

Richard W Wright
12 Parkes Lane
Terranora NSW 2486

Email titchww@bigpond.com.au

30th March 2011

NSW Department of Planning
23 – 33 Bridge Street
Sydney NSW 2001

To whom it may concern

Re: Application No 09-0166 Major Project Fraser Drive Terranora

The applicant Newlands (Previously Metricon Qld) have submitted this development proposal with scant regard for the local population or the adjoining rural residential property owners of Parkes Lane, Market Parade and Fraser Drive.

I believe the Tweed Shire Council and its professional planners are also not in agreement with the applicant's proposal with regards to road access, sewerage and drainage and the extensive earthworks with regards to cut and fill.

DGR 2.5

“Demonstrate that slope sensitive building design initiatives have been considered in the subdivision design to ensure there is a suitable access gradient and minimal cut and fill”

At the community access meeting in the Banora Point Community centre on Saturday 26th February in discussion with Shaun Nicholson and Darryl Anderson I questioned what was the detail of the proposed development on the southern boundary as it abuts our property. I was told there would be a 3m buffer between our boundary line and a 3m rock wall below the existing ground level.

Shaun Nicholson did mention the fact that they were seeking a relaxation of the Tweed Shire Council's restriction on retaining wall height limits.

In the executive summary (Bradlees Civil Consulting Annexure 19 Engineering report Part 10 page 3) “ A high retaining structure (up to 3.0m) is proposed for the site boundary along Fraser Drive and the southern boundary of lots adjacent to Parkes Lane”

So far so good, but low and behold I locate a drawing SK2759 (Annexure 19 Part 9 page 20) with a section 3 note “2 by 3m walls”. Is this not a 6.0 m high wall in total.

Please explain to me why this would not be considered deceitful of the true intent of the proposed retaining rock wall height

If this 6.0m retaining wall proposal is accepted, then this is contrary to nearly all sound aspects of best practice planning in the Shire. With no supporting information on the design of this structure, no stormwater drainage collection details from the above properties I am concerned for the walls long term integrity .

What then stops the proponent at a later date submitting a variation to include higher retaining structures in other areas of the development?

Stormwater Drainage

Bradlees Report Annexure 19 Part 10 on page 5 states “Upstream catchments, external to altitude Aspire development, are conveyed through the site (via the central open drain) without the need to pass through the treatment basin”. This would appear to only collect storm water from the existing kerb and channeled roads and south side properties of Parkes Lane.

This comment in no way covers those properties of Parkes Lane which are on the **southern boundary of the development**. There is no indication on submitted drawings of pipes and manholes which service this area

Sewerage Connection

Where is the provision in the proponent’s development for the later connection of the existing Parkes Lane residents? There is no easement on the blocks adjacent to the southern boundary of the development or any signs of pipe work and manholes to cover this provision.

Ref Minutes of DAP meeting with TSC and the proponent held on 26th March 2010

We trust the above comments are worthy of your consideration in the approval process. We would be happy to attend, and take part in any subsequent discussion on our proposals at no cost to the Department.

As rate payers in this community we do have a direct interest in the assets the council administers on our behalf and have a legitimate cause for concern with this development.



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