

# Blue Flier

Vol. 1 No. 11

(NOTE THE SPELLING)

March 1995

## New Broom Brings Sweeping Changes

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Mr Walker, already being dubbed "the Phantom - Ghost Who Walks" (we guess that he is used to it), through his very positive approach, strong support for the concept of K-12 schools and very definite ideas about the role of teachers has already proved a popular choice with parents and the wider school community.

Within days of taking up his appointment Mr Walker was seen in the streets and business houses of the Woodburn CBD. Several shopkeepers noted that this was something they hadn't seen for decades. We encourage him to repeat this in the other villages of the Mid-Richmond and Evans Head.

We know of a number of students who have returned after being withdrawn from Woodburn at the end of last year. We are also aware that a number of parents, of both Secondary and Primary students, who had intended to remove their children, decided to "give the new principal a chance". They are pleased with their decision.

Quite a few parents have remarked on how nice it is to hear teachers making positive comments about the school - even some who were very critical last year.

We applaud Mr Walker's efforts to date and trust that parents and the community will work with him to continue the process of winning back Woodburn Central's good name.

## ALP Dilemma (or double standards)

As mentioned in previous issues, the ALP candidate for Clarence has been one of the most vocal advocates of siting secondary education facilities for the Mid-Richmond at Evans Head. This is despite half the site being on land that a previous ALP government had declared a Wetland & a 1991 Aboriginal land claim on the site. Now he is reported to be putting pressure on leaders of the Aboriginal Community to allow the school development to proceed. So much for "the first Koori to be elected to the NSW Legislative Assembly". Obviously some things are more important.

## Community Fears Justified

Information released by Richmond River Shire Council, in response to a request under Freedom of Information legislation (FOI), and supplied to us by the Mid Richmond School Action Committee, has confirmed what many in the Mid-Richmond community and some in the media have long suspected.

The documents show that the long standing push for a Mid-Richmond High School to be located at Evans Head has nothing to do with education or demographics, but rather property development. Surprise, surprise!!!

In 1987-88 a "Forward Planning Strategy" for Evans Head was developed by Council. Pivotal to the strategy was the acquisition of the current Evans Head Primary School site for commercial development.

The acquisition of the Primary School site would have enabled Council to close off Oak Street and a section of Woodburn Street. Cypress Street was to become the main access to Evans Head from the Pacific Highway at Woodburn.

Also crucial to this grand plan was to convince the Department of Education to commit itself to building a combined Primary and High School on land on the corner of Cypress and Woodburn Streets, which it had relinquished because approximately 50% fell within the boundaries of SEPP 14 Wetland #147. This land is the notorious "school site" at Evans Head.

In an effort to persuade the department the then Shire Clerk David Miller wrote, in a letter to the Department of Education on 19 May 1988 that:

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We look forward to the next development.



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HOWEVER, at that same meeting the amended Development Application for Stage 1 of the Iron Gates development was approved. The approval requires the developers to build an access road through a DECLARED SEPP 14 Wetland(#147) to feed into Wattle Street at Evans Head.

As the map below shows, the road will have to go through the most sensitive part of the Wetland - the tidal neck.

On the one hand the council, in the words of "dismissed" mayor (his word, not ours) David Parkinson, "(needs)...to have the sensitive areas identified so we can put in place proper regulatory controls." yet on the other hand is continuing its war on Wetland #147.

It is a great shame that council does not share the views expressed in the Editorial of the January 1995 Rivertown Times.

The map below shows Wetland #147 prior to council's intervention, by secret meetings, to have the boundary changed to exclude "the school site".

Council decided to defer the developer's contribution towards the upgrading of Iron Gates Rd - despite the recommendation of its Planning department! This decision means that the **ONLY** sealed access to the

development will be the road to be built through Wetland #147!

Everyone should be asking their Councillors -  
 \* Why not upgrade the existing Iron Gates Road and  
 leave the Wetland alone?

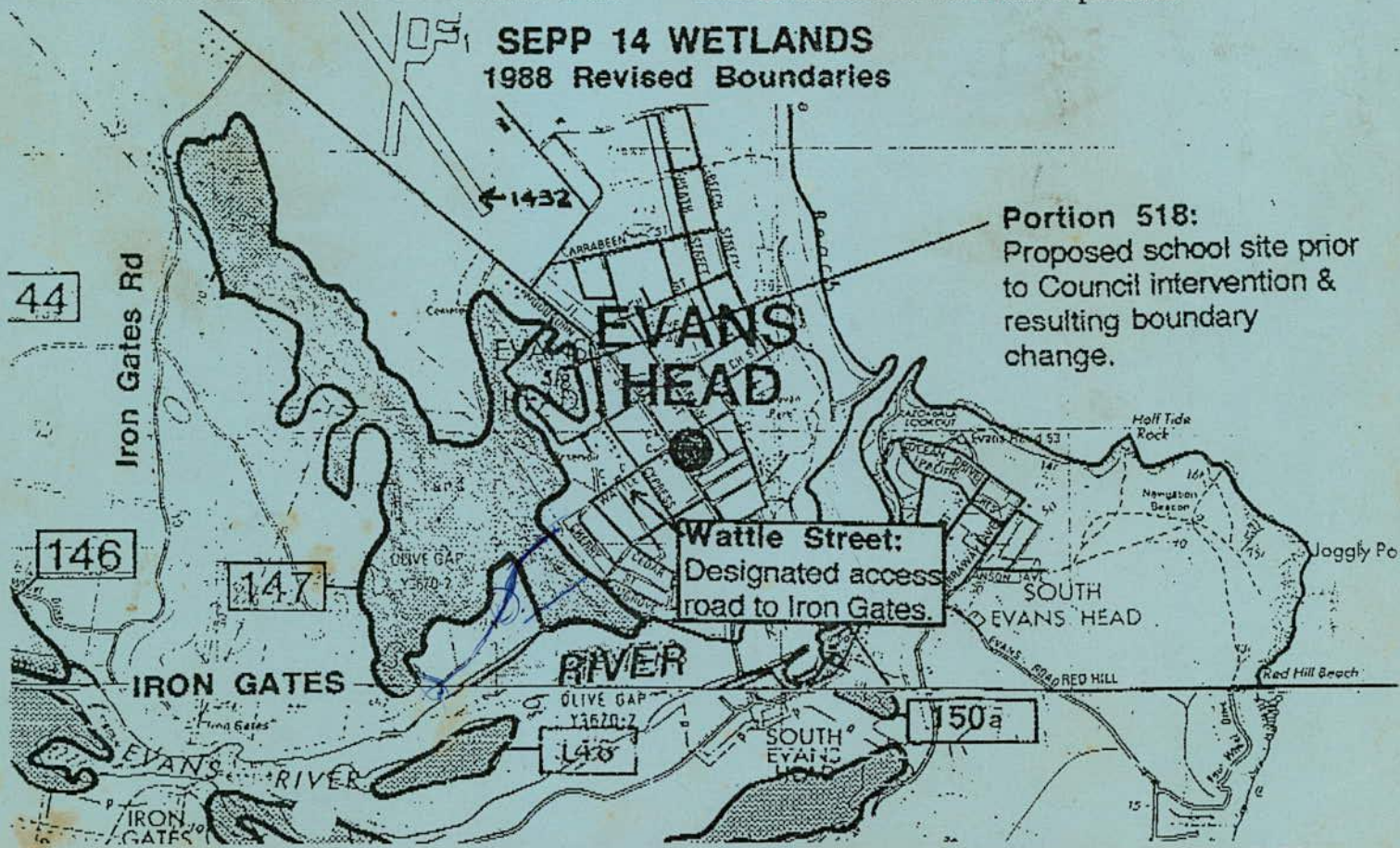
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Another little gem to come out of this Strategy was the REAL reason for the closure of runway 1432.

According to the December 1993 edition of the Rivertown Times Bill McMahon, in his report to council (as Shire Engineer), said that the runway had reached the state that it had to be upgraded (at a cost of \$100,000) or closed.

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**This council has a real credibility problem! It has for too many years treated the residents and ratepayers of the area like mushrooms - kept in the dark and fed bullshit. Remember this come September.**





Lismore Greens  
P.O. Box 125 Lismore,  
NSW 2480  
Fax 066 222 676  
ph. 222 618  
23/8/93.

To: D.M. Jones,  
Attention Basil Rice

Dear Sir,

Re. D.A. 149/92 LEC 40090/93 Iron Gates, Negotiation.

Following our phone conversation this morning I have contacted Mr. Ralph James to organise a meeting in the early part of this week, in Lismore to negotiate an out of court settlement over the above matter.

As you are aware the next call over in the Land and Environment Court is set for August 31st. The Environmental Defenders Office who appear for us in this matter have been instructed to continue with the documentation to constitute proceedings on foot unless a settlement can be negotiated before that date.

I look to achieving an equitable settlement without unduly escalating the litigation costs.

If you could obtain instructions from your client as soon as possible and contact Mr. James office to set up a meeting, I am sure the above matter could be resolved expeditiously.

Yours Faithfully,



Al Oshlack,  
Media/Research Officer.

c.c. Ralph James and Associates  
Maria Comino ...Environmental Defenders Office



# IRON GATES

What do you think ?

Here are some facts

**Yes** the developement is big 650 houses and will supply jobs and a temporary boost to the local economy. However this will be shortlived once building has slowed and new inhabitants ( Possible 2000) start filling the vacancies.

**Yes** the developement will affect fishing and water quality generally destroying precious fish breeding and feeding habitat this means less whiting bream flathead and crab etc and an increase in Red Spot and other diseases.

**Yes** tourism and general activity in and around Evans Head will increase

Leading too:- more business and services

lots more cars, boats, jetskis, fishermen, surfers, beachgoers etc

more crime, street drinking, drugs, violence and policing

more pollution air, water, soil, noise

less quiet times ,peaceful fishing, family picnics and get togethers lone

surfing, beers with the boys and cuppas with the ladies.

**Yes** some odd looking strangers have come to support local protesters of this developement because most of them have seen disasterous results of such inappropriate developement in other places. They are totally against the unnecessary access road through Wetlands, Rainforest and tidal mangroves allowing the release of Acid Sulphate run off destroying aquatic life. Maiming and killing a myriad of wildlife including throwing injured Koalas and Possums into burning log heaps

This is in addition to the resulting damage to the adjacent riverbank, mudflats, over hanging trees marine life ect by inhabitants of the new estate.

.Damage to and the disrespect of the Indigneous Peoples middens and burial sites .

## **There are alternatives :**

- a less intense more enviromentally sound developement,
- creating more local employment with light and sensitive industry,
- replanting and repairing unecessary new access road and creating pleasant

and educational meandering nature path in its place serving both locals and tourists,

This developement which is being carried out Gold Coast people ,finance and machinery has the potential of changing the face of Evans Head forever .

## **Have your say**

Ring Write or Fax local papers, radio Local and State Politicians

Harry Woods *local member*

Pam Allen *Min Environment*

Bob Carr *Premiere N,S,W,*

Ian Causley *Federal Member*



*Class A letter*

*ATB*

**AUSTRALIANS FOR ANIMALS**

P.O. Box 673 Byron Bay  
N.S.W. 2481

Phone: 61 66 843 789  
Fax: 61 66 843 788  
Email: [anjolie@xemail.com.au](mailto:anjolie@xemail.com.au)



Reg. Charity No. 000223

22nd July, 1996

Premier Bob Carr,  
Fax No: 02 228 3934

Dear Premier,

**RE: ENVIRONMENTAL VANDALISM AT IRONGATES, EVANS HEAD.**

This morning I made a comprehensive inspection of the Irongates site where Gold Coast developer Graham Ingles has, for the last two weeks, had bulldozers clearfelling pristine wetland melaleuca forest.

