

From Friends of Terranora
c/- 8 Carrington Ct
Terranora NSW 2486

To: Major Projects
Dept. of Planning NSW

2 April 2011

Dear Sir,

RE: Submission to 09-0166 Residential Subdivision 'Area E' Fraser Dr Terranora NSW

On behalf of the executive of our community group we submit this objection to the above subdivision application. Several of our issues are significant. By approving this Application, the Minister is accepting the developers version of the whole Area E DCP. Therefore this objection is forced to deal with all of Area E.

[1] The Application is Premature

We request the Department of Planning to recommend to the Minister to over turn the Part 3A Application as premature and return the matter to Tweed Shire Council so that they can exhibit their Draft DCP for community comment.

The Friends of Terranora are the only community group in Terranora. Since 1993 we have been pro-active in seeking appropriate uses for this former highly productive small crop growing area known as Area E. Future land uses here have always been highly contentious, being escarpment land on the Mount Warning caldera scenic rim, yet also fronting environmentally sensitive Terranora Broadwater with its extra-ordinary scenic vistas. Special low density residential was confirmed with the adoption of the Parsons Brinkerhoff LES. The original promise by Chief Planner David Broyd for 'minimum 800m² residential lots' was replaced with 'average 800m² residential lots' in the LES. This we were forced to accept with the 2007 rezoning under Tweed LEP Amendment 10 to 2[c] Urban Expansion. No medium density use was envisaged. This 2 [c] zone may allow 450m² lots but the rezoning fully encompasses the requirements of the LES which clearly specifies average 800m² lot size over the whole of Area E. A 450m² lot on stable land will mean an 1150m² lot elsewhere on unstable land where bulk earth works must be avoided.

Endless hours of strongly attended public meetings anguished over how this compromise on lot size would affect stormwater volumes, avoiding cut on the high percentage of unstable land, road noise and traffic volumes among other negative impacts. The report admitted that both Terranora Rd and Broadwater Pkwy would be over capacity with the approximately 1632 single residential lots permitted.

Without a valid DCP, it is unfair to all 33 Area E property owners to approve this application for 317 residential lots with average size 600m² to 650m² [78% of required average size]. It means other owners will have lower capacity. Lot capacity on a property is meant to vary with slope and stability not with who gets in first. The capacity of every holding needs to be determined first -based on stability not on area zoned for development. Without a valid DCP, Area E will become a mess of ad hoc land uses. The community must have a proper say in what contribution Area E can make to the future city of Greater Tweed..

In the second quarter of 2010 we requested Council to also consider future land uses on those parts of Terranora outside of Area E in conjunction with the proposed draught Area E DCP. The idea being to stop ad hoc rezoning applications and provide certainty of potential in the rest of Terranora. Council decided that funding constraints would prevent them from dealing with all of Terranora at

the one time. In February 2011, we were informed the Area E draught DCP would soon be ready for public exhibition. We were therefore shocked to hear this week that the former Government's planning minister had approved exhibition of a Part 3A application over a part of Area E at the eastern end of the Terranora Ridge. This action is out of order. A valid Development Control Plan over Area E is essential first to ensure conformity to the LES and allow full community consultation.

[2] Lack of community consultation.

To date, no-one representing Newland has attempted to consult with Friends of Terranora, a Council registered community organisation, despite our high profile in Area E's history.

[3] Roads and Traffic Issues:

It is obvious the developer desires to substantially increase lot yield without upgrading the 2 access roads, Broadwater Pkwy and Terranora Rd, also Fraser Drive, beyond a single lane in each direction. This is totally unacceptable. They would all need to be 4 lane roads.

It is apparent from the Preliminary Structure Plan that Area E is now proposed to have a much higher residential density than the LES is based on, with significant 3 storey medium density areas, retirement precincts and a very large village precinct. As only a small commercial area was planned in the adopted LES, it is not known what this village area is meant to become. It incorporates some very steep land. The increase in lot yield is totally unacceptable on such sensitive land and without dual carriageways. Traffic gridlock will result. Not even a new school site is proposed when the local Terranora primary school is at capacity with no further expansion possible.

We object to the following:

[a] Terranora Road

- + The second access opposite Sunnycrest Dr is not acceptable. This is the preferred scenic public lookout site. Only one access further west was ever envisaged in the LES.
- + Terranora Rd landowners will be unable to safely access or leave their properties with the over capacity on the road. Road noise will exceed legal limits of 60DbA daytime and 55 DbA night time.
- + Council report that Terranora Rd can not be widened to 4 lanes. Therefore, we argue the population density of Area E must be limited to the roads capacity or less.

