

I am writing to strongly object to SSD-47105958 Uniting Kingscliff Redevelopment. I object to this proposed development for the following reasons:

- I strongly object to the request to vary the Tweed LEP 2014 to allow for an increase in building heights from 13.6m to 16.75m. I would strongly argue that even 13.6m is actually too high not only due to the negative impact on the surrounding low rise residences and the low form of development synonymous with Kingscliff but also due to this being a seniors housing development. Why is this development exempt from complying with the non-discretionary height limits provided by the seniors housing component of the SEPP (Housing)? How is it reasonable for this development to firstly defer to the Tweed LEP 2014 (in favour of the SEPP) and then request a change to LEP to increase height limits?

The proposed building height limits vary up to a maximum height of 16.75m above ground level. The current maximum building height limit within Kingscliff (as per the LEP and KLP) is 13.6m above ground level. This low form built environment is a critical contributor to the character and fabric of our small coastal town.

The justifications provided in the Section 4.6 request to vary the Tweed LEP 2014 to allow for the increased height limits do not add up. The land constraints described should not be used to justify an increase in the height simply to allow the developer to achieve more yield. The increase in height limit would also mean that the development would not meet the Tweed LEP 2014 objectives for building heights particularly in relation to the urban character and amenity of the surrounding built environment or limiting the impact on the surrounding built environment.

Increasing height limits within the existing urban environment of Kingscliff, as proposed by this development, will be the straw that breaks the camel's back for our small beachside town and destroy the thing that is most valued not only by our community but by our visitors.

There are future opportunities to increase height limits to the level proposed by this development in greenfield sites west of Tweed Coast Road. Areas of Tweed Heads also allow for this building height (and above). The increased 16.75m height limit proposed for this redevelopment does not reflect the character and fabric of the existing Kingscliff built environment. If this building height is what is needed by Uniting to get them the best bang for their buck they should have looked for a more suitable site when they purchased the Blue Care site and the other four properties in Lorien Way in 2017. To expect to change the whole fabric of a small town to meet the yields of their speculative development is unconscionable and not a good look for the Uniting brand.

The reference to the one building in Kingscliff that exceeds the 13.6m height limit fails to mention that this is for a lift overrun only, and that is located in the centre of the roof of a 14 unit development. This unit development is situated in a quiet area away from the main part of Kingscliff and is surrounded by a nature reserve and sports fields. To insinuate that this is an indication of Council's willingness to relax DCP height limits is disingenuous at best. This was noted by Councillors as a one off concession.

- I object to the references, assertions and insinuations that this proposed development reflects the current and future intent for urban development in the West Kingscliff Precinct and strongly object to the bulk and scale of the proposed development which is completely at odds with the existing built environment of low rise, one and two storey homes on all sides of the Uniting Kingscliff site.

The Character Statement contained in the Kingscliff Locality Plan clearly differentiates between the existing built environment and the greenfield sites within the West Kingscliff Precinct and contextualises the map which shows opportunities for increased height and density within the greenfield areas of West Kingscliff. The EIS is misleading in constantly repeating claims that a development of this height, bulk and scale is what currently exists or is intended for this part of the West Kingscliff Precinct.

While the street address of the Uniting Kingscliff site is 'Kingscliff Street' – a street where the community would expect to see buildings of this bulk and size and up to the 13.6m building height as described by our local planning frameworks – the site itself is a battle axe, landlocked site with no street frontage to Kingscliff Street other than a driveway. It is disingenuous to show photos of apartment buildings in Kingscliff Street and in fact Marine Parade and state that this represents the existing built environment. Those apartment buildings in Kingscliff Street all face a road and/or other similar buildings (providing space and privacy between neighbours). The apartment buildings in Marine Parade face a road, a 60m wide reserve, foreshore protection bush areas and the ocean. This proposed development, containing four storey buildings after fill, will tower over the surrounding single and double storey homes.

The recessed fourth storey included in the proposed buildings for the United Kingscliff site, accompanied by the inference that this somehow negates the bulk and scale of the development, has been incorporated into recent apartment developments on Marine Parade. This works for Marine Parade due to the fact these few buildings are surrounded by other three and four storey buildings and the recesses are a lot deeper and include the front and both sides of the buildings (including balconies) – they are barely noticeable from the footpath. The recesses shown on the Uniting Kingscliff architectural plans are not as deep, apply mostly to the front of the apartments and do not include the balcony space which extends to the edge to the building. And they still overlook and overshadow one and two storey homes – a totally different built environment.

