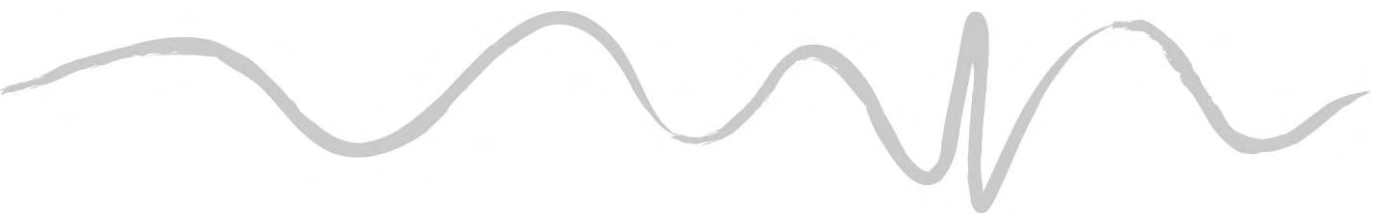


Preliminary  
Environmental  
Assessment  
South Urunga -  
Residential Subdivision



quality solutions sustainable future

# Preliminary Environmental Assessment

## South Urunga - Residential Subdivision

Prepared for: Trustees of the Roman Catholic Church for the Diocese of Lismore – Bellingen Parish  
Project Manager: Simon Waterworth  
Ref: 1499434  
Date: March 2010  
© GeoLINK, 2010



PO Box 1446  
Coffs Harbour NSW 2450  
T 02 6651 7666

PO Box 9  
Lennox Head NSW 2478  
T 02 6687 7666

[info@geolink.net.au](mailto:info@geolink.net.au)

# Table of Contents

<i>Section</i>	<i>Page</i>
<b>1. Introduction</b>	
1.1 Background .....	1
1.2 Structure of Report and Its Scope .....	1
1.3 Further Information .....	1
<b>2. The Site and its Context</b>	
2.1 Cadastral Description .....	3
2.2 Site Context .....	3
2.3 Site Analysis .....	7
2.4 Previous Land Use .....	7
<b>3. Project Description</b>	
3.1 Description of Proposal .....	21
<b>4. Planning Framework</b>	
4.1 Relevant Legislation, Policies and Plans .....	23
4.2 Strategic Planning – Strategies / Studies .....	23
4.3 Statutory Planning Framework .....	25
<b>5. Preliminary Environmental Assessment</b>	
5.1 Biophysical Issues .....	33
5.2 Socio-Economic Issues .....	34
<b>6. Consultation</b>	
<b>7. Conclusion</b>	

# Illustrations

Illustration 2.1	Cadastre Plan .....	9
Illustration 2.2	Locality Plan.....	11
Illustration 2.3	Site Analysis .....	13
Illustration 2.4	Acid Sulfate Soil Risk Map .....	15
Illustration 2.5	SEPP 14 Wetland .....	17
Illustration 2.6	Bushfire Prone Land Map .....	19
Illustration 4.1	Zoning BLEP 2003.....	29
Illustration 4.2	Zoning Proposed Uncer Draft Shire Wide LEP .....	31

# Plates

Plate 2.1	View of part of the of the Site from the western portion of the site looking towards the north-east .....	3
Plate 2.2	View of the transmission line and cleared easement from the middle section of the .. 3 Site looking north .....	3
Plate 2.3	View of the existing access to the Site looking north .....	4
Plate 2.4	View of existing access looking to the south .....	4
Plate 2.5	View of existing vegetation from the electricity easement to the east .....	5
Plate 2.6	View of existing vegetation on the eastern section of the site .....	5
Plate 2.7	View of low lying vegetation on the north-eastern section of the site .....	6
Plate 2.8	View of one of the power line easements from the southern section of the site to the north .....	6

# Appendices

- A** Preliminary Concept Design and Site Plan
- B** Submission to the exhibition of the LEP
- C** Correspondence

# Executive Summary

## Preliminary Environmental Assessment Residential Subdivision, South Urunga

<b>Location</b>	<p>The site is described as Lots 1 and 2 DP 792596 and is located on the Pacific Highway south of the township of Urunga.</p> <p>The site also fronts the North Coast Railway to the east. The land is otherwise surrounded by farmland and bushland.</p>
<b>Site Area</b>	<p>The total site has an approximate area of 86.3 ha. Lot 1 has an area of 8464.6 m<sup>2</sup> whilst Lot 2 has an area of 85.54 hectares.</p>
<b>Site Features</b>	<p>The site is characterised by dense vegetation predominately swamp sclerophyll forest across most of the eastern portion of the property.</p> <p>The eastern portion of the site is characterised by hill slopes and gullies. A SEPP 14 wetland is present across part of the north-east corner of the site.</p> <p>A cleared power line traversing north/south across the site is a dominate feature and effectively demarcates the continuous forest from the disturbed areas of the site to the west.</p> <p>The western portion of the site has been cleared apart from vegetation along drainage lines. It has previously been used for cultivation.</p> <p>The site has frontage to the Pacific Highway.</p>
<b>Zoning</b>	<p>The majority of the site is currently 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-eastern area zoned 7(a) Environmental Protection (Wetlands).</p>
<b>Statutory Framework</b>	<p>The following planning documents are relevant to the site:</p> <ul style="list-style-type: none"><li>▪ Bellingen Local Environmental Plan 2003;</li><li>▪ Bellingen Local Environmental Plan 2009;</li><li>▪ State Environmental Planning Policy (Major Projects) 2005;</li><li>▪ State Environmental Planning Policy No. 14 – Coastal Wetlands;</li><li>▪ State Environmental Planning Policy No. 44 – Koala Habitat Protection;</li><li>▪ Statement Environment Planning Policy No. 71 – Coastal Protection;</li><li>▪ State Environmental Planning Policy No. 55 – Remediation of Land;</li><li>▪ North Coast Regional Environmental Plan (Deemed SEPP 2009);</li><li>▪ State Environmental Planning Policy (Infrastructure) 2007;</li><li>▪ Mid North Coast Regional Strategy;</li><li>▪ Development Control Plans; and</li><li>▪ Developer Contribution Plans.</li></ul>
<b>Proposal</b>	<p>The Part 3A Application will seek Project Approval for development of the site for a 275 lot residential subdivision and associated infrastructure and works.</p>

### *Key Issues*

The following key issues are relevant to the proposed project:

- flooding, drainage and stormwater;
- acid sulfate soils;
- archaeology
- flora and fauna;
- traffic and access;
- servicing and infrastructure;
- linkages to adjoining existing and future residential areas;
- visual amenity;
- bushfire;
- impact on the existing wetland;
- the public interest; and
- socio-economic impacts.

# Introduction

## 1.1 Background

GeoLINK has been engaged by Trustees of the Roman Catholic Church for the Diocese of Lismore - Bellingen Parish to prepare an application seeking consent under Part 3A of the EP&A Act 1979 for a residential subdivision of the Church's land in South Urunga. The Church had previously lodged an application for a concept plan under Part 3A of the EP&A Act 1979 for a school and residential subdivision on this land which was subsequently withdrawn.

## 1.2 Structure of Report and Its Scope

This Preliminary Environmental Assessment Report relates to an application to obtain consent under Part 3A of the EP&A Act 1979 for development of a 275 lot residential subdivision. The report describes the project and the subject site, provides an assessment of relevant planning provisions and outlines potential environmental impacts associated with the proposed development.

**Section 2** of this report describes the context of the site and the physical characteristics of the subject land.

**Section 3** provides a description of the proposed project.

**Section 4** provides an assessment of the planning framework in which the project will be considered and highlights key legislation / policy and assesses compliance with that legislation.

**Section 5** provides a preliminary review of key environmental social-economic considerations.

**Section 6** identifies the preliminary consultation that has occurred.

**Section 7** contains conclusions and recommendations.

## 1.3 Further Information

Should additional information be required in relation to this application, please contact **Simon Waterworth** of GeoLINK on (02) 6651 7666 or 0419 237 981.

This page has been left intentionally blank

## The Site and its Context

### 2.1 Cadastral Description

The site is described as Lots 1 and 2 DP 792596. **Illustration 2.1** shows the cadastre information for the site overlaid on an aerial photograph.

As shown, Lot 1 has an area of 8464.6 m<sup>2</sup> whilst Lot 2 has an area of 85.54 hectares, with frontage to Pacific Highway.

