

PRELIMINARY ASSESSMENT

STAGED RESIDENTIAL SUBDIVISION LOT 2 DP 1119830 ALEXANDRA DRIVE BELLWOOD

SEPTEMBER 2009



TOWN PLANNERS & DEVELOPMENT ADVISERS

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1 INTRODUCTION

The subject land has an area of 54.92 ha and is within the coastal zone under the Coastal Protection Act 1979. The land is partly within Zone 2(a) Residential (Low-Medium Density) and partly within Zone 7(a) Environmental Protection (Wetlands) under the Nambucca Local Environmental Plan 1995 (LEP).

The purpose of this report is to provide a preliminary assessment of a proposed residential subdivision of the property for the Minister for Planning to determine if the proposal is one to which Part 3A of the Environmental Planning & Assessment Act is to apply or whether the proposal is one of only local environmental planning significance. If it is determined that the application is a major project the Director Generals Environmental Assessment Requirements are requested.

The subject land is the last remaining section of residential zoned land to the north of the existing Bellwood residential area. The residential expansion of Bellwood has progressed gradually over the years and the current proposal aims to formalise an appropriate residential layout to be progressively developed as demand dictates

2 PROPOSED DEVELOPMENT

Site investigations are currently being completed to determine the final subdivision layout in response to site constraints and measures to minimise any environmental impacts.

At this stage a preliminary subdivision layout has been prepared comprising the following components:-

- 357 residential lots in 5 stages together with 5 public reserve areas and extension of roads and services.
- Stages comprising 69 lots, 65 lots, 90 lots, 114 lots and 19 lots respectively.

In addition to the foregoing, the proposal will also involve the following aspects:-

- Provision of a management plan for an existing active public recreation area for the use and benefit of future and existing residents.
- Recognition of the extension of Marshall Way from the south to be constructed by Council from cash contributions from this residential subdivision.

Residential development has commenced under previous approvals along Alexandra Drive in the central part of the site. The proposed subdivision will extend to the east and west of Alexandra Drive. A preliminary concept plan is included at Figure 1. Figure 2 shows the location of the site in relation to Nambucca Heads and Figure 3 shows the zoning of the land under the Nambucca LEP. Figure 4 shows the topographical analysis of the site and Figure 5 is an aerial photograph of the site. Figure 6 is a draft landscape masterplan. Alexandra Drive will remain as the main access road until Marshall Way is extended by Council from the south.



Legend
Stage Boundaries
Subject Site

0 150m
1 : 5000

SOURCE: de Groot & Benson Pty Ltd
(Ref: 91111 MASTER 040309.pdf)
SCALE: 1 : 5000 @ A3

JAMES WARREN & ASSOCIATES PTY LIMITED
Environmental Consultants

CLIENT
Geoff Smyth Consulting
PROJECT
Flora & Fauna Assessment
Lot 2 on DP1119630
Marshall Way & Alexandra Drive, Belwood, NSW
Shire of Nambucca

