

A.M. Wright
12 Parkes Lane
Terranora NSW 2486

Department of Planning
Information Centre
23-33 Bridge Street
Sydney NSW 2000

29th March 2011

To whom it may concern

**Re: The development of Altitude Aspire- Project No 090166—Fraser Drive
Terranora N.S.W.**

On the 4th May 2004 and 1st April 2005 I wrote objections to Amendment No 10 Tweed Shire Area Draft Local Environment Plan 2000.

My submissions stated that a major development with small lots of 450 sq. metres would destroy and impact on one of the most beautiful areas of the state. In pursuing this objective there would need to be massive earthworks of cut and fill to the steeper escarpments to raise the lower levels, which have huge flooding and drainage problems. The area below Parkes Lane is a catchment for storm water and is always flooded in heavy rains with the added problems of acid sulphate soils. (See attachment 1 — Photos of flooding)

I also stated that the Tweed Shire Council urgently needed an integrated traffic plan before any further developments took place and that the building of the now proposed Broadwater Parkway would severely impact on the noise levels and destroy the aesthetic values of Trutes Bay, not to mention further degradation by storm water drainage from the new estate.

I concede that this development will take place but I sincerely hope that more consideration will be given to some aspects and of some criterias I and others in the area feel are not being adequately met!!

My objections and concerns to Altitude Aspire in its current form are:

1. The Change in the Environment and Topography
2. Traffic Generating Flows and Road Networks
3. Late development of Broadwater Parkway
4. Provision for Future Sewerage and Storm Water Connections to surrounding homes

1 The Change in the Environment and Topography

DGEAR 2.4

Proposal provides for the establishment of a suitable neighbourhood character for the area

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.

- I believe these criteria are not being met, are out of character and will not enhance the surrounding areas with steep terrains by imposing a densely built environment that fundamentally alters the topography by cutting and filling to allow small allotments on a flat pad that then require retaining walls.
- A 3.0 metre high wall with a 2.4 metre high noise barrier is to be built along Fraser Drive. Two three metre high retaining walls are to be built abounding the southern boundary of Parkes Lane to allow the land to be leveled. These new retaining walls will be above or below the existing surface levels to meet the new levels of the proposed development,(in conflict with Councils Landforming Policy in LEP 2000.)
A visual eyesore, totally destroying the beautiful vista from all areas. The proposed timber fence along Fraser Drive will act as a noise tunnel and restrict the views of not only the existing residents, but passing motorists and the casual pedestrians.
- As a consequence of the existing topography, and the proposed earthworks, it is expected that approximately 18 % of the site will require earthworks greater than 5.0m depth. Centrally the development will require cut and full up to 13.5 m over the natural water course and movement of material across the whole of area E. Some slope sections are greater than 25%. (Ref Bradlees Consulting Cut and fill – Legends section 5 and Slope Analysis 17/11/2010 See attachment 2/3)
- Tweed Shire Council regulations stipulate 1.0 cut with 1.0m (As at 1/03/2011) fill to prevent a development like Bancrana Ave, Banora Point or the collapse of retaining walls as in Bulwarra Place Bilambil Heights. See attached photos 4/5

AND REPORT NEXT PAGE.

