

Area E Urban Release Development Code – *Tweed
Development Control Plan – Section B24*

Public Exhibition July – August 2011

Review of Public Submissions

DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE - SUBMISSION REVIEW - VIEWS

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Views	General	41	Critical to preserve the significant ridge lines and the views as recommended in the draft DCP and the location of the secondary reservoir will impact on these views.	<p>In keeping with the findings of the Tweed Scenic Landscape Evaluation Study, the draft Code places significant emphasis on the landscape and visual character of Area E. Design Principles 1 and 2 provide specific guidance on how key existing site attributes, including</p> <ul style="list-style-type: none"> • Strong visual connection with the Terranora Broadwater, Border Ranges and undulating vegetated hinterland; • The visual connection of the site with other surrounding urban settlements including parts of Banora Point to the east and Bilambil to the west; • Rural/Agricultural land use prominence, providing tree lined accesses, windbreaks, older farm houses and other agriculturally based built forms; • The dominance of two clear ridge lines; • Ridgelines separated by two steep, deep vegetated valleys; • Small watercourses running through each of the valleys; • Vegetated hillside within the central precinct; • Sporadic pockets of vegetation on slopes; • Visual prominence from numerous private and public vantage points; • The area is presently defined by a collection of residential precincts within a vegetated undulating hinterland setting. <p>The Code also provides controls for how these features are to be retained in a contemporary, or future form.</p> <p>The Code is considered to achieve an appropriate balance between achieving the development yield and mix established within higher order planning policies, such as the NSW Far North Coast Regional Strategy, whilst retaining significant tracts of vegetation and future wildlife</p>	Amend the Code as detailed.
		57	Orderly and economic use of the scenic resources, eg scenic tourism is a great desire of the community, expressed in the 2005 DCP. Dense development should be prohibited and a dense vegetated full canopy should be achieved rather than a 'sea of roofs'.		
		67	<p>Development Control No. 5, View and Scenic Protection, Page 85, Dot Point 5 In summary, Development Control 5 requires any proposal to identify remnant vegetation across the site including existing paddock windbreaks and seek to retain or interpret these important elements of the site's visual character, etc.</p> <p>This is an onerous and unreasonable provision given the relatively steep terrain over most of Area E and particularly in Precinct C and the need to carry out significant landforming to achieve compliant road gradients, allotments which are capable of being built on at reasonable cost and the need to provide affordable housing in a variety of landforms.</p> <p>It is requested that Development Control No. 5 be deleted.</p>		
		54, 56, 58, 66	<p>The proposed code is considered to exacerbate the communities concerns for overdevelopment, not to preserve the existing character, nor be in line with the desired future character. Dense development should be prohibited and a densely vegetated full canopy cover should be achieved. Setbacks have been reduced, limited the ability for tree plantings, these should be offset by wider footpath areas with a closed canopy coverage of 70%.</p> <p>Dense greenbelts should be provided between precincts and following all waterways to the perimeter of the site to break-up the development and reduce concreting over waterways at their source.</p>		

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		6	Reference should be made to the FNCRS's proper consideration, improved management of areas of high biodiversity and scenic amenity and limit development in places constrained by landscapes of high scenic, cultural and conservation value', as well as the 'Tweed Shire Scenic Landscape Evaluation 1995'	<p>corridors.</p> <p>Whilst residential development is dense within key locations, these 'pockets' assist in enabling the retention of key environmental land and green corridors from development. These tracts provide important breaks from urban development and allow the retention of important visual characteristics the site possesses.</p> <p>The Code has been amended post public exhibition to detail the landscape and visual character of Area E in a more concise manner, to increase the amount of local landscape species from 70% to 80% and the better define the retention and embellishment of wildlife corridors, particularly along existing drainage lines.</p> <p>The ongoing use of the sites natural systems, coupled with a controlled urban footprint enables a high visual quality to be created within an identified urban release area.</p>	
	Terranora Road and Fraser Drive	63	Good attribute of the plan is protecting scenic views. Whilst the Code states some of the some of the best views are from the highest points along Terranorra Road there is no mention of views from Fraser Drive. Have seen an obscene proposal from Newland with a 2.4m acoustic wall that would totally obliterate views. Would like the Code to be amended to "any proposal must not obstruct view lines from Terranora Road <i>and Fraser Drive</i> of the Terranorra Broadwater <i>and Boarder Ranges</i> as detailed in Fig 3.21'	<p>Many of the matters raised are concurred. The Code as publically exhibited sought to maintain views from public vantage points along Terranora Road and Fraser Drive. As identified within the submissions, the use of maximum roof heights based off existing surveyed plans provides greater certainty and ability to retain these key view corridors.</p> <p>In light of the above it is proposed to include maximum building height controls within the Code to ensure appropriate overlooking opportunities are maintained from key vantage points to the Terranora Broadwater and beyond.</p> <p>Further, the Code is to be amended to give additional guidance as to the desired treatment of the Fraser Drive interface, discouraging sound walls/acoustic barriers and providing a high quality landscape treatment.</p> <p>Maximum tree canopy heights have not been included within the Code as vegetated ridgelines form a key visual characteristic of the site. To prescribe a limit to vegetation height would comprise this key characteristic and be difficult to mandate/administer over time.</p>	Amend the Code as detailed.
		6	An additional control to retain Terranora Road as one of the nine adopted National Landscape (Australia's Green Cauldron) scenic routes (as suggested by Tourism Australia) should be added		
		6	Limit vegetation height adjoining Terranora Road so viewlines are not obstructed. Roof lines should sit below Terranora Road.		
		30	Object to any sound barriers and development within at least 20m along Fraser Drive		
		53	Houses adjoining Fraser Drive should be below eye height from the road to preserve views. This and Terranora recommendations must have teeth.		
		39	Acoustic barrier to Fraser Dr is out of the question as it will cause visual pollution and impact on views experienced by residents and visitors.		