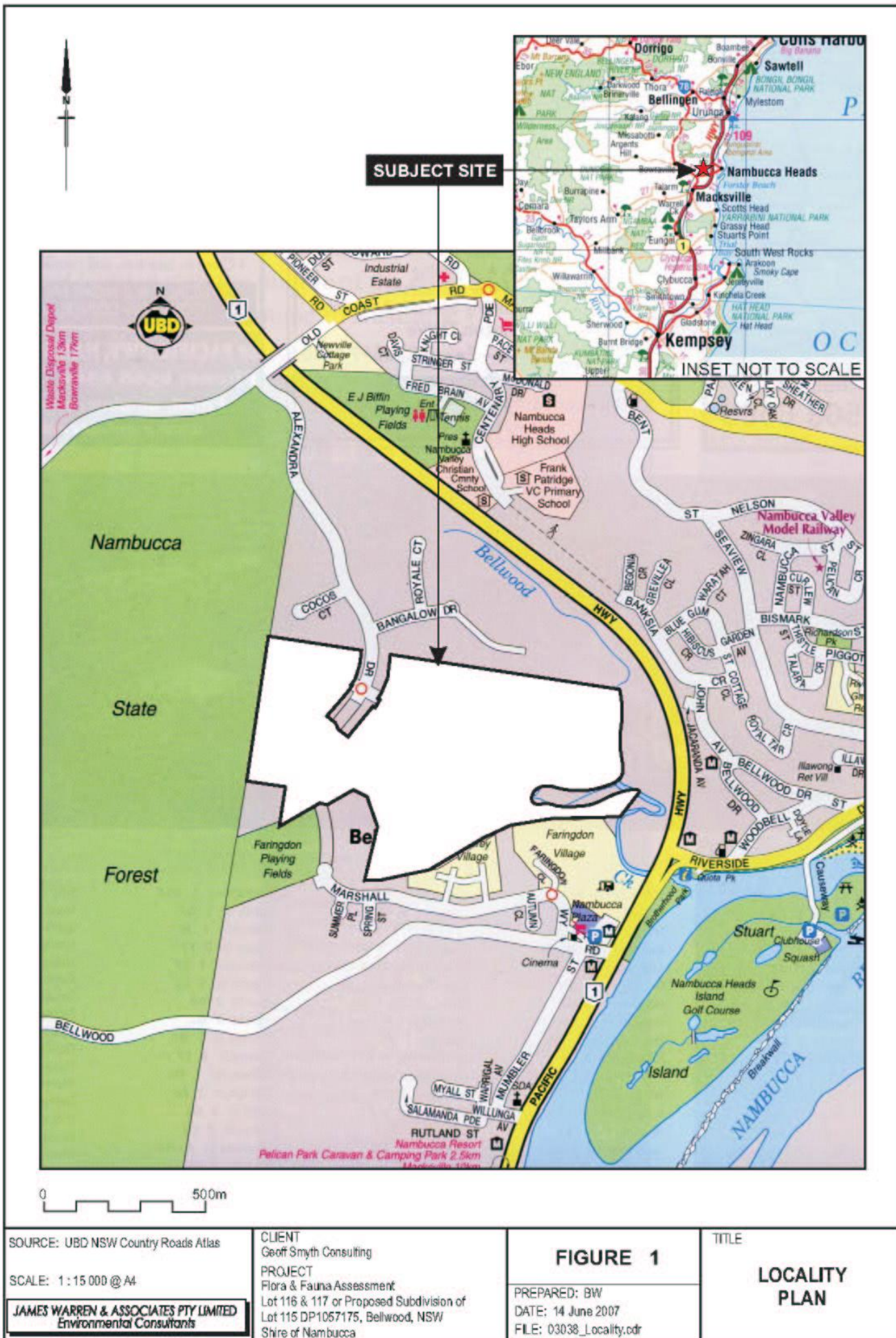
FIGURE 6

PREPARED: BW
DATE: 15 April 2009
FILE: 03038_Layout.cdr

DRAFT 15.04.09

TITLE
**PROPOSED
DEVELOPMENT
LAYOUT**

FIGURE 1



SOURCE: UBD NSW Country Roads Atlas

SCALE: 1:15 000 @ A4

JAMES WARREN & ASSOCIATES PTY LIMITED
Environmental Consultants

CLIENT
Geoff Smyth Consulting
PROJECT
Flora & Fauna Assessment
Lot 116 & 117 of Proposed Subdivision of
Lot 115 DP1057175, Bellwood, NSW
Shire of Nambucca

PREPARED: BW
DATE: 14 June 2007
FILE: 03038_Locality.cdr

TITLE

**LOCALITY
PLAN**

1.3 Site Analysis

1.3.1 Topographical Analysis

The project site is located on undulating topography to the west of the Pacific Highway with a fall of 27.50 at the northwest corner of the site to 2.00 at the SEPP14 wetlands on Bellwood Creek, at the southeastern extent of the site. The following illustration provides an overview of the topography of the site with an indication of the average gradient for each area.