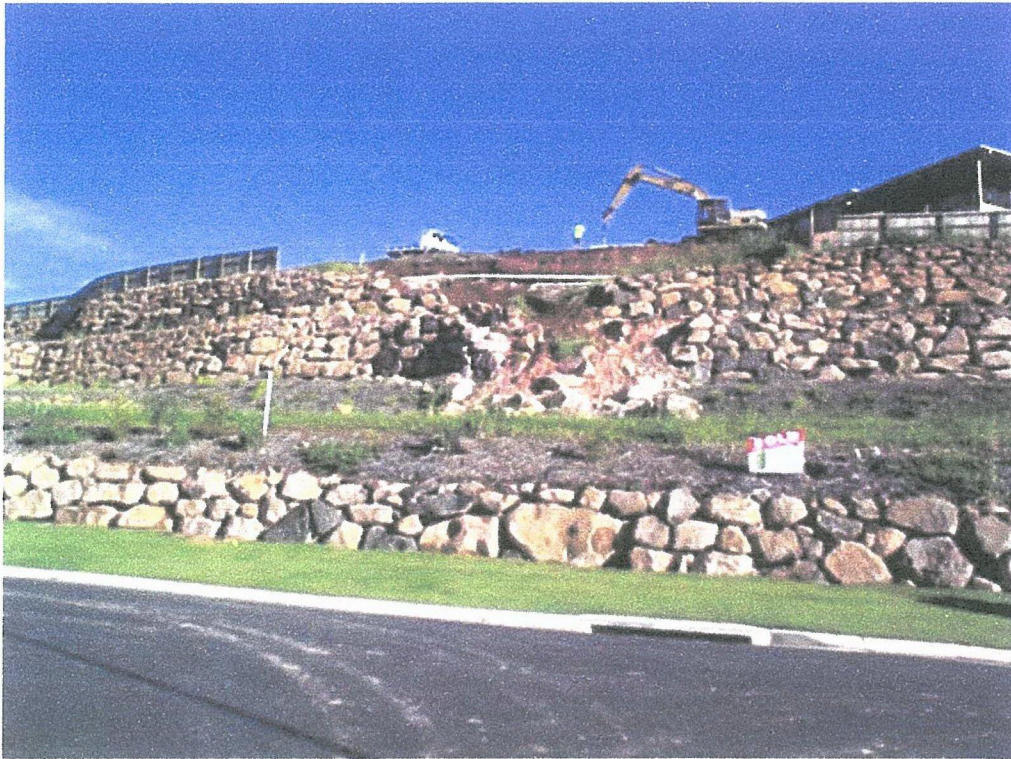


Fig 1. Retaining Wall Failure Bulwarra Place, Bilambil Heights

Whilst the trend to produce terraced subdivision landforms responded to the economies of the building industry, by 2002 there were a number of issues causing concern:-

- Invasive earthworks with high cut and fill increases the risk of geotechnical (landslip) failure. Whilst the probability of failure may be low when appropriate geotechnical investigation and engineering design are carried out, failures nevertheless can still occur and the consequences may be serious. Landslip in occupied areas could result in damage to property, structures, injury and loss of life.
- There was a significant retaining wall failure in a recent subdivision (Bulwarra Place).
- Long term stability of high retaining walls and cuttings is often dependent on effective drainage systems. Drain maintenance and repair are difficult to guarantee in subdivisions, particularly where multiple ownership interallotment drainage systems are used.
- High cuts and fills and retaining walls can be visually unsightly.
- Urban design principles suggest that building form should preferably adapt to the environment rather than changing the environment (ie the landform) to suit a preferred building technique. In sites with significant gradients, it seems preferable to restrict the permissible amount of cut and fill earthworks, thus requiring builders to use alternate flooring systems to slab on ground.

In response to these concerns, in June 2002 Council adopted Development Design Specification D6 – Site Regrading as an interim policy for subdivision site earthworks, retaining walls and geotechnical risk assessment.

- Extensive networks of low to medium retaining walls of 1.2 – 1.8m throughout the subdivision is proposed (TSC stipulation 1.0 – 1.2m as at the 11/03/2010)
- Terranora is well known for its rocky and unstable topography! Why are excessive heights and earthworks being required by Newlands (Metricon) against Council regulations and development criteria and the past reports? (Ex Administrator Lucy Turnbull. TSC Addendum 6 Jul 2005.)
- Why does Newlands (and the State Dept. of Planning) require a high density built environment in areas totally unsuited to this type of development and which will alter forever the landscape, topography and aesthetic values, for which they are currently using to sell their development?
- Small allotments with excessive site coverage that do not allow for trees, gardens, breezes etc become environmentally unfriendly! ie require air conditioners and clothes dryers etc.
- What buffers are proposed to existing areas? Altitude Aspire's answer in its publication to the most asked questions were "Relatively large lots abut Parkes Lane which achieves buffering. Public reserves and roads provide buffers to the remaining perimeter of Altitude Aspire with the exception of two lots on which houses are well clear of the common boundaries. Environmental areas will be protected by appropriate buffers"
- DCP No 16 page 4 - 4.2.1 States "There are to be green space buffers between urban localities to contain urban sprawl and maintain identities of localities." Where are the proposed buffers surrounding Altitude Aspire?
- Are they the 3m retaining walls, above or below ground? I see no public reserves abutting Parkes Lane. However there will be 2x3m (total 6m) walls on the southern boundary plus a 1.5m retaining wall to the sub division road 2 (total 7.5m) and two narrow allotments abutting my home .How can roads and these walls be called buffers??? (See Attachment No.6&7 SK2759 Bradlees Building Pad Layouts sheet 2of3)
- Previously the Planning Minister Craig Knowles refused to adopt a plan for area E for 240 lots averaging 800sq. m because of the steepness and instability of the site and the fact that they would require extensive cut and fill operations. Not the desired best practice! Density now increased to 317 lots!! (See Attachment No 8 Newspaper Clipping.)

