

PENDIX A: 3D MODELS SUPPLIED BY PLUS ARCHITECTURE



Uniting Kingscliff Redevelopment

SSD 47105958

From Colin Lidiard

35 Lorien Way

Kingscliff

EXECUTIVE SUMMARY

Objective

Please register this submission as an **objection** to the Uniting Kingscliff Redevelopment SSD 47105958.

Goals

My goal in submitting this objection is to highlight to the decision makers how inappropriate this development is in context of the surrounding built environment and Kingscliff as a whole.

Solution

The solution is for UK to scale back on size and density to a low level development in keeping with site and its location in a one and two storey neighbourhood.

Overview

I am not against development (if there were no development I would not be living where I am), it is the scale and inappropriateness of the proposal in relation to the surrounding neighbourhood that I object to. There are approximately 112 single and two story dwellings directly bordering the development site. Uniting Kingscliff propose to dwarf these existing buildings with 6 four story (1,2 & 3 bedrooms) buildings and one two story (1 bedroom) building and a 120 bed RAC. The size, scale and density of the project represents a thorough overdevelopment of the available space. In fact this one development will increase the population of West Kingscliff by approximately 10% (based on the number of units) given that this development model is for permanent occupancy by seniors and members of their household the actual population increase could be significantly higher. This will completely alter the nature of our community, this development as it stands is a gated community with no public roads, ancillary services only available to residents, there households and guests. So no benefit to neighbours but at the cost of our amenity (privacy, views, solar access etc) and we are expected to put up with a 4 year construction timeframe. As an immediate neighbour the plans indicate that for approximately 2 years my northern view will be a 2.4m sound barrier needed due to excessive construction noise levels. This will be erected approximately 1.5 m from our living area (dining, kitchen and living room) photos later in this document show what we will have to endure if this proposal is approved.

Unfortunately we have not had a good experience during the community and individual consultations with representatives of Uniting Kingscliff development team. We have found them disingenuous, obfuscating and condescending regarding the actual plans and our concerns. Promises to supply requested reports such as shade studies have been broken. I suppose this is not unheard of in these battles between large property developers and existing residents but disappointing when the property developer bills themselves as a pillar of society, faith based charity. But to see they have acted in the same way when dealing with the **State Design Review Panel (SDRP)** really has me worried. Three times (appendix C pages 61&62) in response to questions posed, UK's response to the **SDRP** was that Building A has been revised down to a "single loaded corridor" building when in fact right from the first design it has been a "double load corridor building". Furthermore the architects drawing of Building A in the EIS shows only one half of the building again suggesting that this is a "single loaded corridor" building.

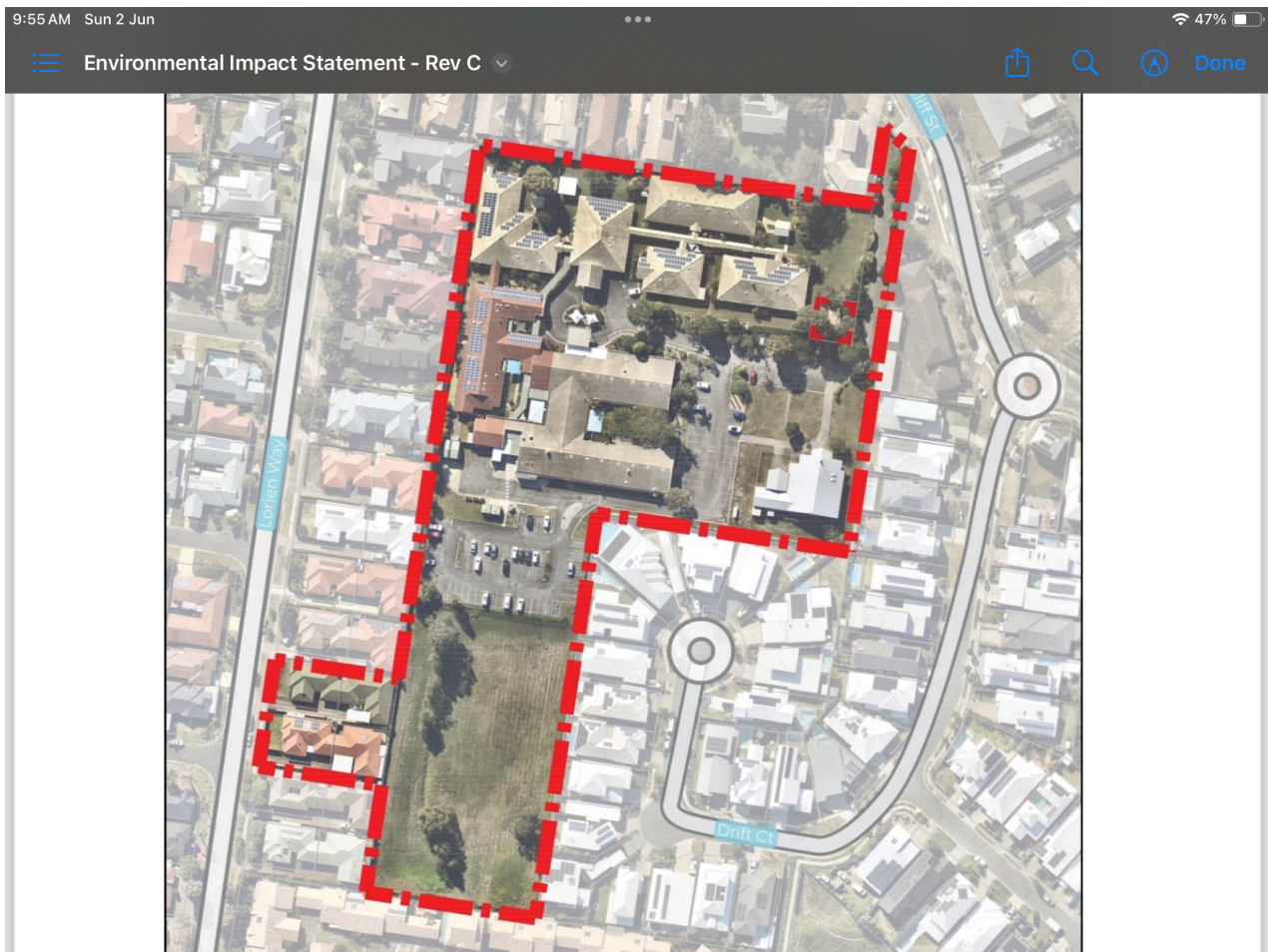
This proposal is just a real estate money making scheme dressed up as an aged care centre by a large corporate entity hiding in plain sight under the banner of a "not for profit" charity.