### 2.2 Site Context

The site is located on the eastern side of the Pacific Highway, in the shire of Bellingen, approximately 2 kms south of the village centre of Urunga (refer to **Illustration 2.2**). It is located approximately 28 kms south of Coffs Harbour, and approximately 32 kms north of Macksville on the mid north coast of NSW. The site has frontage to the North Coast Railway line to the east and is otherwise surrounded by farmland and bushland which is held in private freehold.

**Illustration 2.2** shows the locality of the subject site identifying the subject land and its relationship to adjoining land uses. **Plates 2.1 to 2.8** are views of the site from various locations around the site.

**Plate 2.1** View of part of the of the Site from the western portion of the site looking towards the north-east



**Plate 2.2** View of the transmission line and cleared easement from the middle section of the Site looking north



Plate 2.3 View of the existing access to the Site looking north



Plate 2.4 View of existing access looking to the south



Plate 2.5 View of existing vegetation from the electricity easement to the east



Plate 2.6 View of existing vegetation on the eastern section of the site



Plate 2.7 View of low lying vegetation on the north-eastern section of the site



Plate 2.8 View of one of the power line easements from the southern section of the site to the north



## 2.3 Site Analysis

### 2.3.1 Topography and Existing Land Uses

The site comprises of a series of ridge lines and gullies which drain north east to Urunga Lagoon. The elevation of the site varies between approximately 25m Australian Height Datum (AHD) on the ridgelines to 5m AHD in the gullies. The hills have slopes of approximately 5% to 7% although there are some isolated areas where slopes are in excess of 10%.

### 2.3.2 Soils

Soils within the site are described as being moderately well drained, 100 cm to 180 cm deep red and brown Kandosols (red or yellow Podzolic soils) (*Eddie, 2000b*).

These soils generally consist of a loam to clay loam or light clay topsoil with medium clay subsoils to depths of approximately one metre. Deeper subsoils in the drainage lines are typically medium to heavy clays.

These soils have a low wet bearing strength, organic topsoils, high rateability, localised sodicity and dispersibility, hard setting surface, low subsoil permeability, strong acidity and aluminium toxicity potential (*Eddie, 2000b*). Characteristically these soils have localised poor drainage, localised high run-on and localised seasonal water logging.

### 2.3.3 Ecology

Flora and fauna surveys undertaken on the site reveal a number of vegetation communities of high local, regional and state conservation value in particular a SEPP 14 Wetland located on the eastern portion of the site.

A number of threatened fauna species were recorded at the site with additional species considered likely to occur on the site. The fauna habitat conservation values are generally high east of the power line easement and low or moderate west of the easement. This easement has been cleared approximately 80 m to 100 m and creates a significant ecological scar with associated edge effects for some distance either side.

### 2.3.4 Climate

The climate of the Urunga area is subtropical, with warm to very warm wet summers and cool to mild dry winters. The main factor controlling the climate of the region is that it lies within a transitional zone between the steady trade winds to the north and the anticyclone belt to the south. This transition zone oscillates northwards and southwards over the region annually.

Average maximum temperatures range from 19°C in winter to 27°C in summer, while average minimum temperatures range from 7°C in winter to 19°C in summer.

Annual mean rainfall is 1,704mm, with the wettest month being March and the driest month being September.

From April to November winds blow most frequently from the NE to the SE. From June to August, winds blow from the SW to NW. The remaining months are generally transitional.

## 2.4 Previous Land Use

The western end of Lot 2 has been leased for small cropping, mainly tomatoes and zucchini, for some time, with the area under crop being rotated around this section of the site. Apart from the drainage invert, where ground is unsuitable for small cropping, virtually all of the area has been used for horticulture at some time in the past. The surface has been cultivated to suit the crops with access tracks and irrigation lines previously constructed.

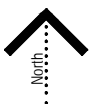
All of the land to the east of the power line easement remains significantly vegetated and uncleared. There is no known recent history of use for this part of the site.

Lot 1, which fronts the Pacific Highway, has been used as a trucking depot, with fuel and service facilities.