The area was, until two weeks ago, a well known and documented koala habitat.

It isn't any more. Nothing would survive the onslaught this forest has been subjected to.

Conservation groups have been told that the development "falls between the Endangered Fauna Interim Protection Act and the new Threatened Species Act." We've all heard this excuse used many times over the past months.

What is man without the beasts?  
If all the beasts were gone,  
man would die from a great loneliness of spirit,  
for whatever happens to the beasts,  
soon happens to man.











Protestors were back in action first thing Monday morning (29.7.96) when construction was scheduled to resume. Mr Wilson has appealed to protesters not to break either Aboriginal or white law in trying to defend the site, but the right of individuals to be arrested if they wish is respected. On Monday, 5 activists were arrested for obstruction and intimidation. Protest organisers would also like to thank the Police who were instrumental in getting negotiations with the developer underway and the SRC for their support in this action. But the situation requires much more active support from our concerned community members, in light of the disrespect and dishonesty being shown on the part of the developers and their hired contractors.

#### What You Can Do

1. Come to the direct action blockade and get your feet wet!! Contact Jamie or Claire at the SRC on (218290) or the Richmond Clarence Greens on (222618) for further information on this issue, transport details and directions.
2. Write to Premier Bob Carr or Fax him on 02 228-3934 and tell him how you feel about the vandalism at Longates.
3. Contact Ingles & Partners (the developers) and express your outrage at there disrespect of our cultural and environmental heritage by phone on (073 384133) or by fax on (073 386246).

~~\_\_\_\_\_~~ by, none but  
~~ourselves~~ are free to



14 July, 1995

The Ingles Group  
P O Box 558  
SURFERS PARADISE, QLD 4217

Dear Mr Ingles

I refer to my earlier letters of 21 April and 2 May 1995 regarding the Iron Gates development. I understand construction of the access road to the development is about to commence.

On Friday 16 June the National Parks and Wildlife Service (NPWS) were informed that the endangered Black-necked Stork has been recorded on the site. The Black-necked Stork is listed on Schedule 12 of the Endangered Fauna Interim Protection Act as an endangered species. Consequently it is necessary for you to make an assessment of the significance of the use of this site for the Black-necked Stork and consequently whether or not a Fauna Impact Statement (FIS) and Section 120 licence may be required, prior to commencing any works.

Obviously this is a similar and related issue to that raised in the previous letters. It would be NPWS's preference for the entire development to be considered in one FIS, as requested in our letters of 21 April and 2 May 1995.

Please note that should you decide to proceed without due regard for this matter NPWS will consider utilising the legal mechanisms available to it as outlined in our earlier correspondence. Should you wish to discuss this matter further please do not hesitate to contact me at this office.

Yours faithfully

Alan Feely  
Manager, Northern Zone

for DIRECTOR-GENERAL

c.c Richmond River Shire Council  
P O Box 378  
CASINO, NSW 2470





NSW  
NATIONAL  
PARKS AND  
WILDLIFE  
SERVICE

April 1995

Mr Graham Ingles  
Ingles Group  
P O Box 558  
SURFERS PARADISE, OLD 4217

AF:JM A0075  
Our reference:  
Your reference:

Dear Mr Ingles

#### IRON GATES DEVELOPMENT

I understand your Company is undertaking the development of a subdivision at Iron Gates, near Evans Head on the north coast. The site is known habitat for endangered fauna, particularly the Koala and threatened Bush Thick-knee. The Iron Gates site also provides potential habitat for a number of other endangered fauna species listed on Schedule 12, namely the Brushtailed Phascogale, Grass Owl, Queensland Blossom Bat, Ground Parrot, White-eared Monarch, Glossy Black Cockatoo, Common Planigale and a number of bat species. The Iron Gates site is within a broader area of higher biodiversity which can function as a wildlife corridor of state significance.

On 15 March 1993 the National Parks and Wildlife Service (NPWS) advised Richmond River Council that the development application for this area was inadequate, particularly in relation to endangered fauna. NPWS requested a Fauna Impact Statement (FIS) be prepared and application be made for a Section 120 licence. Director's requirements for the FIS had been provided to Council by NPWS on 25 August 1992. Richmond River Council granted consent to the development application on 16 March 1993 without the requirement for the FIS. In December 1993 Mr Al Oshlak sought in the Land and Environment Court to have the development consent declared void. Justice Stein in his judgement concluded "that the decision taken by Council was one which was reasonably open to it to make. This conclusion does not mean that the Court necessarily agrees with the decision." and "however, this finding does not necessarily end the matter of whether an FIS is required for the development. There may still be a need for an FIS under s120 of the National Parks and Wildlife Act, indeed, this was strongly recommended by the National Parks and Wildlife Service in its letter to Council." NPWS also advised your Company in the letter of 22 April 1993 of the need to address the licensing requirements of Section 120 of the National Parks and Wildlife Act.

Site inspections were undertaken by NPWS on 3 and 19 April 1995. It was confirmed that some development works had commenced, appearing to be the clearing of vegetation for survey purposes. Your Company does not yet hold a Section 120 licence for the site, although inspection of the site does indicate the site is heavily used by Koalas.

Consequently I am now formally advising you that you will be in breach of the National Parks and Wildlife Act if the development takes or kills any endangered fauna unless you have been issued with a National Parks and Wildlife Act 1974 Section 120 General Licence. This licence authorises, subject to various conditions, the taking or killing of any protected fauna in the course of carrying out specified development or specified activities. In order to obtain a Section 120 licence it is necessary to complete a FIS (FIS). As noted above, the Director's requirements for this were forwarded on 25 August 1992.

Northern Zone  
GIO House  
24 Moonet Street  
Coffs Harbour NSW  
Australia  
PO Box 914  
Coffs Harbour 2450  
Fax: (066) 516 187  
Tel: (066) 515 946

Head Office  
43 Bridge Street  
Hurstville NSW  
Australia  
PO Box 1967  
Hurstville 2220  
Fax: (02) 585 6555  
Tel: (02) 585 6444



- 2 -

"Take" includes significant modification of habitat. As your development appears to involve, among other things, clearing of fauna habitat I am also requesting that all works on the site cease until such time as the FIS and associated Section 120 licence have been determined.

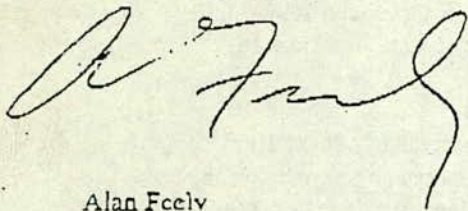
Please note that should you take or kill any protected fauna (including habitat modification) you may be in breach of the National Parks and Wildlife Act 1974. The penalty provisions for breaches of this section of the Act include imprisonment for a period of up to two years and a fine not exceeding \$100,000 penalty units.

The Minister for the Environment has power to issue a Stop Work Order pursuant to Section 92E National Parks and Wildlife Act 1974, or an Interim Protection Order pursuant to Section 91 National Parks and Wildlife Act, to protect protected fauna.

You will note from the above that NPWS is taking this matter very seriously. I would ask that you provide an immediate written response to this letter.

Should you wish to discuss this matter further, please do not hesitate to contact me at this office.

Yours faithfully



Alan Feely  
Manager, Northern Zone

for DIRECTOR-GENERAL



PRESS RELEASE

RE : IRON GATES • BLOCKADE • EVANS HEAD (Nth of NSW)  
CONTACT : VANESSA FRASE PH. (066) 857 066.  
BYRON ENVIRONMENT CENTRE.

12 protesters where arrested yesterday protecting coastal mangroves and an Aboriginal sacred site at the Iron Gates road construction at Evans Head.

document available? -

The protesters were defending the midden site that was under a court order to be protected.

The Gold Coast developers chose to ignore the court order and bulldozed through the roped off site.

Protesters were behind the site boundary and not where the contractors could legally work.

Protesters who were mainly local residents of Northern NSW put their lives on the line to physically defend the site and environmental concerns.

Instead of arresting the Gold Coast developers, police arrested protesters for "their own safety" using unnecessary force which left 7 protesters with sores and bruises. They were charged with intimidation.

same as  
ever

The disrespect to Aboriginal Heritage and Environmental standards has shocked the community.

Protests are continuing until this situation is properly resolved in these wetlands which flow directly into the Evans River is one of the last pristine rivers on the East Coast, providing essential unpolluted habitat and breeding grounds for fish and other marine life.

not  
pristine,  
at all.  
Tuckombil  
canal

just not  
so!

+ The area is also home to possibly the last remaining Koala colony in the Richmond/Clarence area & Burnt Koalas where found at the site earlier. All of these natural and cultural assets will

All of these natural and cultural assets will be irrevocably destroyed if the Gold Coast developers continue their unlawful roadworks through an Aboriginal site and high conservation value wetlands.

which?  
NSW  
Commonwealth

"We are calling on the government to stop the destruction  
of Aboriginal Sites and Vanessa Fraser  
Coastal Wetlands." said (666) 857 066.

Vanessa Fraser  
(066) 857 066.





Coastal Water = 2m/h



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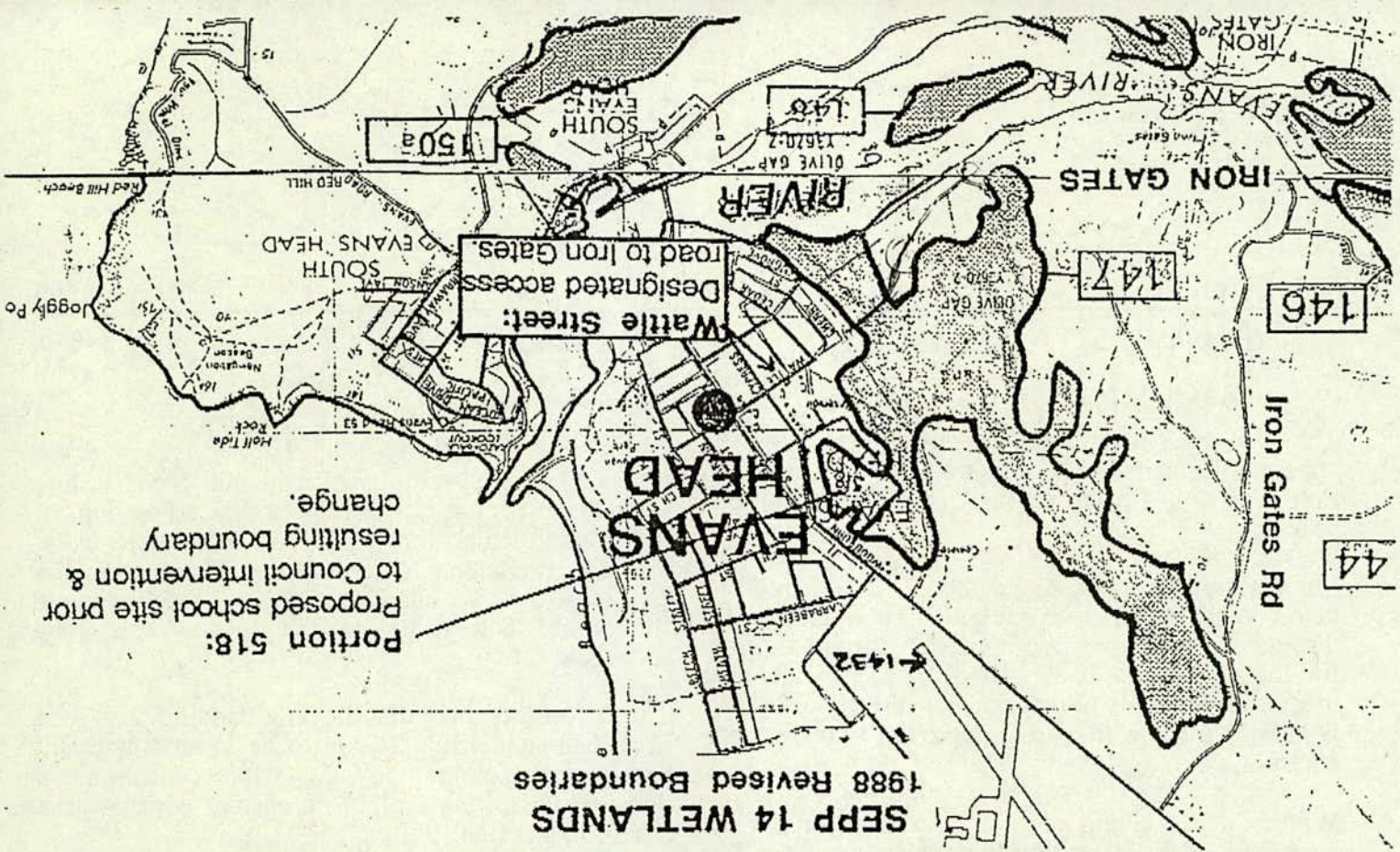
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SEPP 14 WETLANDS  
1988 Revised Boundaries