Below are my thoughts, concerns, objections and questions regarding the proposal, both personal, how I will be directly impacted and on a macro level, how our neighbourhood will be impacted in the near and longterm timeframe grouped into various subheadings as laid out in the Planning Secretary's Environmental Assessment Requirements (SEARS).

Miscellaneous refutations with statements within EIS.

I object to many of the Justifications set out on page 14 of the EIS for example;

- **EIS-** *"The subject site is a large underdeveloped property within the heart of the Kingscliff, with good access and connection to community, commercial, recreational and health care services; "*
- **Objection:** Only a small portion of the site (see below) is underdeveloped. The existing aged care home and the four properties on Lorien Way are developed in a way entirely in keeping with the existing built environment.



EIS- *"The proposal will provide much needed seniors housing for the Tweed Shire and Kingscliff, allowing local residents to age in place within the Kingscliff community"*

Objection if this is true how come there were three units in the Blue Jay Circuit retirement community that were on the market for approx 6 months and in the fourteen years I have lived in Lorient way there is almost always one unit for sale.

EIS- *"The proposal appropriately addresses all strategic and statutory considerations including all the matters identified with the SEARs assessment;"*

Objection: This statement is untrue with many examples (see Statutory Context section

EIS- *"The proposed built form is of a very high standard of architectural design with a significant amount of deep planting and landscaping incorporated;"*

Objection: the amount of deep soil planting is curtailed by the use of stormwater detention tanks and basements extending outside the building envelope.

EIS- *"The proposal responds to multiple Design Review Panels and best practice principles such as the Apartment Design Guide, particularly around accommodating apartment buildings on land that adjoins lower density residential product;"*

Objection: Given that EIS states that Building A requires a variation to the setback, UK proposes a **5m** setback, the ADG (page 47) states " for apartment buildings up to 4 storeys there should be a minimum 12m setback between habitable rooms/ balconies." My living rooms face the balconies and courtyards of the south facing apartments of Building A and vice versa. The ADG also states that " at the boundary between a change in zone from apartment buildings to lower density area increase the building setback by 3m."

What with the issues of overshadowing, non compliant setbacks, deprivation of existing views for existing buildings, loss of privacy, the UK proposal fails to meet the criteria of 6 of the 9 design quality principles in the Apartment Design Guide.

EIS- *"The proposed design and features provide a connection to country and sense of place consistent with the Kingscliff area;"*

Objection: One look at the 3d model (pictured above) shows how this development is entirely inconsistent with the surrounding precinct.

EIS- *"The potential impacts during construction and operation of the project have been identified and minimised via the various specialist reports and plans."*

Objection: How can a four year build time and working hours of 7am to 6pm Mon to Fri and 8am to 12noon Sat be considered as minimised?

1. Statutory Context

I object to the claim that the Uniting Kingscliff Redevelopment meets the legislative requirements of the KLP and the **DCP**.

The objectives set out for the West Kingscliff area under the **Kingscliff DCP** states:

4.4.2 Objectives:

1. *Continue to facilitate the development of low density housing within the existing residential precinct.*
2. *Facilitate opportunity for a greater mix of low rise medium density housing types over the greenfield development site across the less constrained parts of the precinct which will front the Turnock Street extension.*

Objection: The UKR is not in a greenfield site; it is within the existing residential precinct and should therefore should be low density housing.

EIS- also states that 80 residences per hectare meets legislative requirements and that this is needed to support the new hospital. This totally at odds with the **KLP** and **NSW Planning** when hospital was approved, note the KLP states 20 residences per hectare for low density zones.

Tweed Regional City Action Plan - to which the EIS also makes reference to.

Objection: Kingscliff was excluded from this plan because height limits and density sought by **TRCAP** were at odds with the **LEP** and **KLP**

North Coast Regional Plan 2041. (NCRP 2014)

EIS- (page24) Objective 2 – which makes references to the **(NCRP 2014)**

- *Provide for more affordable and low cost housing. The proposal represents significant input to dedicated seniors housing into the market, with 199 ILUs, and 120 dedicated aged care beds.*

Objection: I believe it is a ploy to get height and density relaxation ie exceeding the 13.6 meter limit as stated in the Kingscliff LEP. This will give the upper units sea / Mt Warning views and UK more yield. It also explains why Building A has been increased to 16 units despite community objections to the original 12 units been too many. UK are unlikely to sell below market value their market is cashed up retirees.

EIS- Objective 5 –which makes references to the **NCRP 2014**

- *Manage and improve resilience to shocks and stresses, natural hazards and climate change.*
 - *The Uniting Kingscliff Development reduces the existing flood risk to life for current residents and proposes a resilient community to handle natural hazards and climate change;*
 - *Building form and massing breakup is used to provide increased opportunities for natural and cross ventilation to dwellings; and*
 - *Larger building footprints are oriented North to South, to provide a larger number of apartments with easterly and westerly aspects for solar access.*
-

Objection: All this is at the expense of neighbouring residents, our flood risk, our solar access, our natural and cross ventilation are all negatively impacted.

EIS- Objective 20 - *“Celebrate Local Character.”*

Objection: How does building something totally out of character celebrate existing character?

EIS- 2.2.10 Draft Options Paper: Tweed Growth Management and Housing Strategy

Objection: Using a draft options paper, one that was resoundingly rejected by the community to support a current EIS is flat out wrong.

EIS- 2.2.11 Kingscliff Locality Plan

The EIS correctly states that *“Of all the strategic reports, the Kingscliff Locality Plan (KLP) is of particular note for this SSD application in the context of regional Tweed Shire strategic planning.”*

Unfortunately UK then go on to ignore many of the key points of the KLP.

