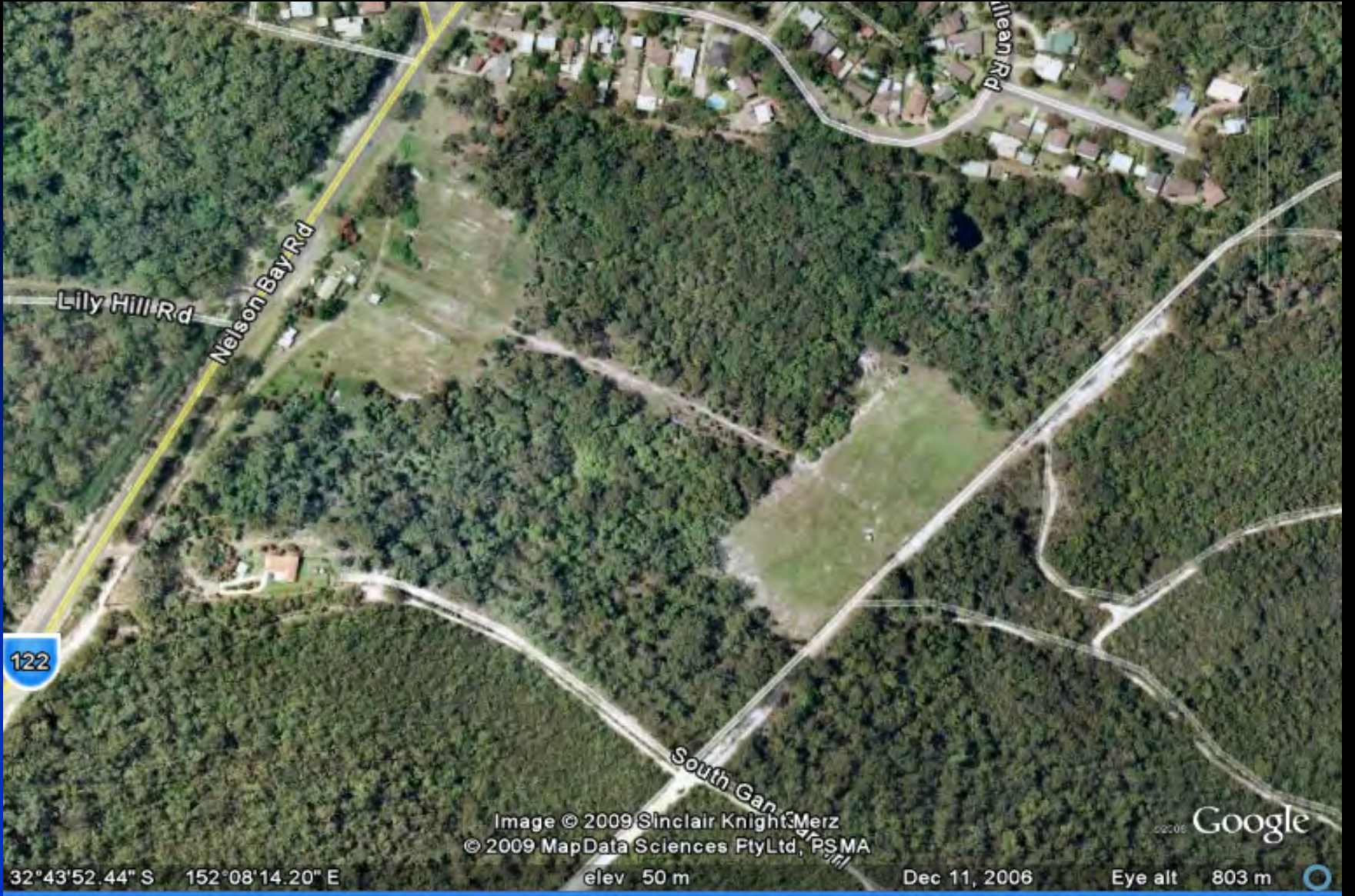


Christmas Bush Village: sustainable living





122

Lily Hill Rd

Nelson Bay Rd

... Rd

South Gan... Rd

Image © 2009 Sinclair Knight Merz
© 2009 MapData Sciences Pty Ltd, PSMA

Google

32°43'52.44" S 152°08'14.20" E

elev 50 m

Dec 11, 2006

Eye alt 803 m

Area Proposed for rezoning

Appendix 1 – Site Analysis Map





History of site

- 1/ Originally Chicken sheds and market gardens since 1960 2 lots
- 2/ Bought by CBPM P/L in 2005
- 3/ Discussed with Council appropriate uses
- 4/ Limited residential land sites in Nelson bay
- 4/ Best practice residential design

Environmental Protection

- Item 1: Wildlife Corridors
- Item 2: Retention of much of the existing vegetation including NSW Christmas Bush etc
- Item 3: Creation of pond and Wetland for on site drainage
- Item 4: Gardens and kerb-less roads: Murrays beach example

Bio diversity offsets

- State Government requires an assessment of the potential loss of vegetation and subsequent impacts on bio diversity.
- This loss needs to be offset.
- Some potential on site (wetlands).
- Bio banking opportunities will be utilised.
- EIS by Wildthing P/L ongoing

Residential mix of housing opportunities

- Mix of larger and smaller blocks.
- Potential for a retirement village opportunity on part of the land.
- Ideal site for a nursing home on top block along Nelson Bay Road.
- Retention of large areas of native forest in corridors including the retention of the highly visible roadside forested gully.

Sustainable living