LEGEND

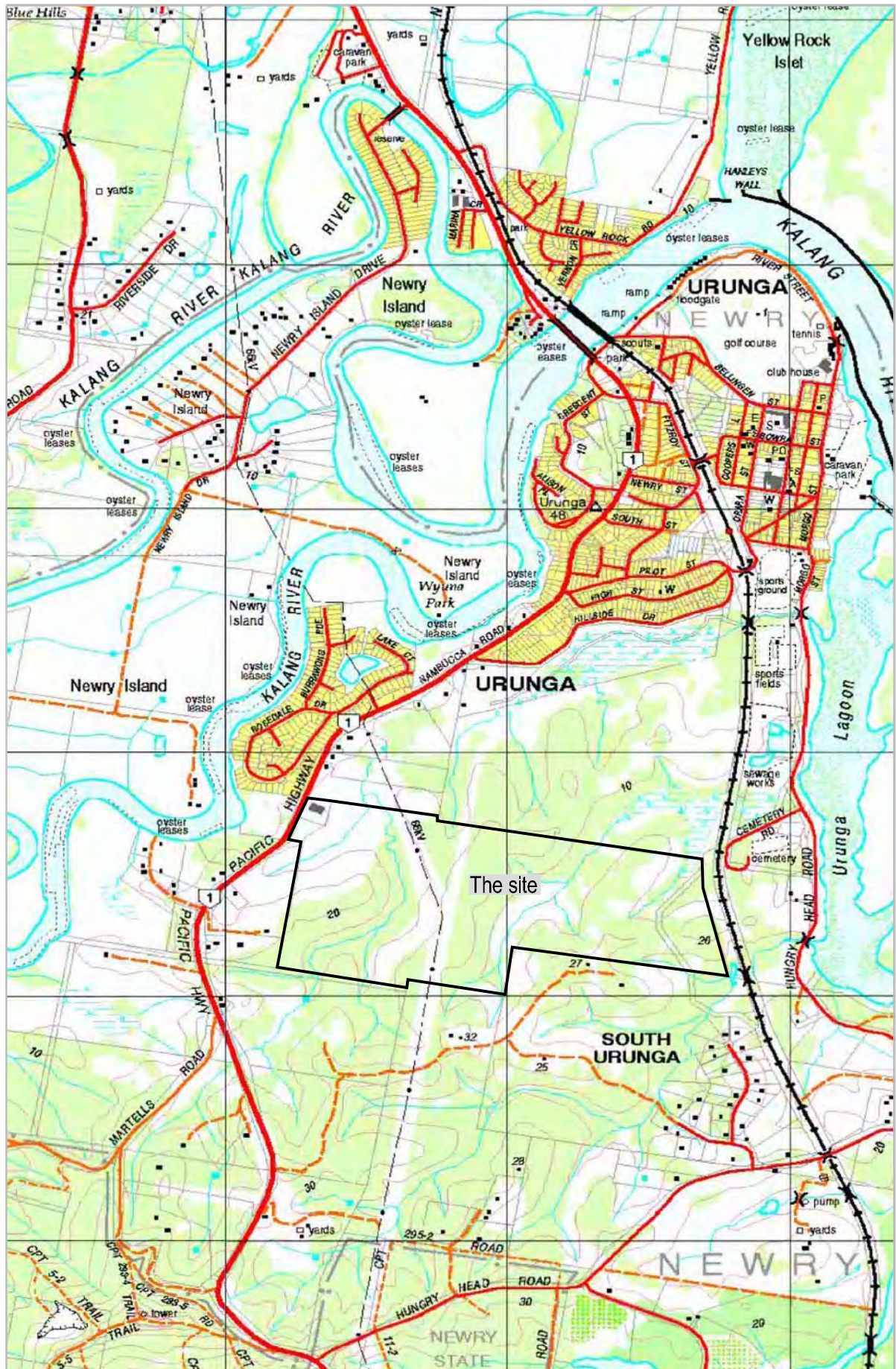
 Site boundary



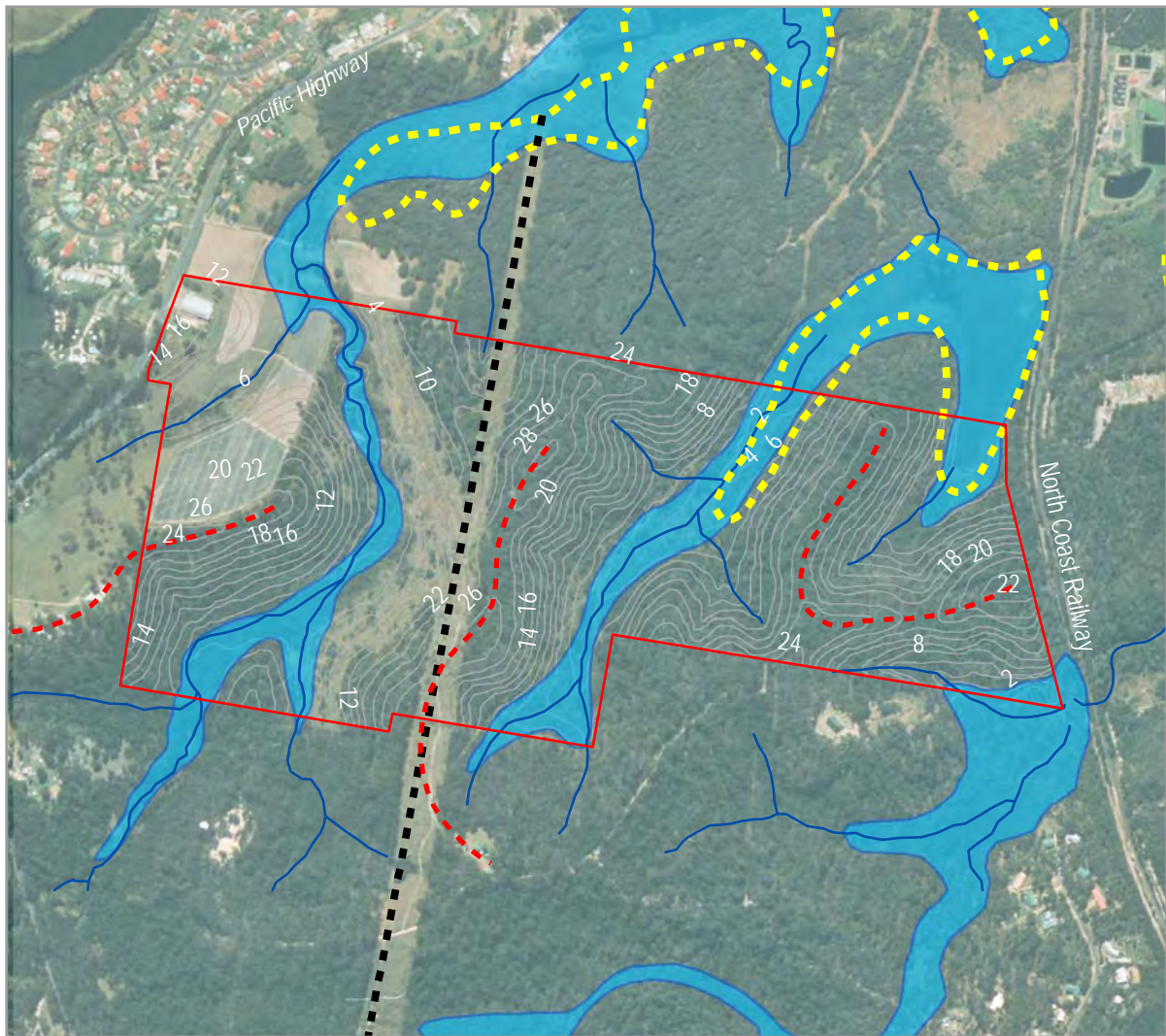
0 300










This page has been left intentionally blank

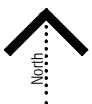


This page has been left intentionally blank



LEGEND

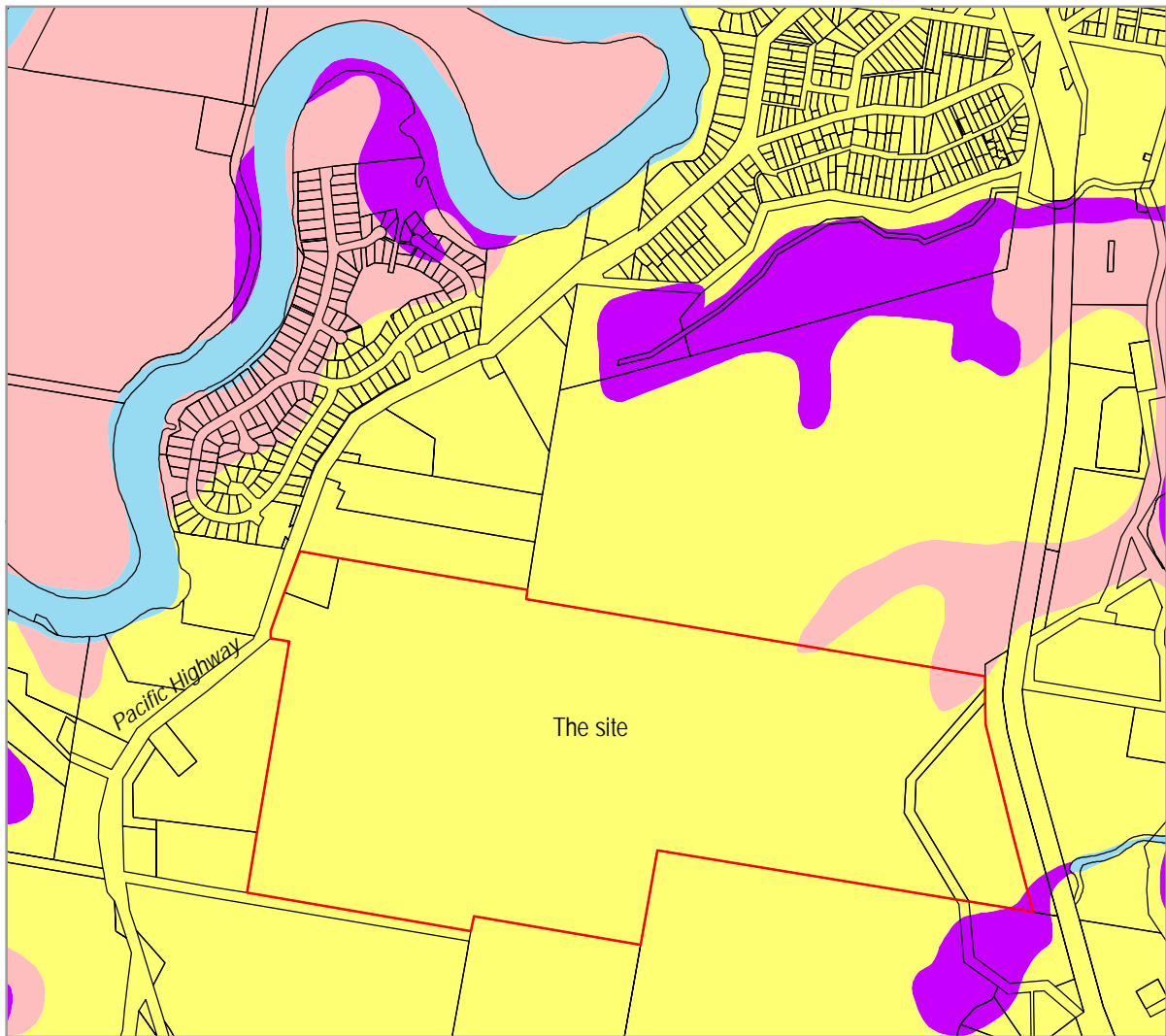
-  Site boundary
-  Power line easement
-  Ridge line
-  SEPP 14 wetland
-  Intermittent watercourses
-  Revised flood levels (GHD)
-  Contours @ 2 metre intervals








0 250

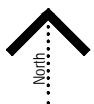


This page has been left intentionally blank



LEGEND

-  Site boundary
-  Class 1
-  Class 2
-  Class 3
-  Class 5





0 300

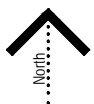


This page has been left intentionally blank



LEGEND

-  Site boundary
-  SEPP 14 Wetland



0 300



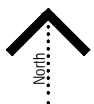
This page has been left intentionally blank



LEGEND

-  Site boundary
-  Vegetation Category 1
-  Buffer

## Bushfire Prone Land



0 300

This page has been left intentionally blank

## Project Description

### 3.1 Description of Proposal

Project Approval is sought for the development of part of the subject site for an approximate 275 lot residential subdivision with associated land uses.