- I object to a development of this bulk and scale being built on the flood plain. Parts of this site flood regularly and parts were severely flooded during the February/March 2022 catastrophic Northern Rivers flood events. This water has to go somewhere and the fact that during community consultation Uniting indicated that once the water leaves the site it becomes the Council's problem is in no way reassuring.

While I don't pretend to be a hydrologist, I cannot see how the information provided in the Flood Impact Assessment can possibly meet the SEARs requirement when the EIS casually mentions that the 'details' will need to be worked out in the design phase (that is, after determination). Surely, this is not acceptable given the ever-increasing (number and scale) flood impacts that this community is facing. If the proponent can't identify effective flood mitigation strategies at this stage, what guarantee is there that they can find a solution further down the track?

Despite any flood mitigation plans put in place, the proposed addition of over 3 metres of fill on some parts of the site and the massive increase in the amount of impervious surfaces as a result of this gross overdevelopment will impact the flood plain – not just this site but surrounding neighbours and streets as happened, in some cases, for the first time in 2022.

Land to the near west of the site already has approval under a 2008 DA approval for added fill (sand) – perhaps not directly relevant to this application but rather a compounding factor for any proposed future development in this precinct. It is interesting to note that Appendix U - Flood Emergency Response Plan_V1 plans to evacuate the ILUs and move the aged care residents to at

least Level 2 (3rd storey) of the RAC building in the case of the most severe flood. This does not bode well for the adjoining neighbours in their single and double storey homes. I also note that the Flood Emergency Response Plan does not take account of the impact of the required evacuations in lesser events on already stretched community resources.

- I object to this proposed development due to the negative traffic impacts it will create for both near residents and Kingscliff more generally.

Given I live only a few hundred metres away from the site, the traffic and parking impacts of this development certainly appear to be understated. The images of the surrounding streets – with the lack of traffic or cars parked end to end – is not the reality of these streets. The estimated vehicle movements even for the current facility seem to be understated and the increase in estimated vehicle movements with the addition of 199 units does not add up.

Living in a regional town, with as expected limited public transport, requires a car. The town centre and the local shopping centre are already stretched for parking. At times there are simply no car parks available in these areas or the surrounding streets. Unless more infrastructure is in place (and Council has indicated that there is no available council land for additional car parking and are relying on a yet to be determined future redevelopment of the Kingscliff shopping centre as a solution), increased traffic created by a development of this size will impact the amenity of Kingscliff.

I object to the plan to use Lorient Way as the main entry/exit point for this proposed development. Just because Uniting may have had that solution in their minds when they purchased the four homes in Lorient Way in 2017 surely does not mean that the community needs to just accept that plan if it is seen as a completely inadequate (and in fact quite laughable, given the road network) solution.

Lorient Way is a narrow suburban street (local road) that leads to a maze of other narrow streets (many with cul de sacs). If this proposed development was approved with Lorient Way as the main entry/exit to the site, the traffic from four homes would be being replaced with 199 homes and a residential aged care facility (which currently uses the Kingscliff Street driveway and not that successfully at that). How can this not have a very negative impact on the traffic flow in the area?

The current driveway into the Uniting facility from Kingscliff Street is also not appropriate for a development of this size. This entry/exit point already causes issues as cars bank up at the nearby roundabout on the corner of Beach and Kingscliff Street making entry/exit difficult. The EIS doesn't seem to address this existing issue at all let alone the impact of such a major redevelopment.

While I appreciate finding suitable entry/exit points to a redeveloped Uniting Kingscliff site may cause a conundrum for Uniting, I don't believe this should be foisted back onto the community to simply accept the solutions that this development application proposes. There are significant constraints associated with this site that Uniting were surely aware of and should have considered in 2017 before purchasing the Blue Care and Lorient Way sites with no doubt a view to a future redevelopment. It is totally unreasonable to impose significant negative impacts on the community as a way of managing these site constraints.

- The consultation process was extensive as outlined in the EIS but was not meaningful or genuine. This was a box ticking exercise. The major concerns raised through the community consultation

processes still exist. Uniting seem to have a consultative process which follows a pattern of coming into a community and conducting consultations around an ambit claim, coming back with a watered down version which, while showing some reductions, still ignores local planning frameworks, community concerns and community character, fabric and liveability but uses this second and maybe even third version to tick the 'engagement' box. This approach is evident in many similar Uniting proposals. So my question is, does this approach meet the intent of the SEARs engagement process?