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		22	Ideally a control should be included to limit the height of roofs along the north western side of Terranora Rd and the eastern side of Mahers Lane to below the escarpment and ridge to maintain consistency and keep the panoramic view of Terranora Broadwater and Tweed Heads CBD. This should also relate to vegetation.		
	Lookouts	6	Identify possible lookout vantages for view sharing should be explored for public space/reserves/pocket parks	The Code contains provisions to identify and explore possible lookout vantages, primarily within public open space. Open space areas have been retained on elevated land to ensure public access to views and vistas. The size of open space areas is to be in accordance with Council's Tweed DCP - Section A5 requirements and the ultimate provision of facilities within those parks to be determined by Council's Recreation Services Unit.	No amendment recommended.
		53	Lookouts should be pursued on the high knoll of Mahers Lane and Terranora Road, north of Sunnycrest Drive intersection, along with 12 small destination parks scattered throughout all elevated areas.		
	Miscellaneous	22	The development code should also apply to the northern side of Terranora Rd adjoining Area E as fig 3.21 (Views and Scenic Protections) shows view lines across these allotments. This must be addressed to ensure the intent of the code so views of the Broadwater are retained.	The Code does not apply to the properties referred as they are not zoned for urban expansion or within the Area E urban release area. Any development on the referred parcels will be assessed on it's merits and will include assessment against the Tweed Scenic Lands Evaluation Study.	No amendment recommended.