A conceptual design plan of the site has been prepared for the purposes of this preliminary environmental assessment. The precise dimensions of lots and alignments of roads will be clarified during the detailed design and environmental assessment phase. The concept plan is attached as **Appendix A**.

The preliminary master plan can be identified as **Illustration 3.1**

The project has anticipated capital investment value in excess of \$10 million dollars.

#### 3.1.1 Residential Allotments

The project application is for a residential development consisting of:

- 174 lots of approximately 600 square metres;
- 38 lots of approximately 800 square metres; and
- 63 lots of approximately 400 square metres.

A conceptual subdivision plan has been prepared for the purposes of this Preliminary Environmental Assessment and request for Director General Requirements. It should be noted that this design will be refined and as a consequence is subject to change.

#### 3.1.2 Neighbourhood Precinct

The project will also include a centrally located neighbourhood precinct which will include a small neighbourhood shopping complex to service the South Urunga Area as well as the Bellinger Keys Estate and other recently approved residential areas. The neighbourhood shopping complex will be set within a local park which will be a central meeting place and recreational area for South Urunga. The park will be linked to the residential areas by a road network as well as a pedestrian/bike path network.

#### 3.1.3 Adjacent Development

The site is the dominate land holding in the South Urunga development area, identified in Bellingen Shire Council's Growth Management Strategy. As such the development of this land will need to be carefully planned and considered to ensure that future adjoining development occurs unimpeded. Council does not currently have a Development Control Plan for this area. However preliminary discussions with Council indicate that this can be overcome through careful consideration of adjacent properties in the design of the development especially having regard to road layout and bike and pedestrian linkages.

#### 3.1.4 Access / Internal Roadways

Access to the site will be via a newly constructed intersection on the Pacific Highway. This intersection will service the site as well as adjoining sites. Residential lots will be linked through a clear and usable road and pedestrian/bike path network.

### **3.1.5 Streetscape**

The Streetscape and all public areas of the proposed residential development will be comprehensively landscaped to provide a high level of amenity for residents and also to reduce the visual impact of the development on the surrounding locality.

### **3.1.6 Stormwater, Sewer and Reticulated Water Infrastructure**

All lots will be connected to the reticulated sewerage and water systems. Stormwater will be disposed of via contemporary Water Sensitive Urban Design measures.

### **3.1.7 Protection of the SEPP 14 Wetland and Endangered Ecological Communities (EEC)**

Stormwater management measures developed for the project will protect the adjoining SEPP 14 Wetland from any direct or indirect impacts of the project. The EEC's that exist within the site will be identified, protected with sufficient buffers and in some areas rehabilitated to ensure their ongoing existence.

## Planning Framework

### 4.1 Relevant Legislation, Policies and Plans

There are a range of environmental planning instruments, strategies and policies that are relevant to the proposal which include:

- NSW State Plan;
- Mid North Coast Regional Strategy;
- Settlement Planning Guidelines: Mid and North Coast Regional Strategies;
- NSW Coastal Policy;
- Relevant State Environmental Planning Policies (SEPPs) including:
  - State Environmental Planning Policy No 14—Coastal Wetlands;
  - State Environmental Planning Policy No 44—Koala Habitat Protection;
  - State Environmental Planning Policy No 55—Remediation of Land;
  - State Environmental Planning Policy No 71—Coastal Protection;
  - State Environmental Planning Policy (Major Development) 2005; and
  - North Coast Regional Environmental Plan;
- Bellingen Local Environmental Plan 2003;
- Draft Bellingen Local Environmental Plan 2009;
- Bellingen Shire Growth Management Strategy ;
- relevant Bellingen Council Development Control Plans; and
- relevant Developer Contribution Plans.

These matters will be assessed in detail within the Environmental Assessment Report for the Part 3A project application. The more important and significant policies or legislation are discussed below.

### 4.2 Strategic Planning – Strategies / Studies

#### 4.2.1 Mid North Coast Regional Strategy (MNCRS)

The MNCRS identifies that tourism is a significant component of the regional economy. The Mid North Coast region is experiencing about 5.4 million visitors per year, collectively spending \$1.4 billion. The Draft MNCRS estimates that tourism employs more than 7,000 people in the region.

Urunga is located within the Coffs Coast subregion and is defined as a Coastal Village Town by the MNCRS. Growth in the Coffs Coast subregion is expected to occur in a number of new release areas in Coffs Harbour City, Nambucca Shire and Bellingen Shire Council LGAs.

As part of the Strategy, the Department of Planning has prepared a Growth Areas Map for each of the subregions to clearly identify where growth will occur. The site is identified in Growth Areas Map 4 – Bellingen as an urban growth area. The MNCRS identifies that within the Coffs Coast LGA, the demand for people to live near the coast will continue to result in increased pressure for residential development to be accommodated in existing identified growth areas.

The Strategy outlines a number of considerations for the release and development of new 'greenfield' sites, such as the study area and these are summarised as follows:

1. **Infrastructure provisions** - mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way;
2. **Access** - accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided;
3. **Housing diversity** - provide a range of housing choices to ensure a broad population can be housed;
4. **Employment lands** - provide regional / local employment opportunities to support the Mid North Coast's expanding role in the wider regional and NSW economies;
5. **Avoidance of risk** - land use conflicts, and risk to human health and life are avoided;
6. **Natural resources** - natural resources limits not exceeded/environmental footprint minimalised;
7. **Environmental protection**: protect and enhance biodiversity, air quality, heritage and waterway health; and
8. **Quality and equity in services** - quality health, education, legal, recreational, cultural and community development and other government services are accessible.

These issues will be addressed in the Part 3A Environmental Assessment.

The Strategy also outlines a number of neighbour planning principles which are of particular relevance to this LES and are reproduced below:

- a range of land uses to provide the right mix of houses, jobs, open space, recreational space and green space;
- easy access (including public transport where viable) to major centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops;
- jobs available locally and regionally, reducing travel times and the demand for transport services;
- streets and suburbs planned so that residents can walk and cycle to shops for their daily needs;
- a wide range of housing choices to provide for different needs and incomes. Traditional houses on their own block will be available along with smaller lower maintenance homes, units and terraces; and
- conservation lands in and around development sites to help protect biodiversity and provide open space for recreation.

These issues will also be addressed in the Part 3A Environmental Assessment.

#### 4.2.2 Bellingen Shire Growth Management Strategy

Council's Growth Management Strategy has been prepared as a 'blueprint' for the future of the Shire. It seeks to provide for new development in a manner that ensures the future protection of environmental, and community values.

The purpose of the Bellingen Shire Growth Management Strategy is to:

- provide an integrated framework for Council decisions relating to planning and services for the future development of the Bellingen Shire up to 2026;
- provide a mechanism for community input into the vision of future urban development for the Bellingen Shire and communicate to the local community the outline of expected future urban development in the Shire and how this development will occur up to 2026; and
- analyse the supply and demand for land for residential, rural-residential and associated urban purposes.

Of particular relevance, the Strategy recognises that land around South Urunga with the potential for development is in short supply. The strategy makes the following comments regarding land at South Urunga:

*There is a significant amount of land that has been zoned residential for some time but not developed at South Urunga. Much of this land is constrained by native vegetation with a high conservation value and provides habitat for threatened species. This vegetation has reduced the potential development yield of the land. With the exception of the land at South Urunga, there is very little land that is available for greenfield subdivision in Urunga. Having considered the environmental constraints at South Urunga, land available for residential development occupies an area of approximately 55 ha.*

The subject site is included in the land available for residential development.

## 4.3 Statutory Planning Framework

### 4.3.1 Bellingen Local Environmental Plan 2003 (BLEP 2003)

#### *Current Zoning*

Under BLEP 2003 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 and two smaller areas located in the site's north-east zoned 7(a) Environmental Protection (Wetlands).

#### *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, 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 Bellingen LEP 2003 are applicable to the development of the site:

- Clause 11 Zone objectives and development control table;
- Clause 15 Subdivision Generally;
- Clause 18 Development in the vicinity of creeks and streams and other water bodies;
- Clause 19 Flood Considerations;
- Clause 20 Development on land identified on the Acid Sulfate Soils Planning Map;
- Clause 22 Coastal Lands;
- Clause 23 Wetlands and fisheries;
- Clause 37 Development on main road and highway frontages;
- Clause 38 Restriction on access; and
- Clause 49 Subdivision of certain land within South Urunga.

