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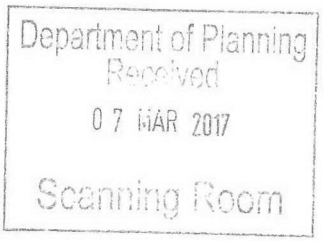

Ms Amy Robertson
Planner
Modification Assessments
NSW Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Robertson

Your Ref: MP10_0136 MODI
Riverside at Tea Gardens Modifications to subdivision

Thank you for the extension of time and the opportunity to respond to the above Concept Plan. There are many unanswered questions and inaccuracies in this proposal which greatly affect the entire community added to the destruction of a most important wildlife area enjoyed not only by local residents but by many (and very important) visitors to Tea Gardens and Hawks Nest.

Changes to land use boundaries within the site
At the Progress Association Meeting we were advised there would be 725 lots - significantly less than the 800 approved by the PAC hearing in 2013 – however this Modification Application seeks to increase this to 935 dwellings, resulting in at least **2,700** residents doubling Tea Gardens population using an average of 3 persons per dwelling. This will significantly impact on our environment, local resources and infrastructure, particularly traffic and roads. In addition this development can only be considered totally unappealing compared with the adjacent Myall Quays development where lots are 600-700sqm with the incorporation of public walk/cycle ways and recreation areas including lakes are interspersed with housing lots gives some relief to high density dwellings.

This proposed Concept Plan's density and building lot sizes (particularly acknowledging the affordable housing content) equates to a residential development one would find on the outskirts of a major city and not applicable to this semi-rural community acknowledging major differences such as no high school, very few employment opportunities and a very limited transport service with the nearest hospitals at least an hour away.

Changes to road layout proposed bus routes & provision of riverside walk

In particular the entrance and exit from Myall Way and Toonang Drive is extremely dangerous as NO VEHICLE can maintain 80kmph down the hill from Lions Lookout and vehicles exiting commence the 80kmph acceleration from the Coles intersection for the climb up to Lions Lookout – both movements disregard the turnoff into Toonang Drive and under no circumstances should access to Riverside be considered from Toonang Drive. It should also be noted this road surface currently is well below acceptable standard and in addition, as residents of 11 years, we can confirm the significant increase in local traffic and serious danger entering and exiting Myall Way.

No plans given for the development to be screened – particularly on Myall Way – will the existing pines be left as a buffer? One plan shows the houses to be extremely close to the main road? Surely, as this is the entrance to TG/HN vegetation is the only acceptable solution NOT back fences of houses.

It is ludicrous for Riverside to claim 49.7% of residents are retired and make fewer traffic movements. As non-workers, we make multiple vehicle trips each and every day i.e. shopping, entertainment, medical, beaches, volunteering, U3A, Lions, Probus, Rotary, Red Cross, Historical Society, various art and craft organisations etc.

The "sweetener" to the community of a riverside boardwalk we consider to be totally unnecessary and prefer this pristine wetland be left untouched and therefore no disturbance to precious wildlife.

Modifications to Biodiversity Offsets

Provision of Koala Credits is noted however Bob Lander advised (Progress Association Meeting 20/2/2017) there remains 100 or so hectares to become an offsite Biobank. Great Lakes Council has stated in earlier documents dated March 2012, that Biobanking Offsets MUST be sourced within the Great Lakes LGA so as to provide a benefit for the local area.

Of great importance to this Modification to Subdivision are the Studies undertaken by Conacher Environmental Group along with the Planning and Conservation Commission (2013) together with *the Riverside at Tea Gardens Concept Plan Preliminary Environmental Assessment dated August 2010* *See Attachment 1. To this letter.

A question of the Sheargold representatives at the Progress Association meeting was whether Durness (North Shearwater), which is adjacent was a possible offsite offset location but the proponents did not indicate whether the developers of North Shearwater have been included regarding joint effects of their projects.

Amended stormwater and groundwater management

As residents for 10 years we gave been aware of flooding of the proposed development numerous times and it certainly IS NOT a rare occurrence. We are concerned where this water will drain to??