2. Traffic Generating Flows and Road Networks

My objections and concerns to the road networks and traffic flows are

Safety

- The proposed development of Altitude Aspire encompasses Fraser Drive, Parkes Lane, Market Parade and the future Broadwater Parkway. A temporary access will be to the estate from Fraser Drive.
- Parkes Lane and Market Parade are lanes, but are gazetted as access streets and serve approximately 150 residents.
- They are quiet, dead ended, with several very dangerous bends which are totally blind! (five in total) Several of these have easements to service multiple lots. Others have steep driveways, some with poor visibility. (DCPxx p34 States a maximum of 3 turns on Local roads is the maximum!)
- There are no footpaths which cause residents to walk on the roads and riding bicycles very dangerous.
- Children wait and play on the road edges waiting for school buses to pick them up and discharge them at different locations, as there are no designated bus stops. (It is a lane!)
- The road is designated as 50 kms/hr but should be 40kms/hr due to poor visibility of some houses and stupidity of some drivers and are very likely to be used as Rat Runs, with future traffic flows.

Traffic Flows & Networks

- At present there are approximately 500 traffic movements per day from Market Parade and Parkes Lane to Fraser Drive.
- This will increase particularly during the initial phase 1—5 development, even though the temporary entrance and construction site is off Fraser Drive. Altitude Aspire Transport Assessment report (Bitzios p8 & DGEAR 5.8) states “traffic from the development will be able to access both Parkes Lane and Market Parade.”

DGEAR 5.9

- The proposed development expects to generate 145 peak hour trips for phase 1 prior to the construction of the Broadway Parkway and 264 peak hour trips for the full development.

- In the second phase 7—11 construction vehicles and others are sure to use Parkes Lane as it is a direct route to the site rather than using the temporary site access. This will cause extra traffic, large vehicles, noise and rat runs!,
- Has Altitude Aspire taken into consideration all this traffic and the cumulative effect on Parkes Lane, Market Parade and Fraser Drive, particularly in the event of the late development of the Broadway Parkway.
(It's not their problem)

4. Late development of Broadway Parkway

- Tweed Shire Council's requirement is that all access be provided via the Broadwater Parkway (Bradlees Civil Consulting Report p6).
- Has consideration been given to its postponement by Altitude Aspire except for stating all intersections will perform to capacity to the year 2025. (DGEAR 5.9)?
(Not their problem!)
- As Tweed Shire Council has not yet finalized planning and timing for the Parkway, will further development be allowed ie phase 2 of Altitude Aspire without its completion, as it is scheduled to coincide with the construction and opening of the Broadwater Parkway ??
- Metricon (Newlands) stated at a community meeting(26.2 20011, Nicholson and Anderson) "phase 2 will go ahead regardless and it is expected to be constructed by year 2016 ready for release"(contrary to their application.)
- Will other developments be allowed further west of Altitude Aspire in area E after 2015 to connect with the extension from Stage 10, Road 12?
- Will the temporary access from Fraser Drive be closed upon completion of phases 1—11 of Altitude Aspire necessitating all traffic to use Parkes Lane? Newlands state "that is not our concern it is councils."
- If the above points are allowed to occur Parkes Lane will never cope with the extra traffic volumes expected and road safety will be a major issue!!
- A reference (p199 of the Tweed Shire Council Planning report 16th Nov 2005) relates to "The potential impacts to the existing 1C zone and Parkes Lane. (See attachment C, draft DCP), provides for controls that restrict the movement of vehicles from Area E through to Parkes Lane. This provision should maintain the traffic concerns and amenity of residents of Parkes Lane"!.

