

Submission of concerns and objections to:

MP 10 0136 - Riverside at Tea Gardens Modifications to the Concept Plan

Late Submission (as per discussions with Amy Robertson (Planner))

Thank you for the increase of time to make a submission on the above Concept Plan. There is a huge amount of material to absorb (we estimate approximately 2,700 pages including annexures) and when we were notified of this Modification Plan through our local paper there were only 9 days left in which to read the document and make this submission.

We have a special interest in this plan as we are located on the development boundary, in Shearwater, at 46 Toonang Drive above Stages 15 and 16 of the plan.

Modifications

- **Changes to the boundary of Concept Plan site, including exclusion of 10 Ha of conservation, public park and eco-tourism land and inclusion of 6 Ha of commercial and residential land.**

The plan modifications state that the initial main access road to the concept plan approval off the roundabout at the end of Myall Quays Boulevard seems a better solution than to pushing traffic up to Toonang Drive on the Riverside boundary. This is a secondary road to a small acreage subdivision, known as Shearwater, which harbours a lot of wildlife. In fact we believe there should be **no access road to Toonang Drive from this subdivision** for a number of key reasons which will appear later in this submission.

- **Deletion of eco-tourism precinct**

What are the plans for the future of this area? We are told this will be decided later. Those plans should be made clear as part of this concept plan. This area clearly was to be a green belt in the original Crighton plans and should in no way be set aside for further residential or commercial development. It borders the conservation area beside the river. **Further pressure on wildlife will be immense should this tourism precinct be developed in the future.**

- **Changes to land use boundaries within the site**

We are told that there will be significantly less lots in this plan than in the original application. In fact the original application had 800 lots and although this plan has 725 lots it will in fact have 937 dwellings, an increase of 137 dwellings due to the number of duplexes. Once fully occupied these figures will virtually double the number of dwellings in Tea Gardens and Hawks Nest. This will result in huge pressure on local resources and infrastructure. In an area which does not have a high school, hospital, adequate ambulance and police services or job opportunities I wonder what the Government thinks these people will do for employment, safety and health let alone education. It should also be noted our area sadly lacks any frequent public transport service.

We are also told by the developers there has been little communication with the proposed Durness development – a far more sympathetic development for a semi-rural area such as

ours. So what will happen with the adjoining boundary to Durness? This should be clarified now as the two developments are adjoining. The wildlife corridor adjoins this development. We believe the road from Riverside will also run up into the Durness land from below our property. All this will mean further traffic into Toonang Drive and other roads within the Riverside development which must be taken into the overall consideration of traffic management and wildlife corridors as well as impact on existing residents and their properties.

We believe the traffic figures being put forward by Sheargold in this submission have not taken into account the increased number of “dwellings” and the resulting impact on traffic movements etc. (see more later). Their figures do not seem to be correct.

- **Changes to road layout, proposed bus routes and cycleway and provisions of riverside walk.**

One of the annexed documents states that 49.7% of residents are retired and so there will be fewer traffic movements. What do they think; we don't drive to shop, visit friends, drive to walk on the beach, go in and out of town? In fact we would venture to say there are far more traffic movements by retirees as we move around the town rather than leaving to drive out to work for the day. Also the traffic flow, we note, was taken in September between the hours of 8.30-9.30 and 4.30-5.30. These are known to be one of the quietest times in town – NB: no high school in town for parents to drive to and people would still be travelling from outlying areas to come home after work. Further, local real estate agents will confirm that we have around 11,000 to 15,000 people staying here over holiday periods. The intersection at Toonang Drive and Myall Way is extremely dangerous. There are many near misses there now as it is. No by-lane (passing lane) for traffic speeding to get up the hill when we are trying to turn into Toonang Drive and having to drive across the steep downhill road coming down into Tea Gardens with traffic doing 80klms and more. To put more traffic turning into Toonang Drive from Myall Way across speeding downhill trucks and cars is madness. **Toonang Drive should not provide ingress and egress to Riverside.**

-The proposed Riverside Walk in the conservation area is a disaster waiting to happen.

