

# ENVIRONMENTAL ASSESSMENT

**PROJECT:** STAGED SUBDIVISION TO CREATE 7 RESIDENTIAL  
LOTS PLUS RESIDUE LOT

**LOCATION:** 42 Iluka Road,  
Woombah NSW

**PROPONENT:** Mr. Barry Dowman

## **Statement on Validity of the Environmental Assessment**

This Environmental Assessment has been prepared in relation to Project Application No. 06\_0115, which relates to a proposed staged subdivision to create 7 residential lots plus 1 residue lot at 42 Iluka Road, Woombah. The information contained in the Environmental Assessment is neither deliberately false nor misleading. It has been compiled from file notes, correspondence and reports prepared by appropriately qualified consultants.

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## **1. EXECUTIVE SUMMARY**

This Environmental Assessment has demonstrated that approval of this proposal will have minimal, if any, detrimental environmental impacts.

The proposal is a low key development which has been redesigned and refined following an exhaustive consultation process involving Council and a range of government agencies over the past six years. The result is a development which is sympathetic to the existing vegetation and landform (with only five trees required to be removed). The development has been specifically designed away from the Clarence River foreshore (over 140 metres).

The subject land adjoins the Village of Woombah, and the proposal is consistent with the aims and objectives of the residential zone. It is similar in scale and format to the existing settlement pattern and has been designed to accommodate future growth within the Village.

The report clearly shows that proposal has adequately addressed access, utility services and onsite effluent disposal issues.

No adverse social, economic or environmental impacts are likely to arise from the approval of this application.

This document has illustrated that the proposal is in accord with the relevant objectives of the North Coast Regional Environmental Plan 1988, Maclean LEP 2001 and the Environmental Planning & Assessment Act 1979.

Approval of this Development Application is requested, subject to the imposition of reasonable and relevant conditions.

## **2. DESCRIPTION OF PROPOSAL**

### **2.1 Land Details**

The subject land comprises: Lot 1 DP 572076 and  
Lot 24 DP 1055427

Parish of Woombah  
County of Clarence

The subject land is located at 42 Iluka Road, Woombah, NSW

### **2.2 Zoning**

The land is zoned 2(a) Residential (Low Density) under the MLEP 2001 and adjoins the western perimeter of the Village of Woombah.

### **2.3 Site Details**

The site has frontages to Iluka Road, which is bitumen sealed, and to West Street, which is partly constructed in gravel. The site is serviced with electricity, town water and telephone.

The site generally falls from Iluka Road (at the north), RL 24m AHD, towards the Clarence River (to the south) at RL 4m AHD. A partly vegetated gully (about 240 metres in length) is located towards the western perimeter of the site and discharges to the river.

The soils consist of residual clays and support a cover of open grassland vegetation with tall matured scattered trees. The south western precinct carries a heavier vegetation cover as does the riverbank, which is well vegetated with a 3 to 4 metre wide strip of oak and mangroves.

The land has been used as a horse grazing paddock for over 30 years.

## 2.4 Description of Proposal

It is proposed to create seven (7) additional lots only (proposed Lots 15-18 and 20-22) (see **Figure 6**) in stages. The lots comprise areas of between 4000m<sup>2</sup> and 6450m<sup>2</sup>, with the residue (proposed Lot 19) comprising 2.8 ha. The residue is a battle-axe lot comprising the entire frontage of the land to the North Arm of the Clarence River. The access corridor to Lot 19 is 15m wide. This has the capacity to facilitate the future development of this lot.

It is expected that the development will be staged to create the lots in the following sequence:-

- Stage 1 – Lot 19
- Stage 2 – Lots 17 & 18
- Stage 3 – Lot 20
- Stage 4 – Lot 21
- Stage 5 – Lot 16
- Stage 6 – Lots 15 & 22

It is noted that the staging vary in nature and timing according to market forces.

The development will involve the upgrading of part of West Street (about 70m) including the intersection with Iluka Road (see Appendix E). It will also involve the construction of the principal access to the lots within the site (about 200 metres).

The division of the existing gully corridor into two separate management areas within proposed Lots 22 (for the upper gully portion) and 19 (for the lower gully portion) is appropriate for accessibility reasons. This is partly evident on **Figure 6**, which shows the subdividing boundary to be located above the existing gully vegetation. The terrain about the subdividing boundary does not facilitate direct access from Lot 19 to the upper gully portion.

## 2.5 Surrounds

The adjoining land parcels to the east and west comprise a similar topography. These lands are similarly zoned, with the land to the west being utilized as rural residential lots and the land to the east comprising residential lots within the Village of Woombah.

The land to the north of the Iluka Road is zoned 1(r) rural (residential) and has been, and is being, developed accordingly.

The land has a bitumen sealed frontage to the Iluka Road and has ready access to town water, electricity and telephone services.

## **2.6 Suitability of the Site**

The land is zoned 2(a) residential and the proposal is permissible under the zoning. The proposal is immediately adjacent the Village of Woombah and there is a direct nexus with the Village. The proposed lots will be used for residential purposes, consistent with the adjoining land use.

The environmental and technical assessments of the site support the subdivision proposal for low density residential purposes.

## **2.7 Likely Environmental, Social and Economic Impacts**

The proposal will require upgrading and extending the existing gravel access off Iluka Road, into West Street, and then into the site, as shown at **Figure 6**. The proposed western terminal and turning area will be a temporary arrangement until such time as there is further development to the west of the site. Minimal tree removal (5 trees) is required to facilitate the construction of the road, and the development generally, as shown at **Figure 6**. The proposal can clearly support building envelopes and effluent disposal areas without requiring unnecessary tree removal and without unduly overdeveloping the site. The site topography is only moderately sloped so that standard erosion and sediment control measures can be implemented throughout the construction phase (refer to **Figure 7**).

### **Social**

The location of the site is within an established residential settlement which has long anticipated the development of this site and the similarly zoned adjoining lands. The Village of Woombah lacks an 'economy of scale', in terms of population, which has resulted in a scarcity of normally expected community services and facilities eg. no community centre, no public boat ramp, no cycle ways, minimal paved footways, no general store etc. Many of these services and

facilities have been planned for on the basis of the growth which has been foreshadowed by the residential zonings under the Maclean LEP 2001. This proposal is consistent with this population growth strategy.

### **Economic**

The proposal will boost the local economy in the short term, throughout the construction phase, by the use of contractors, consultants and suppliers. Section 94 contributions have been anticipated and will be collected ensuring the construction of public facilities in the area. In the longer term the local economy will benefit from the construction of dwellings and the increase in residents who will be working and spending in the local area.