[b] Fraser Drive

- + For the noise level to reach 70DbA, traffic volumes are going to be very high- equal to the local Pacific Highway which has similar noise levels. This is ominous proof of Area E over loading the roads. Relief must be given to all land owners on the eastern side of Fraser Drive by creating a service road which will give them safe access by separation from passing traffic; and offering free double glazed windows and air conditioning [RTA do these things].
- + Widening Fraser Drive to dual carriageway with 3metre medium strip. If the extra lanes are not built then the land should still be dedicated for the future when it will be needed. Do not repeat the Greenway Drive fiasco of deliberately not widening the road to discourage use. It does not work.
- + Not building a 2.4 metre 'graffiti wall' or any other height fence near the road- the wider road will push the new lots down the hill for most of the frontage. This will decrease the noise level on the lots as the road will be above the lots. Maintaining the appealing scenic vista over Terranora Broadwater to the rugged mountain skyline for the public and residents alike.
- + Council Strategic Planner Douglas Jardine promised the junction of Broadwater Pkwy and Fraser Drive would not be near Amaroo Drive so that the latter Road would not become a 'rat-run'. The iconic large fig tree opposite Amaroo Drive must not be destroyed for Area E road access.
- + Ban temporary access from the proposed estate. It is dangerously close to Parkes Lane

[c] Broadwater Pkwy

- + The LES locations of this road were deliberately vague but were within the Residential Zone. No road should be within SEPP 14 wetland. Remnant high value rainforest patches along the edge of the

wetland and within the residential zone must not be destroyed. The road location must be up slope from these trees for conservation purposes and to improve the appeal of the drive.

+Grades must not exceed legal limits

[3] Stormwater Issues

The stormwater system is too small and must be improved to the size and standard of that described in the 2004 LES.

+ The elaborate very expensive stormwater catchment system in the 2004 LES has been used on the proposed Fraser Drive subdivision in a minimalist manner. We do not believe it has the capacity to handle the typical 1:5 year flood event when at least 350mm of rain is dumped on Terranora within 3 to 5 hours.

+ The SEPP 14 wetlands were cleared in 1983 of magnificent mature swamp forest [similar to that still seen at Ocean Shores North National Park]. The land was lowered and win rowed creating today's salt marsh mosquito breeding ponds. There is a need to laser grade the land to remove the ponds so fresh water runs over it. Only a token mention is made of wetland regeneration. Will it be taken back to its former glory? This must be stated clearly.

+ Water tanks are too small and will be full most of the time because of our very high rainfall. Double tank size needed otherwise they do not serve the intention.

[4] Land - forming Issues and Road Pattern.

The DG requires the developer [at 2.5] to demonstrate minimum cut and fill /and slope sensitive building design. This has not been done. We object to the use of cut and fill homesites in this high rainfall area and because of critical stated risks of cutting into weak soil stratum and thereby creating instability. Retain natural ground. Only the top 100mm of red soil is fertile. This is typically site dressed [bulldozed away and even sold for profit] by developers causing purchasers to endlessly use nitrogen fertilisers which ruin lake ecology.

The LES mapping shows vast areas of various categories of slip prone land on Area E.

On the proposed Fraser Drive subdivision of 317 lots, the average 800m² lot size has not been utilised but should be to minimise cut and fill as per Council's code. Instead, most lots are proposed to be on seriously deep cut and fill sites. Such rock retaining walls in Terranora are favourite hideouts for snakes and rodents. Most proposed streets go directly up steep hillsides rather than follow contours along the hillsides as they should. [Solar orientation should not be the priority here]. All sites must be natural ground as happened very successfully in Terranora Village in the 1990's. Project slab on ground house designs are inappropriate here. Force innovative designs on natural ground. The consultant states the land has serious seepage issues and is especially slip prone near the interface of red krasnozem and clay- this occurs throughout 3 sides of the property. We object to disturbing soils on home sites. Adopt large lots.

The lot layout/lot sizing/road pattern will make a boring subdivision.

We disagree that the proposed subdivision [average 600m² to 650m² lots with little greenery] is consistent with the character of the area. The adjoining lots in the rural residential Parkes Ln/Market St are minimum 2000m² with fruit and vegetable gardens/abundant greenery. It is essential large house lots be created on the common boundary with a 15metre buffer of greenery at their rear [no buildings] to mitigate conflict of use impacts. We know typical urban dwellers and rural residential dwellers have vastly different mid sets.

Thank you for the opportunity of making our submission Please acknowledge receipt

Yours sincerely

Greg Burgis President

Friends of Terranora