Draft Area E Urban Release Development Code – Submission Review

- Stormwater & Environment

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Stormwater	Stormwater pipe	24	Notifying there is a 50mm stormwater pipe, approximately 10m short of their southern property boundary that discharges through their land (69 Mahers Ln). This has created an unnatural water course and caused massive erosion thereby changing the contours of the land. The pipe starts at the head of the easement and could have followed the sewerage pipe but it only runs for about 40m then opens out onto the ground.	The objection raised is not a specific matter for consideration within the scope of the Code. As this matter appears to be a compliance issue, the submission has been forwarded to the relevant officers for separate consideration.	No further action or amendment required.
	General stormwater and water quality impacts	31	<p>Make all future earthworks and development subject to the reviewed version of Tweed Shire Council's Stormwater Quality Management Plan.</p> <p>Approve a 'whole Stormwater Drainage Masterplan' before approving individual stormwater drainage plans. TSC should adopt the recommendations from the International Water Centre 2009 EHMP Health Report.</p> <p>TSC has pursued a minimalist policy to The Water Sensitive Cities project when finalizing new major residential and commercial areas.</p> <p>Opportunities for dual reticulated reclaimed water from the nearby Banora Point wastewater treatment plant.</p>	<p>Earthworks within the Area E Urban Release Area are subject to the stormwater quality standards and requirements as adopted by Council at that time. Accordingly, Council's Development Design Specification D7 – Stormwater Quality will be applied as a minimum requirement on all subdivision and individual development within the release area. Design Specification D7 – Stormwater Quality is considered best practice water sensitive urban design.</p> <p>It is not practical or feasible to prevent all runoff and all pollutant loads; however water quality and quantity controls will be mandated on developments.</p> <p>A 'whole stormwater drainage masterplan' is acknowledged as the ideal approach but may not be practical given fragmented ownership. Each development is responsible for treating, retaining and conveying internal stormwater and allowing passage for external catchments, in accordance with adopted Tweed Shire Council requirements.</p>	No further action or amendment required.
		5, 17, 20, 23, 40, 57, 59	Concerned about impacts on water quality and the Broadwater and wetlands		
		57	<p>Terranora Cobaki Broadwater Ecosystem health monitoring report has recently been rated at D+. In 2001 this rating was C. Key messages from the report are that a concerted effort needs to be undertaken by Government and community to prevent these waterways being terminally ill. Need to prevent runoff from all new urban development.</p> <p>The main Tweed sewerage outlet releases into Terranora Broadwater and failing of the Broadwater would have long term environmental impacts and impact on adjacent residents. Need risk analysis and management plan for water quality and WSUD should be adopted eliminating all pollution load.</p>	<p>Council has considered whether dual reticulation should be adopted in the Integrate Water Cycle Management and Demand Management Strategy previously adopted. A number of options were assessed using economic, social and environmental considerations. The preferred and adopted option of Council is to have household provide a 5000 litre rainwater tank connected to a minimum of 160 square metres of roof and plumbed to supply laundry cold water, toilet flushing and outdoor uses.</p> <p>Large areas of mangrove forest are protected with the SEPP 14 Coastal Wetland. The urban release area does not extend into this area and hence these large areas of mangroves will not be directly affected by future development.</p>	
		57 31	Dual reticulation should be incorporated not just to reduce waste but also to reduce the likelihood for the need to build a dam. Healthy water supply is critical to sustainability of mankind in the future.		
		61	Dual reticulation needs to be costed fully. \$38 million for the proposed 5 greenfield developments is hardly cost prohibitive and cheaper than a dam on Byrill Creek.		
		17	Proposal will destroy the mangroves and thus the breeding ground for fish	A risk analysis and management plan is beyond the scope of the DCP, however is open to Council to undertake should it be desired.	

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		19	Will inspection be carried out to ensure no leaching of pesticides, fertilizers, herbicides (leeching) into Terranora Broadwater?		
		20	Concern that the Broadwater is fast becoming a remnant of what it was.		
		(2)27	The steepness of the site, significance of the lowland rainforest and wetlands and proximity and fragility of Trutes Bay and the estuary means that stormwater treatment is essential to ameliorate the downstream pollution, siltation, environmental degradation. Are the treatments adequate and will the waterways be affected. The most stringent requirements possible for water quality and water sensitive urban design should be adopted to assist in eliminating all pollution loads from the site.		
		54, 56, 58, 66	A risk analysis and management plan for the failing of the Broadwater should be included to determine what actions would be required if the Broadwater fails.		
	Stormwater Specific	51	The method of dealing with both stormwater quantity and quality is unclear.	The LES envisaged a centralised stormwater treatment and retention system. Based on more detailed investigations during the DCP preparation it was not considered practical to maintain this approach for a number of reasons:	No further action or amendment required.
		51	We would like to clarify Councils position in relation to stormwater treatment both in terms of stormwater quality and quantity. In addition, it will be important to be provided with Councils current position in relation to rehabilitation and discharge into the adjacent wetland that is currently held in private ownership.	<ul style="list-style-type: none"> - Topographic constraints would result in such facilities needing to be situated on the lower portions of the site, - The equity and distribution of such infrastructure across landowners - The scarcity of flat land to provide for structured open space, community facilities, village centre activities - The presence of SEPP14 and Environmental Protection areas further limiting the area available for their construction. 	
		67	In summary the DCP requires each Development Application to be accompanied by an Stormwater Management Plan and Erosion and Sedimentation Control Plan. This requirement is inconsistent with the Stormwater Strategy contemplated by the Area E Local Environmental Study (i.e. holistic catchment based approach including water quality control measures) as provided for in the Landowners Draft Development Control Plan. This approach provides for a more equitable distribution of costs particularly as catchment boundaries do not follow precinct boundaries.	An alternate approach where individual developers provide their own facilities to treat their own generated runoff is advocated, which reflects the fragmented ownership of the land release area, and the complexity of the topography and contributing catchments.	
		53	The Draft Code does not appear to have retained the robust stormwater treatment system required by the LES.	The methods of stormwater management will be determined by individual developers, in accordance with Council specifications. Details would be provided with individual applications. Stormwater quality controls are required to meet the standards specified in Development Design Specification D7 – Stormwater Quality. Stormwater Quantity will be managed in accordance with DCP-A5 Subdivision Manual. In doing so, potential impacts on the receiving wetlands and Broadwater shall be mitigated. The DCP intends for discharge rights to be formalised over the privately owned land parcel, however this parcel is	

