



DRAFT MASTER PLAN: IRON GATES RESIDENTIAL RELEASE

PREPARED BY
PLANIT CONSULTING PTY LTD
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1 OVERVIEW

1.1 INTRODUCTION

The Draft Iron Gates Master Plan has been prepared by Planit Consulting Pty Ltd on behalf of Gold Coral Pty Ltd for the proposed residential subdivision of the Iron Gates site in Evans Head.

The Draft Master Plan has been prepared in accordance with the provisions under Part 5 of State Environmental Planning Policy No. 71 – Coastal Protection as a mechanism to ensure *the aims of the SEPP are achieved*.

In accordance with Department Guidelines, the Draft Master Plan is not required to contain the level of site or building specific detail required in a Development Application. Rather, it provides *'an analysis of the site and its context to show the constraints and opportunities and the relationship of the proposal to coastal environments and coastal processes'*.

- | | |
|------------------------------|------------------------------|
| • Proponent | Gold Coral |
| • Town Planning | Planit Consulting |
| • Urban Design | Planit Consulting |
| • Ecology Assessment | Planit Consulting |
| • Aboriginal Heritage Impact | Everick Consulting |
| • Infrastructure Provision | Hyder Consulting |
| • Biting Insect | Mosquito Consulting Services |
| • Flood Modelling & Impact | BMT WBM |
| • Bushfire Impact | BCA Check |
| • Soil & Contamination | Hyder Consulting |

Extracts from each specialist consulting team have been included in the Draft Master Plan. A copy of the specialist studies and reports are provided as Annexures to this Draft Master Plan

1.2 STRUCTURE OF THIS DRAFT MASTER PLAN

This Draft Master Plan is structured as follows:

- Section 2: Describes the site and its surrounds, including the constraints and opportunities that have informed the Draft Master Plan.
- Section 3: Sets out the Principles of Design for the site (the Draft Master Plan).
- Section 4: Describes the planning controls relevant to the site.

1.3 PROJECT TEAM

The project team for this Draft Master Plan include:

2 BACKGROUND

2.1 SITE CONTEXT AND IDENTIFICATION

Evans Head is located within the Richmond Valley Local Government Area approximately 100 kilometres south of the Queensland and New South Wales state border and 580 kilometres north of Sydney, as the crow flies.

It is a moderate sized coastal village located in a scenic coastal setting that includes the NSW east coast, the Evans River, the Broadwater National Park and the Bundjalung National Park. In 2011, Evans Head had a population of 2,730 (ABS 2011). In addition to permanent residents, Evans Head is a popular holiday destination on the Far North Coast given its locality and natural setting. The township boasts a range of tourist accommodation including caravan parks, cabin sites and holiday/investment properties. The Evans Head town centre comprises a range of community and recreational facilities, shops and commercial services and public transport facilities.

The Evans Head village is defined by a mix of detached single or double storey houses on primarily 450-800m² lots with a mix of medium density town house, duplexes and residential flat development on larger allotments. The character of the existing housing product is traditional coastal village with dwelling materials including timber, fibro or brick cladding and either colourbond or tile roofing. A number of the dwellings are raised on stilts to provide flood immunity.

The streets generally follow a grid and vary in width from +20m wide main/collector roads to 4m wide service laneways.

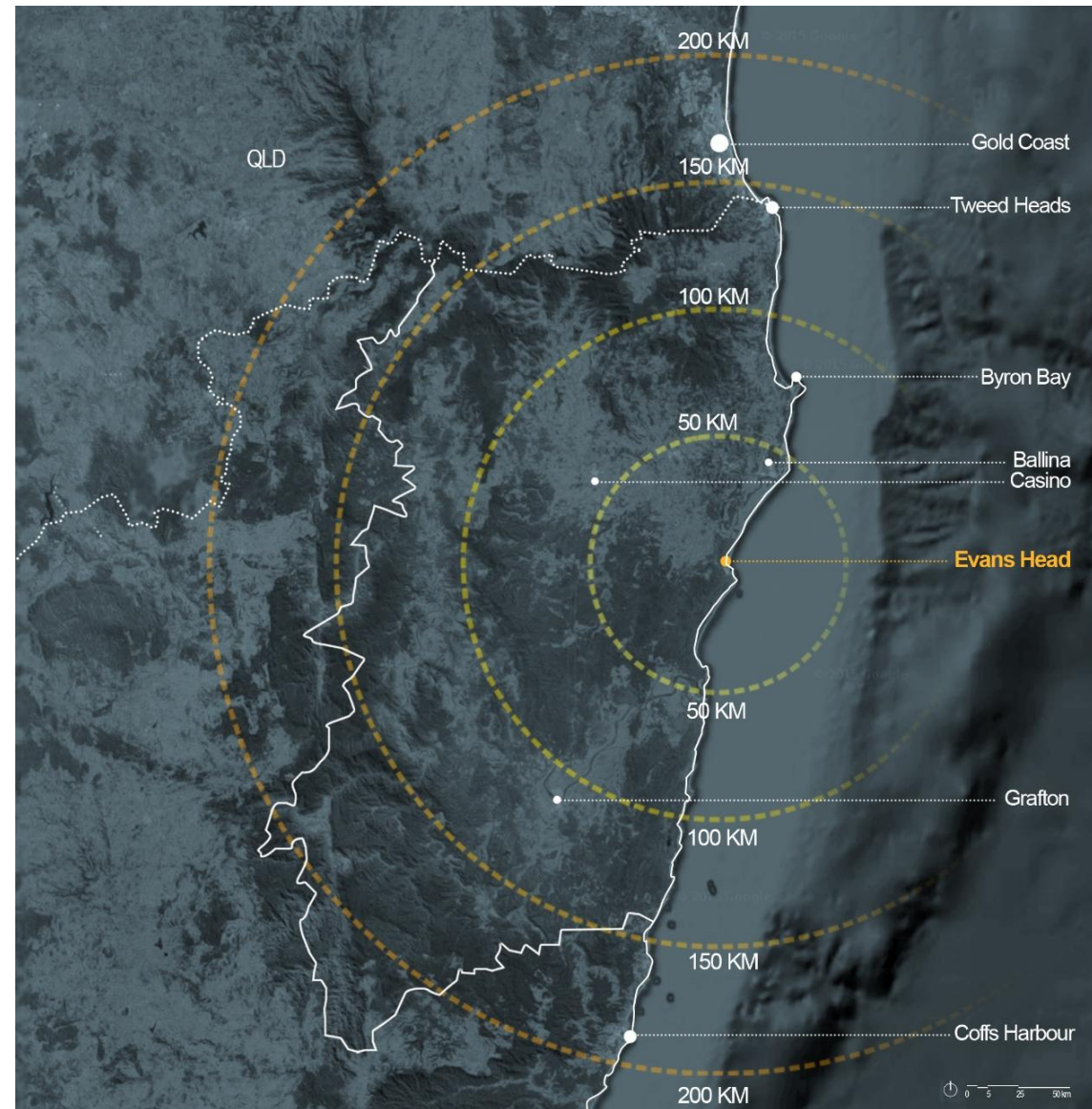


Figure 1- Locality Plan



Figure 2 - Evans Head Aerial Image

2.2 THE SITE

The land subject to the Draft Master Plan is described as Lot 163 in Deposited Plan (DP) 831052 and Lots 276 & 277 in DP 755624, Iron Gates Drive, Evans Head. The land also subject to this proposal includes a number of paper road reserves which traverse the site. The allotment boundaries and reserve areas are identified in the image below.

The site is located approximately 1.5km south west of the Evans Head urban footprint. The site fronts Evans River to the south. Native forest surrounds the site on all other compass bearings. Further, to the south is the Bundjalung National Park.



KEY

--- Site Boundary

Figure 3 - Site plan



Figure 4 - Aerial Image

Part of the site has historically been identified and zoned for residential purposes to accommodate the growing Evans Head population. Former subdivision works and bushfire maintenance have been undertaken on this land, which has resulted in a number of large cleared areas and informal roadways and trails.

A single dwelling, shed and gravel driveway is also located in the south eastern corner of Lot 163 DP 831052.



Figure 5 - Existing Dwelling



Figure 6 - Site in 1998

The land is generally sheltered from harsh winds due to the presence of surrounding vegetation. This surrounding vegetation also limits views towards the site from surrounding private or public areas.

2.3 TOPOGRAPHY

The site features grades ranging from 0.5% to 6%. The eastern portion of the site is flat and features minimal grades of up to 0.5%. This portion of the site features two (2) manmade channels running from north to south that facilitate stormwater flows to the Evans River. A ridge is located on the western side of the site with an elevation of 22m AHD. Slope grades of approximately 6% are located in this area as the ridge flattens out to the east.

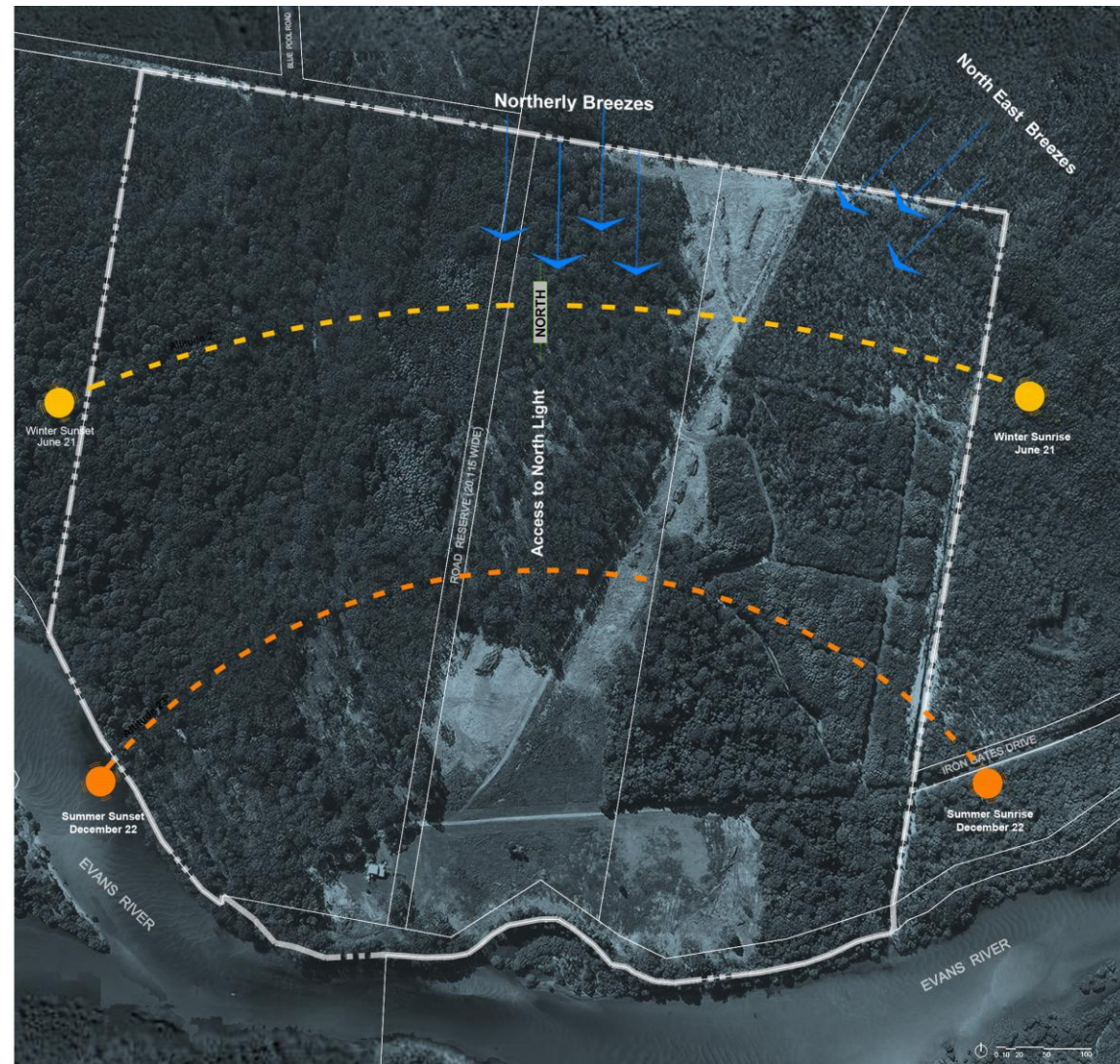


Figure 7 - Site Aspect

2.4 LAND USE AND ZONING

Richmond Valley's population is continuing to grow (Population and Housing Projections, DP&E 2013). In accordance with Council's adopted settlement strategy, the majority of the population growth anticipated for the Evans Head area will be accommodated within areas that are already identified for residential use. This includes the entire Iron Gates site, which under Council's growth strategy has an estimated yield of 275 allotments and a population of 620 persons. The urban character for the Iron Gates site as identified under Council's growth strategy, comprises general single detached dwellings at approximately 8 dwellings per hectare.