3. Provision of Future Sewerage and Storm Water Drainage

My concerns here are

DGR 4.1 (pages 4 and 5)

- As Residents of Parkes Lane on the southern boundary of Altitude Aspire we are concerned about the provision of storm water and sewerage connections. We had believed there was an easement that allowed for this connection abutting properties Lots 1—5, but it does not now appear so.
- There are about 145 homes in Parkes Lane, Market Parade and Trutes Parade that will be affected
- We feel if there is no provision made before the subdivision completion, either in the form of an easement or for pipes to be laid for the future; it will be too late or too expensive for any future connection.
- Engineering plans SK2743 and SK2741 clearly show that there is no provision for the future connection of stormwater and sewerage for Parkes Lane, an Environmental and Public Safety Concern.
- Newlands (Mettricon) (Nicholson and Anderson) were approached at its meeting 26.2.2011 but insisted “it is not their problem, it is the councils. There will be no internal connection in the development”. However DCP XX 1/2005 page37 states “the sewerage system in the study area is to be designed and sized to account for future sewerage from upstream unsewered areas eg residential development in the vicinity of Parkes Lane”
- Will future sewerage connection pipes or easements be put in place in this development?
- There is no mention of sewerage connection to existing homes, but there is mention that storm water treatment and management systems are to be implemented. Up stream catchments external to Altitude Aspire are to be conveyed through the site (via the central Open Drain) with out the need to pass through the treatment basin.(Bradlees Civil Consulting Report Revised Prelim. Nov 2010.) However not so according to SK2743 and SK2741 Engineering Plans.

Summary

- As already stated, I am not against future development, but I am against this type of development that is proposed by Newlands in this very scenic area with steep topography. It does not suit a densely built environment with massive cut and fill and retaining walls up to 7.5m that are invasive, unsightly and create risks of landslip. They totally alter the land form to create building pads that suit and target only Project Homes.
- This development must not go ahead without planned and necessary infrastructure in place. (ie connection to the Broadwater Parkway and with sewerage and stormwater provisions to adjoining properties).
- It is imperative that sewerage provision (pipes or easement) be in place, regardless of Newlands position!
- I believe Altitude Aspire should have its own permanent access road, (not temporary) as well as the future proposed connection to the Broadwater Parkway.. It must not rely on the established road networks, as I have demonstrated. With extra traffic loadings it will destroy the lovely quite and safe area of Parkes Lane and Market Parade and create safety as a major issue!
- I believe that controls must be in place to restrict Parkes Lane from the movement of vehicles from all areas of Area E development, including Altitude Aspire, as was previously planned by council.
- I believe there must be a complete, integrated and planned development for the whole of Area E. As there are many landholders involved, planned infrastructure must be in place before commencement of each section as required for future population trends.
- I believe there must be buffer zones (vegetation or space) surrounding existing communities, (not roads or rock walls 3m to 7.5m high) and that communities should be able to maintain their own identities and characteristics, for future generations.
- I understand that changes are inevitable with an ever increasing population, and that development will have an impact on traffic patterns and localities. However, I do believe they must be managed with care and consideration for neighbouring communities.

* (6m + 1.5m) →
PAGE 3

- Flat dense areas will be needed, but let site gradings be sensitive to the existing landforms and topography of both the subdivision and the neighbouring areas, so that the surrounding landscapes will be preserved to the greatest possible extent for the future generations. No massive cut and fill to be supported by retaining walls!
- The subdivision must be designed to fit the topography, rather than altering the topography to fit the subdivision.
- Why did Newlands misinform the residents about the boundary heights, the depth of fill, buffers and site gradings in their published Frequently asked Questions pamphlet?? Are they to be believed?
I am sure if one had the time and the expertise there may be other things!
- Why does planning for country areas have to be submitted to State Authorities who have no connections to the areas, and who's ruling can still be over ridden by a State Minister. (Part 3A). Why are they able to null and void Council Regulations to appease Developers?
- I believe the development of Altitude Aspire and Area E must be postponed until planning and timing of the Broadway Parkway is finalized and other uncertainties associated with this development are remedied.