Changes to bush fire management

It is of great concern that the RFS does not support the modifications to the Concept Plan and maintenance of asset protection zones is a serious consideration and State Government guidelines and RFS assessments should be non-negotiable. As residents of Shearwater Estate our property is above Riverside and considering wind direction is NE/NW we are concerned that fires started in this development will traverse up hill and place us all in danger.

There are many many questions unanswered in this proposal which impact Tea Gardens and Hawks Nest answers which we believe should be sought from Sheargold by all Government bodies associated with this Riverside Concept Plan before any sod is turned!!!!!

We look forward to your acknowledgement of this letter and a response to our numerous questions and concerns.

Yours faithfully

Denise & Ross Jacka
Shearwater Residents

*See attachment 1

PS Hard copy of this submission sent Express Post on Friday March 3rd 2017

Riverside at Tea Gardens Concept Plan
Preliminary Environmental Assessment

August 2010
Reference: 0043707 PEA D02

4.1 Ecology

4.1.1 Overview

The site has been subject to numerous flora and fauna studies. Several vegetation mapping studies have been conducted across the subject land and surrounds, including broad scale mapping across the Great Lakes LGA as well as fine scale mapping of the subject land. Detailed vegetation mapping was undertaken by Conacher Environmental Group (Conacher) in 2007. Fauna surveys have been conducted on the subject land over the past two decades, most recently in 2007 and 2008 by Conacher. Cumberland Ecology (2010a) recently conducted additional vegetation surveys to revise and update the vegetation mapping prepared by Conacher. Cumberland Ecology also recently undertook an Ecological Assessment of the proposed development (2010b).

4.1.2 Vegetation Communities, Fauna Habitat and Movement Corridors

Vegetation Communities

Additional vegetation surveys and mapping undertaken by Cumberland Ecology were conducted from 14 to 16 December 2009, 13 to 15 January 2010 and 10 February 2010 in accordance with the standards provided in the (then) DEC Threatened Biodiversity Survey and Assessment Guidelines for Development and Activities (Working Draft) (DEC (NSW), 2004) and BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECC, 2009). Habitat assessments were undertaken in accordance with the methodology within the BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECC, 2009).

The mapping identified that the vegetation on the site includes a mosaic of woodland, forest, scrub, heath, grassland and wetland with the mosaic reflecting topography, drainage and land use. The vegetation was categorised into three broad native vegetation groups and one exotic vegetation group, with each vegetation group containing a suite of vegetation communities (16 in total) that are readily distinguishable by the dominant canopy species present:

- Dry forest / woodland:
- Eucalyptus pilularis Open Forest;
- Corymbia maculata – Eucalyptus paniculata Open Forest;
- Eucalyptus umbra Open Forest;
- Eucalyptus microcorys Open Forest; and
- Eucalyptus signata Woodland.
- Wet forest / woodland / scrub / heath:
- Corymbia gummifera Open Forest;
- Angophora costata – Eucalyptus resinifera Woodland;
- Eucalyptus robusta Woodland/Open Forest;
- Wet Heath;

• Casuarina glauca – Melaleuca Regrowth Forest;
• Melaleuca quinquinervia Forest; and
• Melaleuca ericifolia Scrub.
• Wetland communities:
• Casuarina glauca Forest;
• Baumea juncea Rushland;
• Juncus kraussii Saltmarsh; and
• Avicennia marina Mangroves.
• Exotic Communities:
• Pine Forest;
• Exotic Grassland/Pasture; and
• Disturbed Estuarine Vegetation.

Several of the vegetation communities recorded corresponds to the following endangered ecological communities (EECs) listed under the TSC Act:

• Coastal Saltmarsh in the NSW North Coast, Sydney Basin and South East Corner bioregions;
• Swamp Sclerophyll Forest on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions ; and
• Swamp Oak Floodplain Forest of the NSW North Coast, Sydney Basin and South East Corner bioregions.

Cumberland Ecology concluded that a high proportion of the site contains native vegetation that will require offsetting (2010a).