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				<p>intended to remain in private ownership.</p> <p>Due to the complexity of the site and its various land uses and topography, it is not feasible at this stage to predict an overall engineering strategy for stormwater management for Area E. This requires detailed investigations, which are best done at the development level of detail in conjunction with future applications.</p>	
	Wetlands	19	Is there assurance that no infrastructure will encroach upon the Broadwater at any stage, nor fill required for ingress?	<p>The Code does not advocate for the use of land within the Terranora Broadwater/Trutes Bay for infrastructure, or development purposes. An application for such would need to comply the Tweed Local Environmental Plan 2000, as well as other applicable planning legislation, i.e. State Environmental Planning Policy No. 14 – Coastal Wetlands.</p> <p>The Code is considered to contain adequate measures to ensure that the future development of Area E has appropriate regard for its surrounding environment.</p> <p>Large areas of mangrove forest are protected with the SEPP 14 Coastal Wetland. The urban release area does not extend into this area and hence these large areas of mangroves will not be directly affected by the urban release area.</p> <p>Any future development will be subject to standard inspection practices as required throughout the construction process.</p>	No amendment to the Code recommended
		40	Suggests preservation of wetlands – excluding use as a thoroughfare		
		62	Totally opposed to the development. Trutes Bay is silting up and the mouth is nearly closed with little water at low tide. Environmental degradation has worsened since the development of Flame Tree Park. What will happen to this lovely scenic site with the over development of the Fraser Drive Precinct?		
		17	Proposal will destroy the mangroves and thus the breeding ground for fish		
		19	Will inspection be carried out to ensure no leaching of pesticides, fertilizers, herbicides (leeching) into Terranora Broadwater?		

DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
SOCIAL

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Social	Slums/ghettos	17	Strongly objects to the very disgusting idea of the proposal. Other cities tear down their slums, Council proposes to build a new shanty town stuffed to the “brim with dog boxes”. There is less room for people than rabbits in their warrens. Development will be a scourge to the area, a scab to the lovely garden like town. Once build will be a “skid row hovel”.	<p>The Code provides a planning framework to enable the urban development of Area E, in accordance with the vision, objectives and provisions of the NSW Far North Coast Strategy 2006, Tweed Future 4/24 and the Tweed Urban Release Strategy.</p> <p>The Aims of the Code seek to provide high quality residential and village development that reflects the characteristics of the site and its surrounds.</p> <p>The Code also makes provision for significant social infrastructure.</p>	No amendment recommended
		17	Development impinges on everyone in the Tweed. Garden town has a lifestyle and if built this will devalue property values to the whole surrounding area.		
		17	Questions the saneness of the Council and planners for conceding to this nauseating and completely unacceptable proposal.		
		59	Concerned accommodating so many people in the area and the social unrest with people living on top of one another in an area which was once farmland.		
		40	Concern that density will give rise to social problems.		
Lifestyle / amenity		18	Majority of residents in Parkes Lane, Market Parade, Trutes Terrace bought there at considerable cost and to escape the urban spread.	<p>Area E was originally identified for potential urban release within the Tweed Residential Development Strategy 1991. In addition, Tweed Futures 04/24 identified Area E along with Cobaki, Kings Forest and Bilambil as the main release areas to meet the growth in the Tweed over 20 years. As such a Local Environmental Study was prepared for Area E in 2004, concluding that the site was suitable for urban purposes and identified a target of 1793 dwellings.</p> <p>As publically exhibited, the Code contained a target of 1799 dwellings, 6 more than the LES forecast. Post-exhibition the Code seeks to provide 1590 dwellings, 200 dwellings less than the LES forecast.</p> <p>Accordingly, the Code seeks a less intensive development form than previously envisaged. The Code also contains a suite of design principles to create a mixture of uses, dwelling types and sizes, open space opportunities and key social infrastructure.</p> <p>The code acknowledges Area E’s position within surrounding residential fabric and seeks to positively integrate through the use of transitional lots, landscape corridors and visual character controls.</p> <p>Whilst an impact on adjoining lands is inevitable the Code seeks to integrate the development with the surrounding community, retain vegetation and habitat corridors and provide open space and community facilities for the use of</p>	Amend the Code as discussed.
		20 36	Purchased in the semi-rural area and while Area E was to be developed they were assured that it would be in keeping with the extremely sensitive environment that exists already.		
		64	Parkes Lane has a rural, natural character with a minimum of at least half an acre lots sizes. The development will destroy the lifestyle and character of the area with noise and pollution. Would like the natural beauty retained rather than filling every bit of land with houses. If houses are a must please take into consideration the character and lot sizes of Parkes Lane and continue to keep this ratio and character.		
		19, 33 46 49 52 60 62	Object as the proposal seems to be what is best for developers interest and not the interest of the Tweed. Developer greed. Community vision /wishes ignored.		
		60	Existing residents have built an environment which blends with the natural environment. Failure to harmonise with the ‘neighbours’ will result in negative impacts for those already there.		
		49	These types of developments are enclosed and do		