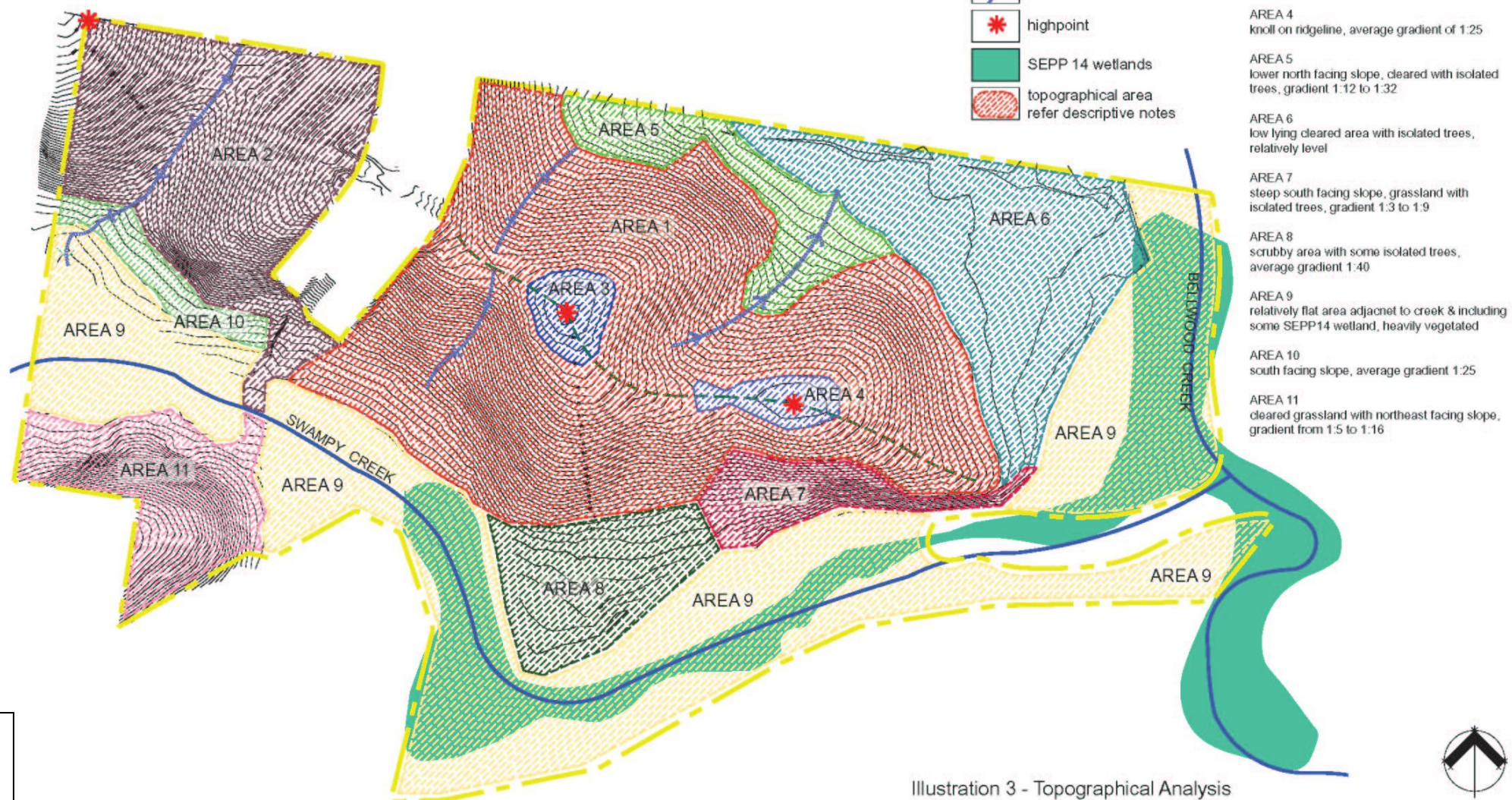


FIGURE 4



Legend
 Subject Site

FIGURE 5

0 50m 100m
 1 : 4000

SOURCE: January 2009 Aerial Photograph
 (Ref: BELLWOOD JAN 09_11A_warp 4)
 SCALE: 1 : 4000 @ A3
JAMES WARREN & ASSOCIATES PTY LIMITED
 Environmental Consultants