Fauna Habitat

Vegetation within the site provides potential habitat for a range of native vertebrate fauna species, including amphibians, birds, terrestrial and arboreal mammals, bats and reptiles. Key habitat features recorded by Cumberland Ecology (2010b) include:

• wetland and riparian environments which provide habitat for wetland birds, frogs and reptiles;
• ground cover, leaf litter and fallen timber suitable as shelter for small terrestrial fauna species;
• tree hollows suitable as shelter and nesting habitat for a range of hollow dependant fauna;
• Koala feed tree species; and
• blossom-producing trees suitable for foraging for a range of nectivorous species.

Wildlife Corridors

The site has been mapped as forming part of a regional corridor and as a key habitat area. The site forms part of the Nerong - Pindimar regional corridor, which provides a link between Nerong Waterholes and Kirks Knoll. The regional corridor extends from the west to north east and covers the central and northern thirds of the site. Detailed examination of the vegetation and landscape of the site indicates several potential local movement corridors for wildlife (Cumberland Ecology, 2010b).

4.1.3 FAUNA OBSERVED OR LIKELY TO OCCUR

Fauna surveys of the site have resulted in the detection of over 200 vertebrate species, including 20 amphibian, 125 bird, 43 mammal and 15 reptile species. A number of threatened fauna species listed under the TSC Act and EPBC Act are known to occur within the locality. The following threatened fauna have been recorded on the site:

• Wallum Froglet (Crinnia tinnula);

- Varied Sitella (Daphoenositta chrysoptera);
- Little Lorikeet (GlossOpsitta pusilla);
- Black Bittern (Ixobrychus flavicollis);
- Osprey (Pandion haliaetus);
- Barking Owl (Ninox connivens);
- Squirrel Glider (Petaurus norfolcensis);
- Koala (Phascolarctos cinereus);
- Grey-headed Flying-fox (Pteropus poliocephalus);
- Common Blossom-bat (Syconycteris australis);
- Little Bentwing-bat (Miniopterus australis);
- Eastern Bentwing-bat (Miniopterus screibersii oceanensis);
- Eastern Freetail-bat (Mormopterus norfolkensis); and
- Greater Broad-nosed Bat (Scoteanax rueppellii).

All these species are listed as Vulnerable under the TSC Act.

The Koala also forms part of an endangered population in the Hawks Nest and Tea Gardens area.

The Grey-headed Flying-fox is also listed as Vulnerable under the EPBC Act (Cumberland Ecology, 2010b).

4.1.4 Threatened Species

Over 500 flora species have been recorded on the site, approximately 85% of which are native. No threatened flora species have been detected within the site (Cumberland Ecology, 2010b).

4.1.5 Summary of Potential Impacts

The primary impact resulting from the proposed development is vegetation clearance. The total development footprint is approximately 222.5ha, of which 132.1ha comprises open space and 90.4ha comprises built upon area. Approximately 65.64ha of the vegetation to be removed from the development footprint is comprised of Swamp Sclerophyll Floodplain Forest EEC. The following key threatening processes are applicable to the development:

- clearing of native vegetation;
- loss of hollow-bearing trees;
- removal of dead wood and dead trees; and
- alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands.

The Riverside at Tea Gardens development will reduce the widths of potential local movement corridors for wildlife, constituting dispersal, foraging and nesting habitat for a range of fauna groups, particularly birds and small medium sized mammals.

An Ecological Site Management Strategy has been developed for the site to mitigate the impacts of Riverside at Tea Gardens on biodiversity.

An Integrated Water Management Plan has also been developed for the site to mitigate the impacts of Riverside at Tea Gardens on hydrological regimes.

Additionally, a biodiversity offset area is proposed adjoining the Myall National Park approximately 2 km north east of the site (refer to Figure 1.2).

4.1.6 Proposed Assessment Methodology

The site has been subject to numerous flora and fauna studies, including recent vegetation mapping undertaken by Cumberland Ecology (2010a). The results of previous surveys will be detailed in the Environmental Assessment, together with the recent Ecological Assessment Report prepared by Cumberland Ecology (2010b).

refer to Figure 1.2 next page....

The Offset proposed to maintain and improve the Riverside community.

(Offset blue line and Riverside red line) Picture as marked up from Document