### 4.3.2 Draft Bellingen Local Environmental Plan 2003 (BLEP 2003)

Council has prepared a draft Shire wide LEP pursuant to the new Standard Template (draft BLEP 2009). The draft LEP has finished public exhibition and is currently being considered by the Department of Planning. The zoning of the subject site is proposed to be altered with the gazettal of the LEP. This change is significant in that it proposes to rezone a large section of the site from residential to environmental protection including a section of the site proposed in this PEA for residential development. The Catholic Church has lodged a submission to the exhibition of the LEP requesting an amendment to the proposed boundary between the residential zone and environmental protection zone. This submission is attached as **Appendix B** and is currently being considered by the Department as part of its review of the exhibition of the draft LEP.

### 4.3.3 State Environmental Planning Policies

#### *State Environment Planning Policy No. 14 – Coastal Wetlands*

The aim of this policy is to ensure that coastal wetlands are preserved and protected. The site contains an existing mapped SEPP 14 Coastal Wetland.

It is considered the main potential impact from the proposal on the wetlands is from:

- runoff from the future development of the site into the wetland;
- sedimentation from the construction phase of the development; and
- disturbance of potential acid sulfate soils as part of the development.

These potential risks will be addressed through a comprehensive stormwater management plan with contemporary WSUD measures, effective erosion and sediment control and through the implementation of an Acid Sulfate Soils Management Plan (if necessary).

#### ***State Environment Planning Policy No. 44 – Koala Habitat Protection***

A preliminary ecological assessment of the subject site has indicated that although koala habitat is present within the subject site, Koalas were not detected during the survey. Eco Pro's Ecological Assessment reports that:

*Several methods were used to survey for Koala in the study site without success. This is despite apparent suitable Koala habitat consisting of preferred Koala food trees (Forest Red Gum, Swamp Mahogany, Tallowwood) at high densities in some localities. Discussion with adjacent landowners failed to confirm any historical accounts of this species, although Clancy and Turbill, 1992, stated the opposite. If the Koala does occur in the area, they are likely to occur at very low densities.*

#### ***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, fronting the Pacific Highway, was formerly used as a trucking depot and, as such, there is potential for elevated levels of hydrocarbons and lead to occur on the site. The Environmental Assessment will need to comprehensively address the remediation of this site.

#### ***Statement Environment Planning Policy No. 71 – Coastal Protection***

The objective of this policy is to provide for the protection and management of sensitive and significant areas within the coastal zone. The study area is located within the coastal zone and is identified as a sensitive coastal location.

The Environmental Assessment prepared for the Part 3A Application will therefore consider the natural, cultural, recreational and economic attributes of the site, public access to foreshore areas, aboriginal heritage, visual amenity, coastal flora and fauna, coastal practices and communal impacts.

Impacts on these attributes will be carefully considered as part of the Part 3A Environmental Assessment for the project.

#### ***State Environment Planning Policy (Major Developments 2005)***

This policy defines certain developments that are major projects under Part 3A of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. This SEPP also lists State significant sites.

The proposal constitutes development within the coastal zone for subdivision for residential purposes of land that is not in the metropolitan coastal zone (unless it is wholly or partly in a sensitive coastal

location) into more than 100 lots. Consequently, the development is considered a major project pursuant to Part 3A of the EP&A Act.

#### ***North Coast Regional Environmental Plan (Deemed SEPP)***

The North Coast Regional Environmental Plan (NCREP) specifies objectives in directions regarding matters to be considered and/or undertaken by Council when it considers development applications.

There are a number of provisions within NCREP that directly relate to the proposed development and will need to be considered by the Department when it assesses the Part 3A Application. These provisions relate to issues including residential development, coastal development, flood liable land, servicing of development etc.

There are no provisions within NCREP that specially prohibit the proposal.

#### **4.3.4 Development Control Plans**

A number of DCPs apply to the project, including:

- DCP 16 – Notification and Advertising;
- DCP 23 – Flood and Riverine Processes; and
- DCP 26 – Contaminated Land Management.

This Preliminary Environmental Assessment has determined that there are no specific requirements within these relevant DCPs that would prohibit the development. However, the Environmental Assessment will need to demonstrate compliance with the relevant provisions of the aforementioned DCPs.

#### **4.3.5 Other Council Policies**

##### ***Developer Contributions Plan***

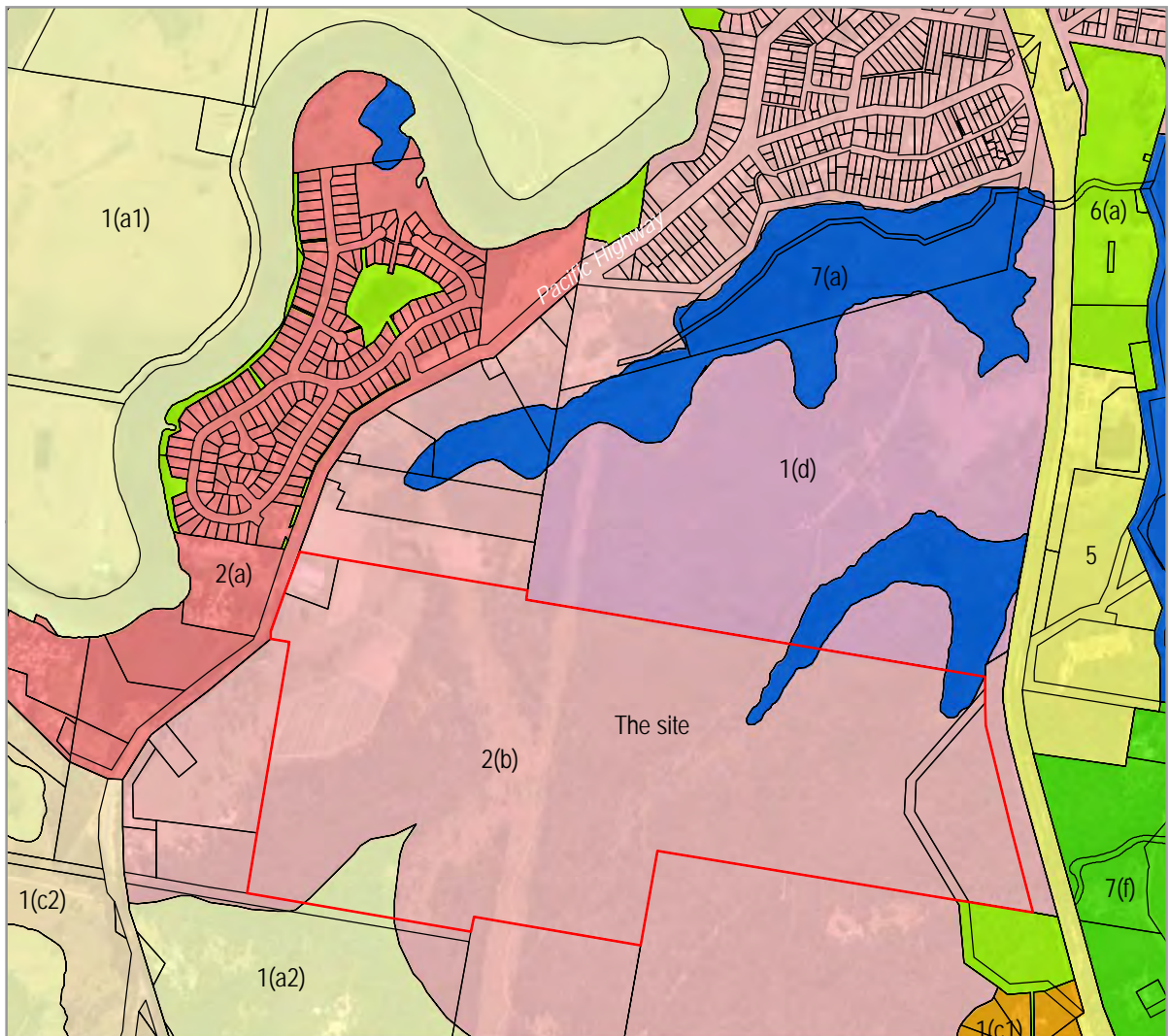
A number of Council's current Developer Contributions Plans relate to the site. GeoLINK has had preliminary discussions with Council about the applicability of these plans for South Urunga. A copy of the correspondence received from Council is attached as **Appendix C**. There is significant infrastructure to be created to facilitate the proposed development. This infrastructure will also benefit adjoining properties. How Bellingen Shire Council levies developer contributions for this development will require careful consideration and negotiation between affected parties. This negotiation has commenced and will be finalised as part of the Environmental Assessment.