- Adjoining Tomaree National Park.
- Nature based village will embody best practice design & building codes to minimise impact.
- Comply with RFS & NPWS requests for setbacks including use of perimeter roads and designated housing envelopes.
- A sustainable lifestyle village with picturesque native gardens close to a drainage lake like that opposite Regis Gardens on Bagnalls Beach Rd.

INVESTIGATION OF
ECOLOGICAL CONSTRAINTS
AND OPPORTUNITIES
PERTAINING TO LAND
PROPOSED FOR REZONING

at

LOT 3542 DP 104449, LOT 3551 DP622263
AND LOT 392 DP753204
NELSON BAY ROAD

NELSON BAY

Prepared by: Garry Worth BSc DipSci
11 Hough Street
Tea Gardens NSW 2324
0429826258

For: Environmental Property Services
Level1, 19 Stockton Street
Nelson Bay NSW 2315

DECEMBER 2011

CONTENTS

- 1.0 INTRODUCTION
- 2.0 ECOLOGICAL SIGNIFICANCE
 - 2.1 PRECAUTIONARY APPROACH
- 3.0 DESCRIPTION OF THE LOCALITY
- 4.0 DESCRIPTION OF THE SITE
 - 4.1 VEGETATION CONSERVATION SIGNIFICANCE RANKING
 - 4.2 FAUNAL HABITAT CONSERVATION SIGNIFICANCE RANKING
- 5.0 SUITABILITY OF SITE FOR DEVELOPMENT
 - 5.1 ASSESSMENT OF POTENTIAL IMPACTS OF DEVELOPMENT AND CONSERVATION ON THREATENED SPECIES
 - 5.1.1 COMPREHENSIVE KOALA PLAN OF MANAGEMENT.
 - 5.2 ASSESSMENT OF POTENTIAL IMPACT OF RESIDENTIAL DEVELOPMENT
 - 5.2.1 ON-SITE IMPACTS
 - 5.2.2 IMPACTS ON TOMAREE NATIONAL PARK
- 6.0 POTENTIAL ECOLOGICAL OPPORTUNITIES ASSOCIATED WITH DEVELOPMENT OF THE SITE
 - 6.1 CONSERVATION CORRIDORS
 - 6.2 OPPORTUNITIES FOR IMPROVED HABITAT MANAGEMENT
- 7.0 CONCLUSION
- 8.0 REFERENCES