# BACK PAGE BLUES

**Right of Access.** RRSC doesn't like you having rights. They recently decided to use the EP&A Act to try to get around the requirement in the Local Government Act that they give you notice of their intention to enter your property. We wonder whether the provisions of the EP&A Act apply to matters outside the provisions of that Act. Maybe the courts will have to decide when the council's first victim launches a legal challenge.

What are the activities going on in our community that lead the council to believe that it needs unlimited powers of entry to your home or business? If things have got to that point then we are all in trouble!

**Council Blues.** It is amazing to us how much time RRSC is able to devote to discussing the authorship of the Blue Flier. These discussions always take place "in committee" (read: in secret) and always have as their justification something to do with legal advice

They don't like you knowing what is REALLY going on and they would love to punish us for telling you.

**Shark Bay.** In his report to the June council meeting Roy Medhurst (now Divisional Manager, Engineering Services) stated that about 150m of cycleway had been constructed. Local residents report that this work has indeed been done. They 'complimented' the council on its 'sensitivity' in constructing the cycleway in "bright shiny white concrete". Doubtless this will help planes approaching Evans Head at night.

**TAFE in the Mid-Richmond.** For many years Casino TAFE College has run courses in Woodburn. They are now looking at the possibility of expanding the range of courses offered. What a pity that the Department of School Education was unable to see, as TAFE obviously does, that a facility to serve the Mid-Richmond needs to be centrally located in order to maximise its impact.

**That Boat Ramp.** RRSC has deferred consideration of the boat ramp at Evans Head for 6 months while they gather data on an alternative site. Apparently a critical factor in this decision was that they were told they could transfer the grant rather than lose it.

What is this? RRSC listening to its residents and ratepayers? But hang on - it is Evans Head.

**Community Services.** A recently released report from the Department of Local Government suggested that RRSC spent over \$40 per resident on Community Services. On closer examination it becomes apparent that if the expenditure on the Mid-Richmond Retirement Village (which after all is self funding and projected to run at a profit) is excluded the amount drops to less than \$1 per head.

**Silver Sands Caravan Park.** At that other self funding business enterprise of RRSC much activity is going on. Council has got a grant (surprise, surprise) to help rehabilitate some rainforest areas that were destroyed when the caravan park was constructed.

Private enterprise must look on in awe. Where else could you see a grant given to help you rehabilitate environmental damage you caused as a consequence of developing your business? A private enterprise would probably have been required to make good the damage at its own expense - and copped a hefty fine into the bargain.

**Its a Date.** Apparently one councillor wants to defer as much council business as possible until after the council elections in September. Two possible motives occur to us. Either

1) This councillor is fundamentally committed to the notion of representative democracy, recognising that he (or she) is not on council to push their own barrow but to represent your interests; or

2) This councillor thinks he (or she) will be mayor after September and will get all the credit.

We'll leave it up to you to decide.

**Koala Study.** RRSC is to share the cost of a study to compile a Koala Habitat Atlas. We wonder if it will include a retrospective look at the iron Gates development site.

**Main Street Program.** At the urging of General manager Paul Muldoon, RRSC has agreed to look at implementing this very worthwhile program. We hope they bear in mind that to be successful these programs need the support of the local community, not a set of rigid rules imposed by council.

**Looking over your shoulder.** Some RRSC councillors were tickled at the sight of one of their number agreeing with the General manager at the June council meeting and felt obliged to comment. Maybe you should look out Paul, if he is agreeing with you.

If you live in Evans Head and would like a copy of the Blue Flier then just send us a stamped self addressed envelope.

Published by COUNCILWATCH PO Box 1004 LISMORE NSW 2480



## DOUBLE STANDARDS

Mid-Richmond residents could hardly believe their eyes recently when they read comments attributed to David Parkinson in his capacity as Chairman of NOROC.

We quote directly from the Northern Star of 3/6/95:

"What damage is done to regional development when a service developed and owned by the regional community was dismembered?"

He also talked extensively about a "flawed report".

No - he had not changed his view on "the school debate"! He was talking about a proposal to move the rescue helicopter away from Lismore.

What a pity this same logic did not move him, or occur to him, some time ago while he took such a partisan role in the debate about where a school for the Mid-Richmond should be sited.

The recently announced decision to move the school to Evans Head is but the latest in a long line of community facilities and services developed in, by and for the people of the Mid-Richmond which, somehow, ended up at Evans Head.

Not all such acquisition attempts have been successful. The suggestion that Campbell Hospital move from Coraki to Evans Head was treated with the levity it deserved.

The inconsistency of the positions taken by David Parkinson doesn't seem to have occurred to him. It can't be wrong now and have been right then! Either both decisions are wrong or both are right. You just can't have it both ways.

We could be forgiven for asking if it has more to do with the fact that he was intimately involved in pushing for the school move.

It is amazing the difference in your perceptions when you are on the inside looking out rather than the outside looking in.

We, and all residents of the Mid-Richmond, could also be forgiven for wondering if David Parkinson is aware that one of the roles of Woodburn Central School Council is to "promote a positive image" of the school rather than to do everything possible to destroy it. If he isn't then he should resign his position as a "Community" member of the School Council.

If he is then he most definitely should go!

## JOBS FOR THE BOYS?

At its June meeting Richmond River Shire Council decided to appoint Wayne Halcrow, Bill McMahon and Roy Medhurst to the newly established positions of Divisional Manager covering the areas of Corporate Services, Business Enterprises and Engineering Services respectively. The only position to be advertised within the brand spanking new organisational structure is that of Divisional Manager, Environmental Development Services.

Messrs Halcrow & McMahon were previously employed by council as Deputy Shire Clerk and Shire Engineer/Chief Planner respectively. Their positions were abolished in the recent review of Council's organisational structure.

Mr Medhurst was recently employed by council as Deputy Engineer.

While we make no judgement about the capabilities of these appointees we do question the process by which they have been appointed.

Mr Medhurst, in particular, must be blessing his lucky stars that he applied for the Deputy Engineer's job. In how many councils could he expect to get a promotion to head the Engineering department without going through the process of application and interview?

Richmond River Shire Council must be about the only public sector employer in which such a practice is possible.

Mr Halcrow has had Bushfire Services removed from his area of responsibility. We wonder if this is as a result of the controversy in recent times at Council's role in this area?

Mr McMahon is the BIG winner in this shuffling of the deck chairs on the Titanic. Not only has he been confirmed in a permanent managerial position (at the same or possibly higher salary), he has had his area of responsibility reduced by approximately two-thirds and is now to be called Assistant General Manager. Not bad work if you can get it.

Council's use of the Transitional Provisions of the Local Government Act (1993) is the most cynical aspect of this whole exercise.

Their actions may be within the letter of the law but they most certainly are contrary to its spirit. We would not like to be one of the councillors, or the General Manager, trying to convince the ratepayers and residents of the shire that they have the services of the very best and most capable staff available.



## Council Endorses Law Breaking

**As expected, Richmond River Shire Council recently approved the development of an "artificial compensatory wetland" at Evans Head.**

This wetland is proposed to compensate for destruction of part of SEPP 14 Wetland 147 by the developer of "Iron Gates" complying with a COUNCIL IMPOSED condition that the developer build a road through the Wetland.

One aspect that has become clear is that in its mad rush to develop Evans Head this council is prepared to condone the breaking of the law.

Council has acknowledged that 2200m<sup>2</sup> of the 3900m<sup>2</sup> compensatory wetland consists of works that:

- \* were undertaken unlawfully in 1991; and
- \* are partly contained within SEPP 14 Wetland 146.

In the last few years we have seen and heard every level of government expressing concern about developments that affect sensitive coastal environments - every level of government, that is, EXCEPT Richmond River Shire Council.

Council knew BEFORE its meeting on 20 June that the Minister for Fisheries had put a stop to the road which necessitated this wetland. Council also knew that the whole question of compensatory wetlands was being reviewed, with a state government policy to be developed. Yet they still rushed to approve the development application.

We are left wondering about council's hidden agenda.

**Why are they so hell bent on destroying Wetland 147 ???**

**Is it** because, as suggested in the Mid-Richmond Demographic Study, they can see a potential 600 house lots on land predominantly covered by Wetland 147?

This magic figure of 600 keeps cropping up. Both the "independent" demographer AND the former Cluster Director for the Education Department have used the figure in reports to the

department. BOTH sourced the figure to council. The question of WHO from council told them is still unresolved.

**Is it** because this road will bring traffic from Iron Gates into the village of Evans Head, possibly bolstering some of the businesses there, and, if so, would any councillors benefit?

**Is it** because the destruction of this Wetland might remove some of the environmental concerns about developing "the school site"?

**Is it** because, deep down, council knows that the potential for development in Evans Head is extremely limited - hemmed in as it is by National Parks, SEPP 14 Wetlands, flood prone land, the river and the ocean?

This last possibility is supported by council's decision in 1988 to close Runway 1432 at the Evans Head Airport in order to remove building height restrictions in the area and allow implementation of their decision to have blocks of flats along Woodburn Street replacing existing commercial premises.

Another aspect that has become clear is that council is scared that if it now reneges on the earlier conditions of development it will face legal action by the developer and the prospect of a massive financial payout.

Council is prepared to stick by bad decisions from years back rather than address real issues of concern about environmental degradation. This should really surprise no-one because it is predominantly the same people making the decisions at council.

That, however, does not make it right!

Maybe some community minded resident should obtain legal advice as to whether, in the circumstances, it is the council or individual councillors who would be liable to pay damages to the developer.



## SOCIAL NOTES

Congratulations to several residents of the Mid-Richmond area whose achievements have received wider recognition. They are:

**Sally McDonald of Coraki** who was recently selected as the Regional winner of the Lions' International Miss Personality Quest; and

**Kate Bidner of New Italy** and her brother **Graeme Alcock** who recently received a mention in the Sydney Morning Herald's "Column 8". Kate has been selected as a presenter in the state government's "Tradeswomen on the Move" Program and Graeme was mentioned for his clothes designing. Their parents, George and Dawn Alcock, proprietors of the Riviera Cafe at Woodburn, are understandably very proud.