EIS quotes *“Specific to the subject site, the KLP acknowledges the existing seniors housing at the site, confirms the existing maximum building height development standard for this site under the Tweed Local Environmental Plan 2014, being 13.6m, will be retained and maps this site as part of the broader medium density precinct of Kingscliff’s urban structure (refer to Figure 2-1).”*

Objection:

- Five of the six buildings (B-F) exceed the 13.6m limit.
- Building A which is a Residential Flat Building is non compliant with R2 zone.
- EIS incorrectly quotes the KLP as having a target of 80 dwellings per hectare when it is 20 for low density zones.

Tweed Local Environment Plan 2014

Zone R2 Low Density Residential

Under item 4 Prohibited : are *“residential flat buildings”*

Objection: Building A is not compliant with the R2 zone in which it is proposed to be built. I also object to any re zoning of the four lots on Lorien Way.

4. Built Form and Urban Design

EIS- One of the objectives set out on page 20 of the EIS states:-

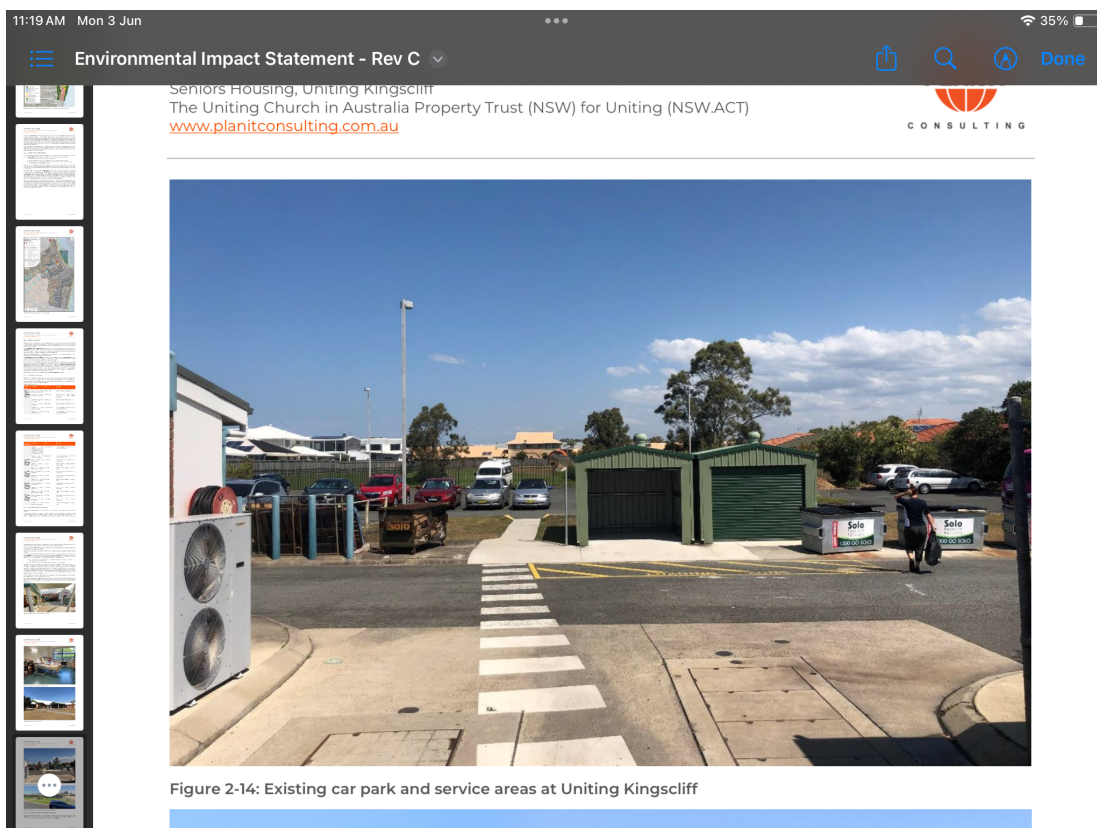
- Create a village that enhances wellbeing and community connection, enabling residents to have meaningful interactions with the community;

Objection: This development is essentially a gated community, despite the obfuscation created by the existence/ non existence of boom gates as stated in various sections of the documentation. There are no council controlled streets which in my opinion makes this a gated community. Furthermore later in the EIS is says that ancillary services (cafe, hairdressers, pool, communal space etc) are only for use by residents and their guests.

EIS- pages (40-41) 2.3.5 Housing Form and Character of Kingscliff

Objection: The pictures show 3 three and four story buildings (photographed from a low angle to maximise height) on Kingscliff St, Marine Parade and Zephyr St, suggesting the proposed development fits in with the existing precinct but shows no photos from Lorient Way which is all one and two story buildings. This is so disingenuous given that without the Lorient Way entrance/ exit there is no way the proposed development would be approved given the single driveway footprint the existing care home has on Kingscliff St. Furthermore there are no photos from Drift Court, Beach St. and Blue Jay Circuit and no mention of the height and density of existing buildings because it does not suit the narrative UK wishes to push.

To get a picture of the existing built environment see EIS (page 49) figure 2.14 which shows the view from the current care home; Drift Court is on the left (east) side, Blue Jay Circuit straight ahead (south) and Lorient Way on the right (west) note the tree in the middle behind the garage on the left is 12.5 m tall (it is situated in the base of the detention basin) so the proposed buildings will be 4 to 5.5 meters higher than the tree.



EIS- Figure 2:15 below shows the houses to be demolished. As you can see this part of Lorien Way is single story duplexes, (partial view of my house is on the right). This is where building A is proposed to be built. Imagine a double loaded residential flat building, which in itself is prohibited under current R2 zoning, 8m high (7.5 m building and 0.5m of land fill to raise the land to current 3.8m building regulations. My house is built on land which is 3.3m.