## **2.8 Justification**

The proposal is clearly justified by the fact that there has been significant demand for land within close proximity to the coast, and the Council of the day (i.e. Maclean Shire Council), had long planned the residential development of this land as part of the growth strategy of the region.

## **2.9 Alternatives**

There are two alternatives to the proposal:

- Do nothing.  
This is not an alternative in that it does not meet the immediate requirement to provide additional housing lots in the Woombah area. Furthermore, it does not coincide with the development and growth trends promoted under the Maclean LEP 2001.
- Make application for a conventional low density residential subdivision over the whole site (600m<sup>2</sup> lots to 800m<sup>2</sup> lots). This is not possible as there is no reticulated sewer available to the Village of Woombah, or the site. Reticulated sewer is not identified as a priority for this area.

### **3. IDENTIFIED ENVIRONMENTAL IMPACTS**

Environmental impacts of the development have been identified, and have evolved over the past 6 years, through dialogue with the Local Government Authority and State Government Agencies during the preparation of a development application for the subdivision of this land. Specific environmental impact issues are detailed in the table below.

<b>Date</b>	<b>Authority</b>	<b>Issues</b>	<b>Where Addressed</b>
22-12-2000	Maclean Shire Council Pre - Lodgment Meeting	<ul style="list-style-type: none"> <li>• effluent disposal</li> <li>• stormwater management</li> <li>• fauna &amp; flora assessment (if more than 10 trees removed)</li> <li>• buffer zone to Iluka Road</li> <li>• Iluka Road intersection</li> </ul>	Statement of Environmental Effects prepared by Gulaptis & Smith ref:4923 dated Dec 2003
2-4-2003	Focus Meeting NSW Fisheries DLWC EPA Maclean Council Planning NSW - Urban Assessment Unit Planning NSW - Regional Office	<ul style="list-style-type: none"> <li>• riparian buffer zone</li> <li>• boat ramps &amp; public access to foreshore</li> <li>• storm water control</li> <li>• erosion &amp; sediment control</li> <li>• effluent disposal assessment</li> <li>• fauna &amp; flora assessment</li> <li>• building envelopes</li> <li>• intersection details</li> <li>• traffic study</li> <li>• acid sulphate soils</li> </ul>	Statement of Environmental Effects prepared by Gulaptis & Smith ref:4923 dated Dec 2003

Date	Authority	Issues	Where Addressed
23-6-2004	DIPNR Review of Draft Master Plan No. 1-1-2004	<ul style="list-style-type: none"> <li>• Crown Public Road access</li> <li>• foreshore ownership</li> <li>• bushfire threat assessment</li> <li>• alternate effluent disposal options</li> <li>• additional fauna &amp; flora assessment</li> <li>• aboriginal archaeological assessment</li> <li>• review road pattern</li> </ul>	Correspondence to: The Manager Urban Assessments Branch DIPNR 2-12-2004
15-12-2004	DIPNR Additional information request - Master Plan 1-1-2004	<ul style="list-style-type: none"> <li>• Iluka Road access</li> <li>• land formation</li> <li>• effluent disposal</li> <li>• frontage to river</li> <li>• subdivision design</li> </ul>	Correspondence to: The Manager Urban Assessments DIPNR 8-3-2006

**4. ADDITIONAL MATTERS TO BE INCLUDED BY ANY GUIDELINES OR DRAFT GUIDELINES ISSUED BY THE DOP OR OTHER RELEVANT AGENCIES.**

There are no additional matters required by the Department of Planning, or other relevant agency, to be included.

## **5. STATEMENT OF COMMITMENTS OUTLINING ENVIRONMENTAL MANAGEMENT MITIGATION, AND MONITORING MEASURES.**

Environmental management mitigation and monitoring measures have been outlined throughout the Statement of Environmental Effects completed in December 2003, and are as follows:-

- Erosion control safeguards will be implemented in general conformance with the controls shown on **Figure 7**;
- A Restriction created by 88B Instrument, for the benefit of Council, will be applied to each of Lots 15 - 18 and 20 -22 requiring on-site wastewater management systems to be installed, with the erection of new report attached as **Appendix C**;
- Restrictions created by 88B Instrument, for the benefit of Council, requiring:-
  - (i) no further disturbance of modification to the gully area shown as (C) within Lot 22 on **Figure 6**;
  - (ii) no wastewater disposal areas to be installed within the areas shown as (A) within Lots 20 - 22 on **Figure 6**;
  - (iii) no existing trees to be removed from within each lot without development approval.

These measures and any other measures issued by a consent authority, in relation to the subject development, will be strictly complied with.

## **6. DEVELOPMENT CONTROL**

Section 79C of the Environmental Planning and Assessment Act 1979 requires that when determining a development application, the consent authority is to take into consideration such of the following matters as are relevant to the proposed development.

- (a) the provisions of:
  - (i) any environmental planning instrument, and

- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved) and
  - (iii) any development control plan, and
  - (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,
- (b) the likely impacts of that development , including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

This Environmental Assessment assesses the proposal under the following legislation:

- Environmental Protection and Biodiversity Conservation Act, 1999
- Threatened Species Conservation Act, 1995
- State Environmental Planning Policy No 44
- State Environmental Planning Policy No 71
- North Coast Regional Environmental Plan, 1988
- Maclean Local Environmental Plan, 2001
- Draft Environmental Planning Instruments
- Planning agreements relevant under Section 93F – no planning agreements are relevant
- Development Control Plans
- Prescribed Matters – NSW Coastal Policy applies.

## **6.1 Environmental Protection and Biodiversity Conservation Act, 1999**

The proposal does not require an approval under this Act as it does not involve any of the following:

- The proposal does not impact on any Commonwealth owned land.

- The proposed development involves minimal clearing (5 trees) and will not result in the loss of any habitat utilised by federally listed threatened species or any migratory species.
- The proposal does not involve the disturbance of any threatened ecological community.
- No Ramsar wetlands of international significance or Commonwealth marine areas are affected by the proposal.
- The proposed development will not impact on any World Heritage properties or National heritage places.
- The development does not propose any of the listed matters of national environmental significance.