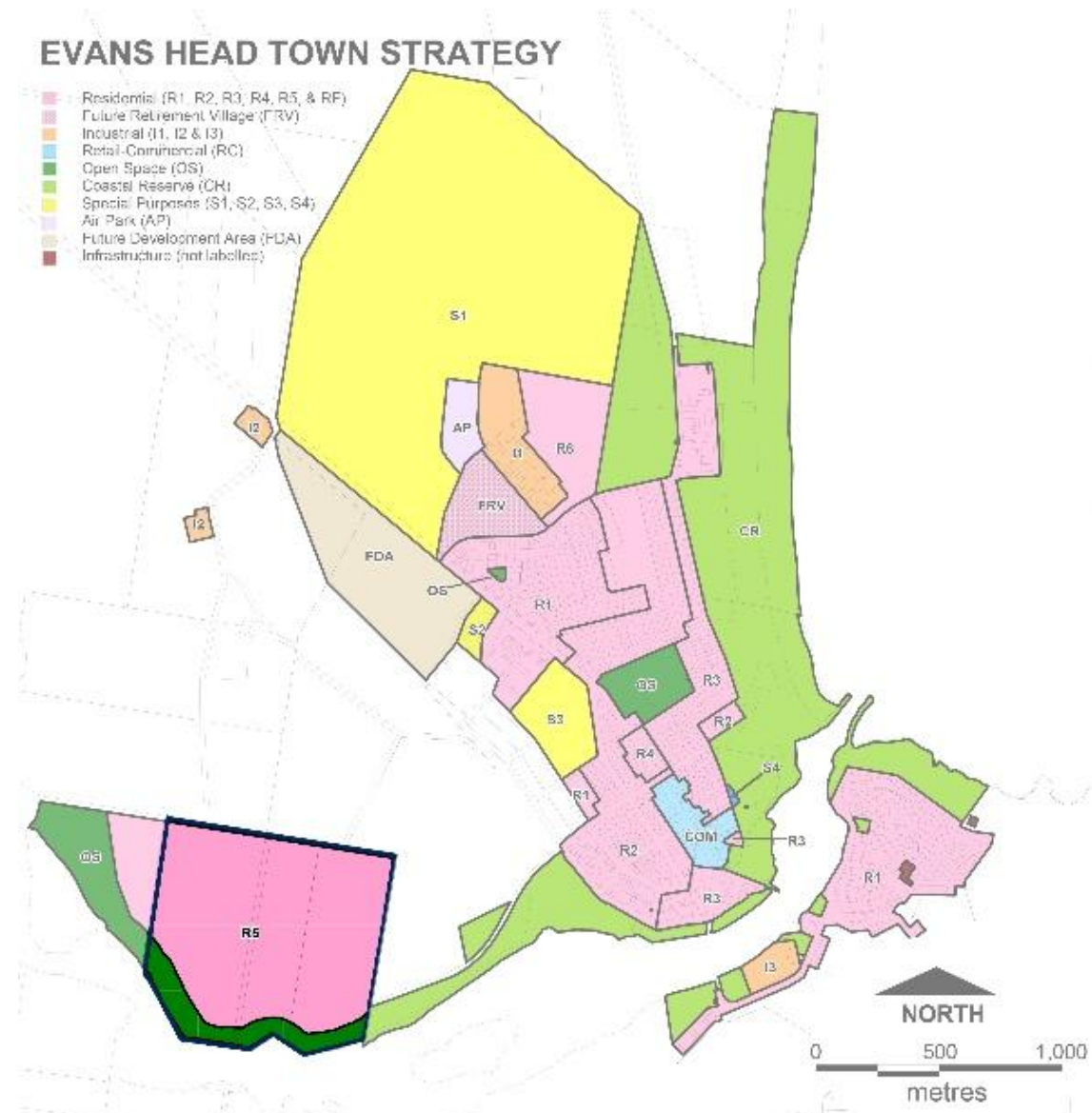


Figure 8 - Evans Head Town Strategy

The existing land use zones which apply to the site are illustrated in the image below. The site is zoned part R1 – General Residential, part E2 – Environmental Conservation and part E3 – Environmental Management under the *Richmond Valley Local Environmental Plan 2014*. The proposed development is permissible. There is no requirement to amend the zones, minimum lot sizes and other provisions to reflect the Draft Master Plan.

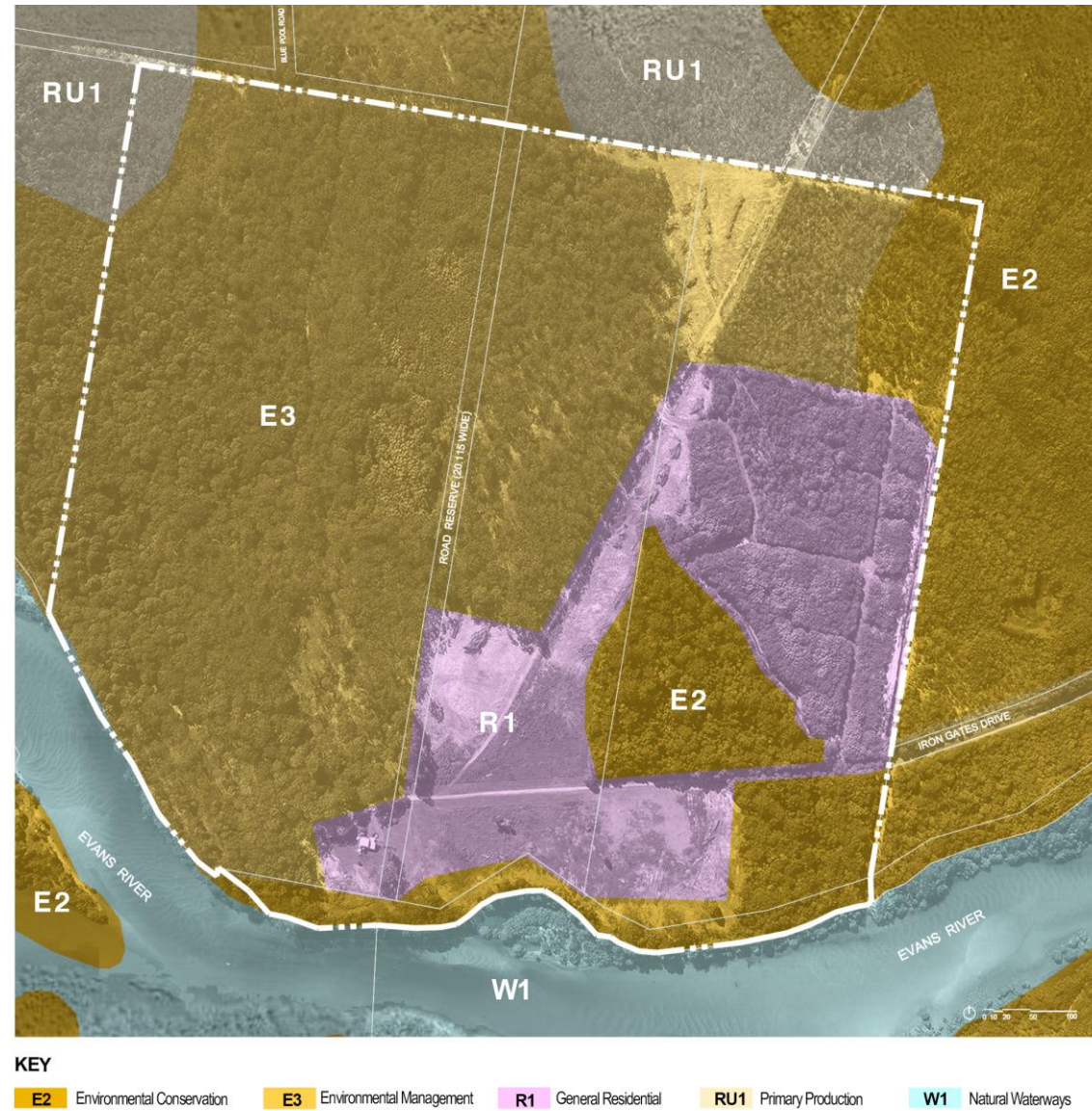


Figure 9 - Land Use

2.5 FLORA AND FAUNA

The land contains areas of remnant native vegetation and is mapped within a biodiversity value area under the *Richmond Valley Local Environmental Plan 2012*.

A flora and fauna review and impact assessment of the site has been undertaken by Planit Consulting Pty Ltd. This has included detailed site investigations undertaken in 2014 and 2015. The vegetation communities identified on the site are detailed below.

2.5.1 Vegetation Communities

Disturbed Communities

This vegetation community occupies the majority of the development site and has two distinct characteristics, either cleared/pasture or regrowth acacia.

Heath

Heath communities occur in the north eastern section of the site with only a small portion within the development footprint. Three sub-communities of Heath were identified on the site and described as *Low Closed Wet Heath with Mid-high to Tall Melaleuca Closed Forest*, *Tall – Very Tall Open Dry Heath* and *Tall – Very Tall Open Dry Heath with Eucalypt/Melaleuca Open Forest*.

Eucalypt Forest

Eucalypt forest communities occur in the western section of the site with only a small portion within the development footprint. The two sub-communities on site can be described as *Tall to Very Tall Eucalypt Open Forest to Woodland: Corymbia Intermedia, Eucalyptus Planchoniana, E. Tereticornis, E. Signata*



Figure 10 - Vegetation Communities

and Other Eucalypts and Tall to Very Tall Eucalypt Open Forest to Woodland: *Eucalyptus Tereticornis*

Littoral Rainforest

This vegetation community occupies the central portion of the development footprint as well as the southeast portion of the site. It is also found within the unconstructed road reserve along the site's southern boundary and adjacent to the Evans River. For the most part, canopy crowns are arranged in a closed forest structure although several portions of the site contain less cover (mainly associated with the southeast and southern section) and are more reflective of open forest cover. This community has been determined to be an endangered ecological community (EEC) as discussed below.

2.5.2 Threatened Plant Species

Endangered ecological communities are listed under Schedule 1, Part 3 of the *Threatened Species Conservation Act 1995*, while threatened ecological communities are listed under the *Environment Protection and Biodiversity Conservation Act 1999* as critically endangered, endangered and vulnerable.

A review of the Littoral Rainforest community would indicate that this community is an endangered ecological community (EEC). This vegetation within this community is to be retained. Minor pruning of vegetation may be undertaken to provide unimpeded roadways.

At the time of survey a Swamp Orchard that was not flowering was identified onsite within this Littoral Rainforest community. It was determined that the Swamp Orchid may be the *Lesser Swamp Orchid* or *Greater Swamp Orchid* which are both listed as endangered pursuant to both the *Threatened Species*

Conservation Act 1995 and the *Environment Protection and Biodiversity Conservation Act 1999*. This Orchard is to be retained within the protected Littoral Rainforest community.

2.5.3 Threatened Fauna Species

The fauna survey of the development site and immediately adjacent areas resulted in the recording/sighting or evidence of previous presence of 74 species of bird, 8 reptiles, 5 amphibians and 26 mammals. Of these recordings, 7 species are scheduled under the *Threatened Species Conservation Act 1995*, being the *Grey Headed Flying-fox*, *Hoary Wattled Bat*, *Little Bentwing-bat*, *Southern Myotis*, *Koala*, *Wallum Froglet* and *Squirrel Glider*.

Although the Koala was not directly observed, scratches on several smooth barked eucalypts were noted within Eucalypt Forest community. The National Parks and Wildlife Service database also contains 19 records of this species within 10 kilometres of the site.

Habitat assessments were also conducted in association with the vegetation survey works. This was to determine which species were likely to be present based on available habitat components and to target areas for detailed surveying of protected fauna species.

This included a SEPP 44 assessment to determine if the land potentially contained core koala habitat. No areas of potential koala habitat were identified within the development footprint nor would there be any modification to the Eucalypt Forest community located outside of the development footprint as a result of the proposed development. No trees within the impact zone were observed to contain Koalas, Koala trace or scats. This review determined that the development

site did not potentially contain core Koala habitat, nor would clearing of the previous cleared areas result in any significant adverse impact on terrestrial biodiversity in the locality.

The assessment did recognise that the residual vegetation communities surrounding the development site are highly connected and form an expansive contiguous corridor of remnant habitat. Retaining the existing vegetation surrounding the development site and ensuring new dispersal barriers are not created along the river frontage and access routes will allow fauna movements to continue around the development site.

2.6 BUSHFIRE

In accordance with Council's Bushfire Prone Land mapping, the site contains Category 1 bushfire prone vegetation and buffer zone.

The classifications of vegetation communities surrounding the development site under *Planning for Bushfire Protection 2006* and AS-3959-2009 are:

Northern Vegetation Communities

Heathlands (Scrublands) – Tall Heath (Shrub)

- Heathlands greater than 2 metres tall. Includes Hawkbury Sandstone vegetation with overstorey trees and predominantly healthy understory and coastal heath. May include some mallee eucalyptus in coastal locations

Heathlands (Scrublands) – Short Heath (Open Shrub)

- Heathlands less than 2m in height. Often more open in canopy. Sparsely connected.

Eastern Vegetation Communities

Forested Wetlands

- Restricted to riverine corridors and floodplains subject to periodic inundation. Dominated by eucalypts, tea-trees and paperbarks or sheoaks. Distinguished by presence of hydrophytes, woody plants that can live in flooded environments e.g. sedges, rushes, buttercups, knot weeds, lignum, ferns and grasses. Found generally low altitudes. Soils vary from peaty and semi-humic loam soils to mineral clays and sandy loams. Coast, tablelands and inland.

Southern and Central Vegetation Communities

Rainforests (Closed Forest)

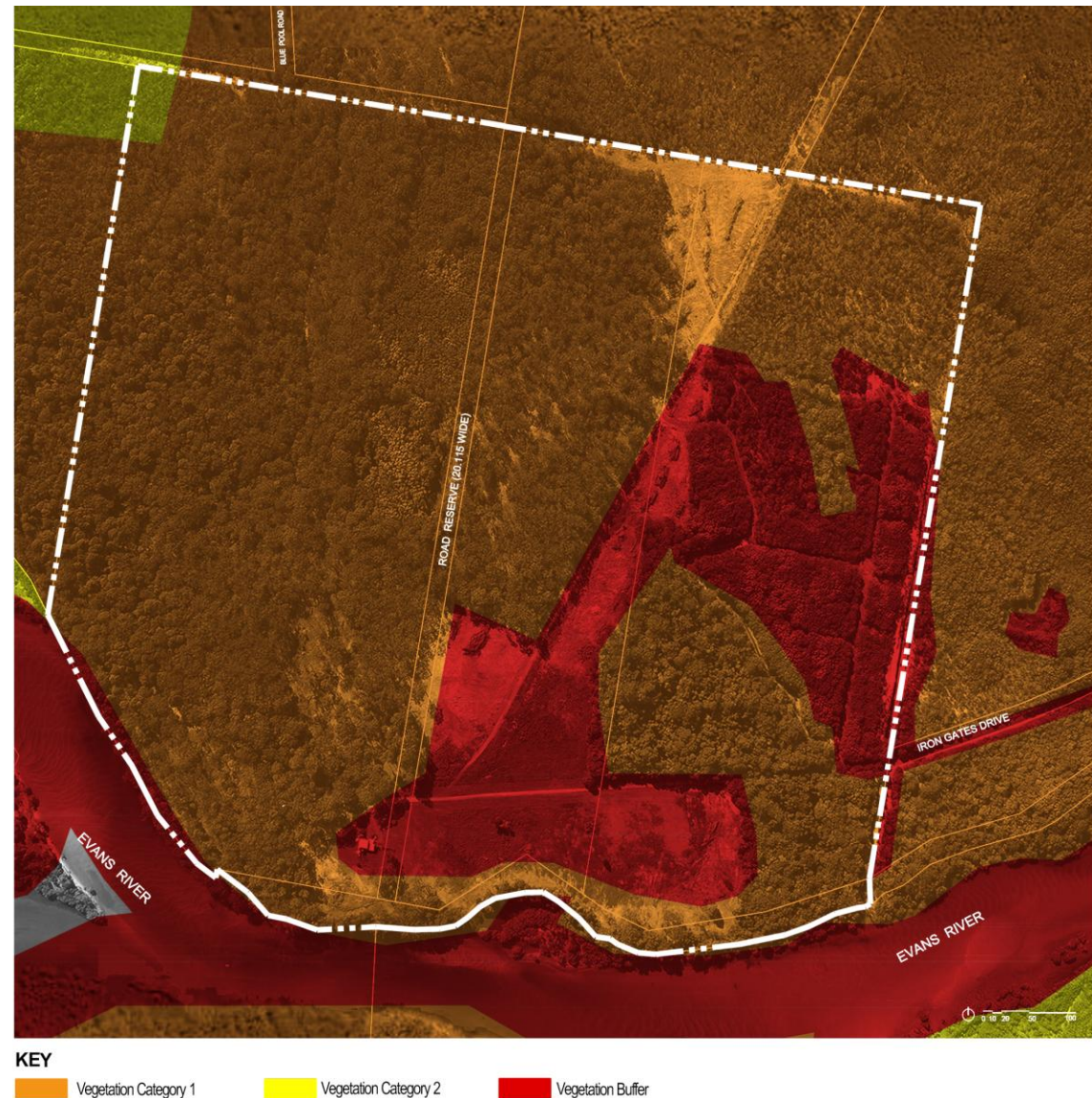


Figure 11 - Bushfire Prone Land

- Closed and continuous tree canopy composed of relatively soft, horizontally held leaves. Generally lacking in eucalypts. Understorey typically includes ferns and herbs. Vines often present in canopy or understorey. Occur mainly in areas that are reliably moist, mostly free of fire and have soils of moderate to high fertility. Typically coastal and escarpment locations.