Alarming in the minutes of the meeting UK had with the **State Design Review Panel** it is stated on page 61 of appendix C,

Point BG002 re overlooking into private yards

UK's response includes **"Building A has also been reduced to a single loaded corridor to further address these concerns"**

Point BG008 that the SDRP recommended that: " buildings should have single- loaded corridors where feasible"

UK's response to this was

"We have applied a single loaded corridor approach to building A where this responds also to the "overlooking" concerns of the southern neighbours adjacent to the site".

This is further reinforced by a statement made on page 62, in addressing a specific privacy concern by residents. The response at point A002:

"A single loaded corridor outcome proposed. Only access way corridor facing south, and all private balconies to the apartments face north."

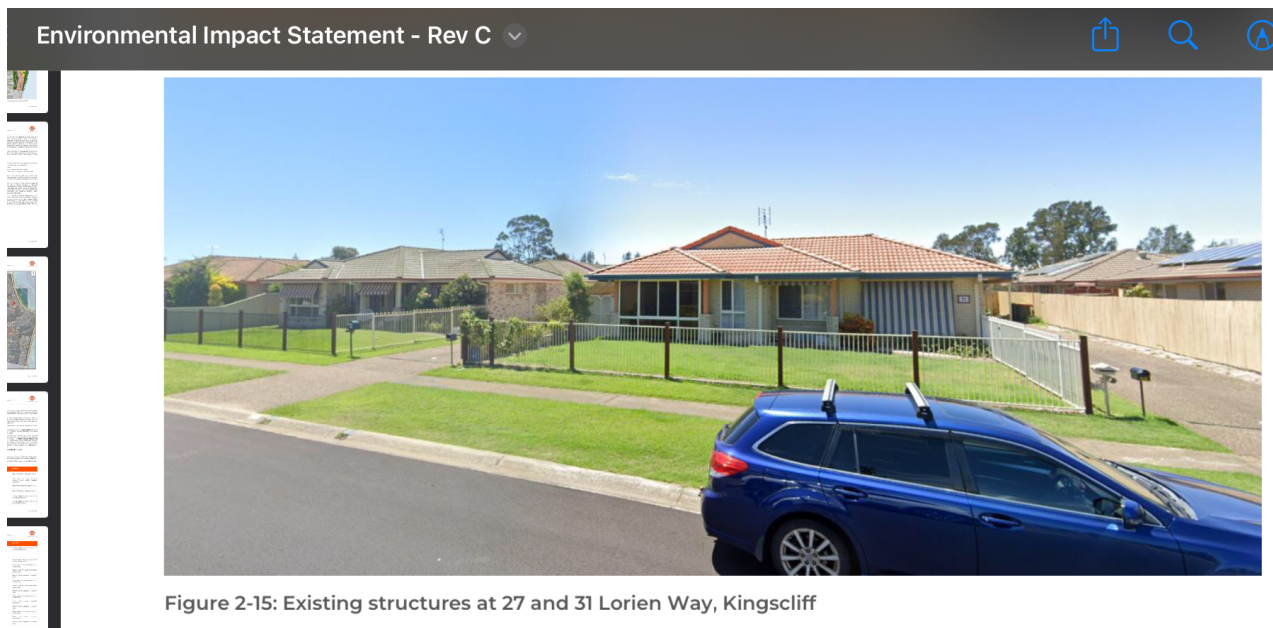
Objection:

Despite telling the SDRP three times that Building A had been reduced to a **single loaded corridor** all the plan diagrams show that building A is in fact a **double loaded corridor** with balconies directly overlooking my living areas (dining, kitchen & living room). In addition, the building is set back only 5 metres despite the claim on page 68 of the EIS that the development achieves a minimum 9m setback. It seems to me that UK wants to build a prohibited "residential flat building " on R2 zoned land, probably on the assumption they will get the land rezoned, if they manage to consolidate the 5 land titles. But, at the the same time, want to capitalise on the the R2 zone's 5m setback, when in fact the Apartment Design Guide requires apartment buildings up to 4 storeys to have a 12m setback between habitable rooms, with a further 3m increase to the building setback from the boundary when there is a change in zone from apartment buildings to a lower density area both of which would be applicable under this current proposal.

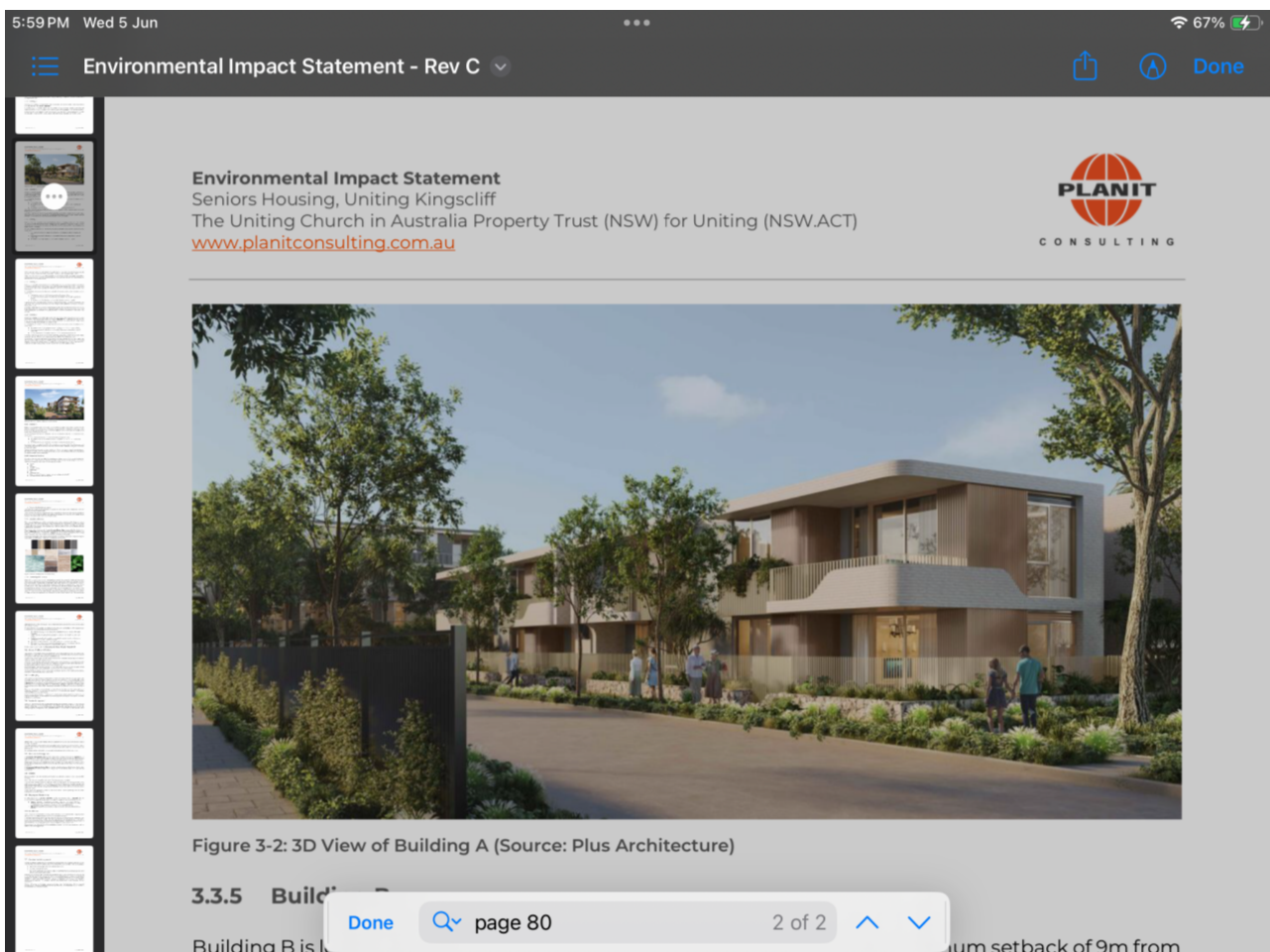
If addition to the above we will suffer from the following:

- Overshadowed by the height of the building; reducing solar output (we have a 4.2kw solar system) which will be affected in the winter months from Building A, and all year by the two four storey buildings to the rear (east) as the sun won't reach our solar panels until later in the day. Currently they start up within an hour of sunrise.
 - Loss of passive heating & cooling; our home has been designed (as per council guidelines) to get winter sun all day on north facing windows, glass sliding doors and walls much of which will be lost under this proposal. In summer with the sun directly overhead there is virtually no direct sunlight on external walls, doors and windows. Cross ventilation with windows and doors open is excellent. What is the point of having and meeting guidelines if the next development negates all the positive outcomes?
 - With a two story building to the north and two four story buildings to the east the breeze patterns will be severely affected.
 - Complete loss of sight of sky to the north from living rooms.
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- Again please note the highest tree behind my neighbour's house (right side of picture) is 12.5 m high from the base of the detention basin so the proposed buildings will be 4 to 5.5m higher than the tree!



How can anyone say the proposed building below fits in with the existing surroundings as above? NB disingenuously the drawing below only shows half of Building A?



The proposal certainly doesn't meet **ADG- Principle 9 Aesthetics** paragraph two " the visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape "

End Result

We will be hemmed in on our north and east boundary (see photos below of current outlook and superimpose the plans to see the impact of the proposal) living in the shadow of high rise buildings in an otherwise low rise community.



View looking East, proposal puts two four story buildings behind us, and a double loaded corridor Building A to our left with a 5m setback which is closer than the portion of the building seen in the photo.



This picture shows the view from dining room looking North; proposal puts a double loaded corridor two story block of units (only half of which can be seen in figure 3-2 above) where the nearest wall is i.e. 5m from fence line. With habitable rooms from both dwellings facing each other. The photo taken from the EIS disingenuously only shows half the building but we will have the habitable rooms from the UK development facing directly in to our living, kitchen and dining rooms.

5. **Environmental Amenity**

Objection:

SEARS requires an assessment of “the amenity impacts on the surrounding locality, including lighting impacts, reflectivity, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.”

I really fail to see how the UK proposal demonstrates a high level of environmental amenity for surrounding residents, under each and every category listed above we will be worse off. This development has absolutely no upside for existing neighbours. Furthermore development adds nothing to the council rate base but lands it with increased pressure on infrastructure with the ultimate cost falling onto existing ratepayers.

Privacy

The plans show that all neighbouring properties will be overlooked to varying degrees by the new buildings affecting our privacy, particularly as our living rooms will be faced by living areas and balconies of the new buildings. Currently our homes have been designed so that neighbours living areas front our driveways and bedrooms.

All my North facing living rooms will definitely be overlooked. Currently I can sit in our living and dining rooms in complete privacy.

Will need to have blinds closed for privacy which will affect ventilation, heating and cooling with associated increase in utility bills. The proposed solution from UK to my privacy concerns is some “deep planting” which while improving my privacy will further deplete the amount of natural light, passive heating and breezes.

Light

If the proposed 7.5m high building positioned 5m from my fence goes ahead I will completely lose sight of the sky to the north from the living rooms. See photo above (in Built Form and Urban Design)

Despite asking for and being promised access to UK's shade study they were not forthcoming. Furthermore because previous plans do not quantify the height of Building A it was impossible to calculate the true effect. According to SEARS guidelines UK should “Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development (if relevant)” but UK has only provided diagrams for the winter solstice, and that diagram leaves a lot to be desired, the individual hourly diagrams are too small to get an accurate picture of any shadowing and when enlarged become fuzzy. That said, on reviewing the solar plans in appendix C it states in the legend that we (35 Lorien Way) will be overshadowed until noon and again after 3 pm. Which means that for months either side of the winter equinox we be negatively impacted by this development. House will be darker and colder in winter, with morning sun on house and solar panels much later than it is currently. All of which negatively impacts on our lifestyle and our pocket.

