR
ENVIRONMENTAL
HEALTH & PLANNING.**

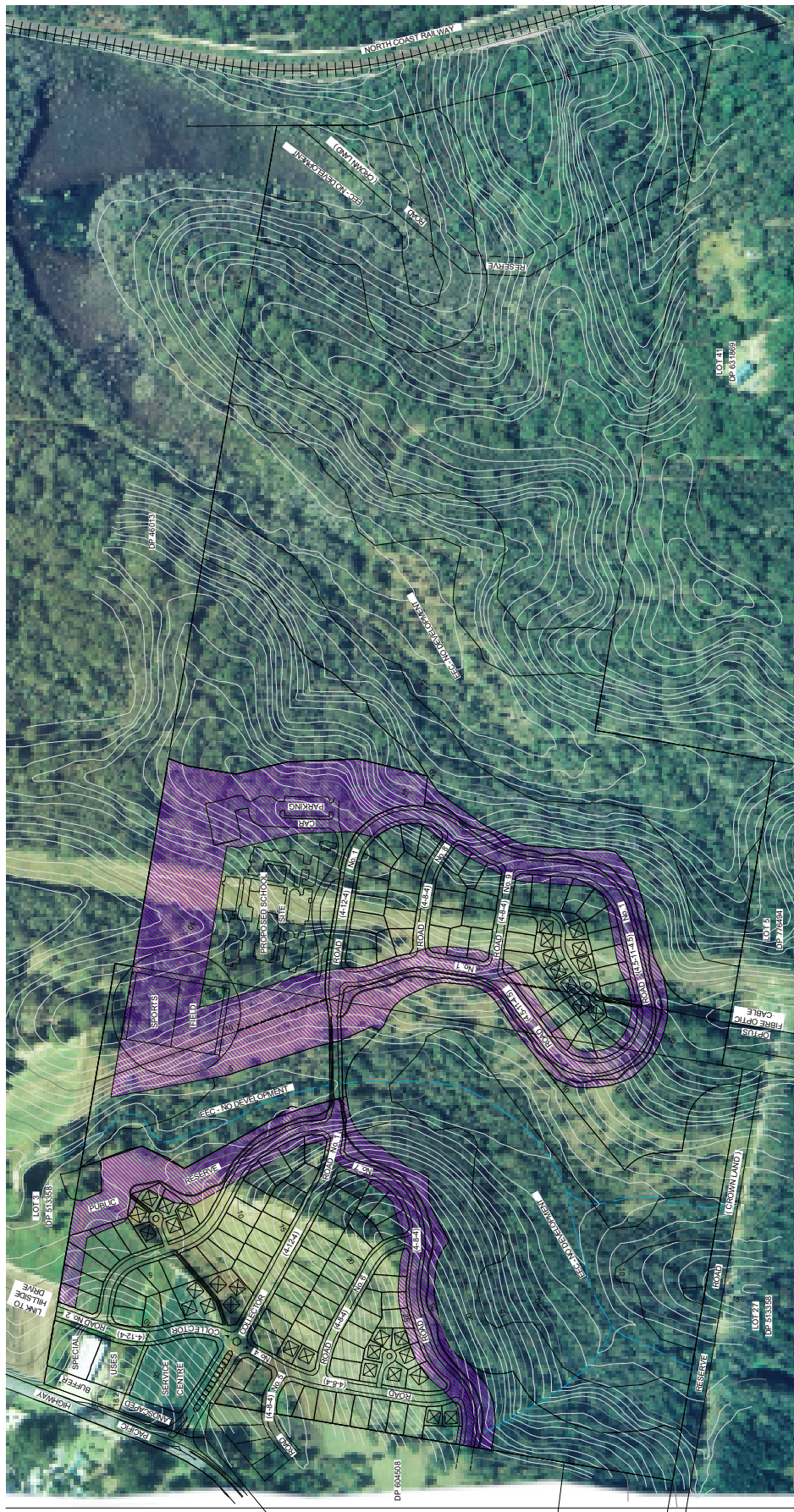




B

**Department of Environment and Conservation
Correspondence**





YIELD			
DESCRIPTION	No.	LOTS	AREA (ha)
DETACHED RESIDENTIAL	121		
MEDIUM DENSITY	33		16.72
SPECIAL USES	3		1.02
SCHOOL SITE	1		10.05
PUBLIC RESERVE			57.60
TOTALS	158		85.39
			100

[illegible]

EEC – NO DEVELOPMENT
 EEC BUFFER – NO DEVELOPMENT
 OTHER VEGETATION – NO DEVELOPMENT
 REVEGETATION – NO DEVELOPMENT
 FUEL REDUCED ZONE
 PROPOSED CYCLEWAY

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Department of Environment and Conservation (NSW)

Your reference : 0548958
 Our reference : DOC05/07017, nlo.02/04780
 Contact : Nicky Owner 8859 8254
 Date : 30 May 2005

Received 21/6/05
 Project
☐ to be returned
☐ reviewed
☐ approved for use
☐ noted, file - no action required
☐ action as follows

Mr R Van Iersel
 Director
 GeoLINK
 PO Box 9
 LENNOX HEAD NSW 2478

Dear Mr Van Iersel,

PROPOSED URUNGA SCHOOL SITE

I refer to your letter to the Department of Environment and Conservation (DEC) dated 8 April 2005 regarding the Catholic Church's proposal to develop a site at South Urunga for the purpose of residential subdivision and a Catholic School. I apologise for the delay in responding.