Western Vegetation Communities

Dry sclerophyll forests (Open Forest)

- Dominated by eucalypts 10-30m tall with crowns that touch or overlap (i.e. foliage cover of 20-50%). Prominent layer of hard-leaved shrubs. Infertile soils. Rainfall >500mm. Coast, tablelands and western slopes.

A detailed bushfire assessment of the land has been undertaken by an FPA accredited consultant, Bushfire Certifiers. The recommendations of this bushfire assessment include ensuring asset protection zone (APZ) requirements, water supply, utilities and public road specifications be compliant with the acceptable solutions of Planning for Bushfire Protection 2006. Future residential buildings will be required to be constructed to AS 3959-2009.

2.7 WATER FRONT LAND

The site fronts Evans River and also contains mapped wetlands and key fish habitat areas.

The protection and rehabilitation of the vegetated riparian corridor between the Evans River and development footprint is important for maintaining the shape, stability and ecological functions of this watercourse.

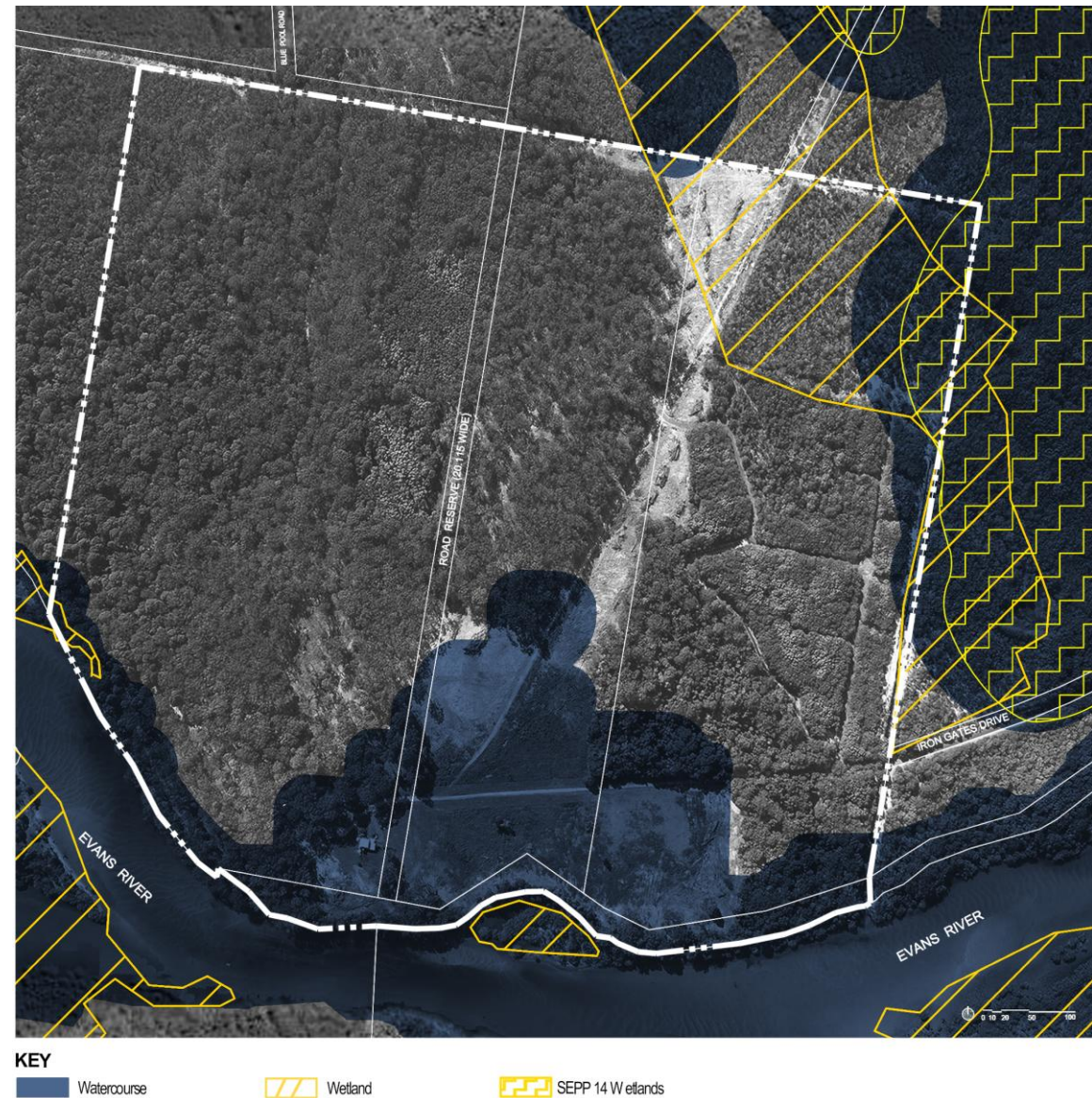


Figure 12 - Waterways, Riparian Corridors and Wetlands

In accordance with the NSW Office of Water's Guidelines for Riparian Corridors on Waterfront Land, non-riparian corridor works and activities should be maintained at an average setback of 40m from the foreshore (high water mark) of the River. Where appropriate, development may encroach into this 40m setback for non-riparian uses including roads and development lots provided it is offset accordingly to achieve the average 40m setback.

Bridges, cycleways, paths, stormwater outlets and other essential services do not need to be offset where they comply with the Office of Water controlled activities guidelines.

There is a coastal wetland mapped under *State Environmental Planning Policy No. 14 – Coastal Wetlands* within the north eastern portion of the site. Despite being with the site, this mapped coastal wetland is located outside of the development footprint.

This area has been inspected, which identified that the mapping does not reflect the site vegetation. The area does not display characteristics of a wetland in either physical conditions or vegetation communities, comprising no permanent water, regenerating acacia and or cleared land. Land within this mapping area which did display characteristics of a coastal wetland was identified further to the north, outside of the development site boundaries.

Ground-truthing of the riparian areas and man-made drainage lines has also indicated that it is unlikely that any Key Fish Habitat is provided within the development site, as this land is significantly elevated from the river.

Mangroves and saltmarsh, which are located along the site's riverfront, would however provide Key Fish Habitat and accordingly should not be removed under the proposal.

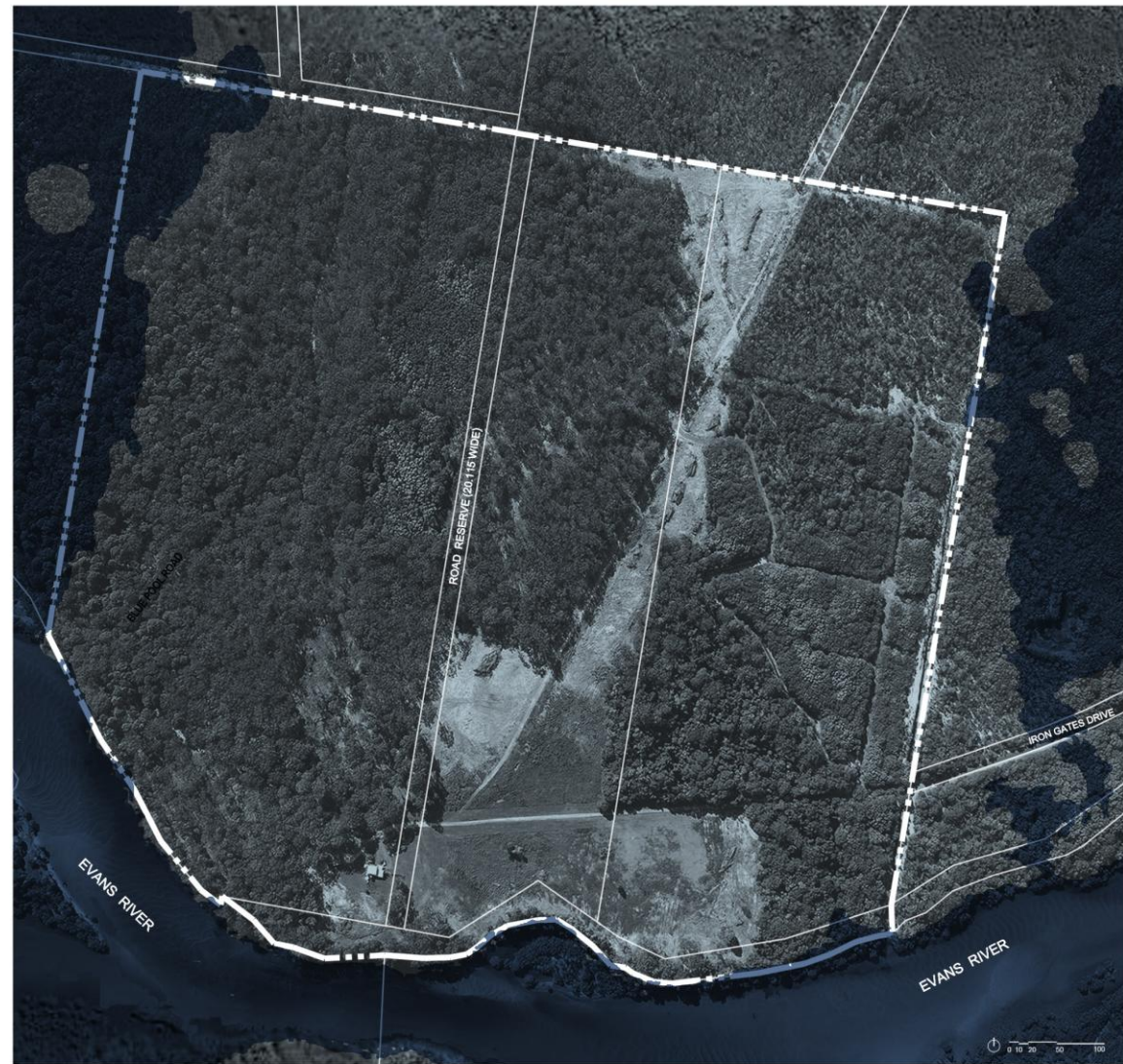
2.8 ENVIRONMENTAL HAZARDS

2.8.1 Flooding

A detailed review of the flood behaviour over the site and wider Evans River was undertaken by BMT WBM.

This review confirmed that at Evans Head the main flood risk is from storm surge. However, much of the site is at elevations sufficient to be above the 100 year ARI storm surge level. This review included a climate change assessment, which accounted for a 10% increase in rainfall intensity and a 0.9m rise in sea level. This assessment showed that whilst flood depths increased significantly in the Evans River, the overall 100 year ARI flood extent within site did not notably change.

Some land within the site, whilst not mapped as being flood prone, is located below the Q100 flood planning level. This land will require filling to achieve the necessary finished floor levels.



KEY

--- Preinct Boundary

100 year ARI Flood Area

Figure 13 - Flooding

2.8.2 Contamination

A Stage 1 Preliminary Contamination Assessment was undertaken to identify any risks and constraints to the proposed residential development through identification of areas of potentially contaminated land.

The assessment determined that potential for contamination on the site was low. This review did identify the eastern portion of the site as a potential area for containing soils with elevated radiation levels. These elevated radiation levels could be due to former sandmining activities that were undertaken on and near the site in the 1970's and 1980's. The report recommended that a surface radiation assessment be undertaken to determine if there are any areas with elevated radiation levels.

This preliminary radiation site testing and assessment was undertaken, including the monitoring of surface radiation levels in areas where previous sand mining activities were located. The results of this review indicated that the soils contained low levels of contamination, below the Action Level Criteria for residential development. No further investigations or actions were recommended by the report.

The land is unlikely to contain soils requiring remediation and no issues with contamination have been identified. No further testing of the site has been recommended.

2.8.3 Acid Sulfate Soils

The site has been mapped as containing Class 3 and 5 Acid Sulfate Soils areas.