## **6.2 Threatened Species Conservation Act, 1995**

The site has been significantly cleared in the past and the vegetation mainly consists of open grassland with tall mature scattered trees. The land has been used as a horse grazing paddock for over 30 years. Only minimal tree clearing is proposed (5 trees) and the two known nesting sites will be retained. The land offers little in the way of foraging resources. The site is similar in nature to surrounding areas and any species utilizing the site for hunting would be mobile species using the site as part of a much larger home range. The proposal will not significantly alter the resources on site and it is considered that there will not be a notable impact on any threatened species or its habitat.

## **6.3 State Environmental Planning Policy No 44**

There are a number of factors which indicate that SEPP 44 does not apply:

- The site has been significantly cleared in the past and has been used for grazing for over 30 years.
- The exposed nature of the site discourages its use as a major koala habitat.
- The adjoining lands are also significantly cleared and used for residential purposes.
- There is no evidence that koalas use the site.

## **6.4 State Environmental Planning Policy No 71**

The matters for consideration are listed below:

- (i) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and**

The proposal is consistent with the zoning. It is considered that the proposal will have no undue affects on the coastal attributes of New South Wales.

- (ii) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and**

The proposal is over private land and will not impede any public access to or along coastal foreshores. There is currently no public access to the river through the site. There is public access to the Clarence River within the Village of Woombah.

- (iii) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and**

The proposal is over private land and will not impede any prevailing public access arrangements to or along coastal foreshores. The further development of the land (i.e. of the residue Lot 19), adjacent to the Clarence river, may enable new opportunities for public access to the foreshore to be identified at that stage.

- (iv) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and**

The land to which the proposal applies has no known aboriginal cultural significance.

- (v) to ensure that the visual amenity of the coast is protected, and**

The proposal will have no impact on the visual amenity of the locality.

- (vi) to protect and preserve beach environments and beach amenity, and**

No beach environments are affected.

- (vii) to protect and preserve native coastal vegetation, and**

The proposal will only remove 5 trees and will not significantly impact on coastal vegetation communities.

**(viii) to protect and preserve the marine environment of New South Wales, and**

The proposal involves development activity that is sufficiently displaced from the marine environment to provide insignificant effect on any marine environment.

**(ix) to protect and preserve rock platforms, and**

No rock platforms are proposed to be disturbed as part of this development.

**(x) to manage the coastal zone in accordance with the principles of ecologically sustainable development ( within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and**

The land is within an existing residential settlement and the proposal is a low density in-fill development that is consistent with the land's zoning. Furthermore the 7 lots to be developed will comprise 4,000 square metres or greater, and this will ensure that onsite effluent disposal can be carried out sustainably. The proposal will not result in any impacts on genetic reserves or biological diversity.

**(xi) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and**

The proposal is consistent with surrounding land uses and subdivision pattern. The proposed unsewered development is appropriate in that it does not maximise the lot yield and is specifically located at the furthest distance from the river foreshore.

**(xii) to encourage a strategic approach to coastal management.**

The proposal is consistent with the current zoning, development standards and surrounding land use and utilizes existing infrastructure whilst ensuring there is a clear displacement between development activity and foreshore areas. The proposal will not interfere with any strategic intentions for coastal management.

**Clause 8 matters**

- (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 proposal is over private land that contains no existing public access arrangements. There is no alteration to public access to coastal foreshore arrangements in the vicinity.

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

There are no opportunities proposed to provide new public access to and along the coastal foreshore. This is considered unwarranted since the adjacent West Street and River Street provide ample public access opportunities within the Village of Woombah.

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

The proposal is a low density residential in-fill in an existing residential settlement that is consistent with the current zoning and surrounding land use. It is connected to the existing village settlement pattern.

- (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 proposal will generate only 7 additional dwellings. Therefore there will be no significant impact on visual or scenic amenity.

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

There will be no impacts on the scenic amenity of the coast as a result of this proposal

- (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.**

The subdivision has been specifically designed to minimise clearing and any alteration to the landform. In addition the land has been extensively cleared and utilised as a horse stud for over 30 years. It is unlikely that the current proposal would result in the local extinction of any threatened, endangered or vulnerable species of flora and fauna.

- (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,**

The proposal will not effect marine vegetation, fish life or their habitats.

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

The surrounding land is already established as part of the Woombah Village settlement, and the proposed site has been extensively cleared. The development is therefore not expected to have any detrimental impact on wildlife corridors.

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

There will be no development activity within at least 140 metres of the river and therefore no alteration to existing coastal processes in the vicinity.

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

The proposal will not generate potential conflict between land-based and water-based coastal activities.

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

The site has no known aboriginal cultural significance.

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

The proposal will not include any development within at least 140 metres from the river. Erosion and sediment control measures will be implemented, throughout the development, to ensure that there is no detrimental impact on water quality

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

The site has no known items of heritage, archaeological or historic significance, nor is there any such listing in the Maclean LEP 2001.

**(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,**

Not applicable

**(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, and**

There is presently a target environmental capacity of 1 dwelling per 4000 m<sup>2</sup> specified by Council's Onsite Sewage Management Strategy for unsewered land in the Clarence Valley Council (CVC) Local Government Area (LGA). The proposal achieves this for the 7 additional lots proposed.

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

Existing water and power services are directly available to the development site. The cost efficient use of these services is based on maximizing the number of consumers within the service catchment, (generally the residential zoned precinct). In addition an energy efficiency policy applies to all dwellings proposed to be erected within the Clarence Valley LGA. The merit of dwelling design will be the subject of further dwelling applications.

## 6.5 North Coast Regional Environmental Plan, 1988

There are no specific provisions of this plan which are relevant to this proposal. Strategic requirements have been dealt with at the rezoning stage and the area determined to be suitable for development.

## 6.6 Maclean Local Environmental Plan, 2001

### ▪ **Clause 10 Bushfire Hazard**

Consent cannot be granted unless any bushfire threat, as identified on Council mapping, is addressed. The subject site borders the CVC listed fire prone area of Woombah. A Bushfire Risk Management Plan has been prepared and is attached as **Appendix A**. The report assesses the site as a "low fire risk".

### ▪ **Clause 12 Development in the Vicinity of Waterways**

In determining a distance for the purposes of this clause, the consent authority shall have regard to:

- the preservation of the scenic quality of the foreshores, and
- minimizing the risk of pollution of waterways, and
- the protection of foreshore ecosystems.

The proposal satisfies this clause in that it is a low density development specifically located some 140 metres from the river foreshore. There will be minimal disturbance of the existing environment to facilitate the proposal and erosion and sediment control measures will be implemented as a further foreshore environmental safeguard.