##### ***Planning for Bushfire Protection 2006***

The land is defined as Bushfire Prone Land and the proposed development involves subdivision for residential development. As such, the proposed development pursuant to Section 100B of the Rural Fires Act 1997, requires a Bushfire Safety Authority from the Rural Fire Service.

The proposal will need to comply with the relevant provisions of Planning for Bushfire Protection 2006. It is considered that there is sufficient area for buffers between the proposed residential allotments and bushland to comply with these provisions.

This page has been left intentionally blank

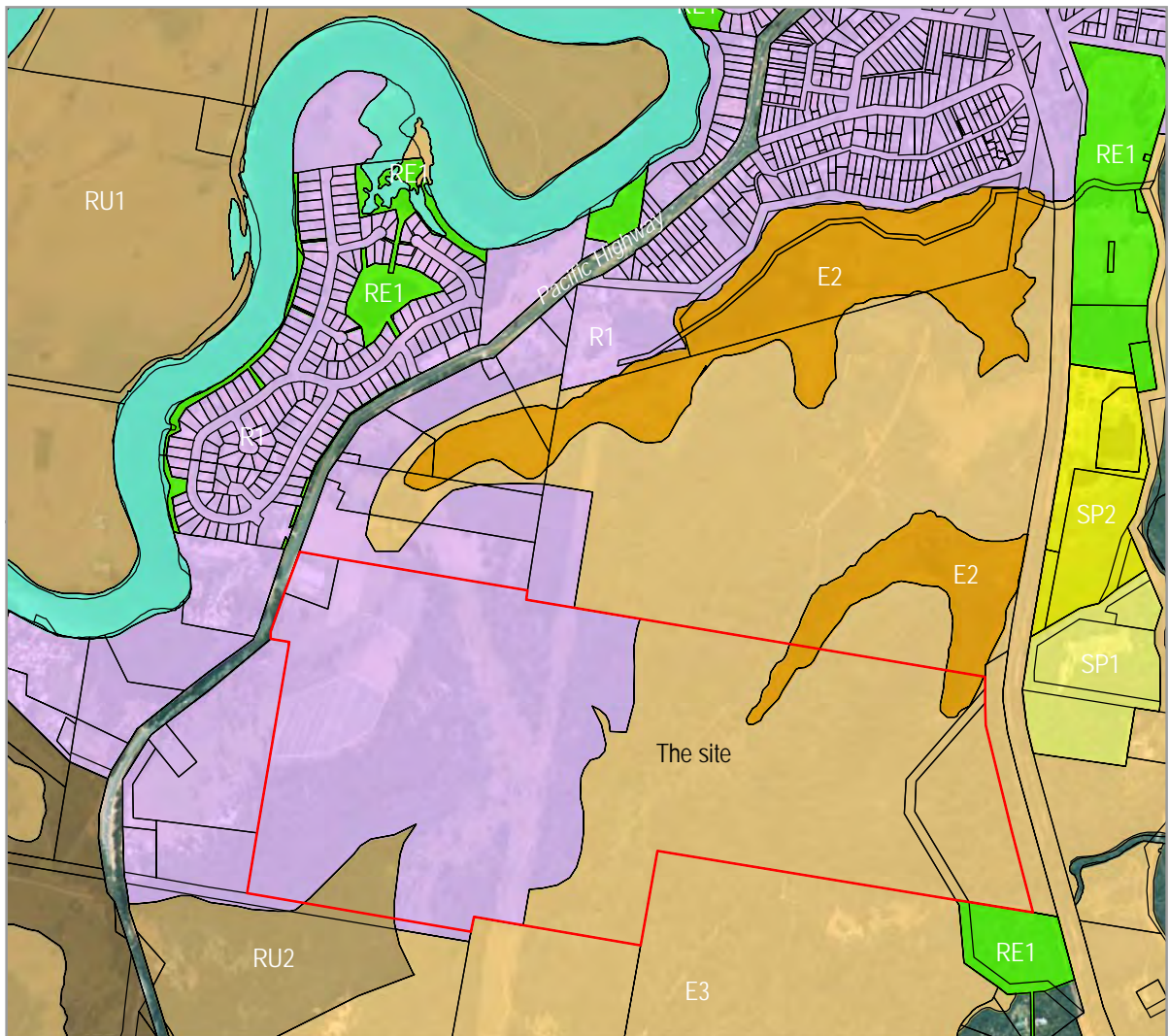


LEGEND












- Site boundary
- 1(a1) Agricultural Protection
- 1(a2) Secondary Agriculture
- 1(c1) Rural Residential
- 1(c2) Rural Small Holdings
- 1(d) Investigation
- 2(a) Residential
- 2(b) Village Area
- 5 Special Uses
- 6(a) Public Recreation
- 7(a) Environmental Protection (Wetlands)
- 7(f) Environmental Protection (Coastal Protection)



This page has been left intentionally blank



LEGEND

-  Site boundary
-  E2 Environmental Conservation
-  E3 Environmental Management
-  R1 General Residential
-  RE1 Public Recreation
-  RU1 Primary Production
-  RU2 Rural Landscape
-  RU4 Rural Small Holdings
-  SP1 Special Activities
-  SP2 Infrastructure
-  W2 Recreational Waterways



0 300



## Zoning - Proposed Under Draft Shire Wide LEP

This page has been left intentionally blank

## Preliminary Environmental Assessment

### 5.1 Biophysical Issues

The Environmental Assessment to be prepared for the Part 3A Application will investigate all potential biophysical impacts of the project. This investigation will include a comprehensive review of the existing site and a review of previous reports and studies relating to the site. It will also involve necessary additional investigations to ensure that all potential impacts of the proposed development are identified, assessed and mitigated. The potential biophysical impacts are summarised below.

#### 5.1.1 Ecological Values

The proposed preliminary subdivision layout has been designed to ensure no disturbance of EECs and also provide sufficient buffers to the EECs. The majority of the site is proposed to be located on part of the site that has been highly modified and consists of maintained opened grasslands. The development, however, will also involve removal of vegetation and the impact of this will be assessed as part of the Environmental Assessment for the Part 3A Application. A comprehensive ecological assessment was carried out by Eco Pro in 2003. This will be updated to ensure that it addresses the new development and any changes in legislation

##### *Guiding Principles*

The guiding principles for protection of the ecological values of the site are:

- ensure adequate treatment measures are implemented to treat all stormwater runoff to acceptable levels;
- monitor water quality as a result of the proposal; and
- retain all significant vegetation on the site.

#### 5.1.2 Stormwater and Drainage

A comprehensive stormwater management plan will need to be prepared as part of the environmental assessment. This plan will need to address all potential impacts associated with stormwater runoff from the subdivision and roads and footpaths and other associated infrastructure, as well as any erosion and sedimentation impacts from construction of the subdivision. The stormwater management plan will need to substantiate that there will be no net impact on the adjoining wetland or EEC as a result of the proposed development.

##### *Guiding Principles*

The guiding principles for protection of adjoining wetlands are:

- manage nutrients and pollutants such that there will be no net increase in pollutants above that for the catchment in its natural configuration; and
- manage post development flow volumes and discharge frequency to the wetland to be consistent with pre existing runoff from the site to maintain existing hydrological conditions.

#### 5.1.3 Potential Acid Sulfate Soils

The proposed construction of the subdivision, roadways and footpaths may result in disturbance of acid sulfate soils. A comprehensive investigation into the presence of acid sulfate soils on the site will need to be undertaken to ensure that the project will be able to address any impacts from exposing acid sulfate soil and recommend any relevant mitigation measures.

### ***Guiding Principles***

The guiding principles relating to acid sulfate soil for the proposed development are:

- determine the extent of acid sulfate soils that exists on the site; and
- ensure an adequate management plan is prepared to address all potential impacts from disturbance of acid sulfate soils as a result of development.

#### **5.1.4 Flooding**

Part of the site is potentially flood prone land. The proposed Part 3A Application will need to assess the flood characteristics of the site and address flood implications from the project.

### ***Guiding Principles***

The guiding principles relating to flood impacts at the subject site are:

- assess impacts on flood velocities and flows on adjoining properties to ensure no net impacts; and
- assess flood risk to future residents and adjoining residents and land owners.