A Wright 29/3/2011

Anne M Wright

12 Parkes Lane

Terranora NSW 2486

Email anneww@bigpond.net.au

29th March 2011

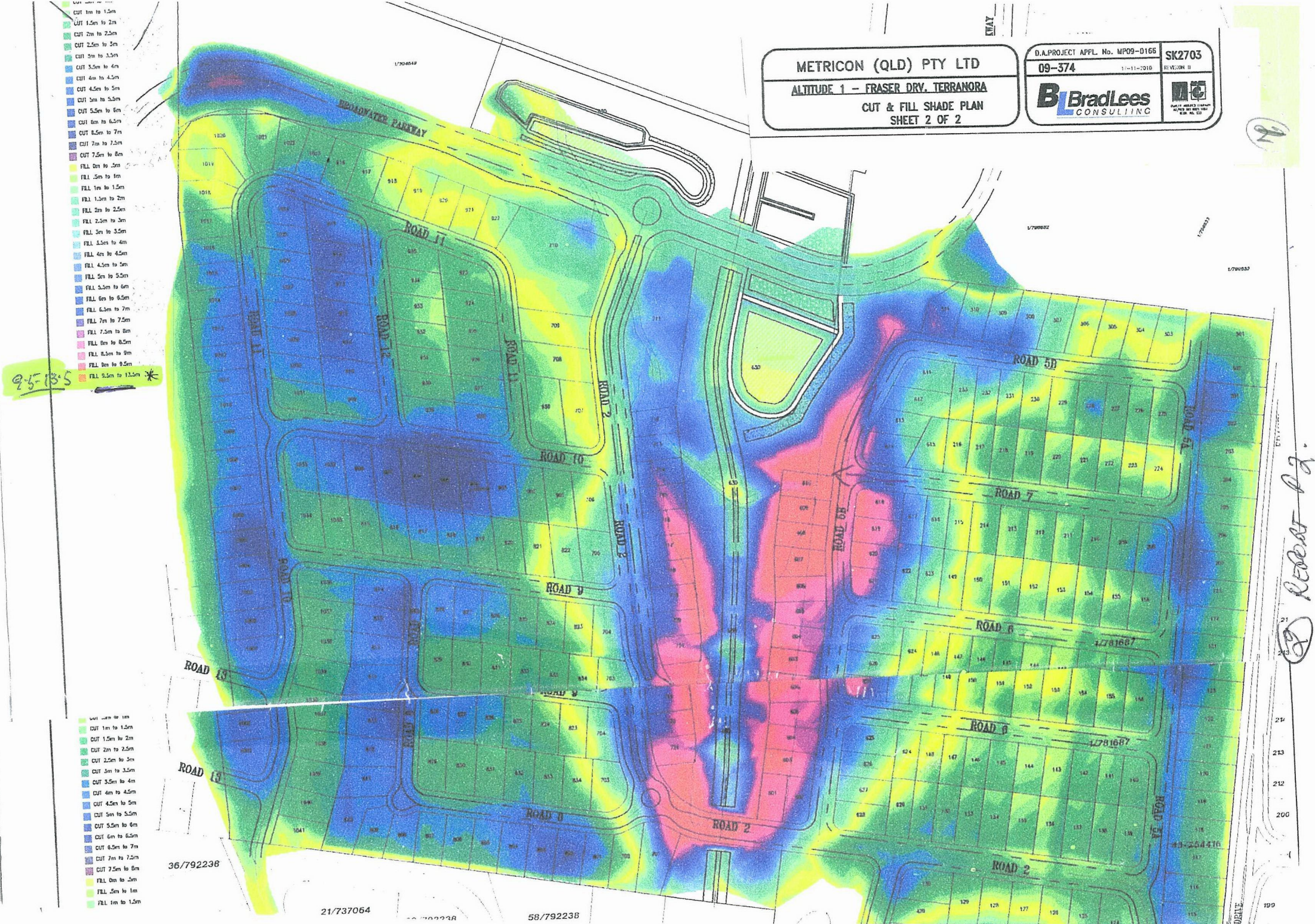
① REPORT P. 1

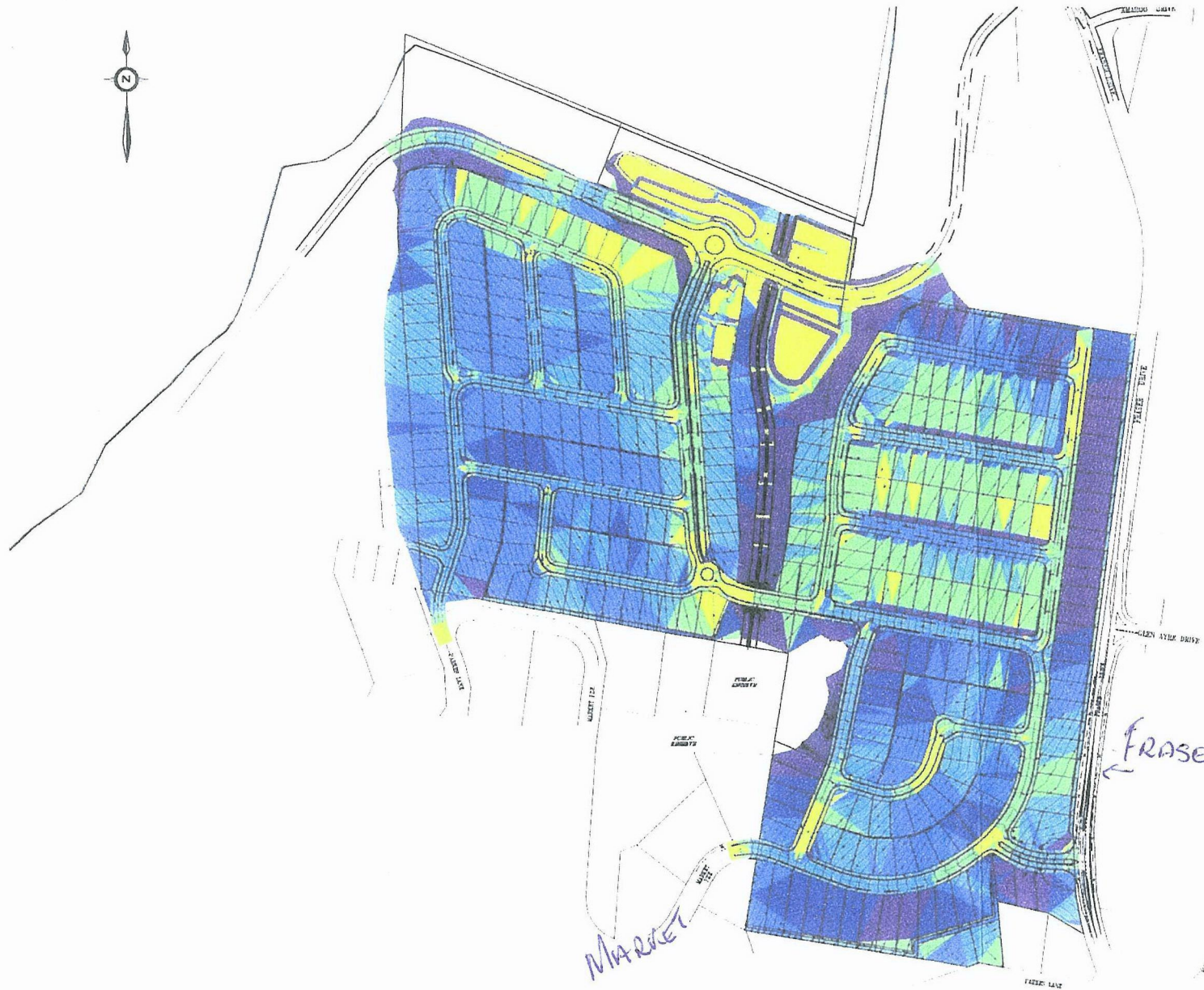


AREA - ANTITUDE ASPIRE
FLOODING TAKEN FROM
PARKES LAKE

FEBRUARY 2008.







SLOPE ANALYSIS LEGEND

0-5	0% TO 5%
5-10	5% TO 10%
10-15	10% TO 15%
15-20	15% TO 20%
20-25	20% TO 25%
GREATER THAN 25%	GREATER THAN 25%

GREATER THAN

25%

0 20 40 60 80 100m
1:2000 (FULL SIZE)