### Highway Takes a Turn for the Better

The Roads and Traffic Authority recently announced that the Pacific Highway deviation just south of Woodburn will proceed. They plan for it to be finished before Christmas.

In the past, highway access has been used by council to stifle development on flood free land in this area. This was despite its zoning [1(d) Urban Investigation].

In fact, as recently as December 1994, the highway was used by the "independent" demographer to dismiss both of two possible school sites at South Woodburn for a centrally located secondary education facility to serve the Mid-Richmond. This took quite a few locals by surprise as he had been appraised of the RTA's plans.

We hope that council do not now manufacture new and equally spurious "reasons" for refusing or delaying approval for development - as they seem to have done with their own development at Coraki.

### Council in Dire Financial Straits

At its June meeting Richmond River Shire Council decided that it could not afford to erect signs warning of the presence of wildlife on rural roads. Maybe they spent all their money (sorry - our money) on those ghastly green monstrosities that welcome you to the Shire (and on the back say goodbye).

Once again it seems that corporate image is more important than the local environment and the safety of travellers. As one local was heard to comment, "With the signs telling you that you are in Richmond River Shire, at least people will know who to blame!"

## P&C Says "NO"

Once again Woodburn Central School Council is trying to ride roughshod over the school's P&C.

At a recent meeting the School Council decided to seek a meeting with the P&C Executive in order to prevent the P&C passing motions that express the real view of the majority of parents.

This dispute arises from the P&C resolving to oppose the "Evans Head" decision and the School Council voting to support it. It should be remembered that the P&C is acting totally within its charter and according to its rules. This is, unfortunately, more than can be said for the School Council.

All sections of the school community agreed last year to support "a new K-12 facility for the Mid-Richmond to be located on a site determined by an independent demographer appointed by our Minister, Mrs Chadwick." (WCS Newsletter 7/1994) The fact is he never recommended a site.

The decision to locate the school at Evans Head was actually based on a SECRET departmental report, not the independent demographer's report.

All sections of the community, especially the School Council (who are supposed to represent the WHOLE school community) and the teachers should have rejected this decision. Or is it that they are happy to accept the perversion and corruption of the process because the decision favours their preferred option?

The government is not playing with private money but with the futures of OUR CHILDREN and PUBLIC MONEY! The process must be open and above board if the outcome is to have any credibility.

The end does NOT justify the means!

Many are reminded of events of last year when the School Council repeatedly acted contrary to the provisions of its constitution.

Maybe its time that members of the School Council made the effort to examine its Constitution and the rules contained in it. If they are unable, or unwilling, to abide by the rules or, if their only motive for going on the School Council was to influence the decision about where the school should be located, then they should resign their position.

When the Minister for Education, John Aquilina, recently tried to sideline the P&C Federation he had to do a very quick about face.

The School Council should look and learn.





# RICHMOND RIVER SHIRE COUNCIL

SHIRE OFFICE -- 68 WALKER STREET, CASINO  
TELEPHONE (066) 62 2066 -- FAX (066) 62 1342

All communications to be  
addressed to:  
THE GENERAL MANAGER  
P.O. BOX 378  
CASINO, N.S.W. 2470

Your Ref

Council's Ref. 6/10 WSH/AP (C81)

FOR TELEPHONE ENQUIRIES  
CONCERNING THIS MATTER  
PLEASE ASK FOR

Mr. Halcrow

Mid Richmond School Action Committee,  
C/- Mr. P. Reynolds,  
P.O. Box 102,  
WOODBURN. 2472.

14th February, 1995.

Dear Sir,

## FREEDOM OF INFORMATION REQUEST

I refer to your letter of 30th January, 1995, concerning the above and enclose the following.

* 1.	Circular from Department of Environment and Planning	25.6.87
*	Letter from Public Works Department	29.4.87
*	Letter to Department of Education	19.5.88
*	Report of Council's Policy Committee	17.5.88
*	Report of Principal Planning Officer	17.5.88
*	Letter from Department of Education	11.7.88
*	Letter from Department of Planning	6.3.90
*	Letter to Department of Education	30.3.90
*	Council Minutes	17.4.90
* 2.	Gazettal Notice - re Boundary Change to #147	15.2.91
*	Letter from National Parks and Wildlife Service	2.12.93

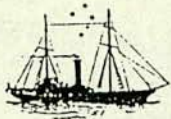
Also enclosed please find Council's receipt in an amount of \$60.00.

Yours faithfully,

(P.T. Muldoon)  
GENERAL MANAGER.







# RICHMOND RIVER SHIRE COUNCIL

SHIRE OFFICE — 68 WALKER STREET, CASINO  
TELEPHONE (066) 62 2066 — FAX (066) 62 1342



All communications to be  
addressed to

THE SHIRE CLERK,  
P.O. BOX 378,  
CASINO, N.S.W. 2470

Your Ref.

Council's Ref. 20/1/35 DJM/AP

FOR TELEPHONE ENQUIRIES  
CONCERNING THIS MATTER  
PLEASE ASK FOR

Mr. Miller

The Director of Properties,  
Department of Education,  
130 George Street,  
PARRAMATTA. 2150.

30th March, 1990.

Dear Sir,

I refer to previous correspondence concerning the suitability of portion 518 at Evans Head for school development.

A report dated 29th April, 1987 prepared by the Government Architect of the Department of Public Works (ref: S.7195/2) recommended that alternate flood free land, not affected by State Environmental Planning Policy No. 14 - Coastal Wetland, be investigated.

It has been Council's opinion that the portion was incorrectly described as containing 50% of designated wetland and appropriate representations were made to the Department of Planning.

The land was inspected on 15th June, 1989, by officers of the Department in company with Council's Principal Planning Officer and subsequent advice from the Department is that the northern boundary of Wetland No. 147 has been reassessed and it has been recommended to the Minister for Planning that an area of 10.87 ha be removed from designated Wetland No. 147. The basis of the recommendation is that the area concerned is substantially wet heath and does not meet the wetland mapping criteria.

Once the change has been published in the Government Gazette, Council believes the Department should move with all expedition to confirm the site for future school development.

Council is of the opinion the site is ideal for school development. Previously it was suggested that part of Council's aerodrome land might be available for school purposes but present planning, due to the lack of a definite commitment from the Department of Education, is not making provision for such a purpose.

It is for this reason that Council believes the Department should confirm portion 518 as its future public school site.

Yours faithfully,

(D.J. Miller)  
SHIRE CLERK.



MEETING

17 APR 1990

(6)

297.

DEPARTMENT OF PLANNING, SYDNEY - 20/1/35. Advising that the northern boundary of Wetland No. 147 was reassessed by officers of the Department's northern regions office and as a result the Department will be recommending to the Minister for Planning that he remove an area of some 10.87 hectares from the designated wetland area. This is on the basis that the area is substantially wet heath and does not meet the wetland mapping criteria.

Should the Minister choose to amend State Environmental Planning Policy No. 14 in regard to this wetland, the change once published in the Government Gazette will place the proposed school site at Evans Head completely outside the coastal wetlands zone.

RECEIVED.

Cr. Olive/Cr. Filicietti





# Department of Planning

(4)

The Shire Clerk  
Richmond River Shire Council  
PO Box 378  
CASINO NSW 2470 294

Remington Centre  
175 Liverpool Street, Sydney 2000  
Box 3927 G.P.O. Sydney 2001  
D.X. 15 Sydney

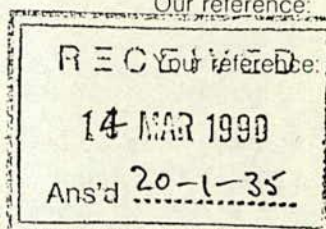
Telephone: (02) 266 7111 Ext.  
Fax No: (02) 266 7599

Contact:

C. Bellamy

Our reference:

86/1023(z)1



Dear Sir,

STATE ENVIRONMENTAL PLANNING POLICY NO.14 - COASTAL WETLANDS  
IN RESPECT OF WETLAND NO.147, EVANS HEAD, IN AREA OF PROPOSED  
SCHOOL SITE.

I refer to the issue of a proposed school site at Evans Head partly affected by State Environmental Planning Policy No.14 - Coastal Wetlands, which was inspected on 15 June 1989 by officers of this Department along with Mr. W. McMahon of Council.

2. The northern boundary of Wetland No.147 was reassessed on 23 February 1990 by officers of the Departments' Northern Regions Office. As a result the Department will be recommending the Minister for Planning remove an area of some 10.87ha from designated Wetland No.147. This is on the basis that the area is substantially wet heath and does not meet the wetland mapping criteria.

3. Should the Minister for Planning choose to amend State Environmental Planning Policy No.14 in regard to Wetland No.147 the changes will be published in the Government Gazette. You should note that State Environmental Planning Policy No.14 will apply to the subject land until such amendments occur.

Yours faithfully,

*C. Hill* 6/3/90

C. Hill  
Acting Head  
Heritage, Assessments  
and Resources Division

17 APR 1990

Mr. McMahon.

15 MAR 1990

This advice should be forwarded to the Dept of Education. J. 231





# RICHMOND RIVER SHIRE COUNCIL

SHIRE OFFICE — 68 WALKER STREET, CASINO — TELEPHONE (066) 82-2066

All communications to be  
addressed to The Shire Clerk

P.O. BOX 378,  
CASINO, N.S.W. 2470

Your Ref.

Council's Ref.

~~20/1/86~~  
20/1/35

DK/LN

FOR FURTHER ENQUIRIES  
PLEASE CONTACT

Mr. Kitson.

19th May, 1988.

Mr. John Allsopp,  
Director of Properties,  
Department of Education,  
Ferguson Centre, 130 George Street,  
PARRAMATTA. 2150

Dear Sir,

Council has recently been investigating the best use of surplus land on Evans Head Airport. This exercise has required consideration of existing and proposed Community facilities, including the proposed location of a future combined high school/primary school site.

There is at present a 9ha Crown Land reservation for a future school in Evans Head on the corner of Woodburn Street and Cypress Street, which the Department has indicated verbally, it will relinquish, based on an Environmental Study produced by the Department of Public Works. Council believes that the existing reservation represents the best site for a school in Evans Head despite 50% of it being classified as wetlands, under S.E.P.P. No. 14.

This view is based on the minimal impact on the wetland as a whole, on the opportunities which become available for the overall design of Evans Head and the problems associated with providing an alternative site in a town which is severely constrained by wetlands, National Parks, Crown Land and the Evans Head Airport. None of these considerations were examined in the one and a half pages of writing contained in the Department of Public Works report, which in essence only confirms what is already known, that is, part of the site is wetlands.

S.E.P.P. No. 14 does not exclude wetlands from being developed. Wetlands can be filled and thus destroyed with the consent of Council and the concurrence of the Department of Environment and Planning subject to Clause 7(2) of the Policy (see enclosure). This is confirmed in the letter to Council from the Department of Environment and Planning (enclosed) regarding the school site.

Council is anxious to have the future school site resolved, as other planning options and decisions depend on this issue and would be pleased if a meeting could be arranged between the Department and Council staff to discuss the matter.

Yours faithfully,



(D. J. Miller)  
SHIRE CLERK.