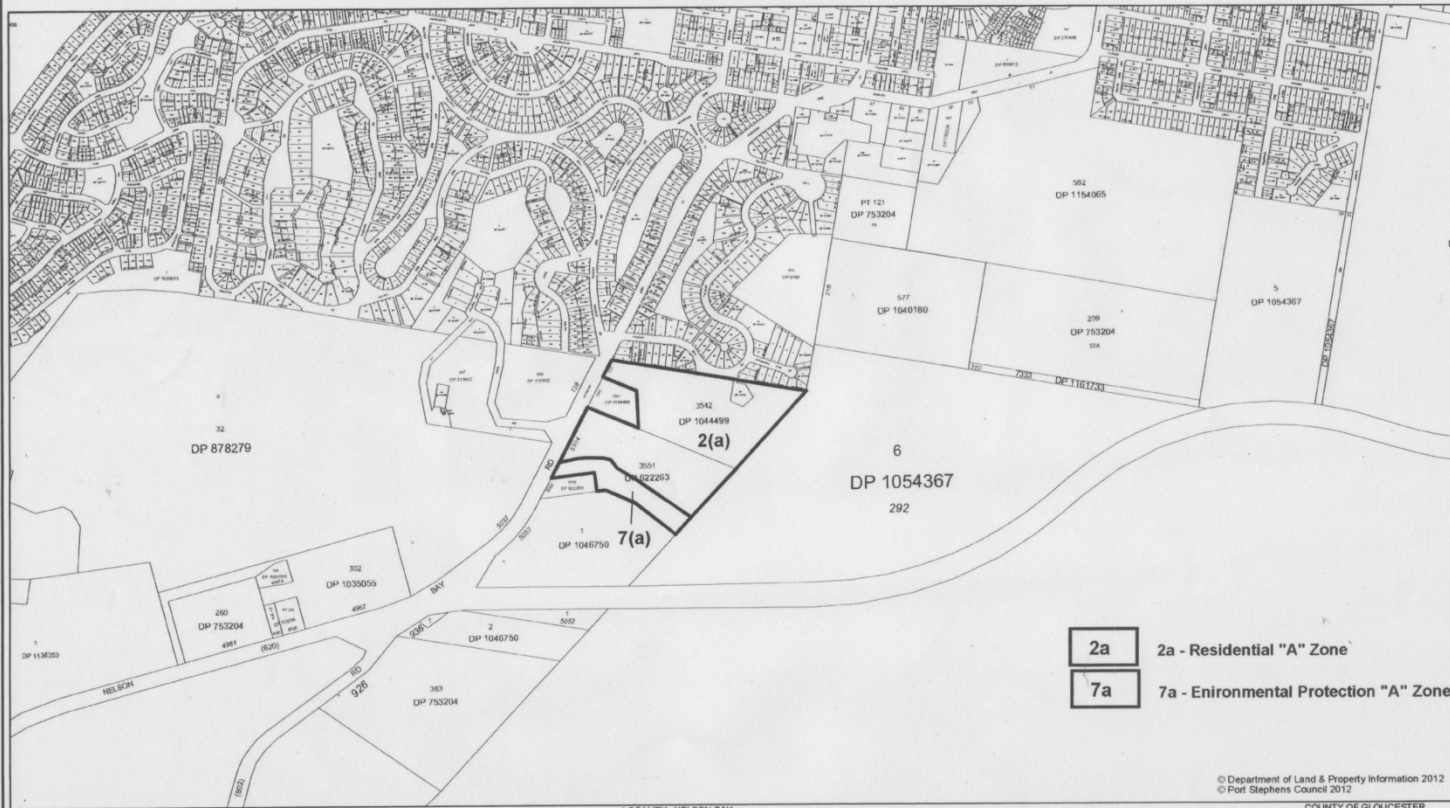
7.0 CONCLUSION

Consideration of this site has produced an assessment of the existing ecology that ranks it as being of medium vegetation significance and a low fauna habitat significance, except for the presence of three bat species which increase the fauna habitat ranking to a default value of 'high' under the system used. The site does support habitat parameters that may be utilized by other threatened species but there is a low level of habitat diversity and the Coastal Sand Apple – Blackbutt Forest present is part of a contiguous area of this habitat covering about 6 square km, most of which lies within the Tomaree National Park.