### ▪ **Clause 13 Development within the Coastal Zone**

The site is within the area identified as the Coastal zone on Council mapping. The proposal meets the goals and objectives of the policy in that it is a low density development which complies with the zoning, and is consistent with the adjoining land uses. It has been specifically designed not to intrude into the foreshore zone and practices will be implemented to ensure the protection of the foreshore environment.

### ▪ **Clause 19 Development along Main or Arterial Roads**

Iluka Road is defined as an arterial road under the Maclean LEP. Access to the proposed development will be via West Street. A preliminary intersection design at West Street and Iluka Road has been prepared in

consultation with Council and the RTA. No proposed Lot will have direct access to Iluka Road. The proposal complies with provisions of this clause.

▪ **Clause 46 - Zone Objectives**

The land is within the 2(a) Residential (Low Density) zone under the LEP.

The aim of the zone is to enable the provision for housing, characterized by low density residential development.

Zone objectives include:

- the provision of low density housing, and
- a residential environment free from any adverse impact from commercial and industrial uses, and
- the provision of community uses, such as child care centres, of a compatible scale, bulk, height and design, which do not detract from the amenity and character of the residential area, and
- adequate provision for water and effluent disposal.

The proposal is consistent with the aims and objectives of the zone in that it is a low density residential development for the purpose of providing 7 additional residential lots. Furthermore there is adequate provision for water and effluent disposal, in accordance with the CVC requirements.

▪ **Clause 47 Subdivision Controls in Residential, Business and Industrial Zones**

This clause specifies that development consent is required for subdivision within the residential zone. Development consent is sought with this application.

## **6.7 Draft Environmental Planning Instruments**

There are no draft environmental planning instruments applicable to this site.

## **6.8 Development Control Plans**

▪ **Subdivision Guidelines DCP**

<b>Sec. 5 - Subdivision in Residential Zones</b>
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5.1 Lot Orientation	Complies	Sufficient area is available within each lot to maximize access to daylight for both occupiers and neighbours, to promote energy efficiency and sustainable development and to take advantage of any views or outlook.
5.2 Site Frontage	Complies	Sufficient area to ensure provision is made for pedestrian and vehicular access and the provision of services to all lots.
5.3 Lot Dimensions	Complies	All lots are well in excess of the minimum of 400 sq m specified in the LEP. This will encourage variety and choice in housing forms, provide sufficient area to enable construction of dwellings and wastewater disposal areas.
5.4 Road Network	Complies	The road network will provide acceptable levels of access, safety and convenience for all road users, ensure convenient vehicular access to properties for residents, visitors and service and emergency vehicles.
5.5 Road Design		Subject to engineering design
5.6 Public Open Space/recreation facilities		Contributions
5.7 Community Facilities		Contributions
5.8 Pedestrian & Cyclist Facilities		The road network will provide shared use of pavement for vehicles, pedestrians and cyclists.

- **Woombah Development Control Plan**

The elements in the DCP have been incorporated in the subdivision design.

- **Erosion and Sediment Control DCP**

Erosion and sediment control mitigation measures are presented in the ESCP attached as **Figure 7**.

## **7. SUBDIVISION CONTROL**

### **7.1 NSW Coastal Design Guidelines**

Under the Coastal Design Guidelines for NSW, Woombah would best be described as a small inland coastal village. Like many inland coastal settlements, it experiences growth pressures. However, because it is not serviced with a reticulated sewerage system and is not likely to be in the foreseeable future, growth is limited by the capacity of subdivisions to handle onsite effluent disposal. Generally this has required residential Lots to be expanded to 4000m<sup>2</sup> in area in order to accommodate onsite effluent disposal. Nearly all of the development in the past 30 years has occurred in the rural residential zones and not in the village itself. Very little subdivision activity has occurred in the village over this time. The principal issues facing Woombah include:-

- No distinct classification of the settlement's heritage;
- Limited formal connection of the settlement to the river, i.e. no public fishing platform, wharf or boat ramp (an agreed location for such a facility has been an ongoing discussion with the community, Council and the Department of Lands for a number of years);
- Limited community facilities;
- No commercial or retail development;
- Limited pedestrian/cycle ways linking the existing settlement pattern.

The proposal is consistent with the vision for the desired future character of the Village of Woombah.

#### **7.1.1 Defining the footprint**

The proposal is contained within the existing Woombah Village residential zone. Whilst the proposed Lot sizes are larger than the existing village lots (in order to accommodate onsite effluent disposal), they are

generally consistent with the dispersed settlement pattern in the village. The proposed subdivision has regard for:

**a) enhancing natural and heritage features and views**

Minimal environmental disturbance will ensure the proposed Lots are compatible with the landscape and will maintain the existing character and visual setting of the village. The proposal provides every Lot with the river views which are a feature of the Woombah village.

**b) retaining existing vegetation and ecology**

5 trees are proposed to be removed to facilitate the proposal. The subdivision has specifically been designed away from the river bank to minimise impacts on marine ecology.

**c) reinforcing and continuing existing open-space networks and green belts, through and between settlements.**

Open space amenity through the village is currently achieved by the existing large residential holdings. There is no dedicated open space network or green belt through the village, other than the unformed River Street, which runs along the foreshore of the North Arm of the Clarence River. Future development of the proposed residue Lot will enable re-consideration of the open space network within the village.

**d) reinforcing and continuing the urban structure of the existing settlement and its centre or main street**

The proposal is linked to the existing settlement via West Street. The proposed urban structure and settlement pattern is consistent with that which is current in the village.

**e) utilising existing services, infrastructure and to locating facilities**

Utility services, such as town water, electricity and telephone are available to the site and will be extended to service the development. The land is zoned residential and it has been incorporated into the Woombah catchment by the utility service providers, to ensure cost efficient services are delivered through the sharing of service distribution costs.

**f) optimising under-utilised infrastructure, such as public transport, shops and community facilities, retail and commercial areas**

The village of Woombah is not sufficiently large enough to have a public transport system, shops and community facilities. This proposal will contribute towards achieving an economy of scale which will attract such infrastructure.

**g) providing a permeable block and Lot pattern in sympathy with the topography and land uses**

The proposed subdivision design is sympathetic to the topography and local environment by running parallel with the contours. The lot sizes are of sufficient area to allow stormwater permeation.

**h) relating higher density housing to the pattern of built form with the existing settlement**

Lots sizes and subdivision density is constrained by the capacity to handle on-site effluent disposal. The Lots cannot be smaller than 4000m<sup>2</sup> to sustain onsite effluent disposal and this size is not inconsistent with the existing subdivision pattern. There is flexibility with the design to allow for further subdivision when (and if) reticulated sewer becomes available.