Rivertown Times Aug 1988

# Former high school site switch by shire

A MEETING of the Richmond River Shire Council at which the press and public was excluded on May 17 has seen a switch in preference for a high school in Evans Head back to an area which contains a percentage of wetland gazetted under State Planning Policy No. 14.

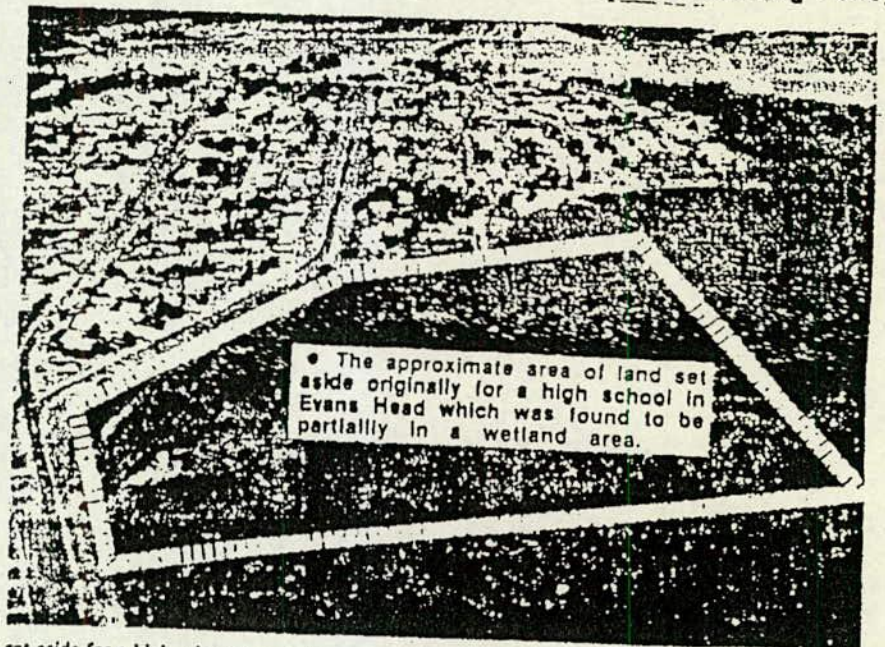
The turn-around came at the meeting which was held behind closed doors to discuss the Evans Head Forward Planning Strategy which has now been released for public exhibition and comment.

The Richmond River Shire Council met with officers from the Department of Education this year to discuss the high school site matter after it was revealed that a portion of land acquired by the Department for a high school back in September 1976 had a large portion of it in a wetland zone.

The Council suggested that land could be available within the Evans Head Memorial Airport boundary for use as a high school site.

However, this has now changed back to the former site, following a resolution to that effect at the secret meeting, and the Council ask that the wetland area be re-defined.

If the wetland site cannot be re-defined in the original area



• The approximate area of land set aside originally for a high school in Evans Head which was found to be partially in a wetland area.

set aside for a high school the Council will enter discussions with the Department of Education and the Lands Department with a view of offering a part of the Evans Head Memorial Airport and

using vacant Crown land behind Heath and Carrabeen streets for high school and primary school complexes.

The proposal to relocate the primary school at Evans Head to the proposed 10.588

hectare land area would include discussions with the Department of Education regarding Council acquiring the land upon which the present primary school stands.



and an olympic swimming pool. The latter being more suitably located with respect to the proposed school site.

Further areas for recreation are proposed adjacent to the proposed industrial area and on portion 517 in South Evans Head on the corner of Ocean Drive, Evans Head and Airforce Road which has been reserved for a primary school.

4 & 5. LOCAL ENVIRONMENTAL PLAN - 20/4/18.

The Draft Local Environmental Plan is nearing completion for inspection by Council. There are however two underlying issues involving its format which must be resolved.

1. Land use Control in Evans Head - At present Evans Head is zoned Village/Township which allows almost any use. Superimposed on top of this zoning is Development Control Plan No. 3 which restricts commercial, retail and industrial uses to specific areas.

The alternative to this system is to rezone Evans Head into separate areas being Residential, with flat densities regulated by D.C.P. No. 3 as is the case presently, Commercial which would allow retail and offices, and Industrial.

2. Prime [1(a)] and Secondary Agriculture Zones [1(b1)] - With Council resolving to have the same subdivision minimum in the D.L.E.P. for both zones the need to differentiate such land appears not to be necessary.

  
(W. J. McMahon)  
PRINCIPAL PLANNING OFFICER  
26/4/1988



5. Residential Development - The proposed strategy would see the creation:-
- (a) 23 lots on crown land between Carrabeen and Currajong Streets immediately behind the residential land fronting Heath Street.
  - (b) 29 lots on Airport land south of the Council depot with the airport operation in its present form.
  - (c) \* An additional 20 lots to be excised from the high school site to reduce the 10.588 ha area down to the 9 ha requirement. The exact location of these lots should be determined after discussion about the possible design of the school and the most appropriate position for a bus stop.
  - (d) \* An additional 148 residential lots between Carrabeen Street, runway 1836, the Woodburn-Evans Head Road and the proposed industrial estate, if runway 1432 was permanently closed.

6. Industrial Estate - In regard to Council's decision to establish an industrial area on the airport, the most appropriate land would appear to be that located between the Council depot and the telecom depot with an area of 2 ha being approximately 16 x 1,200m<sup>2</sup> lots.

7. Aged Units and Nursing Home - A recent request by Mr. W. McCaughey for Council to give its concurrence to the establishment of 60 aged units and nursing home facilities for 70 aged patients on crown land between Carrabeen and Currajong Streets. This land, in the proposed strategy already outlined should ideally be reserved for the combined high school and primary school.

An aged unit and nursing home complex should be located in a more centrally located position within walking distances of community facilities. The ideal position for such a complex would be on part of the Evans Head Oval Reserve which comprises a total area of 7.15 ha most of which is under-utilised. The ring road proposal would require a road to be built across the reserve linking Park Street and Beronia Street. This isolates an area of 1.12 ha on the north eastern side of the reserve on which it would be possible to erect between 55 and 65 single storey aged units based on the design of the 10 aged units located on portion 179 (1,922m<sup>2</sup>) Beech Street, Evans Head owned by the Country Women's Association. A further area of approximately 1.5 ha would be required to establish a nursing home to accommodate 70 aged patients. This is based on the 0.9 ha on which the 40 patient Coraki retirement village is located on.

8. Recreation - The preferred strategy in regard to the provision of active recreation areas is to reduce the importance of the Evans Head Oval reserve and provide such space in other areas in order to increase pedestrian accessibility. With the beaches and the river the need for passive recreation is not considered an issue.

The rule of thumb for the desirable amount of open space is 2.83 ha per 1,000 persons.

Where the proposal to establish aged units, a nursing home and a road on the Evans Head Oval Reserve is accepted an area of approximately 4 ha would remain. This area would be suitable for a full size cricket field and



PRINCIPAL PLANNING OFFICER'S REPORT FOR SUBMISSION TO THE POLICY COMMITTEE MEETING  
OF THE RICHMOND RIVER SHIRE COUNCIL TO BE HELD ON TUESDAY, 3RD MAY, 1988.

and an olympic swimming pool. The latter being more suitably located with respect to the proposed school site.

Further areas for recreation are proposed adjacent to the proposed industrial area and on portion 517 in South Evans Head on the corner of Ocean Drive, Evans Head and Airforce Road which has been reserved for a primary school.

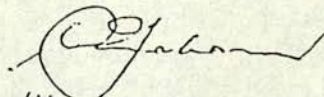
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(W. J. McMahon)

PRINCIPAL PLANNING OFFICER

26/4/1988

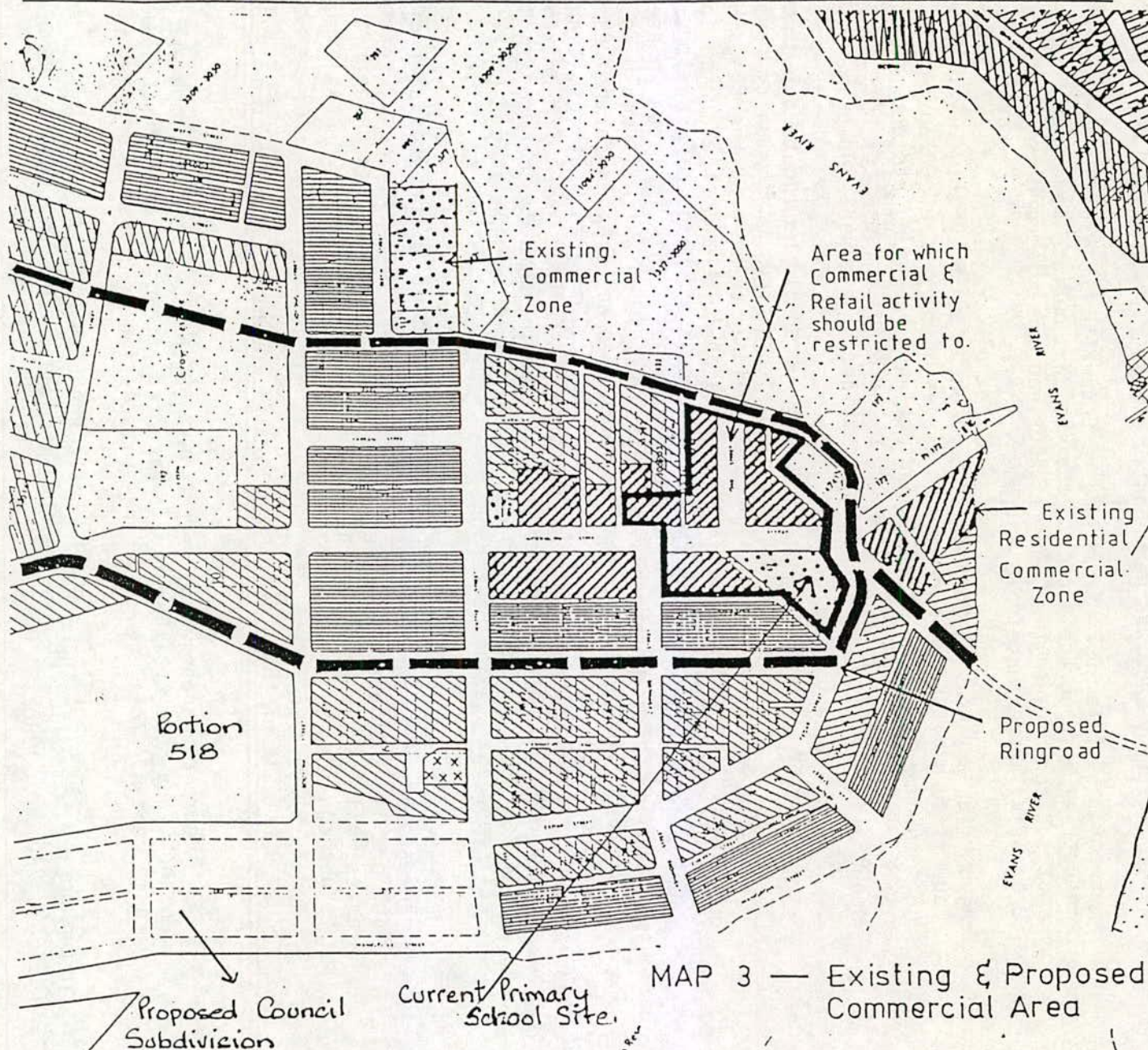
THIS IS PAGE NO. SIX (6) OF THE PRINCIPAL PLANNING OFFICER'S REPORT FOR SUBMISSION TO THE POLICY COMMITTEE MEETING OF THE RICHMOND RIVER SHIRE COUNCIL TO BE HELD ON TUESDAY, 3RD MAY, 1988.