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SOCIAL**

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			not create community. Kids can't walk to anything, each house needs more than 1 car. Hope this is not in my life time.	the wider community.	
		P4 P43 P50	Object to the development due to the impact on lifestyle.	The DCP seeks to minimise the impact to an acceptable level through high quality land use planning and urban design. Subject to the amendments recommended to the Code being adopted, the Code is considered to achieve this target.	
		P4 P43 P50	Object to the development due to the impact on health.		
		63	Over arching concern is the loss of 'sense of place' for the existing rural living enclave in Parkes Lane, Trutes Terrace and Market Parade. There does not seem to be any statement of impact for these residents.		

DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW - ROADS

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Traffic and access	Parkes Lane, Market Parade, Trutes Terrace	1 2 5 8, 13 63	<p>Implications from the use of Parkes Lane, Market Parade and Trutes Terrace on the surrounding rural residential areas are significant resulting in substantial traffic on roads which were designed to service and area of low residential traffic.</p> <p>Although it is suggested that these are secondary accesses, believe that the Broadwater Parkway connection to Fraser Drive will not occur in its present situation or within a reasonable timeframe.</p> <p>Parkes Lane appears intended to be a significant access to the central precinct, which includes the shopping centre. Concerned that this will result in even greater traffic and not minor as Code implies.</p>	<p>Council's Tweed Development Control Plan - Section A5 Subdivisions Manual provides the following guidance for road layout:</p> <ul style="list-style-type: none"> <i>The street network should facilitate walking, cycling and use of public transport for access to daily activities, and enable relatively direct local vehicle trips within and between neighbourhoods and to local activity points.</i> <i>The choice of direction and possible routes should be maximised, with streets and footpaths substantially capable of surveillance by residents.</i> <i>The street network should be of a grid type, that can deform and kink with the site topography.</i> <p>Further;</p> <ul style="list-style-type: none"> <i>Cul-de-sacs can be used occasionally in a clear urban structure, but not as the primary street type. Maximum cul-de-sac length should be 100 m and serve no more than 12 dwellings.</i> 	No specific change to the Code recommended
		63	<p>No traffic study to date to assess the impact on making through roads in the Parkes Lane, Market Parade and Trutes Terrace area.</p> <p>Would like to keep the rural living area and retain the 'dress circle of the Tweed' and their 'sense of place' rather than through roads. A compromise would be to plan a connection with Broadwater Parkway which is less direct to discourage traffic. It is essential that roads in this area be immune from construction traffic.</p>		
		47, 60	Both Parkes Lane and Market Pde will require extensive redevelopment to ensure the safety of current residents.		
		18, 48	Potential for rat running on Parkes Lane, Market Parade	The abovementioned provisions reflect current 'best practice' by way of creating highly permeable neighborhoods', also sought to be implemented by the Code.	
		60	Market Pde is already a relatively safe cul-de-sac which the draft plan proposed to change to through traffic rendering it a more dangerous stretch.		
		18 26 34(2) 35(2) 45 60	Parkes Lane is not safe or adequate for thoroughfare as a link road. It is steep and winding with hidden driveways and no pedestrian facilities if traffic increase.	The safety and capacity concerns have been forwarded to Council's Infrastructure and Planning engineers whom have provided the following comments:	
		60	Parkes Ln already has cars illegally parked on the 'footpath' in an attempt to make the road safer to drive.	<i>Parkes Lane and Market Parade are local access streets, constructed to a standard (approximately 7-8m wide carriageway) that can safely carry traffic volumes far in excess of their current loading (approximately 450 vehicles per day on Parkes Lane).</i>	
		26	Parkes Ln is not safe for pedestrians. Has fallen 3 times in the past year avoiding traffic within uneven road surface and gravel road edge.		
		18	Parkes lane connects to Fraser Drive approximately 60m from the Terranora Rd / Fraser Dr junction which would add to traffic congestion.	<i>Both streets were designed to be extended into the future development area. This provides connectivity between communities, facilities and services (such as shops and playing fields), increased scope for public transport services, enables upgraded pedestrian and cyclist facilities, and a traffic network with increased route choice. This is consistent with the best practice urban design principles adopted in Council's Subdivision Manual (DCP-A5).</i>	
		13	Access to the new development should be gained by Broadwater parkway and the new development should have its own roads and infrastructure such that Parkes lane and Market parade can remain rural residential cul-de-sacs.		
		P4 P7 26	Parkes Lane is not wide enough for all the extra traffic that will result.		