**i) designing blocks, lots and buildings together to ensure the efficient use of land.**

There is no advantage in conjointly designing buildings as this will not improve the efficient use of the land. Lot sizes and hence subdivision density is limited by the capacity for the land to effectively dispose of wastewater onsite.

**j) providing or retrofitting to achieve water-sensitive urban design initiatives locally and onsite**

Rainwater tanks, grassed swales and existing drainage lines will be utilised to ensure stormwater disposal is managed sensitively. In addition, site specific effluent disposal systems will be incorporated with every dwelling constructed as a added water sensitive design initiative.

- k) **achieving walking and cycling distance to places of importance within the settlement or providing new local centres within the catchment of residential areas**

The proposal is contained within the residential zone of the village, and walking and cycling distances are consistent with the existing subdivision pattern.

### 7.1.2 Connecting Open Spaces

Dedicated, useable, open space within the village is confined to a Crown Reserve located diagonally adjacent to the land on the corner of West Street and Iluka Road. This Reserve contains a children's playground and the Bushfire Shed. The proposed subdivision can easily access this reserve. Other open space of significance within the village is the unformed River Street adjacent the river. This has no formally constructed public access. There are limited open spaces within the village of Woombah which require formal connection. The proposal is only a minor subdivision (7 lots) and meets the open space requirements for the current village needs.

- a) **Locating and connecting new and existing open spaces which protect and maintain:**

- **nature reserves, conservation areas, park lands and environmental protection area**

As stated above the key open space facilities within the village is the Crown Reserve located diagonally adjacent the proposed development and unformed River Street along the River foreshore. Whilst there is no formal public access constructed within the River Street corridor, this reserve area and the Crown Reserve are linked by the existing road network. The subject proposal also has access to this road network.

- **the natural and rural setting of the settlement including the scenic values of the visual catchment**

The proposed subdivision is a low density subdivision which does not require dedication of additional open space areas.

- **Remnant native vegetation**

No such open space dedication is required with this proposal.

- b) establishing continuous ecological corridors to incorporate existing remnant vegetation by connecting reserves and conservation areas from the hinterland or surrounding mountains to the coastal edge**

Such corridors exist within and along the existing Crown Reserve and unformed road reserves. The development site has no potential to improve on this arrangement.

- c) providing setbacks to protect property from the effects of coastal erosion, flooding and bushfire**

The subject proposal is setback a minimum of 140 metres from the Clarence River and is generally above RL 12 AHD which ensures minimal impact from flooding and coastal erosion hazards. The land is mostly cleared and the NSW Rural Fire Service has previously issued the proposed development a Bush Fire Safety Authority.

- d) locating open spaces to build on the special attributes of an area for long-term public amenity and identity of the place. An open space network may include hilltops, river frontage, mature trees, and places with panoramic views, rocky outcrops and remnant vegetation**

Future development of the residue lot will provide an opportunity to consider open space provisions along the river foreshore.

- e) where feasible preserving settings for places of cultural heritage with the open space network**

There are no sites of cultural or heritage significance on the land.

- f) Providing areas within the open space network sufficient to detain and cleanse stormwater runoff and avoid impacting sensitive ecologies**

Water sensitive control measures, such as rainwater tanks, grass swales and site specific onsite wastewater disposal units combined with relatively large residential lots will negate any requirement for providing stormwater detention basins.

- g) Establishing edge open spaces with streets and pedestrian pathways. These are best located within the development footprint of the settlement, rather than in an open space zone.**

This is achieved within the subdivision design. The proposed road reserve is 20 metres wide and is sufficiently wide enough to accommodate pedestrian pathways.

- h) Providing pedestrian and cycle access that:**

- i) does not compromise the ecological values of high conservation areas**

No such pedestrian or cycle access is proposed

- ii) connects important places throughout the settlement**

The proposed access road will be utilized as a pedestrian/cycle access, and this links with the existing settlement.

- iii) connects residential areas to commercial and retail locations without compromising the visual, aesthetic or ecological values of the foreshore**

Whilst there are limited commercial and retail locations within the Woombah area, the proposal does not link with these facilities.

- i) Providing a variety of large and smaller open spaces to serve a range of different active and passive recreational roles, for example:**

*a. Playing fields*

The proposed subdivision is not significantly large enough to warrant dedication of land for playing fields. S. 94 contributions for active open space in the context of the Woombah catchment will be a requirement of development consent.

*b. playgrounds and small pocket parks*

There is such a playground located diagonally opposite the subject land.

*c. walking and cycling connections*

These connections are made via the proposed road network.

*d. places and activities for people with physical disabilities*

There are currently limited places in Woombah for people with a disability and the proposal ensures a link with these places via the proposed road network.

**j) Co-locating recreational facilities with shops, schools and other facilities to reduce parking and minimise walking distances.**

No such facilities are proposed or required by a development of this scale. The proposed development links with the existing settlement through the road structure.

**k) Landscape design of open spaces should reflect the different qualities of the location and their function**

There is no such requirement for open space and it is not proposed by the application.

### **7.1.3 Protecting the natural edges**

*1. Defining the key characteristics and functions of public spaces along the foreshore with particular regard for sites of significant social and cultural importance.*

The proposed development is displaced from the foreshore and no public space is proposed along the foreshore.

*2. Maintaining foreshore areas and setbacks in public ownership.*

The river foreshore is in private ownership and the proposed development is displaced from the foreshore.

*3. Ensuring that existing and remnant native vegetation is protected through generous setbacks and defined points of access.*

Minimal vegetation is proposed to be removed (5 trees) to facilitate the development and restrictions will be imposed on new lots to protect sensitive environmental zones.

4. *Providing pedestrian access to and along the foreshore with provision for those with less mobility.*

There is currently limited formal pedestrian access to the foreshore and the proposal is generally consistent with community expectations and strategic planning for public access to the foreshore.

5. *Avoiding the remodeling of foreshore areas to ameliorate coastal processes by buildings or other structures.*

No development is proposed along or adjacent the foreshore.

6. *In new areas providing edge roads (or unformed pedestrian pathways) between all urban areas, foreshore reserves and orient streets to provide:*

- a. direct pedestrian access to the foreshore*

Pedestrian access to the foreshore is directed along the existing road network through the existing settlement

- b. views to the foreshore as well as distant views and vistas*

The proposed subdivision design provides views to the foreshore as well as distant views and vistas.