#### **5.1.5 Bushfire**

The subject site is located on Bushfire prone land. The proposed Part 3A Application will need to address bushfire implications with the project. The Environmental Assessment for the Part 3A Application will need to address bushfire risk to future residents and compliance with Planning for Bushfire Protection 2006.

### ***Guiding Principles***

The guiding principles relating to Bushfire impacts at the subject site are:

- assess bushfire risk on proposed development and future residents; and
- ensure compliance with Planning for Bushfire Protection 2006.

## **5.2 Socio-Economic Issues**

### **5.2.1 Visual Amenity**

Parts of the site are potentially visible from adjoining and nearby properties including the Pacific Highway. The visual impact of the development will be a key issue and will need to be addressed as part of the Part 3A Environmental Assessment.

### ***Guiding Principles***

Guiding principles relating to visual amenity:

- ensure the visual impact of the proposed subdivision is mitigated by implementing quality design principles; and
- prepare and implement a comprehensive landscaping plan that specifically deals with visual impacts of the proposed subdivision.

### **5.2.2 Traffic and Access**

Access is proposed via a new access off the Pacific Highway. The Environmental Assessment will need to provide an assessment of traffic impact associated with the proposed development. This assessment will look at potential impacts on the current road network, road uses and road standard and assess compliance of the proposed development with the RTA publication guide for traffic generating developments, and Council's relevant Development Control Plans. We will also need to liaise closely with the RTA regarding the proposed new access off the Pacific Highway.

### ***Guiding Principles***

The guiding principles for traffic and access are to:

- work with local residents and users of the road to ensure road safety;
- implement required road safety measures; and

- integrate with the existing users of the road including other residential developments and nearby caravan parks and businesses.

### 5.2.3 Public Interest

The proposed development has been zoned for residential development for some time. The community has been consulted in regard to the future use of this site including consultation undertaken as part of the Bellingen Shire Growth Management Strategy and the exhibition of draft BLEP 2009. The site has a long history and there may be concern by some residents in the locality about the proposed future development of the site. The proponent will continue to work with residents and community groups in the locality in a consultative manner to ensure any potential environmental impacts from the development are identified and addressed.

#### *Guiding Principles*

The guiding principles in regard to public interest are:

- continue to be open and transparent with the public in regard to potential impacts from the development;
- provide relevant information to all stakeholders when available; and
- work collaboratively with the likely effected parties to seek acceptable solutions.

### 5.2.4 Archaeology

A Cultural Heritage Assessment of Indigenous Values was carried out on the site in 2004 by Davis Heritage Consultants. This assessment determined that the site had generally a low potential for the location of particular site types. The report nevertheless stressed that individual sites of significance may be present anywhere throughout the study area but were not visible at the time of survey.

#### *Guiding Principles*

The guiding principles in regard to Archaeology are:

- to utilise the previously prepared Cultural Heritage Assessment of Indigenous Values prepared by Davis Heritage Consultants in 2004; and
- Liaise and consult with local aboriginal groups.

This page has been left intentionally blank

## Consultation

Consultation has commenced with government agencies and the community on the proposed residential redevelopment of the site. This included the proponent meeting with Council's Development Control Unit on the 8 February 2010 to discuss various aspect of the proposed development. A copy of the letter issued by Council after the meeting is attached as **Appendix C**.

As discussed previously the community has been consulted in regard to the future use of this site including the consultation undertaken as part of the Bellingen Shire Growth Management Strategy and the exhibition of draft BLEP 2009. The proponent will continue to consult and work with residents and community groups in the locality in a consultative manner to ensure all concerns raised in regard to the proposed development are identified and addressed.

This page has been left intentionally blank.

## Conclusion

This Preliminary Environmental Assessment describes the project, identifies the planning framework that will be relevant to the proposed project and identifies potential environmental and socio-economic impacts from the proposed project. It is considered that the key matters that require further investigation as part of the Environmental Assessment relate to:

- ecology including potential impacts on EECs and the adjoining SEPP 14 wetland;
- traffic and access;
- contaminated land;
- acid sulfate soils;
- the public interest;
- bushfire;
- archaeology;
- servicing of the development; and
- visual impact.

The proposed residential subdivision is considered to be generally consistent with the relevant planning EPIs, DCPs and relevant policies. The identified potential impacts will need to be comprehensively assessed as part of the Part 3A Environmental Assessment with appropriate quality design outcomes and mitigation measures implemented to limit environmental impact. .

This page has been left intentionally blank.



# References

Eddie, M.W. 2000a, *Soil Landscapes of the Macksville & Nambucca 1:100 000 Sheets Map*, Department of Land and Water Conservation, Sydney.

Parliamentary Counsels Office, (2010) Government of New South Wales Legislation home page, [Online]. Available: <http://www.legislation.nsw.gov.au>. [Accessed March, 2010]






This page has been left intentionally blank.

# Preliminary Concept Design and Site Plan









### LEGEND

-  EEC
-  EEC buffer (50 m wide)
-  APZ (30 m wide)
-  Ridgeline
-  Proposed draft LEP 2009





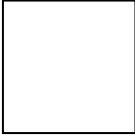
### LEGEND

-  Low density residential  
174 x 600 m<sup>2</sup> lots, 38 x 800 m<sup>2</sup> lots
-  Medium density residential  
63 x 375 - 450 m<sup>2</sup> lots
-  Pedestrian routes
-  Shop / community park



## Submission to the exhibition of the LEP





1 December 2009  
Ref No: 1499917

General Manager, Bellingen Shire Council  
PO Box 117  
BELLINGEN NSW 2454

Attention: Daniel Bennett

Dear Daniel

### Submission to Draft Shire Wide LEP – South Urunga Zoning and Lot Size Maps

We act on behalf of the Catholic Church who own land described as Lot 2 DP 792596 Pacific Highway South Urunga.

As you are aware the Catholic Church has, for some time, been planning to develop the aforementioned site. It was originally proposed to develop the whole site for a school and residential development. Over the years the development footprint for the school and residential development has been reduced considerably mainly as a result of the ecological value of the site and the existence of a Endangered Ecological Communities (EEC's) that were found as part of the most recent ecological assessment of the site.

In recent times the Catholic Church has decided not to proceed with its proposal to develop a Catholic High School on the subject site due to a number of factors. The Church, however, has now decided to pursue approval of a residential subdivision over part of the site under Part 3A of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*.

As you are no doubt aware from your involvement in the site over the years, there are a number of ecological and economic constraints to development of the land which include:

- ecological value of existing vegetation;
- existence of EEC's within the site;
- proximity to a SEPP 14 Wetland;
- bushfire implications;
- flooding and drainage constraints;
- adjoining agricultural landuses;
- potential contamination of certain parts of the site;
- sole access being to the Pacific Highway and associated costs of constructing an access to service any development;
- requirement to augment existing services such as water and sewer; and
- provision of pedestrian access links back to Urunga.

GeoLINK has investigated a number of potential development options for the site. In preparing these options it has become apparent that the proposed zoning of the subject site under the Draft Shire Wide LEP should be reviewed to ensure the best ecologically sustainable development option is achieved for the site.

ABN 79 896 839 729  
ACN 101 084 557

Return address:  
PO Box 1446  
Coffs Harbour  
NSW 2450

LENNOX HEAD  
T 02 6687 7666  
F 02 6687 7782

COFFS HARBOUR  
T 02 6651 7666  
F 02 6651 7733

[www.geolink.net.au](http://www.geolink.net.au)

Attached is one potential option for the residential development/subdivision of the site. The option provides for an increase in the development foot print to allow for an increased lot yield from what was originally proposed in the Development Application lodged with Council and the Part 3A Concept Plan lodged with the Department of Planning.

To accommodate this increased development foot print, more vegetation will be required to be removed. However, it is considered that there are significant benefits in increasing the yield/development foot print on the site. These benefits include:

- greater potential to increase protection measures and rehabilitation of the EEC's that are located on the site;
- optimising available land for residential development. There is currently limited developable land in and around Urunga to cater for further population growth so development of the few sites that exist should seek to ensure maximum development potential;
- creating a more vibrant community through greater critical mass that will increase availability and viability of community facilities and services such as the proposed shop/neighbourhood precinct and possible public transport connections;
- assist in funding the significant infrastructure costs that will need to be met including construction of new water reservoir, augmentation of the reticulated sewage system and construction of a new intersection with the Pacific Highway;
- lowering developer contribution fees for individual allotments; and
- an increased development footprint enables better implementation of urban design principles and facilitates a more permeable and connected layout than the previously proposed subdivision layout.