A search of the Australian Soil Resource Information System (ASRIS) National Acid Sulphate Soils (ASS) Risk Map has been carried out for the study area. The results of this search revealed the site to be located in a

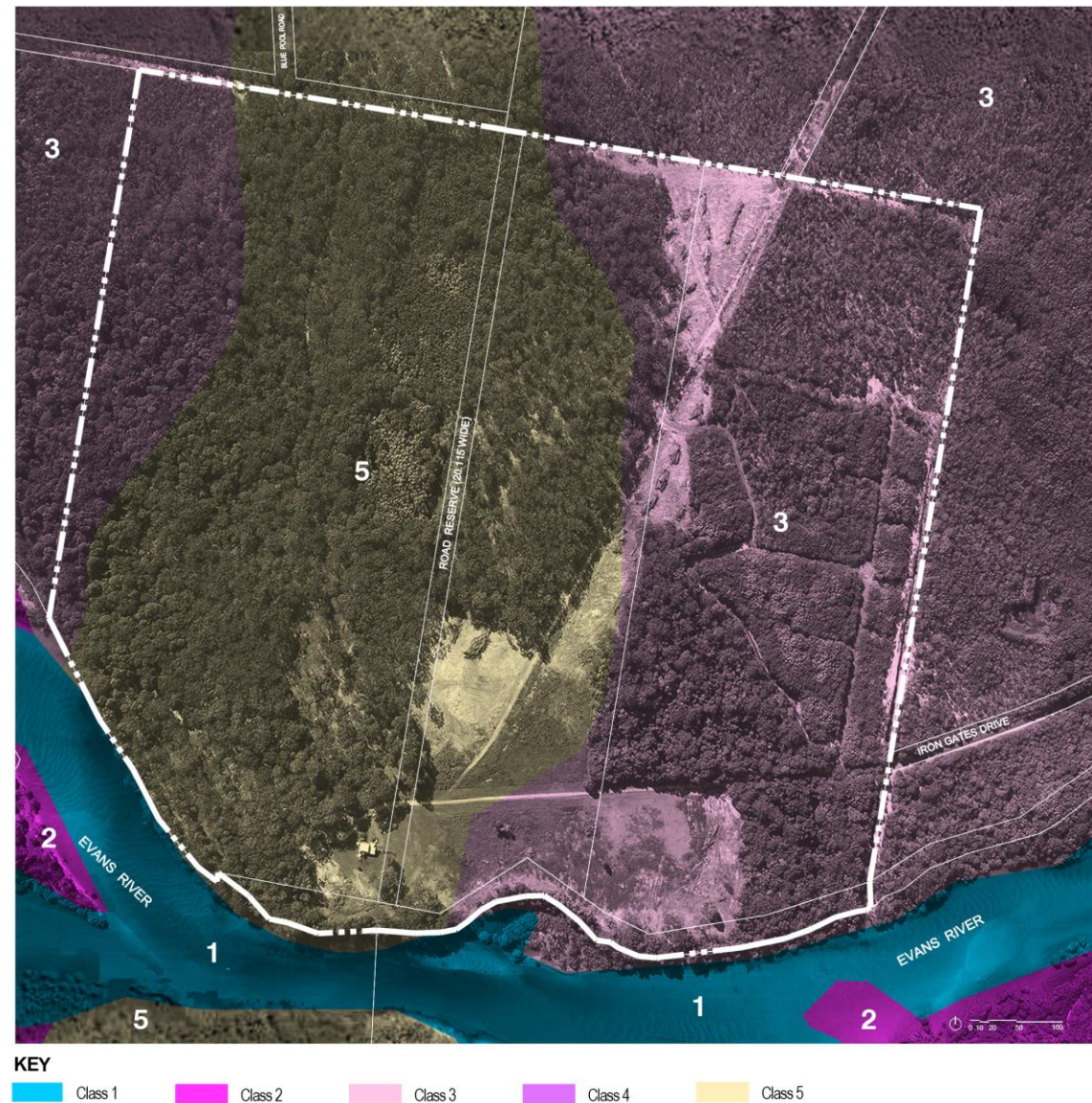


Figure 14 - Acid Sulfate Soils

Low Probability Area. The contamination assessment also noted that an Acid Sulfate Soils investigation was undertaken on site by Coffey Partners International in 1995 which did not identify Acid Sulfate Soils or acid generating potential on the site.

Acid Sulfate Soils do not present a significant constraint on the land that would preclude its development for residential purposes. The appropriate management of potential Acid Sulfate Soils and water table levels will form part of the future construction requirements.

2.8.4 Mosquitoes

A Biting Midge Impact Assessment has been prepared for the site to determine the potential impacts on future residents and what mitigation measures can be introduced to minimise potential impact.

This presence of biting midge and mosquitos on the site at the time of testing was not greater than expected levels and recommendations have been made towards minimising health risk and nuisance including:

- Maintaining a minimum of 20m buffer between residential development and the foreshore and minimising lighting along the foreshore;
- Stormwater management systems should be engineered to prevent them acting as mosquito breeding sites;
- Building Approvals should include conditions regarding installation of insect screening to dwellings and anti-mosquito screens to any rainwater storage tanks; and
- Provision of biting insect advisory information to future residents.

2.9 HERITAGE SIGNIFICANCE

The Project Area is situated within a significant cultural landscape.

A detailed Cultural Heritage Assessment has been undertaken for the site. This has included consultation with representatives of the traditional land owners and ongoing community consultation processes. This assessment identified a number of culturally significant places/artefacts that are located outside of the development site including a former campsite, ceremonial areas, Chinamans Beach and Goanna Head.

The assessment identified a shell scatter within the south of the site, adjoining the foreshore area, which has significant Aboriginal cultural value. Ongoing negotiations are being undertaken regarding the future protection and/or relocation of this shell midden. This is being considered under an Aboriginal Heritage Impact Permit (AHIP) application for the land. Until the resolution of this AHIP is determined no works should be proposed over this midden area.

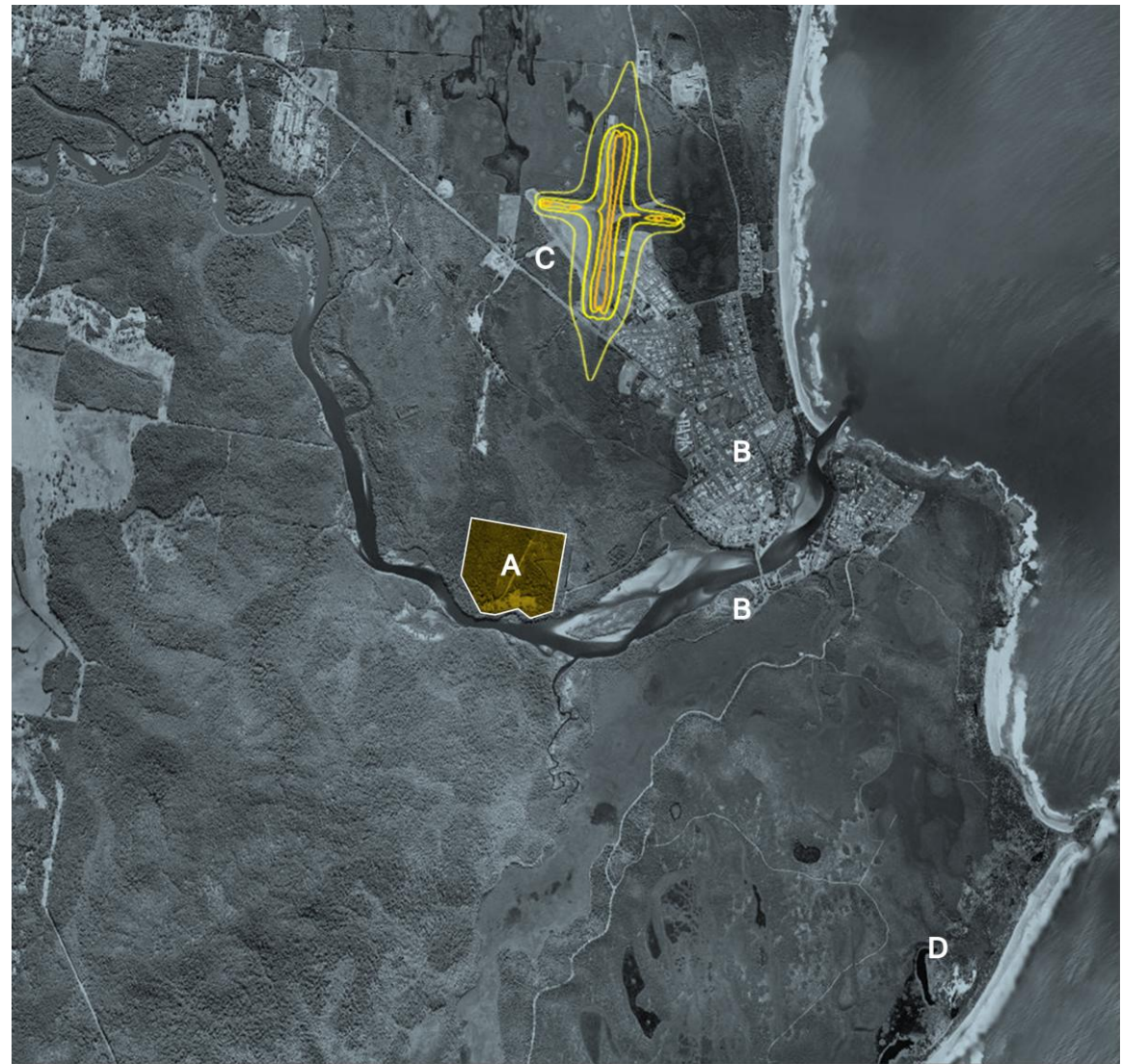
Isolated rocks and a grave site were identified within the site. This grave site, "Paddon Grave, Iron Gates" is mapped under the *Richmond Local Environmental Plan 2012 (ref no. 1127)* as a local significant heritage item. The isolated rocks were identified to have low-moderate cultural significance. These items are to remain on the land and not impacted by any proposed works.

The Jali Local Land Council representatives have also expressed their interest towards preserving the natural appearance of the site along Evans River to protect and maintain natural views and settings for other culturally significant areas located to the south.



Figure 15 - Cultural Significance

Maintaining an appropriate development setback from



KEY
A| Site B | Evans Head C| ANF Contours D | Weapons Range

Figure 16 - Aircraft Noise

this river frontage, as well as retaining and revegetating native vegetation along this foreshore, will assist in protecting these environmental and cultural values.

2.10 AIRCRAFT NOISE

The Evans Head Memorial Aerodrome is a state heritage listed former World War II aerodrome, located on the northern edge of the town of Evans Head. The aerodrome has aesthetic significance because of its landmark qualities and is one of the few remaining large coastal sites that retain a degree of wartime operations.

The Aerodrome is not used for commercial flights, but is utilised by several light aircrafts for recreational and ceremonial aviation, storage of aircraft (hangers) and as an emergency landing ground.

The Australian Noise Exposure Forecasts (ANEF) system described in AS-2021-2000 is the method for controlling land use planning around aerodromes. It is noted under AS 2021-2000 that houses are acceptable within the 20 ANEF zone. The site is not mapped however as being within any ANEF zone.

The Department of Defence also operates a Weapons Range south east of the site within the Bundjalung National Park. The existing residential areas of Evans Head South are located closer to this weapons range than the Iron Gates development site.

The Department of Defence has provided correspondence recommending that development on the site should not impact on the operations of the weapons range. This includes ensuring stormwater management systems are engineered to prevent them acting as preferred bird habitat.

Any future residential development on the site will be

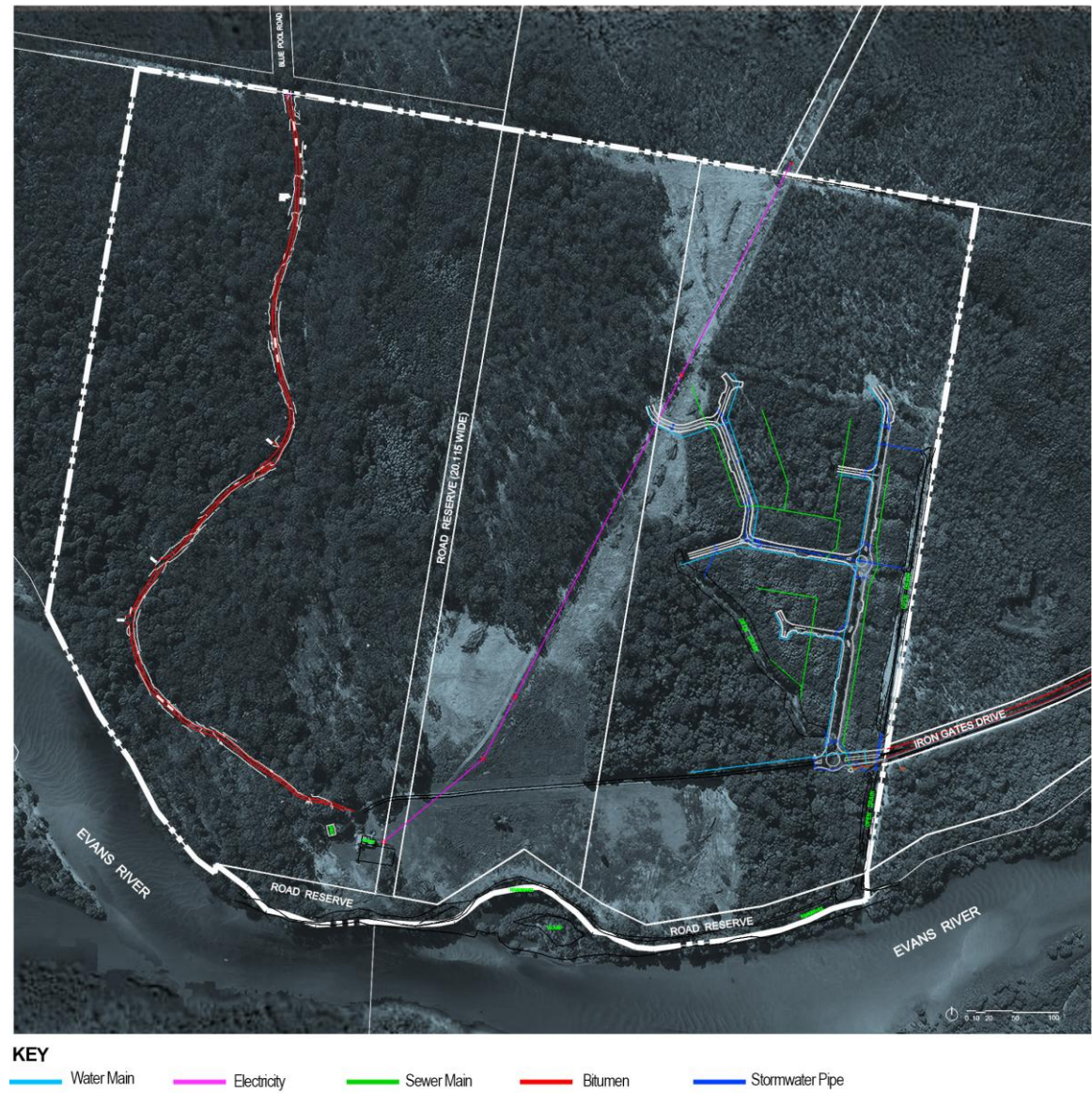


Figure 17 - Existing Infrastructure & Easements

required to comply with the provisions under Clause 6.11 of the *Richmond Valley Council Local Environmental Plan 2012* to provide for the effective and ongoing operation of the aerodrome. Council will consider the impact of lighting and use of reflective materials on the operation of the airport and weapons range at Development Application stage.

increasing traffic loads on Blue Pool Road, which has not be designed for additional traffic, and creating a rat run through the development site to the Pacific Highway.