CLIENT
 Geoff Smyth Consulting
 PROJECT
 Flora & Fauna Assessment
 Lot 2 on DP1119630
 Marshall Way & Alexandra Drive, Bellwood, NSW
 Shire of Nambucca

FIGURE 4

PREPARED: BW
 DATE: 15 April 2009
 FILE: 03038_AerialLdr

DRAFT 15.04.09

TITLE
**AERIAL
 PHOTOGRAPH**

2.4 Landscape Masterplan



FIGURE 6

LEGEND

- | | | |
|------------------------|----------------------------|---|
| 1 entry landscape | 4 bushland edge & bikeway | 7 interface with rural residential properties |
| 2 esplanade road | 5 major community parkland | 8 wetland walkway (link to Bellwood and Nambucca Heads) |
| 3 main vehicular route | 6 neighbourhood parks | 9 proposed redevelopment of Farrington Playing Fields |

Bellwood, Nambucca Heads
Landscape Masterplan Report

scale
1:3000 @ A3



3 KEY ISSUES

a) Compliance with statutory considerations

Bellwood has already been designated for residential development under the Nambucca Local Environmental Plan 1995. The Plan and associated Development Control Plans recognize the vision for coastal development setout in SEPP 71, North Coast Regional Environmental Plan, North Coast Design Guidelines and the NSW Coastal Policy.

The subdivision proposal is consistent with the Residential Development Control Plan. Subdivision design accommodates the provision of a future collector road to the Bellwood shopping precinct and Pacific Highway as well as cycleway and pedestrian links through the site and to recreation areas, shopping facilities and connection through to the Nambucca Heads central business area and beaches.

A proposed plan of management for the existing sporting fields off Marshall Way in the south will need to be adopted by Council before it can be implemented and cash contributions from proposed residential lots allocated to the necessary works.

b) Traffic and access

Marshall Way will require extension to join to Alexandra Drive before a through road from the highway and Nambucca Heads to the north and south is available. Construction should be funded from cash contributions from residential development in the area. Otherwise access will be limited to Alexandra Drive from the north. For the purposes of this application, access will be limited to Alexandra Drive until a Marshall Way extension is resolved.

c) Flora and Fauna

Inherent site characteristics have determined the local plan zoning. The land proposed for residential development is generally grassland with scattered trees and no useful native habitat. There is an extensive area of high value wetland vegetation on land in the south and a State forest exists to the west. A vegetation corridor is to be retained between the wetland and State forest.

d) Aboriginal heritage

A scarred tree site has been located in the western section of the site. This site is to be contained within an open space reserve for protection. An existing site of Aboriginal significance is located adjacent to the south west section of the site. Lots have been designed in this location to recognize this site.

e) Bushfire protection

Asset protection measures are required arising from developing land adjacent to the forested areas. The extent of measures required depends on proximity of the forest vegetation. The required measures can be provided. Measures will include an Asset Protection Zone of 20 metres on the southern and western aspects.

f) Water sensitive design principles

A strategy will be prepared that minimizes environmental impact and encourages re-use of rainwater to achieve a neutral or beneficial impact on the quality of water leaving the site to protect the wetland area. A stormwater management strategy will be prepared.

g) Flooding

Council has mapped the 1 in 100 year flood level. The level of inundation is wholly contained within that part of the site zoned Environmental Protection 7(a) Wetland and excluded from residential development. In addition a buffer is included within the Environmental Protection Zone to accommodate predicted sea level rises.

h) Noise

The Pacific Highway is currently located a minimum of 170m from the nearest residential lot to be created. The highway is to be relocated to the western side of the site further away from any potential noise impacts from traffic. Some impact may occur from current traffic noise on the highway until it is relocated.

4 STATUTORY CONSIDERATIONS

4.1 State Environmental Planning Policy 14 – Coastal Wetlands

A State significant wetland is located within the Zone 7(a) Environmental Protection (Wetlands) area of the property. The zone generally provides a buffer to the State wetland, however, stormwater management will be designed to protect this area. No development is proposed within this area although the concept of a boardwalk pedestrian link through the wetland to the Bellwood shopping precinct is being considered.