Who will maintain this area? The developer tells us it will attract thousands of walkers and he will make it vandal proof so it can't be burnt down – he has obviously had experience of vandalism in other boardwalks to make such a statement. Do we really want a walk through this area? It is pristine wetland and should be left totally alone. A walkway means digging into the conservation area, it means walkers litter and disturbances to wildlife – this is a so called diversion to try to make the development more appealing to the general public – it is totally inappropriate.

- **Changes to development staging and to requirements relating to bulk earthworks staging.**

Developers tell us they have drilled down 3 meters to examine the sand in stages 15 and 16 that will be removed as fill to put on stages 1 and 2. But what lies under the 3 meters – they were unable to tell us. **This should be of major concern in this concept plan as it could well be detrimental with the run off in this area into the river and conservation areas.**

I do not understand why the developers do not take sand from the river floor as the river is becoming much shallower and will eventually make navigation almost impossible. As it is large boats travelling up to the lakes can only travel up on very high tides. River sand could easily be piped down from the river and used as fill serving a dual purpose of freeing up the river and maintaining the sand base in sections 15 and 16. This would also be economic rather than bringing fill in from the quarry site.

- **Modifications to Biodiversity offset packages**

Great Lakes Council has stated in earlier documents (2012) that Bio Banking Offsets must be used within the local LGA. Offsets to other areas will guarantee local extinctions. Although bio credits are being given for the koala population it is impossible to preserve one species whilst ensuring, through the proposed development, the extinction of others. Are we seriously going to allow the impact of this development to affect the threatened species in this area? Does anyone care?

In Fauna studies undertaken by Conacher Environmental Group along with the Planning and Conservation Commission (2013) the following threatened species in this area were identified:

- Wallum Froglet (*Crinia 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 scribersii 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. It is vital that these animals are given some chance of survival. Most of these animals would have been found in plentiful numbers throughout our area but gradually they are pushed further and further afield until they can no longer survive. **Are we really going to continue to destroy our wildlife**

habitats? The diversity of habitat and wildlife is the very reason many of us live here and treasure this special environment.

- **Amended stormwater and groundwater management**

During wet weather it is impossible to walk through the proposed development area due to flooding. Where will the considerable run off from Shearwater hill and the hard surfaces being created by the development go? We are told that these heavy rains causing flooding are a rare occurrence – we live here and we can tell you it happens regularly. So the water has to go somewhere **and such is the flow that we are very concerned it will be impossible for the proposed drainage to cope during these inundations.**

- **Changes to provision of road infrastructure upgrades**

We estimate that with fill being brought into the area it will require 30,000 truck movements – 15,000 coming and 15,000 going. Myall Way is a dangerous road and there have been a number of traffic accidents resulting in deaths, on this road. The road is narrow with poor distance visibility and it is not well maintained with large pot holes appearing after bad weather causing cars to swerve. There are occasions when sections of this road are underwater and there is no access to the towns. The extra traffic of heavy vehicles on Myall Way will be extremely dangerous. What are the contributions that will be made by the developers towards maintaining this road during the development stages? It will also ensure we have double the amount of traffic on this road after the development is completed. **This is creating a very dangerous travelling environment.**

- **Changes to bushfire management and change to servicing**

It is concerning to note that the rural fire service do not approve of the development bushfire plan. Further Shearwater being on a hill, and we know fires travel up hillsides very quickly, will be put under further threat in the case of bushfires. Winds in our area are predominantly from the N.E and S.E. It is also interesting to note that Shearwater has only one ingress and egress. Although the proposal states they will put an access road from Riverside to Toonang Drive we are very concerned it will result in further congestion if a fire was to threaten this area. Toonang Drive should not have any further pressure from traffic and there should not be any access into or out of Riverside – there is plenty of room for another alternative access roadway into Myall Way further down the site, along with the proposed exit near the shopping centre (stage 1). We have already stated the danger of turning into Toonang Drive directly at the bottom of a steep hill. Even if there were lights at this intersection trucks and other vehicles coming down the hill will not necessarily be able to stop in time.