Quality of life issues

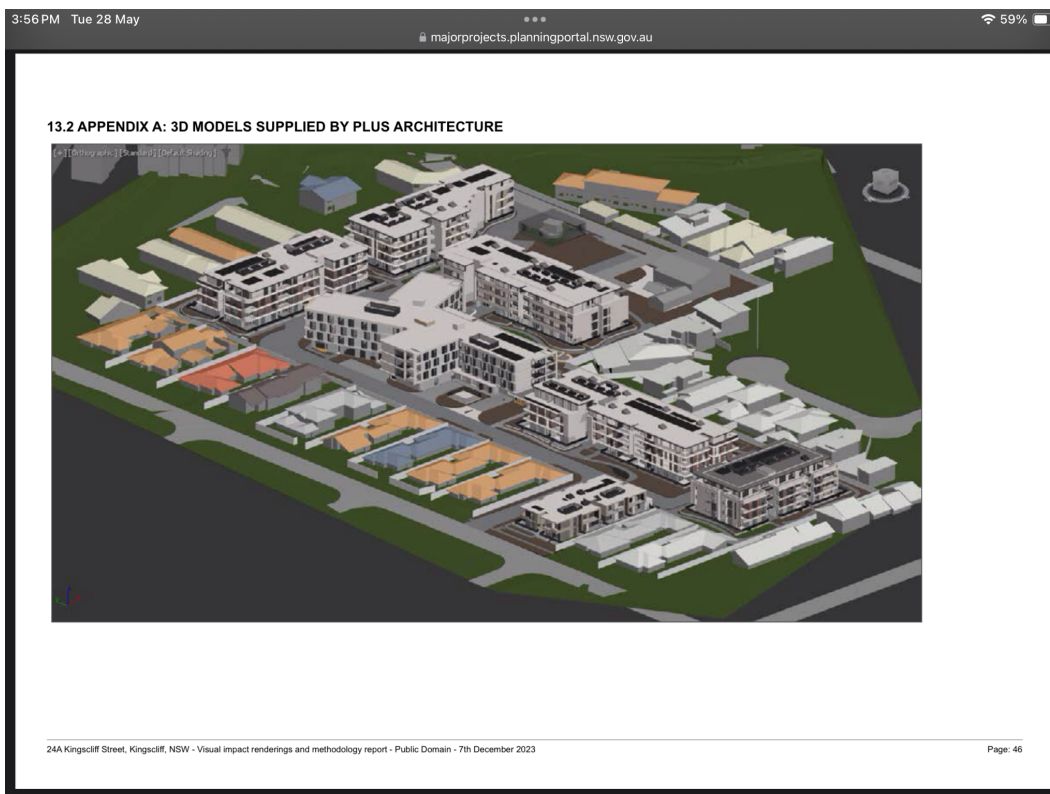
Speaking to my neighbours, not for the first time we have lost sleep and peace of mind worrying over what would happen when Blue Care purchased the four properties adjoining us to the north, but this proposal is so far beyond our worst fears that we all fear for our mental health. We will be subjected to years of uncertainty, noise, dust and distress which will negatively affect our overall health and wellbeing. Not to mention the time we are spending organising and having meetings, writing submissions, all time we will never get back. We carefully chose our house in an established area with low rise neighbouring dwellings. High on our requirements were north facing living rooms (something the council recommends in its design processes), private outdoor areas, good crossflow ventilation all of which we currently have (as previously stated we very rarely have the reverse cycle air conditioning on either in winter or summer). If this proposal goes ahead we will lose much of the above.

The irony is not lost on us, that our "independent retirement living" our lifestyle and our quality of life is being sacrificed so others can have a; quote "a truly welcoming community with a village heart that enhances the physical, emotional and social well-being of our residents, clients and visitors". Well what about the physical, emotional and social well-being of the existing established community?

As stated in the EIS we live in an enviable sub tropical climate so understandably we live with doors & windows open and maximise use of our gardens, courtyards and / or balconies. Replacing 4 dwellings with 199 ILU's will inevitably increase the general noise (as we get older our TVs and radios get louder) and light pollution for all existing residents.

6. Visual Impact

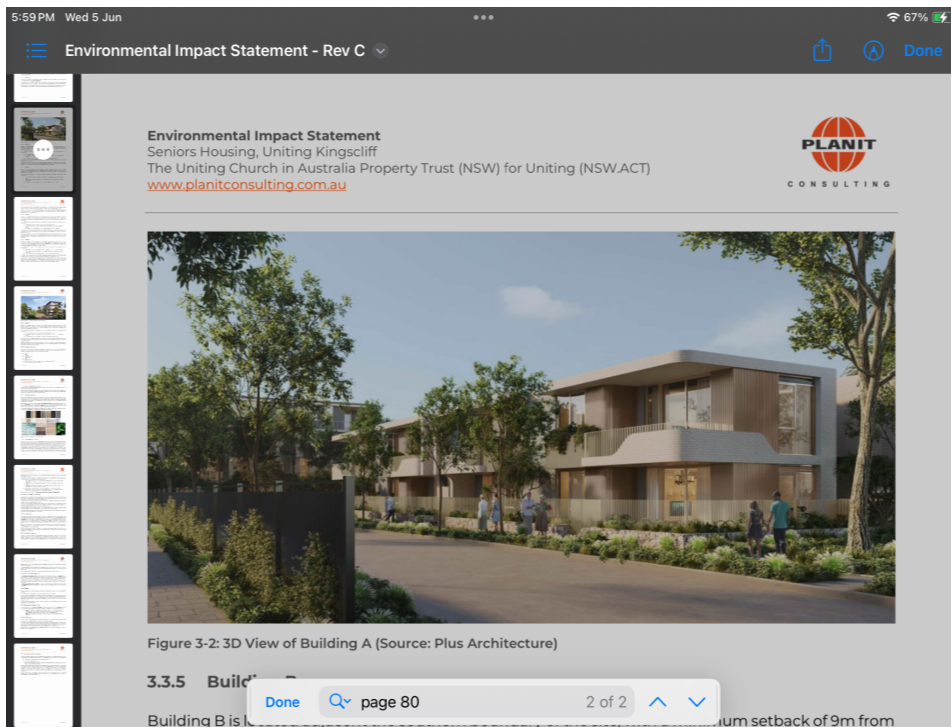
Objection:



I object to the UK's development on the grounds that it is a gross overdevelopment as can be seen from the figure (left), it completely dwarfs the surrounding area. The figure also shows how inappropriate Building A is in the context of the built environment of Lorien Way.