7. *Defining clear pedestrian and vehicular entry points and access routes through the foreshore reserve to reduce the impact of traffic through dunes, coastal vegetation and other fragile areas.*

No development is proposed along or adjacent the foreshore.

8. *Designing and locating foreshore facilities, such as carparks, toilet blocks and picnic areas, to reduce their visual intrusion on the foreshore, view corridors and vistas.*

No foreshore facilities are proposed.

9. *Encouraging public rather than private jetties and boat facilities.*

No development is proposed along or adjacent to the foreshore, and no jetties or boat facilities are proposed.

10. *Ensuring the ecological integrity of vegetation on the foreshores and headlands is not compromised by creating views and outlook from private properties and by encouraging filtered views.*

No development is proposed along or adjacent the foreshore and no vegetation is proposed to be removed along the foreshore to facilitate the subdivision.

11. *Areas adjoining freshwater estuarine, coastal habitats and the coastal edge are managed to reduce land use impacts through setbacks that also supports the protection of properties from erosion, protection of sensitive ecologies, provision of public access along the foreshore and to natural areas, provision of visual amenity along the foreshore, protection of properties from the effects of sea-level rise, improvement of water quality.*

The proposed development is displaced (by over 140 metres) from the foreshore and there will be no impact on the coastal edge as a result of the proposal.

12. *Setbacks should also address coastal erosion hazards such as storm surge events and river flooding, long-term shoreline recession and sea-level rise, cliff retreat and catastrophic collapse, sand drift hazard, entrance stability, estuarine erosion and changes in tidal current position.*

The proposed development is setback some 140 metres from the foreshore and is generally above RL 12 AHD, thus eliminating the impact of coastal hazards on the development site.

13. *Setbacks are designed to protect ecosystems and reserves covered under SEPP 14 wetlands, SEPP 26 littoral rainforest, SEPP 53 koala habitat as well as salt-marsh and mangrove communities, riparian vegetation, frontal dunes and headlands, national parks, protected areas and reserves.*

The proposal development is setback 140 metres from the Clarence River foreshore in order to provide maximum protection to the foreshore ecosystem.

14. *For new developments the foreshore setbacks should be at least 50m wide as a precautionary measure where possible.*

The proposed development is setback in excess of 140 metres from the foreshore.

15. *Setbacks may need to be marked and their vegetation preserved. Setbacks should where possible be increased to 100m or more where they are adjacent to ecologically sensitive areas or in situations where the coastal erosion hazard requires greater distance.*

The proposed development is setback in excess of 140 metres from the foreshore.

16. *Setbacks from redevelopment should consider a 100 year planning timeframe to address shore line retreat and sea-level rise.*

The proposed development is located in excess of 140 metres from the river foreshore and is above RL 12 metres AHD thereby ensuring consistency with the 100 year planning time frame.

17. *Coastal estuary planning for local areas must detail the issues place-specifically and follow guidelines in the Coastal Zone Management Manual.*

There are no specific issues which relate to the Woombah area.

18. *Development on frontal dunes is avoided.*

The subject land is not in a beach environment.

19. *Set new development back from the foreshore edges of the ocean, lakes and other waterways to protect visual amenity and create opportunities for public access.*

The proposed development is set back 140 metres from the foreshore and there are further opportunities to create public access to the foreshore through the future development of the residue lot.

20. *The design of buildings and other structures on properties adjoining the foreshore complements the function and character of the foreshore.*

No buildings or structures are proposed upon the residue lot which adjoins the foreshore.

21. *Setbacks in public ownership where ever possible, allow opportunities for public access and have limited development including no roads, private allotments, infrastructure and retaining walls in these locations.*

No development is proposed along or adjacent to the foreshore.

#### 7.1.4 Reinforcing the street pattern

The proposed subdivision was designed to utilize the existing road network, where possible, and to ensure that the proposed access could be extended to service future development.

1. *Building on the original and established street and block patterns in terms of the pattern of circulation, access to lots and uses.*

The existing road pattern has been adopted to access the proposed development.

2. *Ensure the settlement is easily navigable and logical in terms of access and location of uses.*

The proposal complies with this requirement and is consistent with the recommendations of Council and the RTA.

3. *Optimise the number of connections within the street hierarchy. The traditional grid provides high accessibility and permeability for pedestrians and vehicles.*

The proposal complies with this requirement. The proposed access can be extended to service future development and the existing caravan park to the west to provide permeability.

4. *Recognise or design street in response to the topography and other natural features by ensuring a predominance of streets that relate to the original landform.*

The proposed subdivision layout has been designed to run parallel with the contours of the site.

5. *Protect streets that provide access and views to the coast, foreshores and headlands, other significant natural features and places of public importance.*

The proposed layout maximizes river and foreshore views for all of the new lots.

6. *Allow for changes on private land whilst valuing the qualities of individual streets including:*

*a. their order within the hierarchy*

The road hierarchy has been maintained by using the existing road network, in consultation with council and the RTA.

*b. access and street address*

The new lots will be serviced by the new internal access road which is linked to the existing road corridors.

*c. carriageway, footpath, reserve alignments and building setbacks*

The carriageway, footpath, reserve alignments and building setbacks for the proposed development will be consistent with the existing standards in the Woombah village.

*d. street trees which will offer filtered views of the coast*

Street trees will be planted in accordance with the local Council policy.

*e. vista and view corridors*

Vista and view corridors for each proposed Lot are ensured by the sympathetic layout of the subdivision, to the landform.

7. *Minimise road crossings over waterways and waterbodies.*

No crossings are proposed over waters or water bodies.

8. *Encourage grass swales and pervious surfaces to increase stormwater infiltration.*

Grass swales will be utilized throughout the development for stormwater management.

*The street hierarchy can be strengthened by:*

9. *Protecting the rural and natural character of the main access roads by restricting development fronting onto them.*

Development has been restricted adjacent the Iluka Road whereby the estate's proposed access point at the West Street and Iluka Road intersection has been negotiated with Council and the RTA. Furthermore, access to the new lots will be via the proposed internal road.

10. *Reinforcing main streets as the commercial and social heart of the settlement.*

The proposed subdivision layout utilizes the existing road network to link into the existing Woombah settlement.

11. *Developing public edge roads around the settlement to provide separation between urban areas and sensitive ecologies and open-space areas. This provides asset protection zones for bushfire management and access to open spaces, foreshores and headlands.*

The proposed subdivision design focuses on developing the northern part of the land, adjacent to Iluka Road and away from the river foreshore.