The major issue identified with the potential development of this site lies in the provision of movement corridors in this part of the Tomaree Peninsula and, in the light of past and potential future development, it is seen that this site provides an important east-west local fauna movement corridor. A suggested design that would incorporate this corridor into future development of the site has been endorsed. Protection of the corridor may be undertaken by an environmental protection zoning but it should be considered that a community title development with a site ecological management plan may be an appropriate alternative.

PROPOSED ZONING MAP

SHEET 2 OF 5



2a 2a - Residential "A" Zone
7a 7a - Environmental Protection "A" Zone

© Department of Land & Property Information 2012
 © Port Stephens Council 2012

SCALE 1:10000 @ A3

LOCALITY: NELSON BAY

COUNTY OF GLOUCESTER



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2000
 DRAFT
AMENDMENT - Nelson Bay Rd, NELSON BAY
 (Lot 3542 DP 1044499, Lot 3551 DP 622263
 Lot 392 DP 753204)

DRAWN BY: DM DATE: 26/7/2012
 SUPERVISING DRAFTSPERSON: DM
 PLANNING OFFICER: MB
 COUNCIL FILE No.: PSC2011-04146
 DEPT. FILE No.
 CERTIFICATE PLAN No. DATED: X
 CERTIFICATE ISSUED UNDER S65 EPA ACT
 PUBLISHED ON PLANNING WEBSITE.

STATEMENT OF RELATIONSHIP WITH OTHER PLANS
AMENDS PORT STEPHENS LEP 2000 PLANNING SCHEME
 CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED
 AUTHORISED COUNCIL EMPLOYEE DATE





Gateway Determination

Planning proposal (Department Ref: PP_2012_PORTS_010_00): to amend either Port Stephens Local Environmental Plan 2000 or draft Port Stephens Local Environmental Plan 2012 to rezone land for residential development and environmental protection purposes.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to rezone land at Lot 3452 DP 1044499, Lot 3551 DP 622263 and Lot 392 DP 753204, Nelson Bay Road, Nelson Bay from 1(a) Rural Agriculture to 2(a) Residential and 7(a) Environmental Protection under Port Stephens Local Environmental Plan (LEP) 2000 or R2 Low Density Residential and E2 Environmental Conservation under draft Port Stephens LEP 2012 should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to:
 - (a) amend the planning proposal to provide information on how infrastructure will be provided to the site and detail how Council intends for infrastructure to be funded,
 - (b) amend the planning proposal to include maps which clearly identify the intended zones proposed for the site. Exhibition material should refer to both the Port Stephens LEP 2000 and draft Port Stephens LEP 2012, and be prepared to an appropriate scale and clearly identify the subject land, and
 - (c) undertake further assessment of the impacts of the proposed rezoning on flora, fauna and bushfire protection and the suitability of the site for residential development.
2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land and the *Contaminated Land Planning Guidelines*. Council is to prepare an initial site contamination investigation to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - Office of Environment and Heritage – NSW National Parks and Wildlife Service
 - Hunter Water Corporation
 - NSW Rural Fire Service
 - Ausgrid
 - Transport for NSW - Roads and Maritime Services
 - NSW Aboriginal Land Council
 - Transgrid

Tree retention:

- The plan will include significant tree retention both within wildlife corridors and the residential area.
- Will ideally incorporate energy efficient designs with both passive and active solar.