4.2 State Environmental Planning Policy 44 – Koala Habitat Protection

In response to the statewide decline of Koala populations the Department of Planning has enacted SEPP – 44 Koala Habitat Protection. The Policy aims to “encourage the proper conservation and management of area of natural vegetation that provide habitat for Koalas, to ensure permanent free-living populations over their present range and to reverse the current trend of population decline.”

A number of criteria in the SEPP are to be addressed

1. Does the policy apply ?

Does the subject land occur in an LGA identified in Schedule 1 ?

The Subject site occurs in the Nambucca LGA, which is listed under Schedule 1.

Is the landholding to which the DA applies greater than 1 hectare in area ?

Yes.

2. Is the land potential Koala habitat ?

Does the site contain areas of native vegetation where the trees of types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component ?

Yes. The site does contain a relatively large number of Forest red gums, Tallowwoods and Swamp mahogany, species listed on Schedule 2 of SEPP 44 as a primary Koala food trees.

A resident adjacent to the site has not sighted a Koala in the last ten years. The closest record of a Koala to the site was approximately 9km south-west, near Macksville.

3. Is there core Koala habitat on the subject land ?

The site does not support core Koala habitat.

4. Is there a requirement for the preparation of a Plan of Management for identified core Koala habitat ?

No.

4.3 State Environmental Planning Policy 55 – Remediation of Land

The property has historically been a forested area that has been the source of timber from regular logging and was previously owned by a sawmill operator as a source of timber supply. The current situation comprises scattered trees with a grass understorey that is maintained by slashing to prevent bushfire hazard.

The property has never been used for any purpose likely to be the source of contamination and as such further testing is not warranted.

4.4 State Environmental Planning Policy 71 – Coastal Protection

Clause 8 of the Policy sets out matters for consideration in assessing an application under the Policy. The provisions of Clause 8 are addressed as follows:-

(a) the aims of this Policy set out in clause 2,

This proposal complies with the relevant aims of the Policy. In particular, management of the attributes of the coast in accordance with the principles of ecologically sustainable development; ensuring that the subdivision is appropriate for its location; protecting scenic values and significant vegetation; and promoting the strategic planning for the area set out by the Council and the Department of Planning.

(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,

The land is not located on the foreshore. Public access along the perimeter of the wetland is proposed.

(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,

The land is not located on the foreshore. A public access walkways is suggested to link the site to the Bellwood shopping precinct and an existing underpass to the highway to access the Nambucca River foreshore.

(d) the suitability of development given its type, location and design and its relationship with the surrounding area,

The total development will be consistent with the existing developed village to the south. No views will be lost.

Lots sizes are similar and the development is a logical extension to the residential area.

(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,

The site is not near any coastal foreshore and cannot overshadow or cause loss of views. A perimeter road will provide a buffer to the wetland.

(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,

The land is not located near the foreshore. There will be no effect on coastal scenic values.

(g) measures to conserve animals (within the meaning of the [Threatened Species Conservation Act 1995](#)) and plants (within the meaning of that Act), and their habitats,

A flora and fauna assessment is being undertaken and amelioration measures recommended where necessary.

(h) measures to conserve fish (within the meaning of Part 7A of the [Fisheries Management Act 1994](#)) and marine vegetation (within the meaning of that Part), and their habitats

Stormwater controls are being identified to protect the wetland area and its vegetation.

(i) existing wildlife corridors and the impact of development on these corridors,

A wildlife corridor has been identified from the wetland to the Nambucca State Forest which is to be dedicated to Council.

(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,

It is not anticipated that the development of this land will impact on, or be affected by, coastal processes and coastal hazards. The land is 2km from the coast.

(k) measures to reduce the potential for conflict between land-based and water-based coastal activities,

Not relevant. The Nambucca River is the nearest waterway at 400m and stormwater from the site will be treated.

(l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,

Aboriginal sites have been identified and will be protected within reserves.
No evidence has been found of historic camps or surface relics that may require protection.

