

**Late supplementary submission of objections to:
MP 10_0136 Mod 1 Riverside at Tea Gardens Modifications to subdivision**

This submission is intended to supplement that already made within the advertised timeframe.

First let me remonstrate at the inadequacy of the time period allowed for public comment on this particular Modification application. It is easy to understand that developments can be unreasonably stymied by people whose agendas are simply to stymy; but for this case in point, the base submission contains some 40 pages while its annexures, containing critical information, amount to in some cases in excess of 90 pages each. There is just too much information for even well versed people to encompass. It may be of interest for NSW Planning to know that the community has been involved in this proposal and its approvals since 2009 with a contingent appearing at the Planning Assessment Commission's (PAC) hearing which resulted in the 2013 approval. These efforts took very much time to prepare and the current short timeframes are too fraught with risk of unsuitable developments proceeding. It is considered that a sliding scale of comment times would be preferable, governed by the size and environmental impact of the development. This Modification approval was lodged in October 2016 and a submission was sought from the Rural Fire Service in January 2017. Our local Progress Association was approached for a presentation to be given in February, nine days before submissions, advertised in one local paper the previous week, were due. It is this paucity of comment time that has led me to submit the following points after closing time.

And one more thing, a complaint, really – it is noted that my submission made within the advertised time-frame has not been acknowledged on the web site, along with the two lodged by official bodies.

Biodiversity Credit points. The applicant for this Modification approval has concentrated on Biodiversity Offsets for just one species, the koala. It is claimed that 100% of koala credit points have been secured on site. No attempt has been made to secure credit points, which translate to “conservation credits” for any of the other threatened or endangered species that currently utilise the development site and its environs. It is my understanding that such creatures are intended to be the priority recipients of consideration for offsite biodiversity credits. Without time consuming research that may broaden the following list, I can nominate three endangered animals of relevance: the feather-tailed glider; the brush-tailed phascogale; and the powerful owl. All of these creatures use local arboreal resources, removal of which we understand are to be “avoided where possible” during stripping and development (Fig 9, comment legible only with magnification). Local residents report also the Wallum's Froglet. Rather than concentrating on only one (perhaps fashionable) animal, I consider that the applicant should be required to entirely recast this part of his work to spread credit points across all the relevant species that contribute to the ecology of the location.

The reason for this consideration is that there remains at Riverside no areas on site for which offset credits can be secured and the direct consequence of this fact is that after credits are secured, necessarily off site, the threatened and endangered creatures now resident will become locally extinct, unless the credits are secured immediately adjacent the development.

This point must have been noted by the PAC in their assessment of the 2013 application, as they specified that biodiversity offsets were to be secured within the Great Lakes Council area. It is understood that this view is also held by our local government body that has recently been the subject of amalgamation. It is submitted that the only suitable land available is portion of the Durness Station property, which is currently the subject of residential development proposals that leave the vast majority of the holding unaffected by the immediacy of residential development and therefore, theoretically available for biodiversity offsets that are of meaningful value.

Traffic Count At a recent Progress Association meeting a proponent of the Modification application made quite specious claims about existing and future traffic volumes. The applicant claimed among other things that a new traffic count reveals that less traffic now uses local roads than was the case nine years ago, the latter figures having been used in consideration of the 2013 conditional approval. Should this unbelievable claim remain unchallenged, the implications for the current application are spelled out in its text. No road improvements will be required and “later-on” roundabouts and/or traffic lights may be required – and presumably paid for by others. And as I have already pointed out, in my submission already submitted on time, the applicant's having claimed to have arranged that these works will be carried out “later-on” on the basis of Section 94 contributions means that they will never eventuate. The claim that the previous traffic

counts were not representative is very difficult to support, as all aspects of the previous application have been vetted by experts in each field of relevance during the approval process both before and after the PAC hearing.

Apart from that, the application includes absolutely incorrect assumptions about the traffic generation capacity of existing retirees in our area, and further, indicates that we may change to walking and cycling for our journeys. What rubbish! We are more busy than most people who are still in the workforce. Almost all the retirees here need to take their cars out regularly and locally for shopping, visits to doctors, clubs, daily U3A sessions, art and craft workshops, gym, yoga, various sporting activities, community group meetings etc etc. Then there are trips to towns and cities for more shopping, entertainment (movies, concerts) discharge of grandchildren duties, visiting friends and hospital visits for the various ailments managed by the ageing population. It is however unlikely these aged people would consider walking up to 7km.to Bennetts or Jimmys Beach for their daily laps.

It should also be noted that the traffic movements quoted were taken at morning and evening peak hours – it is the reward of retirement that ones eventful day can be organised around avoiding those peak times such that there are just as many traffic movements but they are staggered throughout the day.

Number of houses Much community angst was relieved when after the PAC hearing into a previous application, the number of dwellings to be provided fell from a very large number to about 800. The Modification Application now seeks to increase this to **935**. (Fig 6 page 21) One could wonder whether the Modification concept is being regarded by the applicant as other than a means of increasing the financial yield.

Warwick Nichols BE