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		26	Amazed that Council would even consider adding more traffic to Parkes Ln, which is built to cope with light traffic,	<p><i>The existing residential area acts as a cul-de-sac which concentrates all trips towards Fraser Drive, where future through connections to Broadwater Parkway will distribute traffic more evenly. Impacts of increased traffic in these streets are considered to be offset by the advantages of better connectivity to Area E and the local connector and distributor road network in the area.</i></p> <p><i>Many of the submissions appear to relate to the potential impact of the proposed “Altitude Aspire” Part 3A Major Project in the Fraser Drive Precinct. Consideration of this application with detailed traffic studies and engineering design of internal roads and external connections, such as the proposed access road to Fraser Drive, and any necessary upgrades to existing road assets, will be critical to Council’s assessment and recommendations to Department of Planning, who are the consent authority.</i></p> <p><i>The Altitude Aspire Development will need to demonstrate its ability to adequately service traffic generated by the development, including impacts on the existing road network with and without inclusion of the Broadwater Parkway, in order to be deemed acceptable to Council.</i></p> <p><i>The grades and width of new and existing roads in the area play an important role in self limiting speeds and driver behaviour, however additional traffic calming facilities may be assessed as being required based on detailed traffic assessments of individual developments. Similarly, cars parked adjacent to the kerb narrow the travel lanes and assist in calming traffic.</i></p> <p><i>Trutes Terrace, which isn’t physically able to be connected to the Area E release area, is far less likely to provide a through road connection under any development application, and at best would provide a driveway access. Unlike Parkes Lane and Market Parade, it has been designed as a cul-de-sac, with limited capacity and geometry to take additional traffic.</i></p> <p><i>Additional intersections with Fraser Drive and Terranora Road have been limited to preserve their distributor road function and limit the need to upgrade these roads.</i></p>	
		13	Object to the through traffic due to hazards due to the lack of footpaths and concealed driveways.		
		14	Number of vehicles will impact on the whole of Terranora		
		P7	Proposed subdivision in Trutes Terrace is undesirable as Trutes Terrace has few homes with fences and the road is very narrow.		
		5 14	Poor infrastructure preparation, particularly roads.		
		18	Have lived in the area for 40 years and goal was to live in or around Parkes lane to enjoy the semi-rural atmosphere and closed off enclave. Whilst not against the development are opposed to it being integrated into the backend of medium density housing with their street as an inappropriate link to areas E from all destinations south. Incomprehensible as to why any new estate is bound to provide the main access to such estates by state planning and Council. Ratepayers who have paid stamp duty and taxes should be at least provided with an independent impacts study of the areas surrounding Area E.		
		20	Objects to the development when the main thoroughfare is yet to be decided. Community consultation on traffic flows and through traffic needs to be undertaken before this proceeds.		
		8	There does not appear to be justification for connecting the new development with the established development on Parkes Lane, Market Parade, particularly with the number of other connections available (i.e Fraser Drive)		
		8	Vision in sections of Market Parade is limited to less than 50 metres and will become unsafe if these Cul-de-Sacs are opened.		
		48	The code states, ‘The developers will be responsible for upgrading and associated traffic management measures of existing roads where the development creates a need for the upgrading or traffic management measures.’ In light of this principle, it is suggested that the draft code be amended to eliminate any connection to Parkes Lane or Market Parade, or else those streets be upgraded in accordance with the traffic impacts of the development at cost to the developers.		
		53	Strongly opposed to connecting these two quiet roads. The local residents opinion should be sought by a vote, with the decision binding.		
		P11 P12 52	No direct access is to occur from allotments created to Terranora Road, Fraser Drive or Market parade.		
		55	Previously prohibited traffic access through existing residential streets now has access = accommodating developers over the amenity of existing residents.		
		52	Road connectivity to Terranora Road, Fraser Drive or Market Parade explained as “connectivity” and “accessibility”, however, there is no mention of preservation of lifestyle or the existing		