The DEC appreciates the opportunity to provide advice to the proponent at this early stage in the site planning process. This is seen to be particularly important, given the obvious sensitivities and constraints of the proposed development site, namely the existence of significant vegetation types and threatened species habitat. Additionally, it is hoped that the DEC's involvement in the project will assist Bellingen Shire Council in the strategic planning of the broader South Urunga area.

In response the meeting held at the DEC offices on 8 April 2005 between Ms Nicky Owner, DEC Conservation Planning Officer, Ms Khaylidd Brown, Principal Ecologist for Ecopro, Mr Greg Newnham, Surveyor, and yourself, the following points provide some feedback on the draft development plans for the site.

Original Development Footprint

As was discussed at a previous meeting held at the DEC's Coffs Harbour office on 4 November 2004, the DEC did not support the originally proposed development footprint. It was considered that the proposal resulted in the removal of vegetation that has been mapped as having medium and high conservation value. This was confirmed at a site meeting held on the 22 February 2005. The site meeting was attended by the afore-mentioned individuals, in addition to Mr Simon Waterworth and Mr Daniel Bennett of Bellingen Shire Council, and a number of representatives of the Catholic Church.

At the site meeting, the DEC indicated that it would not support the removal of contiguous vegetation on the western side of the powerline easement. A significant portion of the contiguous vegetation on the western side of the powerline easement has been mapped by Ms Khaylidd Brown as 'swamp sclerophyll forest on coastal floodplains', which is an Endangered Ecological Community, listed in accordance with the *Threatened Species Conservation Act 1995*. Additionally, all contiguous vegetation on the western part of the site, including the EEC, is considered to be of high conservation value by the DEC. In lieu of these constraints, the DEC indicated its in-principal support for the development footprint to be removed from the high conservation value vegetated areas occurring on the western side of the easement, to the upper

slope of the hill occurring on the eastern side of the easement. This area comprises Dry Blackbutt forest that is adequately conserved on the north coast of NSW. However, the DEC expressed the need to minimise clearing of this area, due to the contiguous nature of the vegetation, and the fact that this area is known to be heavily utilised by Glossy Black Cockatoos (listed as vulnerable on the TSC Act).

Revised Development Footprint.

The revised development footprint illustrated on a plan labelled "Concept Plan No. 5" and dated 5 April 2005 has been reviewed. A number of issues have been identified that require additional consideration.

1. The footprint of the western residential precinct

In addition to the above plan, the DEC has been supplied with an aerial photograph of the development site, overlain with the development footprint (including major infrastructure). This plan is dated March 2005. Of concern is the encroachment of the western residential precinct into vegetation that is of high conservation value. It is recommended that the western precinct be re-drafted to ensure that no development (ie no residential lots or roads) occurs within the high conservation value vegetation, as was discussed during the on-site meeting on 22 February.

2. Development to the east of the existing powerline easement.

It is considered that the school buildings including the car parking areas and the eastern residential areas encroach too heavily onto the eastern side of the dominant ridgeline that runs through the eastern part of the site. This is of concern due to the potential for runoff from the school and the residential areas to enter the catchment of the environmentally significant SEPP 14 wetland that occurs in the north-east of the site. Development should be limited to the 25 metre contour line which runs on the western side of the ridge. This would ensure that only one catchment is affected by the proposed development. This would ensure that runoff is better managed and would therefore have less impact on the natural environment.

Despite the two matters raised above, the DEC appreciates the efforts that have been made to avoid adverse impacts on the natural environment at the subject site. Additionally, certain measures, such as the proposed revegetation of the existing degraded drainage line as part of the school curriculum, are considered to be particularly innovative and will result in a positive outcome, for both the natural environment and for the children and teachers taking part in the project. The intention for other degraded remnants of the subject site to be rehabilitated is also commended.

Thank you for the opportunity to comment. If you have any questions please contact Conservation Planning Officer Nicky Owner on 6659 8254.

Yours sincerely



BRENDAN DIACONO
Manager, Conservation Planning Unit
North East Branch
Environment Protection & Regulation Division

cc: Simon Waterworth, Bellingen Shire Council

Roads and Traffic Authority Correspondence

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**STATE HIGHWAY NO. 10 - PACIFIC HIGHWAY. PROPOSED CATHOLIC CHURCH
DEVELOPMENT, SOUTH URUNGA**

Dear Sir

In reference to your letter dated 3 February 2003 regarding the proposed Development Application, the Roads and Traffic Authority (RTA) has reviewed your traffic study and the plan options.

The RTA requests that Option B ie that the raised medians with lighting be developed for the ultimate extension of the proposed subdivision and school proposal.

The staging of the development would allow the construction of the intersection without raised islands to be determined in conjunction with Bellingen Shire Council's Development Application process.

The Development Application, when received by Bellingen Shire Council, will require referral to the Regional Development Advisory Committee for comment.

Yours faithfully


P J Collins

Regional Manager
Northern Client Services

04 APR 2003