It should be noted that the proposed option is provided for discussion and to assist Council in determining the optimum zoning strategy for the site. We understand that Council may want other options and issues considered and we would therefore like the opportunity to discuss this further with Council to ensure all issues are considered in determining the final zoning of the site.

Should you require any further clarification or additional information please feel free to contact me on 6651 7666.

Yours sincerely  
GeoLINK



**Simon Waterworth**  
Senior Planner / Principal

Attach:      Concept Layout – EEC and Buffers  
                  Concept Layout – Lot Layout









HIGHWAY

PACIFIC



-  LOW DENSITY RESIDENTIAL  
174 x 600M<sup>2</sup> LOTS, 38 x 800M<sup>2</sup> LOTS
-  MEDIUM DENSITY RESIDENTIAL  
63 x 375 - 450 M<sup>2</sup> LOTS
-  PEDESTRIAN ROUTES
-  SHOP / COMMUNITY PARK

SOUTH URUNGA  
GEO 01499  
1:3000 @ A3 - GEO LINK - 27-11-09  
**CONCEPT LAYOUT**

## Correspondence





# BELLINGEN SHIRE COUNCIL

33-39 Hyde Street, Bellingen NSW

All communications to be addressed to the General Manager  
P.O. BOX 117 BELLINGEN NSW 2454

ABN: 26 066 993 265  
TELEPHONE: (02) 6655 7300  
FAX: (02) 6655 2310  
EMAIL: council@bellingen.nsw.gov.au  
WEBSITE: www.bellingen.nsw.gov.au

L10465, L10466, L10467, L1608  
dbks  
Daniel Bennett  
02 6655 7352

23 February 2010

Geolink  
Attention: Simon Waterworth  
PO Box 1446  
COFFS HARBOUR NSW 2450

GeOLINK Received ... 26.2.10  
Project ... 1499  
 reviewed  
 noted file-no action required  
 action, as follows  
Scanned → SJW

Dear Simon

**Re: Meeting on 8 February 2010 regarding proposed subdivision of Catholic Church Land – South Urunga (Lots 1 & 2 DP 792596)**

I refer to the abovementioned matter and provide the following points as confirmation of matters discussed, and proof of consultation with Bellingen Shire Council.

A meeting was held between representatives of the Catholic Church (Andrew Young), Geolink (Simon Waterworth) and Bellingen Shire Council (BSC) at 2.30pm on 8 February 2010 at the Bellingen Shire Council Administrative Centre. Officers attending the meeting from BSC, and their respective positions, included;

Daniel Bennett (Strategic Planner)  
Bruce Potts (Section 94 Officer)  
Keiley Hunter (Development Assessment Planner)  
Nic Denshire (Development Engineer)  
Azim Zahural (Development Assessment Engineer)  
Craig Salmon (Manager Water & Sewerage)

The purpose of the meeting, as requested by Geolink, was to discuss a proposed Development Application for the land that would need to be submitted to the Department of Planning for assessment under Part 3A of the Environmental Planning & Assessment Act 1979 (EP& A Act 1979). The proponents sought to obtain preliminary advice from Council on a range of matters and the advice provided is summarised below.

## Conceptual layout

- No detailed assessment made however, broadly, appears to be acceptable. Some desirable aspects of the layout in particular include
  - Generally well connected street layout that avoids use of cul-de-sacs
  - Lots generally not backing onto reserves
  - Provision for neighbourhood centre and consideration of walkable neighbourhood principles

- Potential for multi-functional road reserves fronting areas of environmental constraint (ie: for stormwater control, APZ's, and pedestrian access)
  - Avoidance of impact on identified EEC's and incorporation of buffering to these areas.
- The supply of some smaller sized allotments for medium density style development is supported in principle, and their location towards the neighbourhood centre and Highway frontage is supported. It is noted that Urunga is heavily constrained in terms of future greenfield release sites and the provision of opportunities for higher density residential living ultimately encourages a more economical use of a scarce resource.

#### Relationship with adjoining lands

- The proposed layout provides opportunities for adjoining land parcels with development potential to connect to the road network.
- The development potential of adjoining land holdings will need to be considered in some detail. This will help to properly determine the ultimate levels of infrastructure and servicing to accommodate development in South Urunga and ensure that the development potential of all suitable land is not impeded. This includes matters such as stormwater facilities, water supply (including location for new reservoir) sewerage supply and road networks. In this regard, it is considered that some form of Structure Plan for the broader area would be required to be developed in conjunction with any application for subdivision on the subject land.

#### Zoning of the site under the new LEP

- Council has received a submission from Geolink requesting that the proposed zoning and lot size maps for the subject site (exhibited as part of Draft BLEP 2009) be amended to better facilitate the development of the site. The exhibited lot size boundary was selected to follow a ridgeline and the zoning boundary reflected that contained in Council's adopted Growth Management Strategy.

Generally, it is considered that the requested extension of the developable area to the east is worthy of support and it is acknowledged that the edge of development has been determined with reference to previous mapping of EEC's and the incorporation of a 50m buffer to this area. It is noted that a significant portion of the subject land will be backzoned to E3 Environmental Management under the Draft LEP and that large portions of land in the eastern portion are unable to be developed due to EEC constraints. The ultimate amendment of the Zoning and Lot Size Maps will, however, not be solely determined by Council and DoP will need to concur with this amendment.

#### Other implications of the new LEP such as density

- The LEP nominates a 600m<sup>2</sup> minimum lot size for subdivision in this area. Smaller lots may be able to be created if in conjunction with an approved dwelling design. A FSR map has not been adopted.
- Environmentally Sensitive Lands clauses in the new LEP may have an impact upon subdivision layout if the DA is submitted after gazettal of the Draft LEP. In particular, Clause 7.4 Environmentally Sensitive Lands – Native vegetation intends to require the avoidance of impact on native vegetation in the first instance and most of the site is mapped pursuant to this clause.

#### Collection of contributions for new infrastructure that benefits all landowners in Sth Urunga Precinct

- An arrangement whereby Council collects money from future developers (to retrospectively compensate the Catholic Church for its upfront costs in providing infrastructure necessary to service the entire development area) is not possible or desirable.
- There are some existing Contribution Plans in place (eg: Roads & Traffic Infrastructure) however these deal with upgrades or facilities beyond the development area that will be necessary to accommodate the population increases anticipated in the development area.
- Council acknowledges the Church's desire to ensure that some level of equity is provided across different land parcels in terms of their proportional contribution to infrastructure upgrades. This is particularly relevant given the substantial infrastructure work (eg: intersection construction, connection to sewerage treatment plant) needed to release any land in this area.
- It is considered that the first point that needs to be confirmed is the total estimated cost of all required infrastructure upgrades. Once this has been determined then estimated liability under existing Plans can be calculated and consideration can be given as to the most desirable means of apportioning costs. In this regard, Council is willing to consider a range of options including Voluntary Planning Agreements or new Contribution Plans.

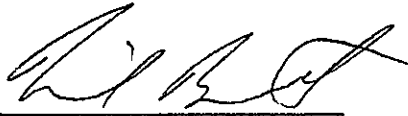
#### Other

- It is noted that there is no capacity to use the existing sewer network in Urunga and that a direct connection to the Urunga Treatment Plant will be required. Should an acceptable agreement not be reached with any landholders affected by the proposed route then Council may choose to enact powers allowing for the route to proceed in the broader public interest. This would occur after all other reasonable efforts had been made to reach agreement with the affected landowners.
- Constrained land that is unable to be developed (ie: central drainage reserve and eastern portion of site) is unlikely to be accepted by Council due to ongoing costs and liabilities associated with its maintenance and the lack of identified need for land of this nature in Councils open space network. It is suggested that an approach is made to both DECCW and Department of Lands regarding a possible acquisition of constrained land by these agencies.

- Council re-affirms the key importance of stormwater treatment in the development of the site. Council is currently preparing a new Shirewide DCP and this is likely to require that stormwater is treated to achieve pre-development water quality measures.

Should you wish to discuss this matter further, please do not hesitate to contact Daniel Bennett of Council's Division of Environmental Health and Planning between the hours of 8.30 am to 4.30 pm Monday to Friday on telephone 6655 7352

Yours faithfully



---

Daniel Bennett  
**STRATEGIC PLANNER**