2.11 EXISTING INFRASTRUCTURE & EASEMENTS

Two paper road reserves traverse the site as identified in the image below. One reserve is located along the southern boundary of the site, aligning the Evans River and the other traverses the centre of site in a north-south direction.

Part of the site has previously been developed with existing roads, sewer, stormwater and water infrastructure. There are also existing electrical services provided to the existing dwelling in the south west of the site via a connection in the north. These services have never been dedicated within any registered easement.

The main access to the site is via Iron Gates Drive which continues on its alignment through the site to provide access to the small residence on the south western boundary. This roadway will be utilised as the primary access route to the site.

This connection will provide convenient vehicle access to and from the Evans Head commercial centre and surrounding areas.

There is an existing trail within the western portion of the site that provides vehicular access to the existing dwelling from Blue Pool Road in the north. A key requirement for the NSW Rural Fire Service (RFS) has been the upgrading of this trail to provide suitable emergency access and evacuation in times of bushfire threat. This road will not be made available for general public use outside of emergency times due to the potential for

3 THE DRAFT MASTER PLAN

3.1 VISION

The Vision for the Iron Gates site is to create a new residential community of approximately 175 residential allotments on the edge of Evans Head, which provides new housing opportunity within an existing coastal community and responds to the natural environment. The balance of the site will contain 'traditional' detached dwellings on lots ranging between 600m² – 800m² or more.

The proposed development footprint is contained largely within the cleared areas of the site and along existing access routes.

3.2 ACCESS AND MOVEMENT

Principles for Design:

- A main access road links the settlement to the nearby commercial centre and wider arterial road network;
- Perimeter streets provide an asset protection zone for ecological and bushfire management;
- Pedestrian pathways are incorporated on all streets to provide a convenient and safe network of pedestrian and cycleway paths; and
- Encourage the use of public transport.

The road network under the Draft Master Plan has been designed to utilise a number of existing informal roadways and achieve a permeable road network. All roads within the site have been designed with a view to providing pedestrian friendly localised streetscapes which slow vehicle traffic speeds, while maintaining opportunity for on-street parking and incorporating

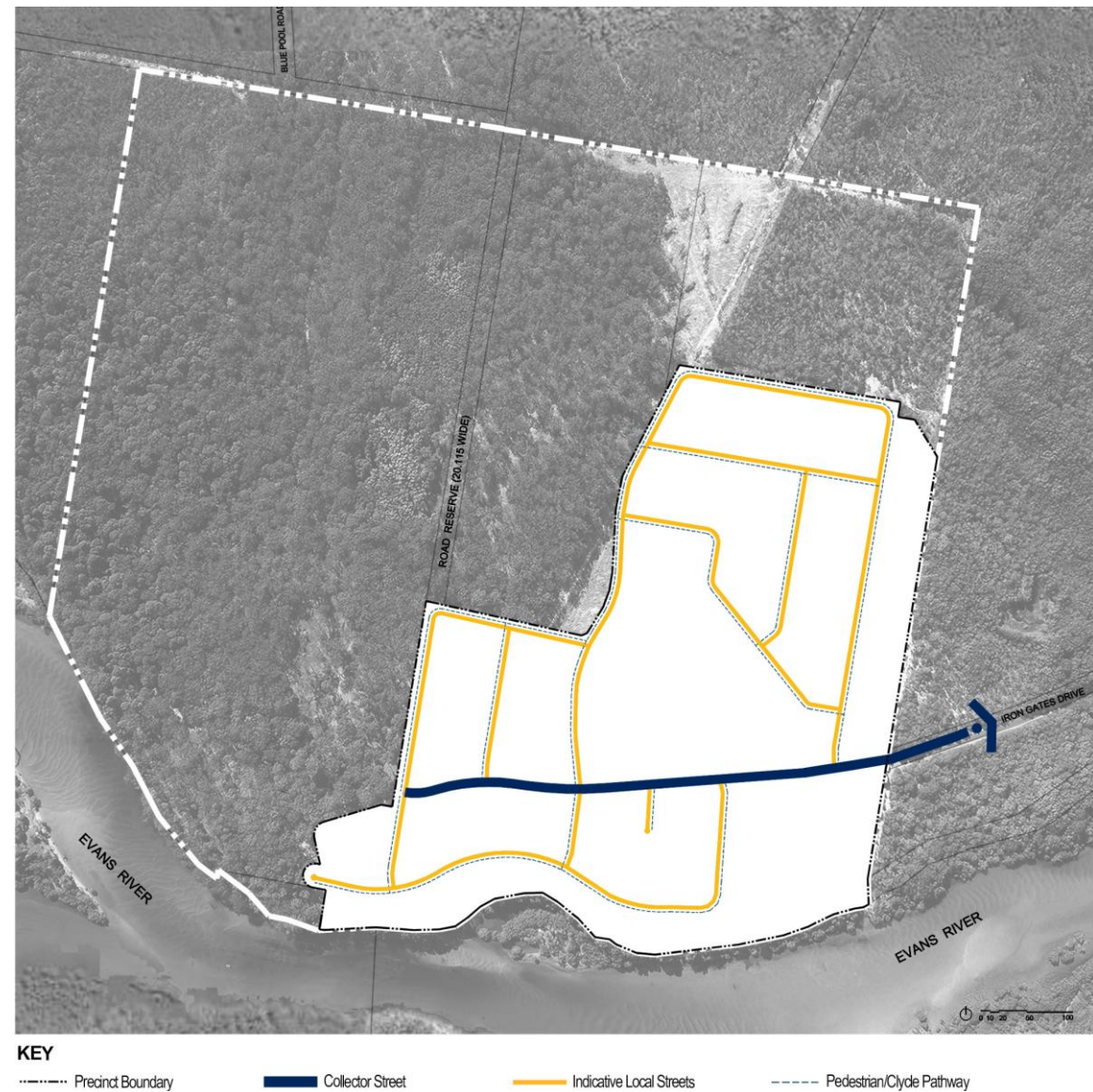


Figure 18 - Road Network

definitive green edges. Edges along important natural areas are protected by separating them from residential areas by roadways or service trails.

The road hierarchy for the site includes one collector roadway that will feed all vehicular movements into and out of the residential estate from the existing wider arterial road network. Local and minor local roads will form the balance of the road network within the site and provide a cohesive residential village by promoting ease of connectivity and circulation. Pathways will be provided within all road verges promoting circulation and recreational activity throughout the site. This network of paths also follows the open space network along the landscaped buffer adjacent to the river.

Bus routes will utilise the primary site access and local streets within the development site. Actual bus routes and location of bus stops will be determined by the local bus service provider and Local Traffic Committee.

3.3 PROVISION FOR OPEN SPACE AND ITS FUNCTION

Principles for Design:

- Open spaces are designed to provide environmental and aesthetic roles; and
- Riparian corridor buffers support low impact recreation activities such as walking, cycling, picnics and bbqs.

The Draft Master Plan incorporates two open space areas within the development footprint.

The first is a liner park located along the frontage of Evans River. As shown, the park will serve a number of functions, including:



Figure 19 - Open Spaces

- Retention and embellishment of existing vegetation;
- Provision of a wildlife corridor across the site;
- Provision of water detention systems;
- Provision of family areas, allowing for passive use such as picnics and bbqs;
- Pedestrian links through the site to adjacent residential areas;
- Retention of the culturally significant items and retaining the natural appearance of the river; and
- Buffering from watercourses and flood prone land.

This foreshore area will be dedicated to Council, to ensure the ongoing control and management of these sensitive locations in a public reserve. The road layout provides a clear separation between the public reserve and edge of residential lots. This will help to discourage encroachment of private land onto public land and clearly delineate the public from private areas. In addition to the open space and landscape functions, this reserve area will also assist with managing environmental hazards such as flooding, climate change and mosquitos by ensuring significant buffers are established between the foreshore and residential land.

The Master Plan provides opportunity for pedestrian and cycle access around the edge of residential development and along the foreshore reserve. This will also serve as an edge to residential development clearly separating public and private lands.

The proponent intends to negotiate with Council about dedication, and the future protection and management of the reserve. Council has indicated that it is willing to consider accepting the foreshore land.

In addition to this linear park, a larger open space reserve is proposed within the centre of the site with a primary purpose of retaining significant vegetation. This includes the identified Littoral Rainforest community and Swamp Orchads. The rehabilitation, ongoing protection and management of this reserve will be detailed in a Statement of Commitments that will form part of the development consent requirements for the site.

IRON GATES WATERFRONT

- ① BBQ AREAS
- ② PLAYGROUND
- ③ AMENITIES
- ④ SHELL MIDDEN AREA
- ⑤ TIMBER BRIDGE
- ⑥ FOOTPATH
- ⑦ BIOSWALE



Figure 20 – Concept Waterfront Land Design

3.4 HERITAGE CONSERVATION

Principles of Design

- Areas and elements of identified Aboriginal and European archaeological heritage of the precinct are to be protected; and
- Elements of Aboriginal and European heritage are to be incorporated within the development.

Works will not be undertaken within any identified Aboriginal Archaeological Conservation Areas or effect any isolated artefacts. Development shall not proceed within these areas without an AHIP and/or Plan of Management that addresses the ongoing management of any archaeological deposits.

Landscaping works within the public reserve fronting Evans River is to be provided to limit the visibility of the development from land south of the River.

3.5 CONSERVATION INITIATIVES

Principles of Design

- Protect, restore and enhance the environmental qualities and values of the site; and
- Control the impacts of urban development on channel bed and bank erosion.

The Master Plan has been designed to avoid impacts on significant native vegetation communities and wildlife corridors. The proposal will not require the removal of significant vegetation or conservation communities.

The Master Plan nominates all development outside of any wetland vegetation or mapped SEPP 14 wetland communities. No dwelling will be located within 40m of any intermittent water course. All residential

development has been setback an average of 40m from the Evans River foreshore, providing protection to estuarine habitats and the Evans River

Whilst the Iron Gates development proposal is considered unlikely to significantly affect native flora, fauna or associated habitat, it will result in the minor loss of local habitat for native species through tree removal/vegetation removal. In this regard conservation initiatives for the protection of flora and fauna have been included:

- Retention and protection of existing areas of rainforest and other vegetation communities in areas of open space. These areas will be enhanced with additional plantings of locally endemic species;
- Weeds will be controlled both during and after the construction of the development. Vegetation removed during construction will be retained and mulched for use on site;
- Not introduce a new terrestrial fauna dispersal barrier or intensify an existing barrier as the works proposed are not constructing barriers such as fences between vegetation communities; and
- Salvageable habitat components such as hollow stems or ground logs shall also be stockpiled and randomly dispersed throughout the retained bushland external to the proposal site.



Figure 21 - Conservation Areas / Mapped SEPP 14 Wetlands

3.6 BUSHFIRE MANAGEMENT

Principles of Design:

- Prevent loss of life and property from bushfires; and
- Ensure suitable access is provided for emergency services.

APZs are to be provided generally in accordance with the image below. These APZs have been identified generally to be located wholly within the residential zoned portion of the site and outside of the core riparian zone (CRZ) along the Evans River. This has been achieved through the provision of perimeter roadways or fire trails within the development footprint.

Note: The location of these APZs will be assessed at Development Application stage under section 100B of the *Rural Fires Act 1997* and may be required to be amended to address the bushfire protection measures of *Planning for Bushfire Protection 2006*.

Iron Gates Drive will provide as the primary emergency access route for the site. This roadway has been modelled and confirmed to effectively operate as the primary access and evacuation route for the development site.

An access track in the western portion of the site will provide an alternative emergency access and evacuation route in and out of the site during times of bushfire attack.

Richmond Valley Council has indicated that it will take ownership of this proposed track to ensure that it is maintained in perpetuity at a public road standard. Despite being dedicated and maintained as a public road, emergency control bollards will be installed at both ends of this trail where it intersects with the



Figure 22 - Required Asset Protection Zone

development site in the south and Blue Pool Road in the north. This is to ensure that the sole use of this roadway is for emergency access or evacuation purposes. It will not be used as a general roadway or additional access route into the site.

3.7 INFRASTRUCTURE DELIVERY AND DEVELOPMENT STAGING

Principles of Design

- Coordinated program and provision of necessary infrastructure to serve the development.

The proposed development will utilise as much of the existing infrastructure as possible, including roads, stormwater, sewer and water infrastructure. Where necessary, existing infrastructure will be upgraded to ensure that it meets the standards of Richmond Valley Council and Northern Rivers Local Government Design and Construction Manuals. Future infrastructure will be provided as an extension to the existing infrastructure and will be integrated with these existing services.

The staging plan provided below is to broadly identify the indicative residential dwelling targets, staging and delivery of future development areas as well as the intended provision of social and physical infrastructure required for that sub-precinct. This staging plan may be amended as development progresses.