- I have read the EIS and supporting documents for the Uniting Kingscliff proposal and have noted a consistent theme of inaccurate or misleading information. Many are a clear cut and paste from previous documents where relevant local data (and sometimes irrelevant or inaccurate local data) has been added to an existing or previously used document to tick the box to meet the SEARs requirement. The big issue with this is that while local data may have been collected as required it has perhaps not been analysed or considered in the context of this proposed development. One example is the Construction Noise and Vibration Assessment which seems to have been a cut and paste exercise from a Sydney development with references to an education precinct, flight path changes and the St Peter's Precinct – not relevant to the Uniting Kingscliff proposal. So, the question is – how much analysis of local data and the possible impact of this development actually occurred before recommendations were made?
- This is also true of references to our local planning frameworks, strategies and policies and I object to the way the intent of these core documents has been selectively used, twisted, downplayed, misrepresented or inaccurately stated. Like many in the community, I have personally been heavily involved in the development of these plans and strategies through various community consultation processes over many years. These frameworks and strategies are meant to guide the sustainable development of our small town and the Tweed Shire. If they can simply be ignored or misrepresented in the push for a State Significant Development approval of an inappropriate development what is the point of developing them in the first place? If their goal and intent can be so easily overridden by those pushing whatever the current bandwagon is, why is the community asked to provide input in the first place?

I note the EIS has attempted to enhance Uniting Kingscliff's case by referencing the Tweed Shire's draft Growth Management and Housing Strategy Options Paper. I'm sure others will also point out the community's negative reaction to what was effectively an unfiltered brain dump of every square inch of the Tweed Shire that might be suitable for housing including heavily impacted flood affected land, state significant farmland and crown land. To suggest that this paper supports this development in this location as the Shire's indication of the future of the area is ludicrous and I strongly object to the use of this **draft Options** Paper as reference material in support of this application. I'd also add that the Tweed Regional City Action Plan 2036 does not include residential development in Kingscliff as inferred in the EIS.

While I understand all aspects of the EIS are written to favour the proponent and assist their goal of having their development approved, is there not a requirement to ensure that local planning frameworks and strategies are referenced honestly?

I am not opposed to some form of redevelopment of this site. But this proposed redevelopment has little to do with providing for our seniors. It is high end unit development for over 60 cashed up retirees who want to live at the beach being proposed under the guise of seniors housing.

A more modest redevelopment of the existing residential aged care component would be most welcome (especially if it expanded in a more meaningful way the number of beds available). The

addition of some low rise affordable seniors housing – perhaps in the design of villas, duplexes or other detached housing or two storey units - would also fit well within the existing built environment and would go a long way to minimise some of the serious negative impacts that the proposed development will cause.

Through my involvement in discussions around this proposed development for nearly two years and consideration of the EIS and associated documents more recently, this appears to be more an exercise in reverse engineering than a thoughtful planning proposal. Uniting purchased the required sites in 2017 and the purchase of the Lorien Way properties (planned as the new entry/entry exit point) seems to indicate that at that time Uniting may have had big plans for their newly acquired site/s, regardless of the existing built environment.

The planning process itself seems to have been based on attaining a set yield and then selectively focusing on those parts of the planning framework that would support the pre-emptive plan. This included seeking an adjustment to the height limits in the Tweed LEP 2014, again to meet a yield requirement – surely not a good enough reason to mess with years of thoughtful planning for the ongoing development of Kingscliff.

While I acknowledge these are speculative comments, some consideration surely needs to be given to whether the Uniting Kingscliff proposed development is just trying to squeeze a square peg into a round hole at the expense of the character, fabric and amenity of our small town.

What a different story it would have been if Uniting had purchased the Kingscliff Feros site for this planned development rather than the Blue Care site. While the community would have no doubt been chasing some more residential aged care beds and affordable seniors housing from any redevelopment, due to the location of the Feros site the type of development being proposed by Uniting would have been a much better fit and would have allowed for something a lot closer to what is being proposed. The Feros site is surrounded by sports fields and a nature reserve thus being more conducive to four storey buildings (up to 13.6m but still not suitable for true seniors housing) without the overshadowing, privacy etc issues that the surrounding residents of the current site will experience should this proposed development be approved. The Feros site has easy access to connector roads and the M1 minimising the huge traffic issues that will be caused should this proposed development. Flood impacts are a lot less.

Should any community be expected to see such a loss of character and amenity, plus all of the other associated issues with this proposed development, just because Uniting purchased the wrong site/s for their big plans?

Thank you for considering my objections to this proposed development.

Kind regards
Ann Newton