The proposal places Building A where the nearest wall is on the left of the photo taken from my dining room. The photo taken from the EIS disingenuously only shows half the building but we will have the habitable rooms / balconies from the UK development facing directly in to our living, kitchen and dining rooms.



10. Traffic, Transport and Accessibility

Objection:

This proposal replaces the traffic flow from 4 dwellings with that of 199 ILU's and 8 extra aged care beds. We are not only talking of residential traffic but of delivery trucks, food, laundry and garbage, extra ambulance attendances, and alarm call outs. There is only one footpath along both Lorien Way and Kingscliff St. both of which front the site i.e. there is no alternative footpath for pedestrians to use. Due to the layout of the Kingscliff St entrance most residents driving into Kingscliff shopping area will use the Lorien Way exit. This is a designated Local road (8.16m wide not 9m as stated in the proposal) not built to cater for this level of use. In Appendix V it states that for all heavy rigid vehicles access and egress is via Kingscliff St. Try telling that to a driver on a schedule. They are going to take the line of least resistance straight out Lorien Way, particularly at peak time when traffic banks up at the Kingscliff St./ Beach St roundabout. Despite what the Traffic Survey Study reports (I shook my head in disbelief at the lack of parked cars in the photos) if this development goes ahead there will be a big impact on the volume of traffic and therefore noise the residents will encounter. As evidenced by my elderly neighbours older retired people use the cars more frequently.

The Construction Traffic Management Plan EIS 6.9.4 and the Preliminary Construction Traffic Management Plan Appendix V leave a lot to be desired. Narrative in the latter's diagrams are unreadable and the paucity of detail would be laughable, if it were not for the detrimental impact that the four year construction phase will have on our lives. Remember for a lot of the residents this is our retirement, we bought into a low rise developed suburb I think it is unfair that we should be subjected to four years of heavy construction, that's if all goes well and to schedule. Which is certainly not the case with UK's multi storey section of the Yamba development.

12. Noise and Vibration

Objection:

4:48 PM Wed 5 Jun

majorprojects.planningportal.nsw.gov.au

48%

4.1 Construction Noise Assessment

For the purposes of assessment, the construction equipment expected to be used on site has been collated based on information contained in the Construction Program, as well as previous knowledge of the common construction site equipment. Works outside of the normal construction hours i.e. Monday to Friday: 7:00am to 6:00pm and Saturday 8:00am to 1:00pm have not been assessed.

The layout of equipment on site and usage characteristics are subject to change.

4.1.1 Plant and equipment Noise Levels

The noise levels for the expected construction plant and equipment have been determined, based on AS2436 and DEFRA. Variations in noise levels may be observed due to equipment factors such as the size, make/model, level of wear, operator etc.

A schedule of the expected noise levels for plant and equipment that may be used at different stages of the construction is presented in Table 13.

Table 13 Plant equipment sound power levels

Plant Equipment	Mobilisation and operation emissions	Sound Power Level dB(A)
Site Establishment, Demolition, Excavation & Substructure – approximately 2 years duration		
General delivery trucks	Access from Lorien Way and Kingscliff St	101
5-tonne excavator	Operation onsite	101
5-tonne excavator (with hammer attachment)	Operation onsite	117
14-tonne excavator	Operation onsite	103
Handheld pneumatic jackhammer	Operation onsite	116
Handheld demolition saws	Operation onsite	120
Concrete pump (infrequent days)	Operation onsite	107

Project: BNE0732 Uniting Kingscliff

Report: SEARs Construction Noise and Vibration Assessment

Date: 11 March 2024 Rev: 02

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If I failed to demonstrate how inappropriate this proposal is I hope the tables (left & below)sums it up.

The timescale of the build will severely impact the liveability of residents living in and around the proposed development. Noise, dust, vibration from 7am to 6pm Mon. to Fri and 8am to 12 pm Sat. Given that my lawnmower operating health & safety instructions recommend hearing protection over 77dba how can we be expected to endure the levels below for approximately **2 years?**

Plant Equipment	Mobilisation and operation emissions	Sound Power Level dB(A)
Concrete vibrator (infrequent days)	Operation onsite	99
Piling rig	Operation onsite	96
Forklift	Operation onsite	106
Construction – approximately 2 years duration		
General delivery trucks	Access from Lorien Way and Kingscliff St	101
Tower crane	Operation onsite	105
Single hoist (man and materials)	Operation onsite	96
Concrete pump (infrequent days)	Operation onsite	107
Concrete vibrator (infrequent days)	Operation onsite	99
Handheld pneumatic jackhammer	Operation onsite	97
Handheld demolition saws	Operation onsite	120
Handheld drill	Operation onsite	88
Nail gun	Operation onsite	101
Forklift	Operation onsite	106

4.1.2 Calculated Noise Impact Receiver Locations

Noise emissions from the proposed construction works were calculated at the most affected façade of all nearest noise sensitive receivers. In some cases, existing buildings acting as noise barriers were taken into consideration as well as the barrier in Section 4.2.2.

Predicted noise levels are shown in Appendix C are presented as a range, with the highest level of the range representing noise impacts from works being conducted at the nearest side of the subject site, and lowest level representing noise impacts from works being conducted at the furthest side of the subject site.

Given that the majority of the proposed demolition, excavation and construction works will be undertaken within the retaining walls of the proposed development, a second range of predicted noise levels is provided for this case.

4.1.3 Predicted Noise Levels

During demolition and ground work phase we will be inundated with noise from heavy machinery, trucks removing demolition debris and backing up to deposit fill. Along with pylon drilling equipment given the nature of the ground and size of the development .

During building phase again heavy machinery, cranes, delivery trucks, the vehicles associated with the forecast 440 jobs created. Where will they park? Even if they can park on site as the project team have said they will in all probability be parking directly against our fences - more noise! We will not be able to dry clothes outside. The house will be continually covered in dust. We will have to have windows and doors closed to reduce noise and dust - again leading to increased cost of heating, cooling and cleaning. Myself and my neighbours are looking at a severe disruption to our amenity and liveability not to mention our peace of mind for something like four years.