12. *Limiting fast moving traffic in residential streets.*

The proposed access road is a relatively short road which will end in a temporary cul-de-sac. It will not encourage fast moving traffic.

13. *Protecting laneways in residential and commercial areas from being built into or over.*

No such lane ways exist or are proposed.

14. *Establish a system of pedestrian pathways throughout then settlement and between settlements*

The existing road corridors are sufficiently wide enough to be utilised as pedestrian pathways, in a similar fashion to that which exists in the village.

15. *Reinforcing streets with appropriate street vegetation planting.*

Street vegetation will be carried out in accordance with Council's policy.

### **7.1.5 Appropriate buildings in a coastal context**

No buildings are proposed under this application. The application is for a residential subdivision and any dwellings will be the subject of a further development application.

## **7.2 Consistency with Surrounding Developments**

The proposal is a low key residential development specifically designed to be compatible with the existing surrounding developments and not to be intrusive on the landscape. The proposed development comprises lots of 4000 sq m, or greater, and sections 2 & 3 above clearly detail how the aims and objectives of the Maclean Shire Residential DCP have been met; viz.

- topography and slope
- drainage pattern
- existing vegetation
- aspect and prevailing winds
- location of services
- views
- existing buildings (structures) on the site and adjoining land
- heritage and archaeological features
- contaminated soils
- easements

The adjoining land parcels to the east and west comprise a similar topography. These lands are similarly zoned, with the land to the west being utilized as rural residential holdings and the land to the east comprising residential lots within the Village of Woombah.

The land to the north of the Iluka Road is zoned 1(r) rural (residential) and has been, and is being, developed accordingly.

### **7.3 Compliance with Minimum Lot Size**

The minimum residential lot size within the 2(a) residential (Low density) zone, under the Subdivision Guidelines DCP, is 400 m<sup>2</sup>. The proposed development complies in that each lot is 4000 m<sup>2</sup>, or greater.

### **7.4 Bushfire Risk**

A Bushfire Risk Management Plan for the proposal has been prepared and is at Appendix A In addition a Bushfire Safety Authority, in relation to the proposal, was granted on 10 Feb 2005 (refer to Appendix B)

### **7.5 Site Constraints**

Two physical site constraints have been identified and design features incorporated in the lot layout to minimize site impacts.

- The Clarence River has been identified as a physical site constraint. Impacts have been mitigated by locating development activity a minimum of 140 metres away from the river foreshore.
- The dry gully adjacent the western boundary is the other physical constraint which has been accounted for in the design. The proposed layout has been specifically designed so that the dry gully can be accessed and managed. Accordingly, the gully is appropriately divided into 2 management areas which reflect accessibility to its upper and lower portions. The gully is wholly contained within proposed Lots 19 and 22, and the other lots have restrictions imposed on them to prevent effluent disposal areas from impacting on the gully.

## **8. EFFLUENT TREATMENT AND DISPOSAL**

Onsite effluent disposal is proposed for each of the additional lots. These lots have been specifically sized at 4000 sq m or greater in order to comply with Council's policy for onsite effluent disposal. Wastewater Management Reports are attached as Appendix C & D. It clearly establishes that onsite wastewater treatment can successfully be achieved, for each of the proposed lots, in order to satisfy regulatory health and policy requirements. The possible sites within each proposed lot for treatment/disposal areas together with reserve areas are shown on **Figure 5**.

## **9. RIPARIAN BUFFERS**

The proposed subdivision has been specifically designed to maintain an appropriate riparian buffer to the North Arm of the Clarence River. It is considered that the proposed buffer of 140m, from the river foreshore to the closest boundary of the proposed lots, provides a substantial buffer to ensure the integrity of the riparian zone.

In addition to the riparian buffer to the Clarence River, the proposal provides for a restricted area of approximately 20 metres to the centreline of the dry gully to protect water course vegetation with a further 20 metre

restricted area included as a buffer to effluent disposal areas (refer to Appendix D).

## **9.1 River Foreshore Access**

The proposal is over private land and there are no existing public access arrangements to the foreshore, nor are any such access provisions proposed by the current application. The proposal does not prohibit the opportunity to secure public access to the foreshore through a future development application to develop the residue lot. Public foreshore access through the subject land is considered unwarranted since the adjacent West Street and River Street provide ample public access opportunities within the Village of Woombah.

## **9.2 River Foreshore Maintenance**

The river foreshore is in private ownership and maintenance of the river foreshore will be the responsibility of the landowner.

## **10. VEHICULAR ACCESS**

It is proposed to access the development by constructing an approved access off Iluka Road, into West Street, and then into the site, as shown by Figure 5. The speed limit along Iluka Road, at the West Street intersection, is 50kph and the preliminary intersection plan, prepared by McKenzie Burridge & Associates P/L, has been designed accordingly (refer to Appendix E).

Access to the additional 7 lots will be via the new internal road.

## **11. FLOOD MANAGEMENT**

The lower sections of the land are flood affected, generally below RL 2.8 metres AHD. The proposed development is confined to that area of the site above 12m AHD and is not subject to flooding.

## **12. STORMWATER AND DRAINAGE MANAGEMENT**

The proposal will utilize shallow grassed open swales along the new constructed access road to divert stormwater into the existing drainage lines. The proposed road will generally follow level grades, and thereby will not generate significant flow rates into the existing drainage lines. The road side swales will be designed in accordance with Council's engineering standards. Additional measures will be undertaken to control stormwater runoff generated by the subdivision through:

- Use of rainwater tanks for new dwellings,
- Appropriately designed effluent disposal fields,
- Restricting site clearing to building envelopes.

Stormwater quality will be controlled by:

- Ensuring swales are grassed,
- Ensuring effluent disposal fields are constructed in accordance with the design,
- Ensuring the protection of the vegetation in the existing drainage lines.

## **13. CROWN LAND**

The proposal does not involve crown land. The proposal has been specifically designed away from the foreshore (adjacent crown land) so that it will not interfere or impact on the adjoining crown land. It will not:

- Encroach upon crown land,
- Remove any vegetation from crown land,
- Use crown land to access the property,
- Stockpile materials, equipment, or machinery on the crown land,
- Direct stormwater discharges on the crown land (stormwater will be directed into the existing grassed drainage lines)

## **14. UTILITIES AND SERVICING**

Existing services available to the land include:

- Town water,
- Electricity,
- Telephone,
- Waste disposal.