CHAIRMAN

DK:RB

SHIRE CLERK





future. The land required for a high school is 6 ha. and 3 ha. for a primary school. The Department has indicated that a suitable site would include part of higher airport land for the siting of buildings and part of the adjacent crown land which is lower.

The proposed school site is 10.588 ha. and has been determined by the most appropriate road pattern. 4.22 ha. is Council land with the balance being crown land. 1.588 ha of the 10.588 ha school site is in excess of the 9 ha Department of Education requirement, and may be reduced by the excising of residential lots and slight changes to the proposed Currajong Street extension.

THIS IS PAGE NO. FOUR (4) OF THE PRINCIPAL PLANNING OFFICER'S REPORT FOR SUBMISSION TO THE POLICY COMMITTEE MEETING OF THE RICHMOND RIVER SHIRE COUNCIL TO BE HELD ON TUESDAY, 3RD MAY, 1988.

CHAIRMAN

SHIRE CLERK



\* 1836, the Woodburn-Evans Head Road and the proposed industrial estate, if runway 1432 was permanently closed.

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An aged unit and nursing home complex should be located in a more centrally located position within walking distances of community facilities. The ideal position for such a complex would be on part of the Evans Head Oval Reserve which comprises a total area of 7.15 ha most of which is under-utilised. The ring road proposal would require a road to be built across the reserve linking Park Street and Beronia Street. This isolates an area of 1.12 ha on the north eastern side of the reserve on which it would be possible to erect between 55 and 65 single storey aged units based on the design of the 10 aged units located on portion 179 (1,922m<sup>2</sup>) Beech Street, Evans Head owned by the Country Women's Association. A further area of approximately 1.5 ha would be required to establish a nursing home to accommodate 70 aged patients. This is based on the 0.9 ha on which the 40 patient Coraki retirement village is located on.

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The rule of thumb for the desirable amount of open space is 2.83 ha per 1,000 persons.

Where the proposal to establish aged units, a nursing home and a road on the Evans Head Oval Reserve is accepted an area of approximately 4 ha would remain. This area would be suitable for a full size cricket field and

THIS IS PAGE NO. FIVE (5) OF THE PRINCIPAL PLANNING OFFICER'S REPORT FOR SUBMISSION TO THE POLICY COMMITTEE MEETING OF THE RICHMOND RIVER SHIRE COUNCIL TO BE HELD ON TUESDAY, 3RD MAY, 1988.



- (b) The maximum number of storeys is three provided one is either an attic or a basement level which drains onto the land and involves excavation into the side of a slope.
- (c) The slope of the land is generally in excess of 10°. Note: Very few parcels of land in this area of South Evans Head have a slope less than 10°.

It should be noted that a dwelling over 3 storeys must have a boundary setback of 1.5 metres under Clause 11.6(2) of Ordinance 70 of the Local Government Act, 1919.

2. For the balance of Evans Head the maximum number of storeys shall be two with a maximum height of 7.5 metres from the lowest point of the building adjacent to ground level to the highest point of the building.
3. Buildings can be three storeys and greater than 7.5 metres in the High Density Residential/Commercial Zone (with the exception of such land bounded by Woodburn Street, Elm Street and the Evans River) provided Commercial space is provided on the ground floor.
3. EVANS HEAD-FORWARD PLANNING STRATEGY - 20/4/16.

An urban release strategy has been prepared for the airport and adjacent crown land in the context of an overall concept plan for Evans Head which address the following issues:-

1. The Evans Head Memorial Airport - The recommended strategy (see map1) for the long term use of the airport, while allowing urban expansion is to:-
  - (a) Close runway 1432 which has a flight path over the urban area and until shortened recently resulted in limitations on the height of structures in the vicinity of the Carrabeen Street-Woodburn Street intersection.
  - (b) Open runway 0927 to complement as a cross strip to runway 1836 which was lengthened early in 1985 to accommodate F27 Focker Friendship.

This approach would leave a total of 54 ha. of airport land and 18.3 ha. of crown land capable of being developed.

2. Road Hierarchy - At present there is an ill defined road hierarchy within Evans Head. This applies particularly for vehicles travelling from the Oak Street shopping area to Broadwater Road. The proposed road hierarchy (see map 2) would solve this problem by the construction of several sections of road as indicated on the map by broken lines. The diversion of the main road from Woodburn Street to Cypress Street would also allow the future closure of Oak Street and Woodburn Street adjacent to the Primary School to establish a centralised shopping area which may include a shopping centre on the primary school site in the future. To facilitate this ringroad, Woodburn Street would have to be closed at the intersection of Cypress and Ash Streets and give way signs set up at various cross roads with a minor

THIS IS PAGE NO. TWO (2) OF THE PRINCIPAL PLANNING OFFICER'S REPORT FOR SUBMISSION TO THE POLICY COMMITTEE MEETING OF THE RICHMOND RIVER SHIRE COUNCIL TO BE HELD ON TUESDAY, 3RD MAY, 1988.

CHAIRMAN

SHIRE CLERK

DK:RB



road resumption or realignment possibly being required along the Cedar Street frontage of the primary school. The road network in the proposed release area has been designed to:-

- (a) Allow direct access to the industrial estate and high school while using 15 metre wide looproads for residential area to reduce through traffic.
  - (b) To use "T" intersection where-ever possible clear of other intersections by at least 50 metres.
  - (c) To dispense with the Carrabeen Street and Airport Road "Y" intersection.
  - (d) The closure of Cassea Street to ensure the intersection with Carrabeen Street and proposed road linking airport is more than 50 metres from another intersection.
  - (e) The closure of Carrabeen Street between Heath Street and Beronia Street and it's conversion into a park which allows pedestrian access through to the beech, however prevent vehicular access. The closure resolves the intersection of Carrabeen Street and the proposed Ring Road into a "T" intersection and creates a separate traffic precinct in the Heath Street/Beech Street area by channelling cross town traffic to Currajong, Ash, Booyong and Wattle Streets.
3. Shopping Area - Under D.C.P. No. 3 the commercial area extends along Woodburn Street from Wattle Street to the Evans River and the entire length of Oak Street. This area is approximately 6.8 ha., however, the only sizable parcel of land suitable for a shopping complex is the primary school site which has an area of 8,100m<sup>2</sup>.

The implimentation of the ring road system as already stated would enable Oak Street and part of Woodburn Street to be closed for pedestrian areas and parking.

It would be desirable to further restrict the area that can be developed for commercial and retail purposes to the area shown on map 3. Shops outside this area would continue to operate under existing use rights and in the future would conceivably be discontinued and the land used for flats.

Whether this is carried out by amending the D.C.P. No. 3 or actually rezoning in the L.E.P. is a matter which Council will have to consider in the near future.

The existing swimming pool reservation between Oak Lane and the day picnic area would more suitably be used as a parking area with a capacity of between 130-250 car parking spaces.

4. High School and Primary School - The Department of Education has relinquished the high school site fronting Woodburn/Cypress Streets because approximately 50% of the site is designated as wetlands under S.E.P.P. No. 14. The Department has also indicated that the existing 8,100m<sup>2</sup> primary school site is becoming too crowded and an alternative site will be required in the



17 MAY 1988

404.

REPORT OF POLICY COMMITTEE.

The Policy Committee reported having met on 3rd May, 1988, and made the recommendations contained in minutes numbered P.2-P.7 of the minutes of that meeting. RESOLVED that the report and recommendations of the Policy Committee be adopted. Cr. Parkinson/Cr. Thomas

20/4/16. 4.-That as Council's consideration of the Evans Head Forward Planning Strategy would prejudice the Council if made public at this stage, the press and public be excluded from the meeting and information relating to Council's consideration not be publicised until Council resolves to that effect.

20/4/16 5.-That approximately 2ha of land within the boundaries of the Evans Head aerodrome and lying between the Works Depot and the Telecom depot be adopted as the preferred site for a light industrial area in Evans Head.

20/4/16 6.-That Council's preferred site for new school facilities in Evans Head be portion 518 of 9.942ha south of Woodburn Street, an attempt \*be made to redefine the wetlands classification as it affects this site and if such reclassification not be forthcoming discussions be entered into with the Departments of Lands and Education with a view to part portion 527 (Crown Land behind sections 31 & 32 Heath Street) and part of the Evans Head aerodrome land (total area 10.588 ha) being the preferred school site with the aerodrome land being exchanged for \*the existing primary school site bounded by Cedar, Elm and Woodburn Streets and School Lane. \*

20/4/16. 7.-That Council support the concept of aged persons units and a nursing home being established in Evans Head and Mr. W.R. McCaughey be advised of this support, he be informed of Council's strategy and be invited to discuss his organisation's needs with Council's staff.

20/4/16 8.-That Council's Forward Planning Strategy for Evans Head, including the various options considered, be prepared for public exhibition, it be displayed in the Council Chambers and at Evans Head, a questionnaire be prepared in conjunction with the plan to aid people's comments thereon and emphasis be placed on the fact that it is a document designed to attract educated comment and is a long term plan to which Council has not made any particular commitment at this stage.

Other land options suggested here as alternatives have been developed. Only land now is Portion 518.



SUBMITTED TO COUNCIL  
17 MAY 1988

P.3

HEIGHT OF BUILDINGS - 20/4/16.

RESOLVED that subject to public exhibition and consideration of any submission which might be received the following height and storey controls be included in the Development Control Plan:-

1. For South Evans Head excluding the area south of Evans Road and West of Ocean Drive (waterfront industrial area) the following shall apply:-
  - (a) The maximum height of a building from the lowest point at natural ground level to the building shall be no more than 9 metres.
  - (b) The maximum number of storeys shall be three provided one is either an attic or a basement level which drains onto the land and involves excavation into the side of a slope.
  - (c) The slope of the land is generally in excess of 10°. Note: Very few parcels of land in this area of South Evans Head have a slope less than 10°.

It should be noted that a dwelling over 2 storeys must have a boundary setback of 1.5 metres under Clause 11.6(2) of Ordinance 70 of the Local Government Act, 1919.
2. For the balance of Evans Head the maximum number of storeys shall be two with a maximum height of 8 metres from the lowest point of the building adjacent to ground level to the highest point of the building.
3. Buildings can be three storeys and greater than 8 metres in the High Density Residential/Commercial Zone (with the exception of such land bounded by Woodburn Street, Elm Street and the Evans

River) provided Commercial Space is provided on the ground floor.

P.4

CONFIDENTIALITY - 20/4/16.

RESOLVED that as Council's consideration of the Evans Head Forward Planning Strategy would prejudice the Council if made public at this stage, the press and public be excluded from the meeting and information relating to Council's consideration not be publicised until Council resolves to that effect.

P.5

EVANS HEAD FORWARD PLANNING STRATEGY - 20/4/16.

RESOLVED that the concept submitted by the Principal Planning Officer be adopted, alternatives to the ring-road system be prepared for the Committee's consideration and liaison be undertaken with the Departments of Education and Lands in connection with suggested uses of vacant Crown land and recreation reserves.





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P. Melville  
Sites Branch for  
J.E. Allsopp Director Properties,  
Department of Education,  
Ferguson Centre,  
130 George Street,  
PARRAMATTA N.S.W. 2150

Our reference: S.7185/2  
Contact: A. Morris  
Telephone: (02) 2405 250  
Your Ref: SB 73/002174

Proposed New High School Site  
At Evans Head.