- **Modifications to keeping cats on site**

State Governments around Australia are fighting to eradicate feral cats. **Feral cats kill around 98% of wildlife. Because of this the Federal Government is putting in place a program of feral cat eradication.** We often find dumped cats in Shearwater – these animals can quickly become part of the increasing and dangerous feral cat population. Feral cats also spread disease to cattle and sheep – they sleep in barns and sheds on the hay and urinate there and this causes the spread of deadly diseases to animals when they ingest the

feed. Why, if we are going to agree to cats, do we have green corridors – a lovely hunting ground for cats. Sadly owners do not comply with requests to keep their cats indoors adding to this demise of wildlife issue.

- **Deletion or changed future assessment requirements relating to groundwater, stormwater, heritage, flooding, bushfire, acid sulfate contamination. Environmental management, sewer and water supply, traffic noise.**

How is it that these issues can be lumped into one heading? Traffic management and heritage? Stormwater and traffic noise?

This is an extremely complex set of items to deal with under one heading.

By not attending to many of these items in the submission, are the developers attempting to absolve themselves from future responsibilities? We have been told they will “deal with this later”. **We need to know all the details of this development so we can make informed judgements not deal with things when it is too late.**

- **Associated changes to Statement of Commitments**

We are unaware of the statement of commitments and were unable to find reference to this document therefore it is impossible to comment.

- **Further concerns**
- At this point we do not know **what type of housing is proposed. Nor do we know if there will be fencing** and if so what type of fences are recommended. Fencing can be the enemy of native animals trying to move around any site, becoming trapped when chased by dogs. It is interesting to note that fences with mesh and/or wire have been condemned in our area as they act as traps for the gliders here (threatened species).
- We need **a buffer zone between the development and Myall Way** yet it seems that the houses come right up to the boundary. Where is the green corridor? Animals move from the bushland to across the road and into the Riverside area. They will have no way of doing this if the homes are built right onto the fence line in Myall Way. A buffer zone needs to be included here.
- **What will happen to the trees along Myall Way adjoining the development?** I know there are pine trees amongst the paperbarks and other native vegetation here. However this green space should be left to act as a visual barrier to the development. Driving down Myall Way passing people’s back fences will not be attractive and let’s remember this is a semi- rural area not Sydney. The Crighton plan allowed for the planting of established trees along a medium strip and on either side of the roadway from the Myall Way hill into town. What has happened to this idea?
- We won’t even try to tackle the **small lots and tight squeeze of the development** – suffice to say it is cost effective to the developer to do this as he will have to fill a much smaller area.
- At a meeting recently of the progress Association a Sheargold spokesperson told us that **every tree on the development site will go**. This is not what it states in the

Concept Plan. And I certainly trust this is not what will happen especially in the animal corridors as well as the overall site. This needs to be addressed as we see no reason why some of these very attractive native shade trees should not remain. In fact given the incredibly hot weather we have experienced this year I would have thought it would be more than desirable as well as necessary. Rather than having hot rooves increasing the impact on climate we all know trees soften this impact. Further we see when the land is allowed to regenerate and not grazed by cattle or mown a huge number of native species vegetation regrows.

There are many unanswered questions in this proposal and there are many questions that should be asked of Sheargold by you, the government authorities who use your expertise to deal with these applications. I urge all departments that will deal with and consider the Riverside Concept Plan to take resident's concerns into account and to please take a seriously long look at some of the issues we raise. We do understand the State Government has changed the Environmental Protection Act, this Riverside Concept Plan was submitted in the same month, however, this should not be a guideline for the wholesale annihilation of endangered species, both flora and fauna, through overdevelopment and short sighted by-laws in what is a rare and very special part of the world. One of our main attractions is our wildlife in both the river and on the land. I do not know what the answer is but we should all work towards the retention of endangered species in Tea Gardens and Hawks Nest not in some other Bio Banking destination in no way related to our area. Why do we continue to destroy nature, it is such a gift.

Please note we are not members of any political party, nor do we make contributions of any kind to political parties.

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