



Our Ref: DOC19/289974

19 December 2019

The General Manager
Richmond Valley Council
Locked bag 10
CASINO NSW 2470

Dear Sir/Madam

Re: DA2015/0096 - Iron Gates Residential Subdivision at Evans Head - Lot 163 DP 831052, Lots 276 & 277 DP 7555624

Thank you for referring the above development application to Crown Lands for comment.

A Crown Public road separates Lot 163 DP 831052 from Lot 276 DP 7555624 and also runs along the foreshore of the Evans River on the southern boundary of Lot 276 & part of boundary of Lot 277 DP 7555624. The subject roads are subject to Enclosure Permit 40019 issued to Goldcoral Pty Ltd, the owner of the adjoining lands.

On 16 September 2019, the Minister for Water, Property & Housing granted landowners consent (LOC) to Goldcoral Pty Ltd for the lodgement of the revised Development Application (DA) for this development. (Refer our letter of 16 September 2019 to Richmond Valley Council – copy attached). A key proviso of the LOC is that in the event that development consent is granted the affected Crown Public Roads will be transferred to the control of Richmond Valley Council in accordance with Section 152I – Roads Act 1993.

The proponent was also advised LOC did not imply the concurrence of the Minister to the proposed development and did not prevent Crown Lands from making submissions commenting on the proposal. The department previously commented on the original DA 2015/0096 in its letter of 24 February 2014 to Council (copy attached) which raised concerns regarding the capacity of the proposed foreshore offset area to function as an effective environmental buffer. These concerns still remain relevant to the revised DA as discussed below;

A Crown foreshore road provides public access to the river and has significant recreational and environmental values. Enhanced public access to the river in this part of the estuary will be a major feature of the proposed development with provision of foreshore recreational opportunities for prospective residents as well as the wider community.

The subdivision design utilises the Crown road as a buffer zone between the residential development and the Evans River, particularly the component on the southern side of Iron

Gates Road. It is also noted that the cultural heritage assessment has identified a midden within the road reserve.

In our view the revised proposal still fails to adequately address the anticipated pressure of public foreshore use and capacity of the proposed offset area to be an effective environmental buffer to the estuary. Too much reliance has been placed on the contribution of the existing foreshore Crown Road Reserve (public land) to meet the anticipated environmental pressures on the estuary foreshore created by the adjoining private residential development. The proposed freehold contribution of foreshore open space earmarked for public use in close proximity to the proposed residential development precinct is minimal and comprising mainly a constructed road. The open space contribution in proximity to the residential development should be expanded to provide a larger area with the capacity to provide a sustainable environmental buffer and more effectively cater for the proposed public facilities (picnic areas etc) and level of public foreshore use.

If you require any further clarification or assistance with this matter please don't hesitate to contact me by telephone: (02) 6642 9201.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Baumann', with a wavy line extending from the end.

Peter Baumann
Natural Resource Management Project Officer