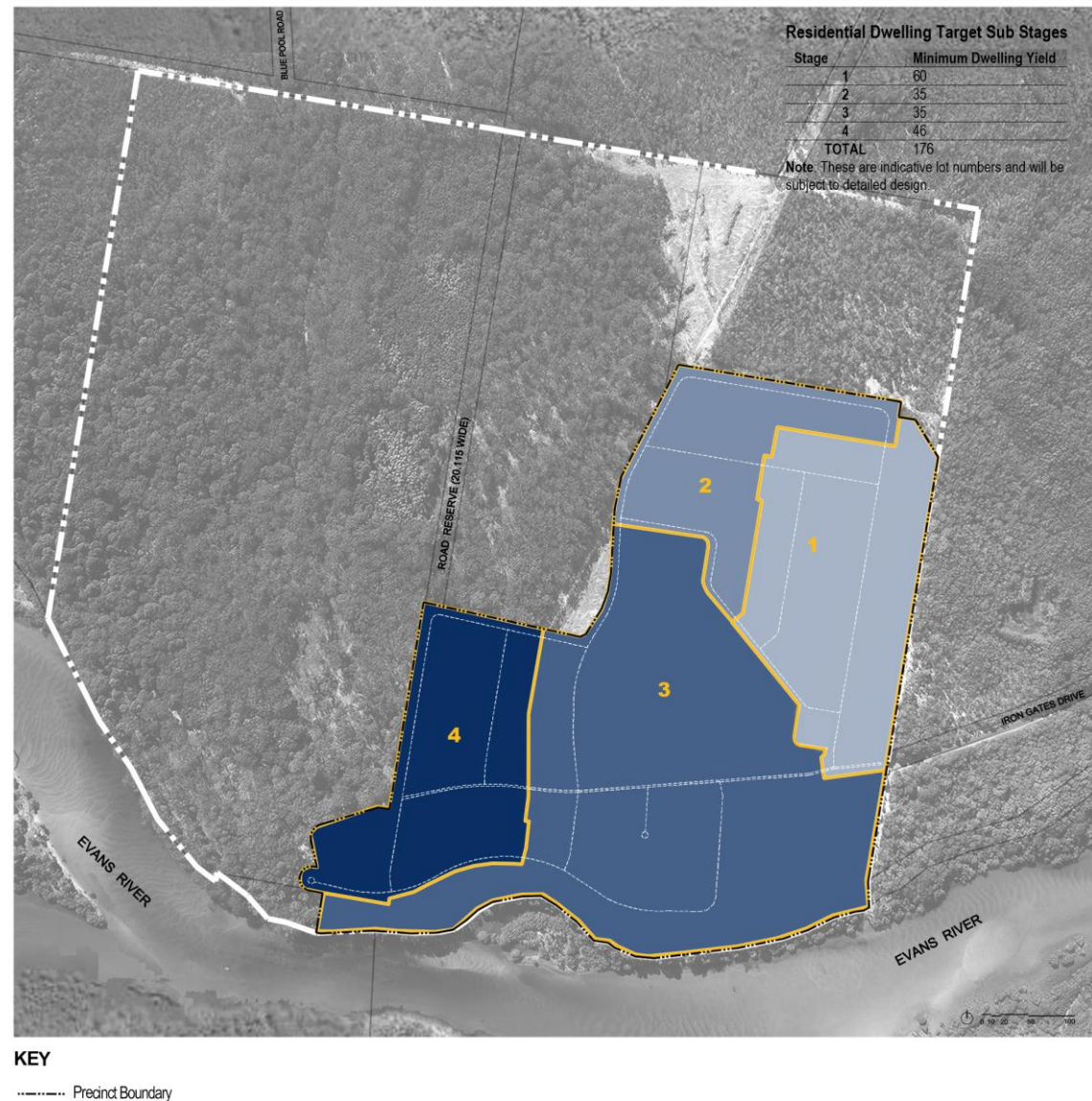


Figure 23 - Staging Plan

3.8 FLOODING AND WATERCYCLE MANAGEMENT

Principles of Design

- Minimise the potential for flooding to impact on development;
- Incorporate best practice stormwater management principles and strategies; and
- Mitigate potential impacts of urban development on stormwater quality.

The draft Master Plan layout has been designed to respond to the natural topography and drainage regime of the land. This was to ensure that the development could utilise the existing natural drainage channels and minimise potential disruption in the locality.

Locating development an average 40m from the foreshore area will ensure any future residential development is located outside of any current flood prone area or land identified to be flood prone under a climate change scenario. Filling of some building envelopes will be required to ensure they are above Richmond Valley Council's minimum flood planning level.

Bio-retention areas, soakage pits and gross pollutant traps are proposed to collect and manage stormwater before leaving the site.



Figure 24 - Water cycle Management

3.9 SUBDIVISION & BUILT FORM CONTROL

Principles of Design

- Ensure residential density targets identified for the site under Council's Growth Strategies are achieved.
- Provide a range of lot and dwelling sizes and types that respond to the characteristics of site

All residential lots and dwellings within the Iron Gates site are designed in accordance with the controls specified under Richmond Valley Council's Development Control Plan. This will ensure that Council's residential targets within the site are achieved and allotment, house siting and design reflect the climate of the region and complement the established Evans Head building character. A range of housing options including single dwellings, dual occupancies and medium density development are encouraged through these controls promoting housing diversity and lifestyle choice.

3.10 SAFETY AND SURVEILLANCE

Principles of Design

- The siting and design of buildings and spaces encourage casual surveillance; and
- Development encourages people to use streets, parks and other public places without fear of personal risk.

The Draft Master Plan achieves the four key designs principles to preventing or minimising crime and maximising public safety are surveillance, access control, territorial reinforcement and space management.

Surveillance

All roads within the site have been designed with a view to providing pedestrian friendly localised streetscapes which slow vehicle traffic speeds. Streetscape landscaping allows for safe view corridors and clear sight lines

Footpaths will be provided within at least one road verge of all internal roads. These pathways will be adequately lit by street lighting. Residential lots have been oriented to these roadways, pathways and open space areas to encourage passive surveillance opportunities. Additional open space lighting within the new foreshore reserve will promote surveillance at night time.

Access

Iron Gates Drive will act as the primary / sole access point to and from the site. The western access road linking the site to Blue Pool Road will have restricted access and be used only for emergency access and evacuation purposes. The provision of one primary access will reduce the potential for through site links and uncontrolled movements into the site.

A roadway aligns the river foreshore area promoting ease of access / exit from this foreshore area into the public road network. This will encourage use of this space and reduce opportunity for impediment.

Territorial Reinforcement

Use of allotment fencing and building form onsite will delineate private and public spaces.

The creation of attractive streetscapes and public reserve areas, through the retention of native vegetation and landscape planting will create a sense of place and ownership within the new residential community. The pedestrian pathway network

throughout the site will help build spatial and social relationships between new residents.

The provision of perimeter roads, which front open spaces, create a clear transition between public and private spaces.

Management and Maintenance

The Draft Master Plan, incorporating landscaped streets, new foreshore and open space areas will create an attractive / high amenity residential area that will promote use of these new public spaces. Activity within these areas will improve safety and security.

The ongoing maintenance of these open space areas will be the responsibility of Council where the land is being dedicated as public open space and via the developer under a 'Plan of Management' for the site.

The proposal will result in a new low density residential neighbourhood. Low density style developments in nature achieve strong interaction between private and public spaces, promoting safety and surveillance.

Built form on the site in accordance with Council's DCP will need to address the principles of Crime Prevention Through Environmental Design (CPTED) and 'Safer by Design'. This will include the servicing of the proposed Evans River foreshore reserve with appropriate public amenities.

3.11 CONCEPT PLAN

Principles of Design

- Ensure development of the Iron Gates site is undertaken in a co-ordinated manner consistent with the Draft Master Plan.

The following plan provides an illustration as to the likely future physical character of the site as discussed in the preceding sub-sections, demonstrating the planned development footprint, road, lot and open space layout.

Land Use Budget	
Residential Lots	176
Public Reserve Lots (Including Fire Trails)	4
Dwelling Density (Number of lots / development footprint area)	8 dwellings per hectare



Figure 25 – Iron Gates Concept Plan

4 PLANNING CONTEXT

4.1 RELEVANT LEGISLATION

4.1.1 Environmental Planning and Assessment Act 1979

The EP&A Act is the principal statute which governs the development of land in NSW.

Part 4 of the Act prescribes the development assessment process required for development that needs consent including matters that must be considered under Section 79C when determining a development application. These include SEPPs, LEPs and DCPs, which are discussed in detail under Section 4.3-4.5 of this Draft Master Plan. Any future proposal on the land will need to demonstrate compliance with the relevant considerations under Section 79C of the Act.

4.1.2 Threatened Species Conservation Act 1995

The TSC Act identifies and protects threatened species, populations and ecological communities that are endangered, vulnerable or presumed to be extinct.

A Section 5A Assessment under the *'Environmental Planning and Assessment Act 1979'* (the '7-Part Test of Significance') was conducted for the seven recorded fauna species to determine whether the proposal may have the potential to impact the species. A Section 5A Assessment was also conducted for the recorded endangered ecological community (Littoral Rainforest) and the recorded Swamp Orchid.

The assessment concluded that the impacts of the proposed development are unlikely to threaten the viability of any local populations of the nominated species/communities and that the proposal would not

result in a significant impact. A species impact is therefore not required.

4.1.3 Rural Fires Act 1997

Section 100B requires a 'bush fire safety authority' to be obtained before subdividing bush fire prone land on which residential development is permitted, or developing bush fire prone land for a 'special fire protection purpose'.

Section 79BA of the EP&A Act also states that development consent cannot be granted for the carrying out of development for any purpose on bush fire prone land unless the consent authority is satisfied that the development conforms to the relevant requirements of Planning for Bush Fire Protection.

A bushfire review has been prepared, which indicates that the proposed development layout is consistent with the standards contained under Planning for Bush Fire Protection 2006 and warrants a 'bushfire safety authority'.

4.1.4 Water Management Act 2000

A Controlled Activity Approval will be required to be obtained from the NSW Office of Water for the site under Section 91 of the *'Water Management Act'* as the Draft Master Plan includes works within 40 metres of 'Water-front Land'.

In accordance with the NSW Office of Water's Guidelines for Riparian Corridors on Waterfront Land, an average 40m setback is proposed. Any non-riparian works which encroach into this 40m setback have been offset accordingly to achieve an average 40m setback.

4.1.5 National Parks and Wildlife Act 1974

The Cultural Heritage Assessment identified a shell scatter within the south of the site, adjoining the foreshore area, which has significant Aboriginal cultural value. Ongoing negotiations are being undertaken regarding the future protection and/or relocation of this shell midden. This is being considered under an Aboriginal Heritage Impact Permit (AHIP) application for the land. Until the resolution of this AHIP is determined no works should be proposed over this midden area.

Other identified artefacts within the site are to remain and not be disturbed by any works onsite.

4.1.6 Environment Protection and Biodiversity Conservation Act 1999

The EPBC Act is Commonwealth legislation which requires Commonwealth assessment and approval for the carrying out of an 'action' that will or is likely to have a significant impact on a 'matter of national environmental significance'.

Survey works have been undertaken onsite in accordance with relevant EPBC Act's Survey Guidelines, which have determined that the proposal does not impact on the distribution, fragment or isolate suitable habitat or affect the local occurrence of any matter of national significance.

4.1.7 NSW Coastal Policy

The NSW Coastal Policy provides the overarching framework for accommodating population and economic growth along the NSW Coast, whilst protecting the natural, cultural, spiritual and heritage environmental values.

Nine goals have been adopted under the Policy which give expression to the Policy's vision. A review of these goals with regard to the proposal is provided below.

Protecting, rehabilitating and improving the natural environment of the coastal zone.

Revegetation and rehabilitation works will be undertaken within proposed reserve areas to ensure environmental values are retained. This includes detailed landscaping works in reserve areas to create an attractive and landscaped open space interface with the Evans River and protect an aboriginal cultural heritage site (shell scatter).

Recognising and accommodating the natural processes of the coastal zone.

The draft Master Plan layout has been designed to respond to the natural environmental values, topography and drainage regime of the land. This was to ensure that the development could utilise the existing natural drainage channels and minimise potential disruption in the locality.

Protecting and enhancing the aesthetic qualities of the coastal zone.

Significant coastal vegetation and foreshore areas will be retained in the development to ensure the natural character of the area is protected. Adopting the built form controls applied by Richmond Valley Council will ensure any residential development on the land achieves the design requirements for the area.

Protecting and conserving the cultural heritage of the coastal zone.

No works are proposed over culturally significant sites. The proposed setback from the foreshore area will ensure views along the river are not impeded by residential development. This will assist in protecting the traditional views towards the foreshore area.

Providing for ecologically sustainable development and use of resources.

The proposed subdivision provides for population growth and economic development without putting the natural, cultural and heritage values of the coastal environment at risk. The development will utilise existing infrastructure on and off the site. The proposal is in accordance with the principles of sustainable development.

Providing for ecologically sustainable human settlement in the coastal zone.

The proposed subdivision provides for population growth and economic development on land that has historically been earmarked for residential development. The proposal is in accordance with the principles of sustainable development.

Providing for appropriate public access and use.

The new settlement will maintain direct access with the existing public domain areas within Evans Head. The creation of the foreshore park area will provide a new area within the site for public access and enjoyment.

Providing information to enable effective management of the coastal zone.

The proposed development is consistent with the relevant guidelines and statutory controls for coastal development.

Providing for integrated planning and management of the coastal zone.

The proposal is consistent with the strategic framework, seeking to develop land which has historically been earmarked for residential development. It will not put the natural, cultural and heritage values of the coastal zone at risk.

4.2 STRATEGIC PLANNING FRAMEWORK

4.2.1 New South Wales 2021 (The State Plan)

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities.

A 'priority action' identified under the strategy, and in particular for the far North Coast Region, is to 'partner with local councils to identify opportunities for increasing housing stock in the region, maintain supply of residential land and identify ways to increase housing affordability'.

The North Coast Regional Growth Plan is currently being prepared by the Department of Planning & Environment, to facilitate and deliver the growth needed on the North Coast. Until the adoption of this new strategy, the relevant Regional and Local Growth Plans for the Study Area are the *Far North Coast*

Regional; Strategy and the Evans Head Urban Settlement Strategy, which are discussed below.

4.2.2 Far North Coast Regional Strategy

The Far North Coast Regional Strategy was adopted by the Minister for Planning in January 2007. The purpose of the Regional Strategy is to manage the Region's expected high growth rate in a sustainable manner. The Regional Strategy aims to protect the unique environmental assets, cultural values and natural resources of the region while ensuring the character of the region is maintained and new economic opportunities are provided.

A primary objective of the FNCRS is to contain future urban development within the Town and Village Growth Boundary (TVGB). The subject site is identified to be within the TVGB and therefore its residential development is consistent with the primary objective of the Strategy.