518~~8~~

An investigation of Portion ~~513~~ at Evans Head was undertaken to determine the suitability of the site for school development and whether the land is affected by State Environmental Policy No. 14 - Coastal Wetland (referred to henceforth as SEPP-14).

The site is bordered by Booyong, Cypress and Wood burn Streets to the south and by designated wetland 147 to the north. Wetland 147 is identified on the map by a light stipple shading surrounded by a heavy dark line. The boundary of the wetland lies somewhere within the black line, approximately 50% of the site is within the identified wetland.

Wetland 147 is a floodplain wetland adjoining the Evans River. Flood prone, saturated soils, with permanent surface water and an open sedgeland vegetation covers zone 3, approximately 25% of the site. This area known as Mellon Hole Swamp is not directly tidal however, the ground water pressure would not be free from tidal influence. The surrounding streets and ~~low~~ density housing drains directly onto the site.

The wetland plant communities exhibit clear zonation (see the landscape site analysis and evaluation drawing). An extensive variety of coastal native plants is represented. The impact of the adjacent urban development has been negligible. The bulk of the site is densely vegetated, weed free with no tracks, roads or areas of significant disturbance.

Zone 2 - Coastal Heath covers some 35% of the site a dense association of tough woody shrubs to 2 m, principally melaleuca, banksia and callistemon. An area with a high water table and poor surface drainage and it is wet under foot and subject to flooding below 3.5 m.

Zone 1 - Closed Woodland of interlocking 6-8 m eucalypts dominated the rest of the site on sandy ridges above 4 m which are areas of remnant hid dunes. This area is in excellent condition with a diverse and well developed understorey.



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Wetland 147 is a small complex wetland in excellent condition, great aesthetic value and a significant wild life habitat. The entire area has a high water table and fragile alluvial sands which when disturbed are highly erodable. The long term viability of the wetland ecosystem would be threatened if part of the wetland was developed. The size and location of wetland 147 is critical. Wetland plants are especially vulnerable to local and wider extinctions due to losses of this highly selective environment.

Clearly the site would require clearing, draining and filling as it is in a flood fringe area.

It is therefore recommended that alternate flood free land not affected by SEPP-14 be investigated.

*J. G. Morril* 29.4.87  
for J. W. Thomson  
Government Architect



- A HIGHER ELEVATIONS. SUITABLE FOR DEVELOPMENT  
 B APPROXIMATE MARGINAL AREA ADJACENT SWAMP. EXTENSIVE FILLING LIKELY  
 FOR BUILDING WORKS AND TO AVOID FLOOD LEVELS.  
 Flood plain wetlands  
 C MELLON HOLE SWAMP. SUBSTANTIAL FILLING REQUIRED FOR BUILDINGS  
 AND PLAYING FIELD. SETTLEMENT LIKELY.  
 SEPP 14 Wetlands until change  
 by council in Aug. 1988

A : 5.47ha

B : 2.29ha

C : 2.19ha

NOTE: PRELIMINARY CONCLUSION ONLY. SUBJECT TO FLOOD LEVEL AMENDMENT.

Public Works Department, N.S.W. R. D. Christie Director of Public Works	L. D. Kelly Government Architect	Section	ENVIRONMENTAL DESIGN	Project	EVANS HEAD COMBINED HIGH/PRIMARY	Number
		Project Architect				
		Scale	NTS	Title	DEVELOPMENT SUITABILITY	



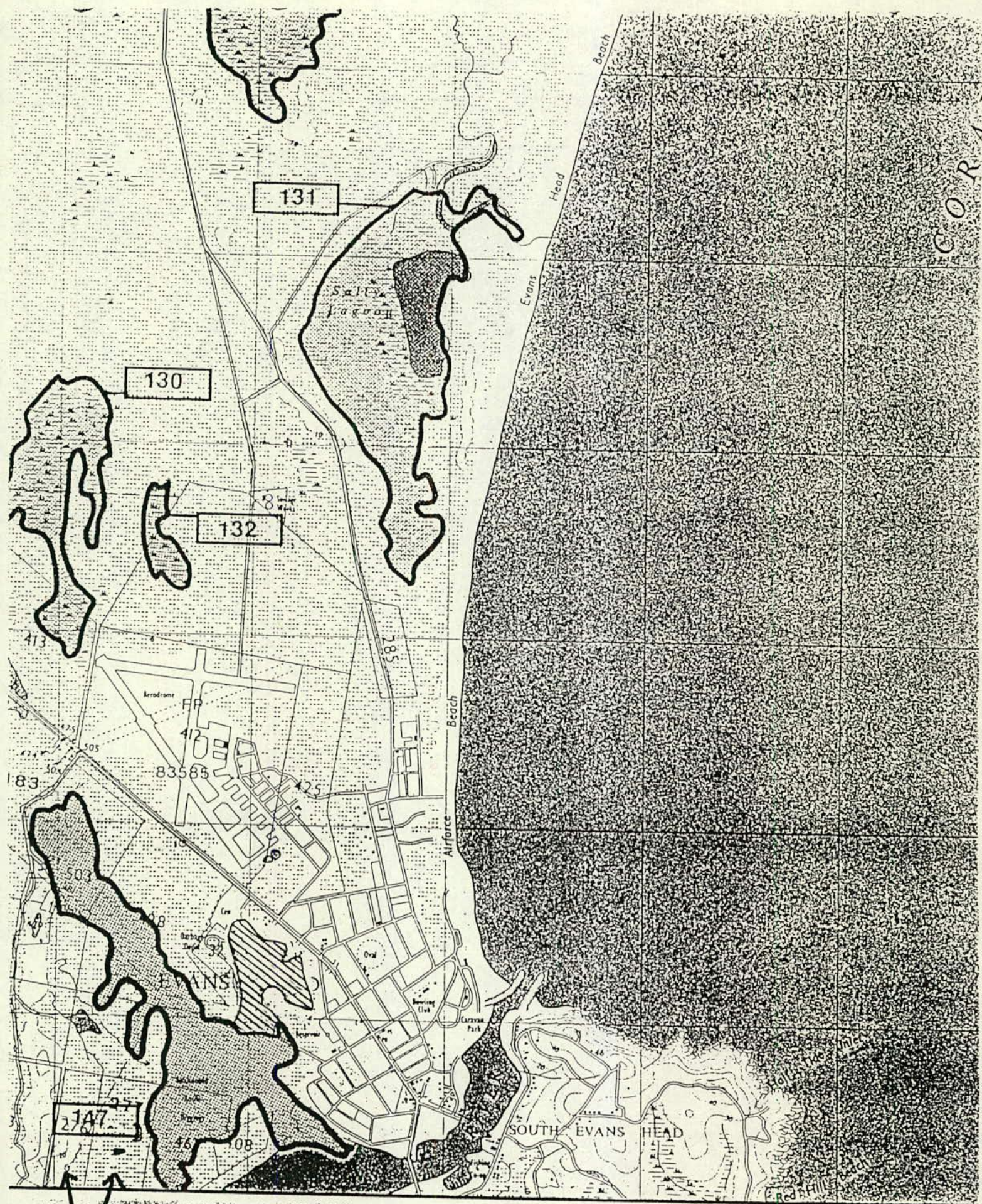
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for J. W. Thomson  
Government Architect





AREA EXCLUDED FROM S.E.P.P. No. 4 - WETLAND No. 147

BY AMENDMENT No. 7

GAZETTED 15th FEBRUARY 1991

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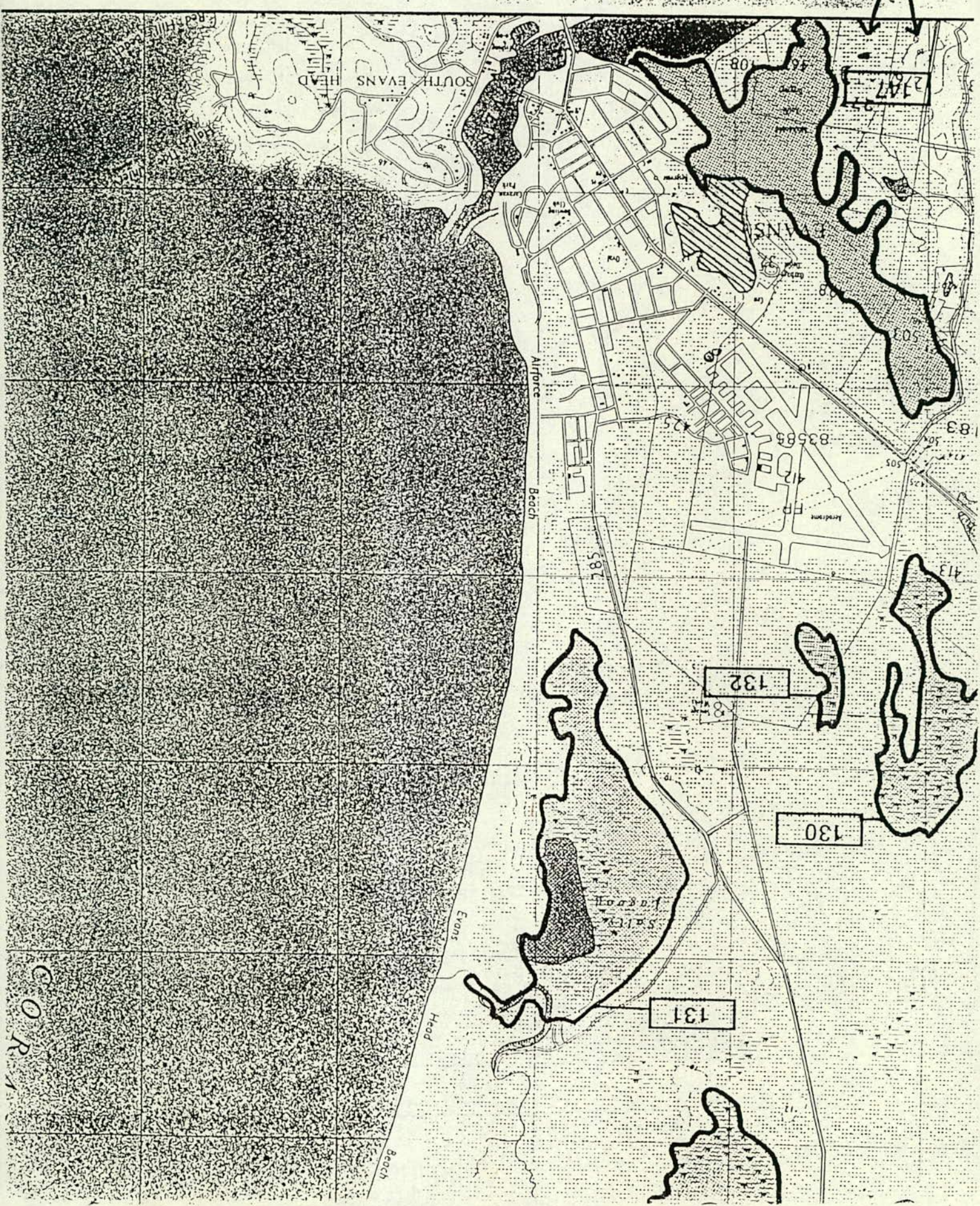
ORIGINAL IN VERTICAL FILE 3.D.A/20