Many of us are already retired; how does this fit with, to quote the Community Update put out by Uniting Kingscliff **“The project team has designed a series of options and mitigation techniques to ensure the best possible outcome for our neighbours”**

Remember this is our “Independent Retirement Living” how in any way shape or form will this proposal ensure the best possible outcome for us.

15. Flooding Risk

Objection:

I object to the UK's proposed development on the grounds of an increase risk of flood to surrounding properties.

The Flood Impact Assessment Report is based on Tweed Shire Council's model 2009 and before Drift Court was built. The region has experienced two major weather events (2017 & 2022) so I question the validity of the reports findings.

Lorien Way and surrounding streets were created by filling in a wetland with a detention basin formed in the southern end of the UK's development site (NB I dispute the claim in Appendix G page 10 that it no longer serves this function). I have seen this basin fill up numerous times during the 14 years I have lived here, (see photo below). It fulfils its purpose of slowing down the progress of water runoff and depending on levels absorbing backwater flooding (as acknowledged in Appendix G page 10) from the local stormwater drain network, thereby reducing the flood risk to surrounding homes. The proposed installation of a back-flow prevention valve at the point of discharge will stop back-flow water from being stored in the detention basin. This protects UK's site but will cause flooding to surrounding streets and further south east towards the Tweed River. During the 2022 flood event the water level was part way up the retaining wall of Drift Court properties i.e. the detention basin was at capacity and for the first time Lorien Way and surrounding streets flooded. This highlights the importance of the basin.



I am sure that the original developers of the existing care home and surrounding developments would have capitalised on the land if it wasn't required as a detention basin.

UK's current proposal is entirely inappropriate in design and scale for this site. As the basements will be below Defined Flood Level, they WILL flood as we have witnessed in numerous basements throughout Kingscliff, despite all the inbuilt ("fail safe systems") each time there is a severe wet weather event. Over time the flood water will affect the integrity of basement structure. The use of tanks for Flood Mitigation seems woefully inadequate giving our experience of recent floods. Before Drift Court was constructed a large 2.4m diameter pipe was installed running down Blue Jay Circuit across Lorien way and through Quail Place; yet the proposed development site still floods.

For the first time ever this year Lorient Way road was flooded. Two things have changed since the previous flood event, the building of the Drift Court estate despite the aforementioned drainage work, and the new hospital replacing permeable ground with hard impermeable surfaces. Further development in and around flood prone land doesn't bode well for those of us living on land built up to the old DFL of 3.3m. This is of particular concern; for the UK development to meet current building guidelines the ground level of the site will have to be raised to a minimum of 3.8m putting it 0.5m above existing Lorient Way properties so if any of the measures (tanks, pumps, retaining all rainfall falling on their site) put forward in UK's proposal fail. WE WILL BE FLOODED.

NB Flood insurance is getting harder to get and increasingly expensive, our previous insurer refused to insure us after the 2022 flood event, even though as far as I can ascertain no claims were made from Lorient Way and adjoining roads.

All tanks eventually leak (we will have to rely on UK to adequately maintain pumps / inspect tanks for leaks; maintenance is not Uniting's strong point as any existing neighbour will tell you). Undetected leaking water will further undermine the stability of the land our houses are built on. Furthermore the size of the tanks required to contain the water collected within the site during a "1 in 100" year wet weather event" will severely reduce the amount of soil available to absorb natural runoff as will the construction of basements which will be larger than the above ground footprint of the buildings. A point acknowledged in Appendix Y on page 10.

21. Social Impact

EIS- 2.3.6 Kingscliff Social Demographic (EIS page 43)

"The reality for the Tweed and impetus for the Tweed Shire Council declaring a Housing Crisis for the LGA, is that State dwelling targets established for the Tweed between 2006 and 2022 and set at 580x dwellings per year, have not been achieved in the LGA over the last 10 years leading to a current and increasing gap."

Objection:

UK citing the missed dwelling targets to bolster its application I feel is disingenuous. The proposal documents ignore that between 2008 & 2010 Tweed Shire Council approved DA's for both KingsForest and Cobaki, which will increase supply by approximately 10,000 dwellings. The first residents of Kings Forest are expected to move in this year. Cobaki is not so far progressed. It is not the oft quoted red tape that is stopping development and meeting targets, but the speculative re zoning, land banking and profiteering games developers are fond of playing.

24. Aviation

EIS states that the development site is not under a flight path.

Objection:

When the wind is from the North planes fly right over us and therefore the UK's site.

25. Construction, Operation and Staging

Objection:

I object to UK's proposal on the grounds that it is a monstrous overdevelopment of the site in question. The ground work required for multi-storied buildings is exponentially more disruptive to neighbours in terms of a noise and time perspective. The potential for damage to the foundations and structure of neighbouring dwellings is heightened, particularly as this development includes basements, buildings that require pylons and ground work that will disturb the water table. We experienced minor cracking after Drift Court was constructed and that was a "fill and compaction" process not an excavation.

The timescale of the build (4 years) will severely impact the liveability of residents living in and around the proposed development. Noise, dust, vibration from 7am to 6pm Mon. to Fri and 8am to 12 pm Sat. Given that large developments are rarely completed on time we will probably suffer losses to our livability, amenities and peace of mind for a lot longer. A review of four storey part of UK's project in Yamba is a good example of how things can be delayed (i.e. the builder went into administration).

27. Engagement

As I said at the beginning, unfortunately we have not had a good experience during the community and individual consultations with representatives of Uniting Kingscliff development team. We have found them disingenuous, obfuscating and condescending regarding the actual plans and our concerns. Promises to supply requested reports such as shade studies were broken. I suppose this is not unheard of in these battles between large property developers and existing residents but disappointing when the property developer bills themselves as a pillar of the community and a faith based not for profit charity.

The whole community engagement process appears to have been a box ticking exercise on UK's part. Little to none of our feedback has been included in the plans. I guess we shouldn't have been surprised when they seem to have no intention of meeting local planning frameworks.

Please do not approve this DA.