The Draft Master Plan is consistent with the vision, land use strategy, policies, outcomes or actions of the FNCRS, given that:

- Residential development is proposed on residential zoned land;
- The urban development boundary for the area is defined by the land use zoning and surrounding vegetation communities and environmental values; and
- The site specific studies have confirmed that:
 - The land proposed to be developed does not have any significant ecological value and cultural values will be protected;

- Residential development on the site would be consistent with the existing visual character of Evans Head;
- The site can be serviced via extensions to existing infrastructure;
- Development on the site can comply with bushfire planning principles; and
- Impacts from environmental hazards will be minimised through appropriately located development footprints, flooding and water management and construction management.

4.2.3 Evans Head Urban Settlement Strategy

The Evans Head Urban Settlement Strategy was adopted by Council and the Department of Planning and Environment in 2006. It provides for the future settlement of the Evans Head township to the year 2025.

In accordance with Council's adopted settlement strategy, the majority of the population growth anticipated for the Evans Head area will be accommodated within areas that are already identified for residential use. This includes the entire Iron Gates site, which under Council's growth strategy has an estimated yield of 275 allotments and a population of 620 persons.

The urban character for the Iron Gates site as identified under Council's growth strategy, comprises general single detached dwellings at approximately 8 dwellings per hectare.

The Draft Master Plan is generally consistent with the strategy considering it only applies to a portion of the site identified under the strategy. It achieves residential development across the site of

approximately 176 lots and at a density of 8 dwellings per hectare.

4.2.4 NSW Coastal Design Guidelines

The NSW Guidelines provide an approach for how urban design can be best used in a coastal context. A review of the principles for new coastal settlements under these guidelines is provided below.

New settlements

Respect the ecological limits of the site and its context.

The design for the Iron Gates development is based on a comprehensive site analysis. It seeks to protect areas identified as ecologically significant in perpetuity. Rehabilitation works within and surrounding the development site will contribute to the protection and enhancement of these significant areas.

Are developed with careful consideration for landform and views from public areas.

An average 40m setback has been proposed to the Evans River foreshore. This area will be revegetated and maintained as public open space, promoting usability of the foreshore and visual buffering between the urban footprint.

Provide alternative transport option from private car use.

Pedestrian pathways have been included along roadways and open space areas to promote

active transport within and around the site. Bus services into the site will provide access to wider services.

Have a public domain.

The new settlement will maintain direct access with the existing public domain areas within Evans Head. The creation of the foreshore park area will provide a new area within the site for public access and enjoyment.

Part of the key to the success of new settlements is the way the public domain relates to the geographic location and topography. The components of the public domain include

A pattern of development based on the unique natural, urban, historic, visual and environmental features of the location.

The proposed development preserves important natural, visual and environmental features of the locality.

Reserves for nature conservation and flood processes.

Significant vegetation onsite will be conserved within the proposed open space allotments. All development lots are located outside of any identified flood prone area.

Open space and public places for the recreation and social needs of residents and visitors.

The public reserve fronting Evans River will be serviced by appropriate car parking, playground and picnic facilities to promote usability and recreation activity.

An interconnected street pattern providing long-term access and social and economic opportunities for the settlement.

The proposed street pattern achieves interconnectivity, with limited use of cul-de-sacs.

Areas for total water cycle management.

Bio-retention areas, soakage pits and gross pollutant traps are proposed to collect and manage stormwater before leaving the site.

Relationship to the environment

New development avoids areas of ecological value and respects setbacks between natural areas.

The Littoral Rainforest and SEPP 14 wetland areas will be protected by the creation of public reserve lots, ensuring works do not occur within any mapped SEPP 14 area, providing appropriate water quality management and setting residential development back from these significant areas.

Wildlife corridors, existing mature trees, rivers, streams, lakes and natural features are incorporated into green space networks, reserve areas, riverine and foreshore corridors.

The proposal seeks to retain vegetated corridors surrounding the site and along the foreshore to protect wildlife movements. The Flora and Fauna Assessment confirms that the proposal will not have any detrimental impact on wildlife corridors in the area.

Aboriginal and European places, relics and items are protected.

No works will be undertaken with the Midden area until the AHIP application has been resolved.

In addition to the protection of the shell midden, the proposed setback from the foreshore area will ensure views along the river are not impeded by residential development. This will assist in protecting the traditional views towards the foreshore area.

Isolated artefacts with cultural significance will not be impacted.

Foreshore and estuarine vegetation is protected.

An average 40m setback has been proposed to the Evans River foreshore. This area will be revegetated and maintained as public open space, promoting usability of the foreshore and visual buffer between the urban footprint. The

proposal does not impact upon fish, marine vegetation or estuarine habitats.

The potential disturbance to acid sulphate soils is managed.

The potential presence of acid sulfate soils onsite has been reviewed and it was determined that it does not present a risk that would preclude development of the site. Detailed construction management plans will be required to be prepared and approved prior to construction works being undertaken onsite. This will include plans associated with the management of potential acid sulfate soils. These plans will be required as part of an application for a construction certificate.

Original native landscape is maintained and reinstated.

There will be a significant amount of native vegetation retained along the foreshore and within the dedicated reserve lots, which will ensure the natural scenic qualities of the NSW coast are protected.

Waterways and coastal lakes are protected through water sensitive urban design and total cycle water management.

The proposal will have minimal impact on water quality. A total water cycle management system will be included to manage potential water quality impacts such as bio-retention areas, seepage pits and gross pollutant traps as well as erosion and sediment control.

Degraded natural areas are rehabilitated.

Revegetation and rehabilitation works will be undertaken within proposed reserve areas to ensure environmental values are retained. This includes detailed landscaping works in the central reserve area and the road reserve to the south of the site to create an attractive and landscaped open space interface with the Evans River and protect aboriginal cultural heritage sites.

Vegetation is maintained whilst managing asset protection areas for bushfire protection.

The inclusion of perimeter streets and trails provide an asset protection zone for ecological and bushfire management.

Land swaps, community stewardship programs, transferable development rights and voluntary conservation agreements provide opportunities to sensitively locate development and protect ecosystems and views.

There is no requirements for 'land swaps'.

Native vegetation is preferred on public and private land.

All vegetation proposed to be retained and planted will be of native species.

Land is revegetated with species native to the local area.

All revegetation will be carried out utilising native species.

Visual sensitivity

Views to and along the foreshore align with streets.

The proposed setback from the foreshore area will ensure views are not impeded by residential development. This will assist in protecting the traditional views towards the foreshore area. The topography of the land provides limited viewing opportunity towards the river from within the site.

Views and vistas of the foreshore and natural features in or surrounding the site are aligned with public streets.

As noted above, traditional views towards the foreshore area will be protected. There is limited opportunity for viewing the foreshore from within the site due to the flat land. Parts of the site which are elevated will achieve distant water views.

Edges to the water and natural areas

In new coastal settlements the centre and surrounding residential areas are separated from the foreshore by a parkland or roadway or nature reserve.

A nature reserve and permitter road will provide separation of the residential development and the foreshore area.

Setbacks from the coastal edge and other surrounding natural areas, such as reserves

and lakes, respect environmental constraints and protect properties from coastal hazards.

An average 40m setback is provided along the foreshore, minimising risks from coastal hazards.

Public access along the foreshore is generally located on the boundary between public and private land and along streets.

New public access to the foreshore area will be provided along the new public reserve fronting the Evans River.

Pathways through foreshore vegetation are restricted to ensure the ecological integrity is not degraded.

Off road pathways will be installed without the requirement to remove native vegetation.

Foreshore vegetation is not removed to create views.

No foreshore vegetation will be removed.

Land is not filled to promote views.

Land filling will only be provided for servicing, drainage and flood management purposes.

Streets

New coastal settlements have a street pattern similar to coastal hamlets or coastal villages. They present an ideal opportunity to provide a street pattern responding to the landform,

views and permitting a high level of visual, pedestrian, cycle and vehicular permeability.

All roads have been designed based on the presence of existing infrastructure and form of the land and with a view to providing pedestrian friendly localised streetscapes which slow vehicle traffic speeds, while maintaining opportunity for on-street parking and incorporating definitive green edges.

The street pattern also:

- ***creates public neighbourhood centres and a main street;***
- ***avoids privatised enclaves by providing direct access to the foreshore;***
- ***provides an interconnected and permeable street pattern; and***
- ***responds to pedestrian and cycle distances and connects to a local and regional network.***

The proposed street network provides direct access to the existing Evans Head residential area, wider services and reserve areas.

Buildings

The pattern of land development within the settlement is designed to provide amenity.

The low density scale of the development, layout and retained ecological areas will provide a high level of residential amenity

The settlement has a compact footprint to reduce land take.

The development seeks to subdivide land zoned for residential purposes with lots ranging between 600m² – 800m² and more.

Blocks and streets are walkable and safe.

Street blocks are less than 250m in length promoting connectivity and walkability throughout the site.

The neighbourhood centre has commercial, retail, education and civic buildings and some shop-top housing.

No neighbourhood centre area is proposed.

Buildings address the street.

All allotments have direct street frontage allowing dwellings to be orientated towards and address the street.

Tourist developments integrate into the settlement's street pattern and define the edge between public and private land.

No tourist development is proposed.

Lot sizes and configurations are designed to support a range of housing types that integrate into the street pattern and the location of functions throughout the settlement.

A mix of lot sizes have been proposed based on the topography of the land, orientation and lot size provisions. This will promote housing choice throughout the settlement.

Residential areas consist of coastal cottages, detached and semi-detached houses, town houses and terraces.

A range of dwelling types will be permitted throughout the site including dwellings, dual occupancies and multi-unit development.

A diversity of lot and housing types are developed to accommodate various household sizes and types.

The mix of lot sizes and orientations will promote various household sizes and types throughout the site.

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

Buildings will be designed in accordance with Council's DCP provisions and BASIX requirements to ensure they suit the climate and energy requirements.

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

Council's building controls ensure that housing types promote residential amenity and achieve a consistent architectural character.

Height

Residential buildings are one to two storeys.

Building heights will be controlled onsite under Council's LEP and DCP. The LEP provides a maximum building height of 8.5m, which ensures a low building height limit (generally two storeys or less) for the land.

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

No neighbourhood centre is proposed.

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

Building heights will be controlled onsite under Council's LEP and DCP. The LEP provides a maximum building height of 8.5m, which ensures a low building height limit (generally two storeys or less) for the land.

Heights are subject to place-specific urban design studies. New development is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement. Buildings avoid overshadowing of public open spaces, the foreshore and beaches in centres before 3pm

midwinter and 6.30pm Summer Daylight Saving Time. Elsewhere avoid overshadowing of public open spaces, the foreshore and beaches before 4pm midwinter and 7pm Summer Daylight Saving Time.

The proposed foreshore setback and use of perimeter roads around reserve areas will ensure these natural areas are not overshadowed by residential development.

4.3 STATE ENVIRONMENTAL PLANNING POLICIES

4.3.1 State Environmental Planning Policy 14 – Coastal Wetlands

The aim of this policy is to ensure that coastal wetlands are preserved and protected in the environmental and economic interests of the State. SEPP 14 mapped vegetation is located to the east and southeast of the site. No works are proposed within these mapped wetland areas.

4.3.2 State Environmental Planning Policy 26 – Littoral Rainforest

The aim of this Policy is to provide a mechanism for the consideration of applications for development that is likely to damage or destroy littoral rainforest areas, with a view to the preservation of those areas in their natural state. No SEPP 26 mapped vegetation is located on or within 100 metres of the subject site. Littoral rainforest vegetation has been identified within the site however and will be retained.

4.3.3 State Environmental Planning Policy 44 – Koala Habitat Protection

This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas. A number of criteria are to be addressed to determine levels of assessment and to govern management considerations. A review of the provisions of the SEPP has been undertaken under the Flora and Fauna Assessment and is summarised below.

1. Does the Policy Apply?

Yes. The land is greater than 1 hectare in area and is located within the Richmond Valley Local Government Area.

2. Is the land potential koala habitat?

The extent of potential koala habitat on the land is small (approximately 1,600m²) and does not represent 15% or greater of the total number of potential koala habitat areas within the wider locality. Any proposed clearing of potential Koala habitat within the site is limited (approximately 10 -15 trees).

The Flora and Fauna Impact Assessment confirmed that more expansive potential habitat land is located outside of the development footprint and would not be impacted by the proposed works. Any potential loss of habitat on the land would be offset through plantings in reserve areas.

3. Is the land core koala habitat?

The SEPP defines 'core koala habitat' as 'an area of land with a resident population of koalas, evidenced by attributes such as breeding females (that is, females with young) and recent sightings of and historical records of a population.'

No Koalas were identified within the development site. Koalas have previously been recorded to occur in the area and there was evidence of Koala activity (scratch marks on trees).

Proposed works are generally limited to the already cleared areas within the site. Required vegetation removal will be minimal and as discussed above would only require the removal of 10-15 trees that would be classed as potential Koala habitat. This land would not be considered core Koala habitat.

4. Is there a requirement to prepare a Plan of Management for land containing core koala habitat?

No. It is considered that the site does not contain core Koala habitat as described above. A Koala Plan of Management would therefore not be required.

4.3.4 State Environmental Planning Policy 55 – Remediation of Land

SEPP 55 is a NSW-wide planning approach to the remediation of contaminated land. When considering a Development Application, the consent authority must observe the requirements of SEPP 55.

Under Clause 7, a consent authority 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) 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.

A Stage 1 Preliminary Contamination Assessment and Preliminary Radiation Site Assessment has been undertaken for the site. These investigations determined that the land is unlikely to contain soils requiring remediation and no issues with contamination have been identified.

4.3.5 State Environmental Planning Policy 71 – Coastal Protection

The site is located within the coastal zone and as such the provisions of SEPP 71 apply. As defined within the SEPP, the site is located within a sensitive coastal location as it is 100m from the mean high water mark of a sea, bay or estuary and within 100m of mapped SEPP 14 Coastal wetlands.

A review of the heads of consideration (Section 8) and other key matters listed under the SEPP has been undertaken and is provided below.

Section 8

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

(1) This Policy aims:

(a) To protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and

Comment: The proposal seeks to subdivide land which has historically been zoned for urban purposes. All proposed residential lots are

contained within the R1 General Residential land use zone boundary.