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			environment. Believe that adequate connections and excellent access may be achieved without making Market Parade a through road.	As stated within the Code, Broadwater Parkway is to be constructed as the primary movement corridor for Area E. Any proposal to develop land without Broadwater Parkway or utilizing alternate roads as their primary movement corridor will require appropriate justification, by way of a Traffic Impact Study, adequately demonstrating scope within the road network to cater for the increase in traffic numbers whilst maintaining appropriate amenity and safety levels.	
	Terranora Road	17	Too much traffic for the roads – Terranora Road is like a mountain switchback and already carries too much traffic	The submissions received have been forwarded to Council's Infrastructure and Planning engineers whom have provided the following comments: <i>The Tweed Road Development Strategy (TRDS) includes the development of Area E in its modelling of required upgrades to the Lower Tweed distributor road network. Upgrading of the existing two-lane formation of Terranora Road between Mahers Lane and Fraser Drive is proposed by the TRDS, to be funded by Section 94 developer contributions, so as to avoid any impost on the wider community.</i> <i>No upgrades east of Fraser Drive are proposed, or are warranted by the Area E development.</i> <i>The Draft DCP has not created any direct accesses from Area E to Terranora Road.</i> <i>No direct connections to Terranora Road have been proposed due to the limited feasibility of undertaking any road upgrades and the road's distributor road function.</i> <i>The Tweed LEP prescribes setbacks from and controls accesses to designated roads, including Terranora Road. No changes to these provisions are proposed.</i> It is considered appropriate that the current provisions of the Tweed LEP relating to setbacks along Terranora Road are included within the draft Code to ensure appropriate regard and planning is undertaken in lot and dwelling design. Revisions have been made in this regard.	Amend the code to include prescriptive setback provisions to Terranora Road.
		21	Upgrading Terranora Dr east of Fraser Dr is not economically viable.		
		22	The 30m setback along the south side of Terranora Rd should also be imposed on the northern side.		
		22	Concerned about the density of traffic on Terranora Rd. Concerned that Terranora Rd is not going to be able to cope. It is concerning that development of such a size will occur before the vital Rd links are built. No additional driveways should be allowed off Terranora Dr and this should be added to the DCP.		
		23	Objects to the extra 1800 residential lots as the facilities along Terranora Rd are non existent, no footpaths, narrow road contending with riders, buses. This also affects Fraser Dr.		
		6	All habitable development adjacent to Terranora Road has a minimum 30 metre setback		
		6	Development control which restricts any further entry/driveways from Terranora Road is also sought		
		47, 48	Additional link onto Terranora Road should be provided		
		67	The provision of a road link from Terranora Road through Precinct C would be consistent with contemporary urban design principles in relation to connectivity and permeability and a roundabout on Terranora Road opposite Sunnycrest Drive would act as a traffic calming device and an entry feature.		
	Vintage Lakes & Flame Tree	18	Street access will be too narrow in line with existing estates creating limited off street parking		

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				provide adequate off street parking as per the requirements of Council's DCP, Sections A1 and A2.	
	Public Transport	18	A lack of reliable transport increases the use of cars without safe off street parking. This will hinder emergency and garbage vehicles.	Council's road standards are designed to accommodate service vehicles and buses on designated bus routes. Further, the Code seeks to increase public transport patronage through integrated land uses and density pockets.	No amendment to the Code recommended.
		3	Concern that existing public transport provision is 'abysmal' and that this trend will continue into Area E.	The Code seeks to encourage public transport where it can through road design, connectivity between communities, contributions for bus shelters and clustering of activity uses. The Code cannot effectively directly influence public transport beyond these points as Council is not the public transport provider.	No amendment to the Code recommended.
	Heavy vehicle construction	18	Should not proceed until safe heavy vehicle construction access is established to ensure safety and least disruption to existing residents.	As is Council's standard approach, construction traffic would be a consideration of individual developments, with restrictions applied to limit amenity impacts and pollution. It is not possible to eliminate all construction impacts from a development area such as Area E.	No amendment to the Code recommended.
	Traffic flows / Fraser Drive	21	Traffic flows estimated at 10,000 additional daily trips, most of which will flow into Fraser Drive, then onto Amaroo Drive, Leisure Dr or Dry Dock Rd at least until the Kirkwood Rd West extension is completed. Fraser drive will require substantial upgrading. This is a key to the project and will be very expensive. Imperative the developer meets the cost of this and not Council (ie ratepayers). Concerned about development contribution limitations by State Government.	The submissions received have been forwarded to Council's Infrastructure and Planning engineers whom have provided the following comments: <i>The design of the Broadwater Parkway – Fraser Drive intersection seeks to limit the use of Amaroo Drive for "rat running", promoting traffic to utilise Fraser Drive and other distributor roads to the north. Broadwater Parkway has also been designed to minimize the number of existing residential properties directly affected by the acquisition of a road reserve to allow construction of the road. Any such acquisitions would need to adequately compensate the affected landholders, as a result of negotiations with Council. It was not possible to achieve a feasible concept road design which avoided all existing properties, due to slope and environmental constraints.</i> <i>The Tweed Road Development Strategy (TRDS) includes the development of Area E in its modeling of required upgrades to the Lower Tweed distributor road network. Upgrading of Fraser Drive to four lanes north of Amaroo Drive is proposed by the TRDS, to be funded by Section 94 developer contributions, so as to avoid any impost on the wider community.</i> <i>An area specific s94 plan is proposed for Area E, which is expected to have implications on the cap</i>	No amendment to the Code recommended.
		25	Objects to the plan in its present form and the junctions that it proposes for connection of Area E to Fraser Dr. A more acceptable junction with Fraser Dr is available through Portion 227 (their land) and they are prepared to make and available for this junction (subject to suitable arrangements).		
		29	Live on Fraser Drive and the proposed main entry, which was only meant to be temporary, is opposite their driveway. Opposed to the proposal due to the imminent danger to family, hard to get out of driveway due to increase in traffic, speed of traffic and safety for children. Even if only turn left out of driveway, would have to head south and perform a u-turn on Parkes Ln to head north which is not safe.		
		34(2) 35(2) 39	Objects to the temporary or permanent access off Fraser Dr. All traffic to Area E should be channelled down the soon to be widened Fraser Drive to Kirkwood Rd to the broader network. This would almost eliminate rat running through Gleyne Ayre and Amaroo Dr and there would be less traffic on the Parkes Ln and Market Pde which lack the finesse which Council is imposing on Area E with walkways and cycleways.		
		37	Strongly objects to the road alignment through their property and		