(m) likely impacts of development on the water quality of coastal waterbodies,

A stormwater management strategy is being prepared and measures recommended to ensure that development of the site is likely to have a neutral or beneficial effect on the flow and quality of water leaving the site.

(n) the conservation and preservation of items of heritage, archaeological or historic significance,

This is addressed in point (l) above.

(p) only in cases in which a development application in relation to proposed development is determined:

(i) the cumulative impacts of the proposed development on the environment,

The proposed subdivision will be developed in accordance with the principles of ecologically sustainable development. Amelioration measures will minimise cumulative impacts, particularly with regard to protecting the wetland and maintaining a wildlife corridor to the Nambucca State Forest. The area is the last residentially zoned section for residential subdivision in this location.

Water cycle management is aimed to achieve neutral or beneficial flows from the site and maximise re-use of rain water.

Site erosion will be controlled during the construction process and water management measures will maintain quality.

(ii) measures to ensure that water and energy usage by the proposed development is efficient.

Rainwater tanks are proposed for each lot to recycle water for efficiency. Road network encourages public transport and pedestrian and cycle access to reduce vehicle use. Lots are designed to encourage energy efficient house design.

4.5 State Environment Planning Policy (Infrastructure) 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. The Policy has incorporated the former State Policy 11 – Traffic Generating Development and it is this aspect that is relevant to the subdivision.

In accordance with a Schedule 3 to the Policy the proposed subdivision will create “200 or more allotments where the subdivision includes the opening of a public road” and as such will require referral to the Roads & Traffic Authority.

4.6 North Coast Regional Environmental Plan

In accordance with the Regional Plan:-

- The quality of water leaving the site will be controlled by treatment ponds, rainwater tanks, gross pollutant traps and grass swales to protect the wetland (Clause 15).
- The policies listed in clause 32B have been discussed separately.
- The density of lots have been maximized within the constraints of the land, roads widths are not excessive, the road network encourages permeability and public transport, stormwater controls will be recommended (Clause 43).
- Bushfire risk will be addressed (Clause 45).
- Adequate community and welfare services are available close by and convenient access is proposed (Clause 66).

4.7 NSW Coastal Policy 1997

The site is 2km from the coast. The subdivision will be designed to protect the wetland and tributaries of the Nambucca River. In accordance with the Policy:-

- The development is not located on the beach or frontal dunes.
- Undeveloped headlands are not affected.
- There is no development proposed on any headland.
- No overshadowing of beaches or waterfront open space will occur.
- There are no tall buildings proposed.

4.8 Coastal Design Guidelines

The proposal promotes the guidelines, it will build on the settlements existing structure as it is essentially 'infill' rather than extension. It will support the Bellwood commercial centre. Water quality will be controlled and improved. Streets will enhance permeability of the road system.

The site is removed from the coast and screened from view from the surrounding area by perimeter bushland. The guidelines primarily relate to home design that are more appropriately dealt with when a Construction Certificate is lodged for the erection of dwellings. The general design guidelines have been adhered to in the following way:-

- Development is screened by vegetation.
- Foredunes, wetlands and littoral rainforests will not be affected.
- Roads are designed to follow contours and run across slopes.
- Steep slopes and drainage lines are avoided.
- Adequate access is provided in accordance with Council's requirements.
- A stormwater control strategy will be prepared.
- Roads will be an appropriate width in accordance with Council standards.
- Lots are a suitable size for residential lifestyle.
- Lots have a simple shape of regular proportions.
- Lots run parallel or perpendicular to slopes.
- Lots are planned in relation to views, winds, solar access and services.
- Lots aim to avoid expensive construction or cut and fill.
- Lots avoid high erosion and fire hazard.

4.9 Nambucca LEP 1995

The site is partly within Zone 7(a) Environment Protection (Wetlands) and partly within Zone 2(a) Residential (Low-Medium Density).

The residential development complies with the residential zone that applies to the site. The subdivision is permissible in the residential zone and the 7A land is to be dedicated to Council as public reserve.

