

I, Josh Howard of [REDACTED] Anna Bay, strongly **OBJECT** to the proposed development application SSD-5916. As someone who spends a large amount of time on an adjoining block to the proposed development, I find that there are many unanswered questions and multiple inconsistencies in the abovementioned DA. This land was owned by many previous generations of my wife's family, and our young family still regularly spend a large amount of time at 4181 Nelson Bay Road, both visiting my in-laws and or our children being looked after by the family. In reading the DA, it is apparent that it is not only going to severely impact my extended family and their neighbours, but is also not compatible with the idea of a 'eco tourism' nor is it something the community wants or needs.

Please see below some more specific objections to the proposed DA SSD-5916.

### **Community Impact:**

- Anna Bay is a beautiful mix of beachside and rural living. Unfortunately, we already have one failed resort, the 'Birubi Eyesore' as it is un-affectionately known to locals. I am unlucky enough to have full view of it from my bedroom window. As a community we deserve better- what guarantee do we have that this will not happen again? Community backlash and feedback, social media interaction and campaigning clearly show that this type of development are neither wanted nor welcome in Anna Bay. Is there some sort of guarantee that if the resort building phase fails (like the one already crumbling in Anna Bay), that the land will be returned to its previous state and not left as a decrepit stain on the landscape?

### **Environmental Impact:**

- Whilst a beautiful outlook on the property, it is important to not forget what the property in its majority is- a salt marsh. These paddocks frequently flood, and during a king tide become more like a lake. Considering the amount of fill they need to bring in (40,800m<sup>3</sup>), how this would not impact the environment?? How is this environmentally friendly? What happens to all the flora and fauna which are covered by this fill? How are they going to ensure that the raised level due to fill will not cause run off and flooding onto surrounding properties (eg. The fruit tree orchard and vegetable garden at the bottom of 4181)? The current DA does not adequately demonstrate that this has been suitably researched.
- Acid sulphate soils (ASS) are present on this site- in fact, I wrote a high school science report experimenting with the ASS levels and the impact of rainfall etc on the property. The EIS does not answer all of the questions well enough as to how the ASS will be dealt with, monitored and treated if disturbed (eg. Insufficient information on dewatering, likelihood of possible disturbances of ASS, impact on surrounding properties, impact of ASS movement on the flora/ fauna, use of and storage of fine agricultural lime). Also, it should be noted that further research needs to go into the exact acid sulphate levels expected to be encountered exactly where concrete piers are to be used, so that the proposed B1 classified concrete can be confirmed safe for use.
- MOSQUITOES!!! The mozzies are in plague proportions after any rain or tidal movement. If the EIS states that they will need to likely use chemicals (because the

notion of mosquitoes adhering to the 100m 'buffer zone' is ridiculous), what impact would these chemicals have on the local flora and fauna, not to mention the nearby humans? Also, considering the need to 'warn' the tourists about the mozzies (EIS discussed pamphlets, avoiding being out side in 'active' hours [i.e., any time from about 4pm on), keeping all windows closed)- will they be told this prior to arrival? I for one certainly would not want to stay in a place where my outside movements need to be limited, or where the chance of getting Ross River Fever due to mosquito bites is drastically increased. The site is simply not suitable for a tourist resort.

- Light spill- in an environment where there is no major artificial light after dark, how can the addition of all the lights from the buildings, as well as the carpark which runs along the boundary line of 4181, not have an impact? The carpark would need to be well lit for visitor safety, and my in-laws bedroom faces directly toward where the carpark would be. The impact of light spill has not been well enough addressed as far as its impact on neighbours, nor the impact on the local flora and fauna who currently do not have light interfering with their comings and goings at night, and would likely force such nocturnal animals out of the area. What impact would this have on the wetland ecosystem?
- The need to construct access roads for heavy equipment (which would damage the environment), and then remove them with the wetlands somehow restored seems improbable, and put into question the 'eco' aspect of this proposed development. On this basis the proposed design is not consistent with maintaining the ecological condition of the site and should be rejected.
- The Proposed Architectural Design Report (p.21) states "The idea of sustainability, or ecological design, is to ensure that our use of presently available resources does not end up having detrimental effects to our collective well-being" – yet there does not seem to be any consideration for the surrounding residents, their collective wellbeing or their desire to continue to live a rural lifestyle.