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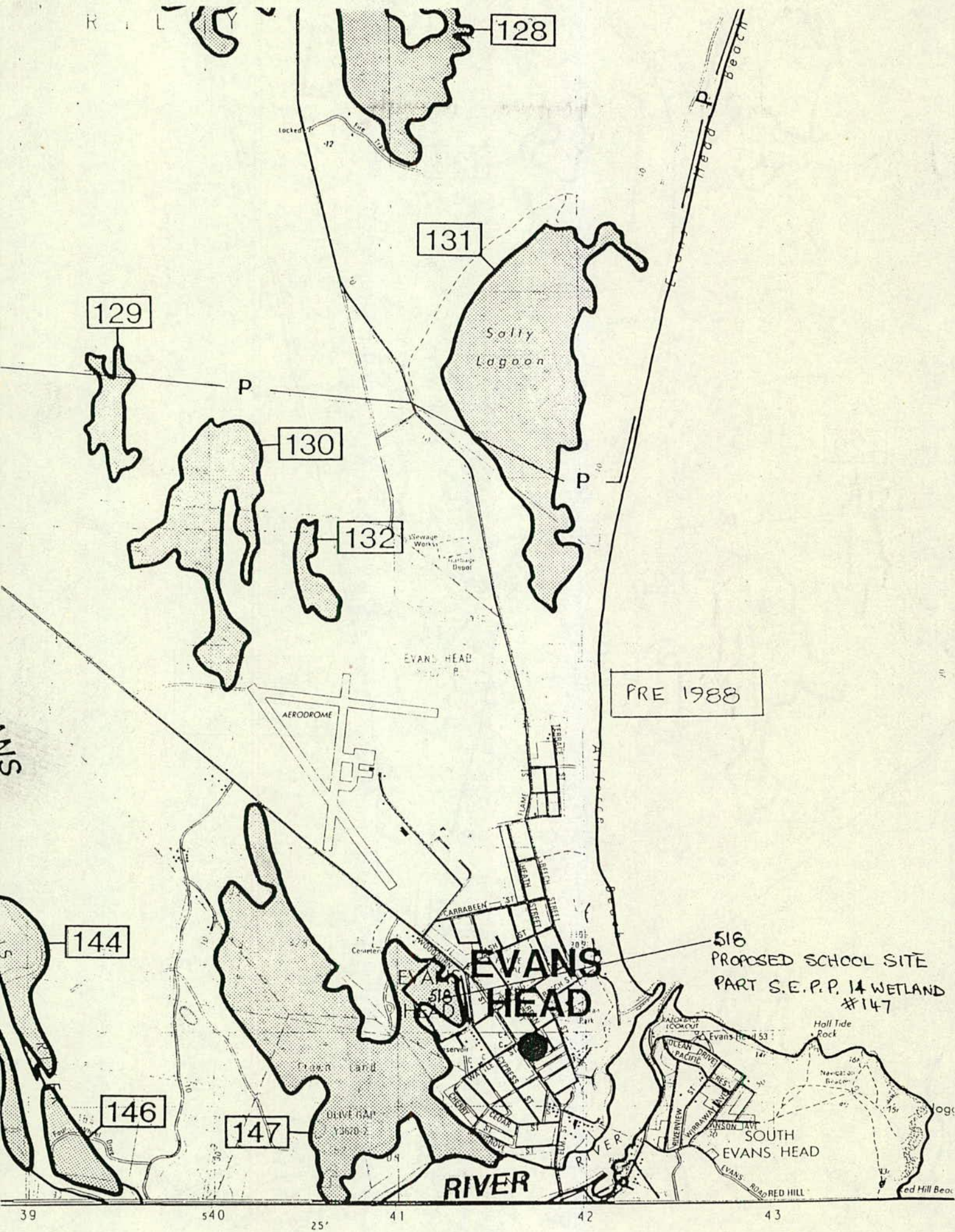
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Y3620-2

RIVER

SOUTH EVANS HEAD

Holt Tide Rock

Navigation Beacon

loggly

Red Hill Beach



# Mid-Richmond School Action Committee

PO Box 102 WOODBURN 2472

15 May 1995

Hon C J Knowles MP  
Minister for Urban Affairs and Planning  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

cc. Bob Carr MP  
Pam Allan MP  
Ian Cohen MLC  
Richard Jones MLC  
Nature Conservation Council  
of NSW

Dear Mr Knowles

## RE: SEPP 14 WETLAND 147 AT EVANS HEAD

We call on you, as Minister for Planning, to revoke the amendments to the boundary of SEPP 14 Wetland 147 gazetted on 15 February 1991 in NSW Government Gazette #31 page 1357.

To assist you we have enclosed three maps:

- Pre 1988 boundaries
- 1988 Revised Boundaries
- Boundary changes as gazetted in 1991.

In support of our request we provide the following information.

In 1987, under a Labor government, the Public Works Department, in a letter to the Department of Education, stated

**"Wetland 147 is a small complex wetland in excellent condition, great aesthetic value and a significant wildlife habitat. The entire area has a high water table and fragile alluvial sands which when disturbed are highly erodable. The long term viability of the wetland ecosystem would be threatened if part of the wetland was developed. The size and location of wetland 147 is critical. Wetland plants are especially vulnerable to local and wider extinctions due to losses of this highly selective environment.**

**Clearly the site would require clearing, draining and filling as it is in a flood fringe area.**

**It is therefore recommended that alternative flood free land not affected by SEPP 14 be investigated."**

This did not sit well with Richmond River Shire Council!

Throughout 1987-1988 the council developed a "Forward Planning Strategy" for Evans Head. Pivotal to this strategy was that council obtain the current Evans Head Primary School site for development as a SHOPPING COMPLEX! The only way this could happen was for the Primary School to be moved to Portion 518, of which at the time approximately 50% was within Wetland 147. The council resolved, **in secret meetings**, to seek a redefinition of the boundary of Wetland 147 to allow this to happen. We enclose a copy of

- REPORT OF POLICY COMMITTEE submitted to RRSC meeting 17/5/88 and adopted.
- PRINCIPAL PLANNING OFFICER'S REPORT TO POLICY COMMITTEE submitted to Policy Committee 3/5/88
- PRESS REPORT, RIVERTOWN TIMES report of outcome of secret meeting AUGUST 1988

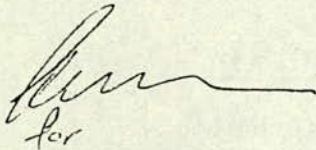


We have enclosed, for your information, the covering letter from Richmond River Shire Council in response to our FOI request together with our response to council highlighting the alarming gaps in the records and information held by council.

Despite a follow up letter to council on 2 May 1995 we have, as yet, received no response. Perhaps this and other issues need to be raised with ICAC and/or the Department of Local Government.

We thank you in anticipation of an early and positive response to our requests.

For and on behalf of the Committee,



for  
PAUL REYNOLDS.



There are also photographs of this site taken after heavy rain (a common occurrence in this part of the state) showing it to be virtually a lake. We would be happy to supply copies of these. These photographs support the statement in that report that the site is subject to flooding.

Also enclosed are photographs of open drains constructed by Richmond River Shire Council on this land. These show quite clearly the standard of work acceptable to, and undertaken by, Richmond River Shire Council on environmentally sensitive land. The photographs also illustrate the soil description in the Public Works Department report of April 1987.

As these works were done prior to the inspection of the site by Department of Planning officers in June 1989, it is our contention that these works were done in order to diminish, if not destroy, the environmental importance of the area, and hence to ensure that they would no longer satisfy the SEPP 14 requirements. However, as the boundary changes were not gazetted until February 1991, it is our understanding that these works would have required the concurrence of either the Minister or the Department of Planning.

Richmond River Shire Council have, to date, been unable to supply us with verification of the concurrence, despite a request under FOI legislation and subsequent correspondence.

If this work was done without Ministerial or departmental approval, then the council is in breach of SEPP 14 and must be held to account for their actions.

As you would be aware, Richmond River Shire Council has approved Stage 1 of the "Iron Gates Development". As a 'Condition of Development Approval' the council has required the developer to build an access road, linking the development to Wattle Street in Evans Head, through Wetland 147. As a consequence of this the developer is currently seeking approval (DA 26/95) for a "compensatory wetland". The council will now be the authority which decides on approval. This situation is ludicrous and, were it not so serious, laughable.

The council has already widened and resealed Wattle Street. We wonder "wattle" their decision be???

We again restate our request that you revoke the boundary change. We also ask that you:

1. Direct Richmond River Shire Council to undertake reparation and rehabilitation of this site to the state described by Public Works Department in April 1987 at its own expense.
2. Undertake an immediate, and urgent, comprehensive investigation of Richmond River Shire Council's operations and practices in relation to its planning functions.
3. Urgently review legislation affecting the protection of SEPP 14 wetlands so as to prevent provisions in local government LEP's which, although purportedly protecting, allow for the destruction of environmentally sensitive land.

We remind you of the pre-election promises made by Mr Carr in relation to coastal development and sensitive wetland areas as contained in "LABOR'S VISION FOR THE NSW COAST".

The membership of this committee is predominantly made up of parents of children in the Mid-Richmond area. The members are alarmed that the actions of elected representatives have, to date, been so at odds with what their children are learning at school in relation to protection of the environment. We sincerely hope that the implications of a "green Olympics" extend beyond the boundaries of Sydney.



We ask that you note that the map on page 4 of the Principal Planning Officer's Report shows the location of the current Primary School site and Portion 518 along with the council's planned rezonings. We ask you to especially note the land council wished to develop for housing.

This ties in with the Mid-Richmond Demographic Study, conducted in 1994 by Keith Houghton of Keys Young Pty Ltd, which showed ALL of Wetland 147 as being zoned "1(d) Urban Investigation".

Two days after their secret meeting the council wrote to the Department of Education (encl). The comments of the then Shire Clerk are most instructive about the attitudes of this council towards environmental protection. We quote:

**"...Council believes that the existing reservation represents the best site for a school in Evans Head despite 50% of it being classified as wetlands, under S.E.P.P. 14."**

(This is quite astonishing as more than 2ha of the site is a million hole swamp)

and

**"S.E.P.P. No. 14 does not exclude wetlands from being developed. Wetlands can be filled and thus destroyed with the consent of Council and the concurrence of the Department of Environment and Planning subject to clause 7(2) of the policy..."**

The letter from council to the Department of Education dated 30th March 1990 (encl) shows that council implemented its decision of May 1988 to approach the Department of Planning to have the boundaries of Wetland 147 redrawn.

On 14 March 1990 council received a letter from the Department of Planning (encl), which refers to an inspection of the site on 15 June 1989 **"...by officers of this department along with Mr. W. McMahon of Council."**

The letter goes on to state that, as a result of this inspection, :

**"The northern boundary of Wetland No. 147 was reassessed on 23 February 1990 by officers of the Department's Northern Regions Office. As a result the Department will be recommending the Minister for Planning remove an area of some 10.87ha from Wetland No. 147. This is on the basis that the area is substantially wet heath and does not meet the wetland mapping criteria."**

Surprise, surprise, this is exactly the area of the proposed school site!

We believe that the reasons that this site could have changed **SO MUCH** between the Public Works Department inspection in 1987 and the Department of Planning's revised boundaries of SEPP 14 Wetlands in 1988 (BOTH OF WHICH SAW THIS LAND AS BEING WORTHY OF INCLUSION IN WETLAND 147) and the site inspection, referred to above, in June 1989 are:

1. Change of government April 1988.
2. Actions by Richmond River Shire Council.

Below we detail the actions taken by council in relation to this land.

Council has cleared an extensive area of the site bordering Cypress Street (photograph enclosed). When this visual image is compared with the site description by the Public Works Department in April 1987 the environmental barbarism of this council is apparent.