METRICON (QLD) PTY LTD

ALTITUDE 1 - FRASER DRV. TERRANORA

SLOPE ANALYSIS

D.A. PROJECT APPL. No. MP09-0166
09-374

02-12-2010

SK2711

REVISION C

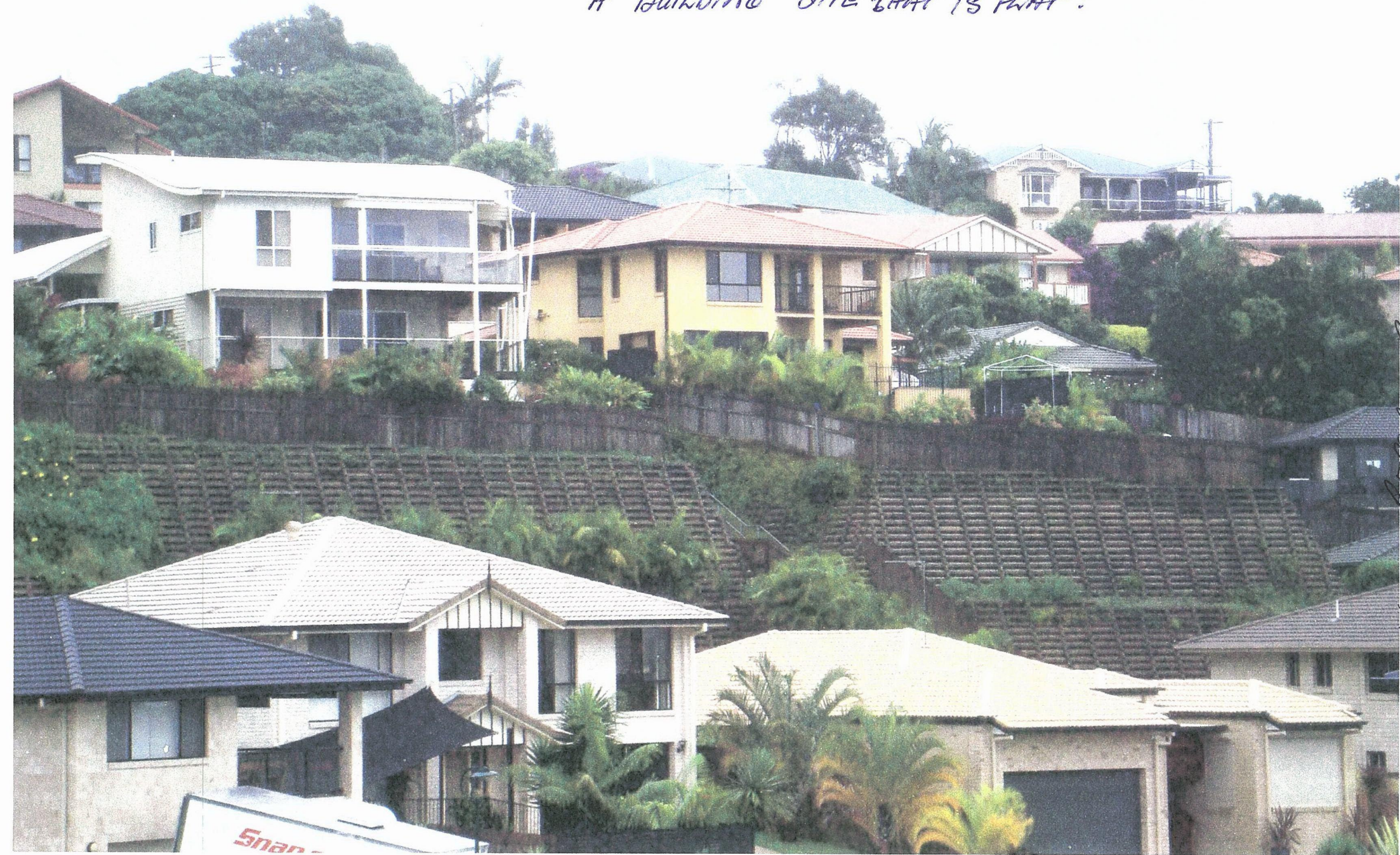
Brad Lees
CONSULTING



REPORT 02

3

NO 4 REPORT P 2 BUNERAWA AVE.
BANORA POINT
TOTALLY INAPPROPRIATE IN
STEEP LANDFORM TO ACHIEVE
A BUILDING SITE THAT IS FLAT!