### **Visual Impact:**

- Please note that the visual representation of this project is highly misleading. Multiple houses have been replaced with non-existent trees and greenery. View points in the EIS are labelled incorrectly and do not represent the actual view stated. There will be a significant disruption to the view of 4181 as there is currently only one singular tree on the adjoining boundary line. Images show large dense trees at this spot- it would take years and years for trees to grow to a height that would even begin to block the view. These photoshopped images feel like a deliberate attempt to conceal from the public what the actual impact for the surrounding residents would be. Even with those trees and a 3m fill, the main house on 4181 sits atop the ridge with a high outlook across the property, causing high concerns for the privacy of not only my family but for the tourists themselves.
- Here are some specific areas which will directly impact 4181:
  - A: Pedestrian footpath and two-lane road less than 10m east of my sister in-law's front door
  - B: 112 space carpark, raised to 3m, dominating the landscape in their northern outlook
  - C: Proposal to move the bus stop directly across my in-law's driveway, blocking their

direct access to Nelson Bay road.

D: Elevated pedestrian walkway/boardwalk to the midden, straight across their line of sight from the back verandas

E: Extensive admin buildings, café, gym, pool, reception, lounge, etc. in clear view as the wetlands are filled up to 3m, ruining their view.

### **Noise Impact:**

- Why is it that the buildings will need double glazing to minimise noise for the tourist, yet neither of the properties on 4181 or other surrounding properties are earmarked to have any noise disturbance? What about the trucks bringing in the 40,800m<sup>3</sup> of fill? The constant movement of heavy machinery down the un-named lane (within 10m of bedrooms of my nieces and nephews), or the noise of the piles being driven deep into the ground? The noise of the predicted 660 car movements per day down the lane? The noise of the people in the carpark and amenities floating across the open land and into surrounding properties? The noise of the karts to be used by guests as transport? The increased noise of cars turning in and out of the lane way? The tranquillity of rural living will be replaced with the car engines and the like. Once again this will be disturbing the peaceful wetland ecosystem and no doubt driving away native fauna.
- In the "Appendix S – Noise Impact Assessment" there is no reference to the noise created by pile driving. Therefore it is insufficient in its analysis of the level of noise impact to be potentially experienced by residents adjacent to the site. There is no defined pile depth, which means there is an unquantifiable noise impact. More research and analysis are required before proceeding.

### **Structural Impact:**

- As a result of the upgrade to Nelson Bay Rd, the plaster in my in-law's house at the top of the property was left with cracks. Where is the assessment to measure the likelihood of road upgrade construction and earthworks creating destructive levels of vibration? My sister in-law's house is a relocatable home on brick piers, the earthworks and road upgrade have the likelihood of damaging their foundations and house, and further damage to my parent's.
- Where are the 2016 Douglas Partners Geotechnical reports? This report, referenced multiple times in the EIS, was not made available as part of the public exhibition. Why? If it is not made available, we cannot look at the data to understand their findings.
- ALSO- the plan shows the driveway of 4181 being removed and replaced with a bus stop. There has been no communication regarding this- how can they simply remove a legal driveway without either discussing it or offering a solution? Nor an acknowledgement of the impact it will have on my in-laws?

The DA appears to be in direct conflict with the '**Port Stephens Rural Residential Strategy / Volume 1 - Context and Issues**' (PSRRS), which on p.10 states:

“2.2 Local policy context - Port Stephens Planning Strategy 2011. The PSPS identifies the 'need to ensure that prime agricultural land and important rural landscapes are protected from undesirable development”.

If this policy is to be followed, this large parcel of rural landscape should be protected from any kind of large hotel/tourism development.

P.13 of the PSRRS states, “3.2 Cultural and physical environment Environmentally sensitive land - This is defined by State policy to include coastal lakes and SEPP 14 wetlands that are shown in [Figure 9a]. Other important wetlands are shown in [Figure 7a - below] and development should be avoided in these areas.”

If the area is considered ‘Very High’ for Conservation Assessment, based on the predetermined value of preserving LEP Wetlands and Coastal Wetlands the development clearly should be avoided.

**Social Impact:**

- My kids and my nieces and nephew are regularly found playing in the large backyard. Their play area will now be right next to a large carpark, full of a continual rotation of strangers. There are many safety reasons why this does not sit well with me.
- There has been no community consultation since 2017, which is unacceptable on a project this size with the potential to have the impact it does.
- Sitting out on the veranda and enjoying the rural landscape is a daily occurrence for my in-laws, as well as my nieces and nephew who are home schooled and therefore home more often than not. Each year we as a family plant a large seasonal veggie plot along the boundary line, which is now at risk of flooding, ASS, soil contamination and loss of native flora/ fauna which are important to the success of our crop.

Simply put, the combination of all the above-mentioned issues will eradicate the simplicity and peace of the rural lifestyle myself and my family have been enjoying and desire to continue enjoying. It would be such a shame to see this rural landscape ruined with what is clearly NOT an ‘eco-tourism’ resort. It is not possible for it to be constructed without permanent and significant damage to the local ecosystem, so therefore the land should be left as it is and the DA should be rejected once again.