These services are available to the 7 additional lots. The respective utility authorities have factored all of the residential zoned land within the Village of Woombah in their count when determining the capacity and requirements of their respective services.

## 15. NATURAL HERITAGE

A Flora and Fauna Report dated 20 October 2004 was prepared by Land and Marine Management Strategies P/L and forwarded to the Urban Assessments Branch of DIPNR on 2 December 2004. The development proposal, at the time the report was prepared, was for a 14 lot subdivision. The proposal has since been halved and only 7 additional lots are now proposed. Nonetheless, the report indicates the site contains:

- A foreshore strip of "Marine Vegetation" which is protected under the NSW Fisheries Act 1997. The report concludes that this environment must be maintained as fisheries habitat. The proposal is consistent with the recommendations of the report in that development activity has been restricted to over 140 metres from the foreshore.
- Potential habitat for 1 x 'vulnerable species' listed under the TSC Act 1995 (i.e. Osprey *Pandion Haliaetus*); and
- Nesting sites for 2 x species identified as 'protected and nesting' (i.e. Whistling Kite *Haliastur Sphenurus*, Brahminy Kite *Haliastur Indus*)

The subject site appears to provide no habitat of significance for any other 'vulnerable' flora or fauna species.

The report (attached herewith as Appendix F) indicates that only 2 of 5 trees to be removed represent Osprey or Kite habitat, but nevertheless recommends that impact to such trees be minimized, and that same

species replacement trees be established for those removed. Such a requirement could be included as a condition of development consent.

The site has no known aboriginal cultural significance and this was confirmed by the Yaegl Local Aboriginal Land Council, following their inspection of the site (refer to Appendix G).

## 16. CONSULTATION

There has been continuing consultation with the relevant authorities and Government agencies since this development proposal was first commenced in November 2000.

- **Maclean Shire Council.** Pre-lodgement meeting on 28 November 2000. The critical issues discussed were:
  - 2000m<sup>2</sup> lots would not be supported unless onsite effluent disposal was proved to be sustainable.
  - Incorporate the existing drainage lines into the stormwater management system.
  - A flora and fauna statement would be required if more than 10 trees were to be removed.
  - Buffer zone to be maintained along Iluka Road
  - Applicable Sec. 94 Contributions
  - Intersection with the Iluka Road to be at 90 degrees
  - Effluent disposal areas to be set back 100 metres from the mean high water mark of the Clarence River.
- **NSW Fisheries.** Were in attendance at a Focus Meeting held in Maclean on 2 April 2003. Issues discussed included:
  - Buffers of 50 – 100 meters from the riparian zone.
  - Boat ramps.

- Stormwater management.
- Access to the foreshore by the public.
- **Dept. of Land & Water Conservation.** Focus Meeting in Maclean on 2 April 2003.
  - Erosion and sediment control issues.
  - Effluent disposal.
  - Rivers and Foreshores Permit.
  - Stormwater management.
  - The adjoining land to the mean high water mark is crown land.
- **Environmental Protection Authority.** Focus Meeting in Maclean on 2 April 2003.
  - Water cycle management.
  - Stormwater management.
  - Rainwater storage.
- **Maclean Shire Council.** Focus Meeting in Maclean 2 April 2003.
  - Piped culverts.
  - Grassed swales.
  - Intersection treatment with Iluka Road.
  - Incorporate the existing drainage lines into the stormwater management system.
  - Use of rainwater tanks.
  - West Street is a crown road.
  - Acid sulphate soils.

- Envelopes for dwellings and effluent disposal fields.
- Sec. 94 Contributions.
- Consider flora and fauna issues.
- **Planning NSW.** Focus Meeting in Maclean 2 April 2003.
  - Public access issues to the foreshore.
- **Roads an Traffic Authority.** Focus Meeting in Maclean 2 April 2003.
  - Iluka Road intersection and access.

➤ **North Coast Water.**

North Coast Water (NCW) is a 'business unit' of the Clarence Valley Council. The draft conditions of development of consent issued by the Clarence Valley Council on 1 July 2004 indicate that NCW have been consulted and their standard requirements have been attached to the draft conditions as Appendix A. These requirements are typical for developments of this nature in the Woombah area and generally within the Clarence Valley Local Government Area.

➤ **Telstra.**

Telstra's strategic planners have made provision, within their local network, for all the suitably zoned land, in the Woombah catchment, to have appropriate telecommunication services subsequent to the land being zoned. Further consultation with Telstra is required upon approval of the application to determine the specific needs of the subdivision.

➤ **Country Energy.**

Similar to Telstra, Country Energy's strategic planners have made provision, within their local network, for all the suitably zoned land, in the Woombah catchment, to have access to electricity services subsequent to the land being zoned. Further consultation with Country Energy is required upon approval of the application to determine the specific needs of the subdivision.

➤ **Local Aboriginal Groups.**

The local aboriginal group has been consulted. They have carried out an inspection of the site to determine if the land holds any cultural significance (refer to Appendix G). The report indicates that they have '*no objections to the proposed Residential Development proceeding*'.

➤ **Local Community and Community Action Groups**

The proposal is a low key residential development in a residential zone and does not appear to be a contentious development within the community. Consequently, community consultation has followed the standard advertising and notification procedures required when lodging a development application.

## 17. FIGURES

**Figure 1: Location Sketch**

**Figure 2: Zoning Map**

**Figure 3: Context Sketch**

**Figure 4: Existing Site**

**Figure 5: Proposed Masterplan Sketch**

**Figure 6: Proposed Subdivision**

**Figure 7: Erosion & Sediment Control Plan**

**Figure 8: DP 1055427**

**Figure 9: Aerial View of Site from South**

**Figure 10: View of Site from West**

## 18. APPENDICES

## **Appendix A: Bushfire Risk Management Plan**

(LAMMS P/L - dated 20/10/04)

**Appendix B: Bushfire Safety Authority issued by RFS**

(dated 10/2/05)

**Appendix C: Wastewater Management Report (Revision B)**

(McKenzie Burridge & Assoc. Ref.02-145 dated 21/10/03)

**Appendix D: Wastewater Management Report**

(McKenzie Burridge & Assoc. Ref.02-145 dated 29/11/02)

**Appendix E:        Intersection Detail Drawing**

(McKenzie Burridge & Assoc Ref

02-145-INT 1  
dated Oct 2003)

**Appendix F: Flora & Fauna Report**

(LAMMS P/L dated 20/10/04)

**Appendix G: Letter from Yaegl Local Aboriginal Land Council**

(dated 15/11/2004)