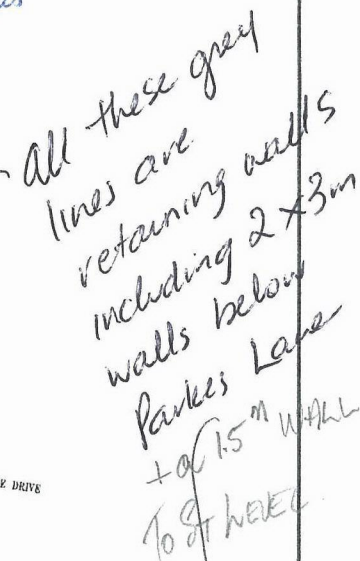
NO 4 REPORT P 3.

BUNCRANA AVE
BANDORA POINT.

5 DECAT P 2 BUNCRANA 5

5





no 6

Report
P 3

DESIGN CONTOUR
RETAINING WALL

- RETAINING WALL

09-374

1/-11-2011

SK2712

FIFTEEN. H



QUALITY MEDICAL
INSTRUMENTS

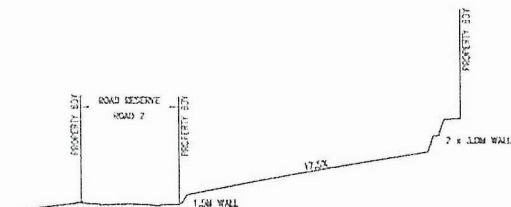
ALTITUDE 1 - FRASER DRV. TERRANORA

PRELIMINARY RETAINING WALL PLAN

NTS

REPORT 03





SECTION 3
SCALE 1:500

NO 7

REPORT
P. 3

1:500 (FULL SIZE)

METRICON (QLD) PTY LTD

ALTITUDE 1 - FRASER DRV. TERRANORA
BUILDING PAD LAYOUT & SECTIONS.
Sheet 2 of 3

D.A. PROJECT APPL. No. MP09-0165
09-374

SK2759

B BradLees
CONSULTING

MC
CIVIL & STRUCTURAL
ENGINEERING

Housing plan knocked back

THE NSW Government has knocked back a plan for a 240-lot residential subdivision in Tweed Heads, and a roads authority objection could see the Government also refuse rezoning of another large parcel of land earmarked for a large urban development.

Infrastructure and Planning Minister Craig Knowles last week refused to adopt a proposed draft master plan for the Fraser Drive subdivision by local company Greenview Developments.

And the NSW Roads and Traffic Authority (RTA) has not wavered in its objection to the proposed rezoning of a second parcel of land, known as Area E under the Tweed Shire Development Control Plan, which stretches from Fraser Drive in Tweed Heads South to Mahers Lane.

Any application by the council to rezone the land must go to Mr Knowles for approval.

Area E, currently zoned for agricultural use, is one of the last remaining major pieces of land in the shire for possible residential use.

It is earmarked for lots averaging 800sqm to house about 3500 people.

Tweed Shire councillors considered a detailed report about traffic and other issues related to rezoning of Area E at a workshop last night.

The council is expected to decide at its meeting next week to proceed with an application to the Minister for rezoning.

Stunned Greenview Developments consultants first learned about the minister's refusal when they were contacted by the media late last week.

Mr Knowles refused the draft master plan because of steepness and instability of some areas on the site, the effect on threatened flora and fauna, and an increase in heavy traffic during construction.

He said extensive cut-and-fill operations to provide level building platforms were not con-

By COLLEEN DAVIS

sidered best practice and would have resulted in three to six-metre retaining walls.

The cut-and-fill would also have been significant environmental and residential impacts, and there were insufficient buffers to areas containing a range of threatened and endangered species of plants and wildlife.

Greenview Developments' consulting engineer Martin Findlater said the minister's decision had come out of the blue after two years of negotiations with DIPNR and considerable expense.

"This is a lose-lose situation," he said.

He said development on steep sites was commonplace in the Tweed area.

His clients had already spent hundreds of thousands of dollars, including large sums addressing stability issues.

"I don't think they've come to terms with the decision yet," he said.

Mr Findlater said Greenview had successfully developed other areas in the Tweed on similarly steep terrain.

At last night's briefing about Area E, councillors discussed a report on the progress of a draft Local Environment Plan amendment to rezone the land.

The council's traffic transport engineers maintain the proposed subdivision would not make any difference to upgrades needed for the Pacific Highway and its interchanges between Barney's Point bridge and the Queensland border.

Although the RTA concedes that traffic from a subdivision in Area E would have only a minor impact on the total road network, it is worried about implications for future operation and management of the Pacific Highway.

Report
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NCE