- Natural Environment

The development footprint has been largely contained within the R1 Zoned land and on land that has been subject to land clearing and degradation in association with former subdivision works. The development footprint has been guided by a detailed flora and fauna ecological assessment, which confirmed the land suitable for urban development / additional clearing. Revegetation and rehabilitation works will be undertaken within proposed reserve areas to ensure environmental values are retained.

An average 40m setback has been proposed to the Evans River foreshore. This area will be revegetated and maintained as public open space, promoting usability of the foreshore and visual buffering between the urban footprint.

- Cultural

A detailed Cultural Heritage Assessment has been undertaken for the site. This has included consultation with representatives of the traditional land owners and ongoing community consultation processes. The assessment identified a shell scatter / midden within the south of the site, adjoining the foreshore area. No works are proposed over this culturally significant site. Ongoing negotiations are being undertaken regarding the future protection and/or relocation of this shell midden. This is being considered under an Aboriginal Heritage Impact Permit application for the land.

In addition to the protection of the shell midden, the proposed setback from the foreshore area will ensure views along the river are not impeded by

residential development. This will assist in protecting the traditional views towards the foreshore area.

- Recreational

The Draft Master Plan seeks to establish a public reserve along the river foreshore. This lot will be serviced by appropriate car parking, playground and picnic facilities to promote usability and recreation activity. The provision of these services will be required under a 'Statement of Commitments' for the land.

- Economic

The proposal will provide for new housing opportunity on the Far North Coast. The Draft Master Plan includes a range of residential lot types which will encourage housing diversity and lifestyle choice in the locality.

(b) 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

Comment: Despite a road reserve currently fronting the river foreshore, there is no opportunity for public access to the river from the site. The Draft Master Plan seeks to establish a new public open space area fronting this foreshore that will improve access opportunities to the Evans River. An average 40m setback is proposed to this foreshore which is consistent with the NSW Office of Water requirements for development on water front.

(c) 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

Comment: The Draft Master Plan creates new opportunities for public access to and along the Evans River.

(d) To protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and

Comment: A Cultural Heritage Assessment has been undertaken as part of the preparation of this Draft Master Plan. This assessment has concluded that the subdivision is unlikely to have any detrimental impact on aboriginal cultural significance and has included a number of recommendations to ensure appropriate management during construction works.

The protection of the shell scatter will be subject to the outcomes of the AHIP.

(e) To ensure that the visual amenity of the coast is protected, and

Comment: The Draft Master Plan is for land which has historically been zoned for residential purposes. Future dwellings constructed on the land will be guided by the existing planning controls which prescribe maximum building height, bulk and scale provisions. An 8.5m building height requirement is applied to the whole site which will ensure any future dwelling on the land will not significantly protrude into the skyline.

A minimum 40 meter wide setback from the Evans River waterline is provided and will be revegetated.

These works will contribute to the protection of the natural amenity of the coastline.

(f) To protect and preserve beach environments and beach amenity, and

Comment: The development of the site will not have any impact on beach environments or beach amenity.

(g) To protect and preserve native coastal vegetation, and

Comment: Required clearing works are restricted to highly modified / previously cleared areas. A Flora and Fauna Assessment has been undertaken for the site which confirms that these clearing works will not have any significant environmental impact on flora and fauna species or their habitats.

Landscaping within road reserve and open space areas will also contribute to the existing native vegetation onsite.

(h) To protect and preserve the marine environment of New South Wales, and

Comment: Development of the site will not impact upon fish, marine vegetation or estuarine habitats.

(i) To protect and preserve rock platforms, and

Comment: No rock platforms will be impacted.

(j) 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

Comment: Development of the site for residential purposes provides for population growth and economic development without putting the natural, cultural and heritage values of the coastal environment at risk. The Draft Master Plan is in accordance with the principles of sustainable development.

(k) 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

Comment: Any future dwellings works onsite will be designed in accordance with the general housing guidelines prescribed by Richmond Valley Council's LEP & DCP. These controls include provisions for building setbacks, height and bulk as well as landscaping and infrastructure provision. These controls have been prepared specific to the Richmond Valley LGA and will ensure any future building works are consistent with the natural scenic quality of the area.

(l) To encourage a strategic approach to coastal management.

Comment: The site has been historically earmarked for residential development. The Draft Master Plan is consistent with the strategic planning for the area.

(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,

Comment: Land fronting the Evans River is currently privately owned, which prohibits public access.

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

Comment: The Draft Master Plan seeks to establish a new public foreshore open space and access area. A range of public services including car parking, picnic and seating areas will be provided to promote recreation activity in this area.

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

Comment: The Draft Master Plan is consistent with the relevant land use zone and development provisions. It will provide new housing opportunity on land that has historically been earmarked for this purpose. The proposal is consistent with the strategic planning for the area.

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

Comment: Appropriate measures have been included in the design to ensure works and future

land uses on site will not have any detrimental impact on the amenity of the coastal foreshore. The proposed 40m average setback from the foreshore will ensure overshadowing or view losses of this natural area do not occur.

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

Comment: The Draft Master Plan is consistent with the provisions for residential development provided by Richmond Valley Council's LEP and DCP. There will be a significant amount of native vegetation retained along the foreshore and within the dedicated reserve lots, which will ensure the natural scenic qualities of the NSW coast are protected.

(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,

Comment: A Flora and Fauna Assessment has been undertaken for the site. This report confirms that by generally limiting the development footprint to the already cleared / low ecological value areas of the site, the proposed development will not create any significant adverse impact on terrestrial biodiversity in the locality. Landscaping and revegetation works consistent with the regrowth vegetation on site will assist in maintaining and regenerating natural habitat in the area.

(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,

Comment: There will be minimal impact on fish and marine vegetation.

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

Comment: Vegetated corridors through the site and along the foreshore will be retained to protect wildlife movements. The Flora and Fauna Assessment confirms that the development of the site will not have any detrimental impact on wildlife corridors in the area.

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

Comment: The site is not mapped within a coastal hazard zone. Setting development appropriately back from the foreshore area will assist in minimising the risk of impact from coastal processes.

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

Comment: The Draft Master Plan promotes land and water based activity along the coastal foreshore in an area that was previously only accessible by private property. No site specific controls are considered necessary to manage land and water based activities.

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

Comment: As discussed above, a Cultural Heritage Assessment has been undertaken as part of the preparation of the proposed development of the site. This assessment has concluded that the subdivision is unlikely to have any detrimental impact on aboriginal cultural significance.

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

Comment: Appropriate measures have been proposed to manage potential water quality impacts such as bio-retention areas, seepage pits and gross pollutant traps as well as erosion and sediment control.

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

Comment: A local heritage item, being "Paddon's Grave, Iron Gates" is identified west of the development footprint and two isolated rocks along the River foreshore. The Cultural Heritage Assessment confirms that the proposal will not impact this local heritage item.

(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,

Comment: The site has long been earmarked for residential development.

(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

Comment: The impacts associated with construction and tree removal have been identified as short term and manageable. Significant environmental, social and economic benefits would be experienced over a longer period.

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

Comment: Energy saving measures will be incorporated in future dwelling designs.

Section 14 – Public Access

Despite a road reserve currently fronting the river foreshore, there is currently no opportunity for public access to the river from within the site. The Draft Master Plan seeks to establish a new public open space area fronting this foreshore that will improve access opportunities to the Evans Head River. An average 40m setback is proposed to this foreshore which is consistent with the NSW Office of Water requirements for water front land development.

This foreshore area will be serviced by appropriate car parking, playground and picnic facilities to

promote usability and recreation activity in the area. The provision of these services will be required under a 'Statement of Commitments' that will form part of the development consent for the land.

Section 15 – Effluent Disposal

Reticulated sewer is accessible and all of the created allotments will be connected to this reticulated network. This reduces any potential risk of effluent disposal on the foreshore area.

Section 16 – Stormwater

Appropriate measures have been proposed to manage potential water quality impacts such as bio-retention areas, seepage pits and gross pollutant traps as well as erosion and sediment control.

Clause 20 – Preparation of Master Plans

(1) A draft master plan may be prepared by or on behalf of the owner or lessee of the land concerned.

The Draft Master Plan has been prepared by Planit Consulting on behalf of the landowners, Gold Coral Pty Ltd.

(2) A draft master plan is to illustrate and demonstrate, where relevant, proposals for the following:

(a) design principles drawn from an analysis of the site and its context,

Section 2 of the Draft Master Plan provides a detailed review of the site and its context. Section 3 of the Draft Master Plan includes 'Principles of Design' which have been derived from these characteristics.

(b) desired future locality character,

Section 2.1-2.4 provides a detailed review of the existing character of Evans Head and planned character for the Iron Gates site. This includes low density residential development, which retains the key natural characteristics and values of the site. The 'Principles of Design' under Section 3, and particular Section 3.9, of the Draft Master Plan will ensure that this existing and desired future character is maintained.

(c) the location of any development, considering the natural features of the site, including coastal processes and coastal hazards,

Natural features including coastal processes and hazards have been reviewed under Section 2.5- 2.8 and accounted for in the design under Section 3.6 and 3.8.

(d) the scale of any development and its integration with the existing landscape,

Section 2.1-2.5 provides a detailed review of the existing character of Evans Head and planned character and scale for the Iron Gates site. The 'Principles of Design' under Section 3, and particular Section 3.9, of the Draft Master Plan will ensure that the desired scale and integration with the existing landscape is maintained.

(e) phasing of development,

Phasing of the development is discussed under Section 3.7 of the Draft Master Plan.

(f) public access to and along the coastal foreshore,

Public access to and along the foreshore is addressed under Section 2.7 and 3.2-3.3 of the Draft Master Plan.

(g) pedestrian, cycle and road access and circulation networks,

Pedestrian, cycle and road access is addressed under Section 3.2 of the Draft Master Plan.

(h) subdivision pattern,

The subdivision pattern reflects the zoning and minimum lot size provisions for the site and are addressed under Section 3.9.

(i) infrastructure provision,

The proposed development will utilise as much of the existing infrastructure as possible, including roads, stormwater, sewer and water infrastructure. Infrastructure provision is addressed under Section 2.11 and 3.7 of the Draft Master Plan.

(j) building envelopes and built form controls,

All residential lots and dwellings within the Iron Gates site are designed in accordance with the controls specified under Richmond Valley Council's

Development Control Plan. This will ensure that Council's residential density targets within the site is achieved and allotment, house siting and design reflect the climate of the region and complement the established Evans Head building character. This is addressed under Section 3.9 of the Draft Master Plan.

(k) heritage conservation,

Heritage conservation is discussed under Section 2.9 and 3.4 of the Draft Master Plan.

(l) remediation of the site,

No remediation works are required on the land. This is discussed in detail under Section 2.8 of the Draft Master Plan.

(m) provision of public facilities and services,

Provision of all required public services is detailed under Section 3.3 and 3.7 of the Draft Master Plan.

(n) provision of open space, its function and landscaping,

The provision of open spaces and its function is discussed under Section 3.3 of the Draft Master Plan.

(o) conservation of water quality and use,

Conservation and water quality management is addressed under Section 2.7 and 3.8 of this Draft Master Plan.

(p) conservation of animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats,

Conservation of animals is addressed under Section 2.5 of the Draft Master Plan and the 'Principles of Design' under Section 3.5.

(q) conservation of 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.

Conservation of fish and their habitats is discussed under Section 2.7 and 3.5 of the Draft Master Plan

4.4 LOCAL ENVIRONMENTAL PLANS**4.4.1 Richmond Valley Local Environmental Plan 2012**

The subject land is zoned part R1 General Residential, part E2 Environmental Conservation and part E3 Environmental Management under the *Richmond Valley LEP 2014*.

The proposed development is permissible and achieves the objectives of the zones through provision of a range of residential lot typologies and areas which will accommodate a variety of housing types and densities as well as protecting key natural resources onsite.

All residential lots are contained within the R1 zoned portion of the site. Some roads and services have been proposed within the E2 and E3 zones, where the land is already designated as a 'road reserve'. Roads are a permitted land use within both the E2 and E3 zones and bio-retention treatment swales have been

designed within the road reserve areas, to provide for the treatment of stormwater flows across the site. The provision of these roadways and swales create a transition between the private residential land to the environmentally zoned land and will ensure that the proposed residential development does not destroy, damage or otherwise have an adverse effect on ecological values from increased or untreated stormwater flows. This is consistent with the objectives of the E2 and E3 zone.

Other clauses under the LEP which will need to be addressed under any Development Application include:

- Clause 4.1 – Minimum subdivision lot size;
- Clause 5.5 – Development within the Coastal Zone;
- Clause 5.9 – Preservation of trees or vegetation;
- Clause 5.9AA - Trees or vegetation not prescribed by development control plan;
- Clause 5.10 - Heritage conservation;
- Clause 5.11 - Bush fire hazard reduction;
- Clause 6.1 – Acid Sulfate Soils;
- Clause 6.2 - Essential Services;
- Clause 6.3 – Earthworks;
- Clause 6.5 - Flood Planning;
- Clause 6.6 - Terrestrial Biodiversity;
- Clause 6.8 - Riparian Land and Watercourses; and
- Clause 6.10 – Wetlands.

4.5 DEVELOPMENT CONTROL PLANS

4.5.1 Richmond Valley Development Control Plan 2012

The following controls will need to be addressed under a Development Application on the land:

- Part A - Residential Development;
- Part G – Subdivision;
- Part I2 – Heritage;
- Part 15 – Landscaping Guidelines;
- Part I7 – Noise Impact Assessment;
- Part I8 – Social Impact;
- Part I9 – Water Sensitive Urban Design;
- Part I10 – Crime Prevention Through Environmental Design; and
- Part I15 - Notification and Advertising of Development.

5 CONCLUSION

The Draft Master Plan has been prepared to coordinate the proposed residential development of the Iron Gates site in Evans Head.

Considering the natural and built characteristics of the site and surrounding land, the Draft Master Plan will guide the establishment of a residential community that provides new housing opportunity within an existing coastal community and responds to the natural environment.

The Draft Master Plan has been prepared in accordance with the provisions under Part 5 of State Environmental Planning Policy No. 71 – Coastal Protection as a mechanism to ensure the aims of the SEPP are achieved, and should be considered by the relevant consent authority when assessing any Development Application for the subdivision of land on the site.

ANNEXURES

ANNEXURE 1

ANNEXURE 2

ANNEXURE 3

ANNEXURE 4

ANNEXURE 5

ANNEXURE 6

ANNEXURE 7

ANNEXURE 8