4.10 Nambucca Residential Development Control Plan

The proposed subdivision complies with the residential requirements of this plan. The design elements for subdivision are addressed as follows:-

- Development concept design site analysis
 - Significant environmental areas and risks will be identified.
 - All lots avoid flood prone areas of the site.
 - Soil erosion and stormwater impacts will be minimised through relevant controls.
 - Bushfire risk will be assessed and appropriate controls implemented.
 - Native flora and fauna habitats on the site are to be protected.
 - The scenic quality of the landscape has been considered.
 - Utilities services can readily be extended to the site.
 - Suitable areas for public open space have been identified.
 - Archaeological conservation issues are being addressed.
 - The relationship of the subdivision layout to adjacent land uses has been considered.
- Lot layout and orientation
 - A range and mix of lot sizes are proposed to reflect site constraints.
 - Lots are orientated with a north south access as far as topography allows to take advantage of microclimate benefits.
 - Areas and dimensions of lots provide flexibility for future house design.
- Road network
 - A distinctive and hierarchical network of roads is proposed with a distributor loop road with local roads designed to minimise traffic speed and enhance residential amenity.
 - Access roads, pedestrian thoroughfares, and cycleways are to provide safe and convenient movement for pedestrians and access routes.
 - The road networks is based on a cost effective design
 - Drainage areas are to be retained in a natural state for stormwater and nutrient control which will be incorporated into an open space system.
 - The road system other than the identified collector road does not function as a thoroughfare for externally generated traffic.

- Road design and construction
 - All roads widths and design are consistent with their function within the road network to ensure safety.
 - Road layout ensures motorists, pedestrians and cyclists can proceed safely, conveniently and with minimal delay.
 - Access to all lots for emergency and service vehicles is provided.
 - On street parking can be accommodated.
 - Roads are located to minimise earthworks.
- Landscape and site design
 - The layout aims to enhance the streetscape and landscape character by retaining drainage channels in a naturally vegetated state.
 - A variety of lot sizes and location of lots to take advantage of the topography and access to views and solar energy will enhance the setting of buildings and assist with visual and acoustic privacy.
 - Opportunities for street tree planting are available within road reserves to enhance the visual character of the subdivision and add shade and privacy.
- Drainage
 - Natural drainage lines are to be protected and retained as grassed areas within the rear yard of residential lots to assist to reduce nutrient loads and runoff velocities and provide overflow paths for large stormwater flows.
 - Stormwater damage will be minimised through grassed swales and other design features.
 - Interallotment drainage will be provided to reduce nuisance flows of stormwater.
 - Flood free access is to be provided to all lots.
 - Urban run-off pollutants are to be controlled through appropriate measures including grassed drainage channels.
- Services
 - Public utilities are to be provided within the road reserves as far as is possible. Sewer connections may need to be at the rear of lots in some locations to maintain gravity flows.
- Public Open Space
 - Suitable areas for public open space have been identified. Active sporting facilities have been provided to the south west of this site.
- Environmental Site Management
 - Environmental degradation is to be avoided by minimising alterations to natural systems.
 - Environmental amenity is improved through lot sizes and orientation respecting site constraints and solar access.

5 CONSULTATION

At this stage discussions have been held with Council staff and local Aboriginal representatives. Further consultation will be held as part of the assessment process for the application.

6 STUDIES REQUIRED

At this time detailed studies of the subject land are under preparation. The studies include the following.

- Bushfire hazard assessment by Bushfire Safe (Aust) Pty Ltd.
- Archaeological Investigation by Archaeological Surveys & Reports Pty Ltd.
- Acoustic Assessment by Black Earth Environmental Services.
- Flora & Fauna Assessment by James Warren & Associates Pty Ltd.
- Water quality and stormwater management by de Groot & Benson Pty Ltd, engineers.
- Acid Sulfate Soil assessment by de Groot & Benson Pty Ltd.
- Flooding, traffic, services, road design and lot layout by de Groot & Benson Pty Ltd.
- Landscape Masterplan – Jackie Amos Landscape Architect.

If the Director General's Environmental Assessment Requirements are to be issued, the requirements for the detailed studies will be refined and completed. Otherwise studies will be completed on the basis of known requirements suitable for submission to Council.