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			the detrimental impact that will have on their house. This is not in the community's best interest but the financial gain of the developers. Already traffic congestion on Amaroo Dr into Darlington and Leisure and the directing the traffic down Amaroo will bottleneck at the roundabout. At no time have the developers of the site attempted to negotiate with the residents affected.	<i>imposed by the State Government. Council is yet to receive advice from the Department of Planning about how they intend to address this issue, however will continue to work towards an appropriate outcome.</i>	
		39	Allowing Road access 100m from Parkes Ln, on a curve in the road causing serious entry and exit conditions from their property must not be permitted.	<i>Alternate configurations for Broadwater Parkway and its connection to Fraser Drive have been explored previously, including the 2004 LES. Road alignment options through the SEPP14 wetland have not been pursued due to unacceptable environmental impacts as outlined within previous Council reports of April and June 2011.</i>	
		59	Objects to the direct access off Fraser Dr as this will increase traffic substantially. Parkes Ln and Trutes Terrace are already hazardous due to the concealed driveways and bends.		
		3	The Code does not address the temporary access onto Fraser Drive	<i>The proposed access on Fraser Drive detailed within the Part 3A Application must be demonstrated to operate in a permanent capacity, even if it is ultimately to be closed under the "Altitude Aspire" proposal. This will have to assess potential impacts on through traffic and existing accesses and intersections on Fraser Drive.</i> In light of the above comments, no amendment to the Code is considered warranted.	
		67	In summary this Development Control requires a 10m landscape buffer along the Fraser Drive interface. This buffer will be on a very steep gradient (approximately 30%) falling away from Fraser Drive and will be very difficult to maintain and embellish. The need for a buffer is unclear given the topography and cross section of Fraser Drive and adjoining land to the west and therefore it is submitted that Development Control No. 5 should be deleted.	The Code has been amended to provide further clarity as to the desired treatment of the Fraser drive interface, including reducing the prescribed landscape buffer from 10m to 5m	Amend the Code to include updated Fraser Drive visual and landscape controls.
	Leisure Dr / Greenway Dr / Darlington Dr	21	Currently controlled by a roundabout but if congested as a result of Area E may need lights and road upgrades to Leisure Drive.	The Tweed Road Development Strategy (TRDS) includes the development of Area E in its modeling of required upgrades to the Lower Tweed distributor road network. Upgrading of Leisure Drive to four lanes and signalization of key intersections is proposed by the TRDS, to be funded by Section 94 developer contributions, so as to avoid any impost on the wider community.	No amendment to the Code recommended.
	Dry Dock Rd	21	Dry Dock Rd is in poor condition and incapable of handling additional traffic without upgrading.	The Tweed Road Development Strategy (TRDS) includes the development of Area E in its modeling of required upgrades to the Lower Tweed distributor road network. No upgrading of Dry Dock Road was considered warranted. Existing deficiencies to be rectified by road maintenance.	No amendment to the Code recommended.
	Amaroo Drive	42	The resulting road format can only be described as not complying with acceptable standards and is contrary to the ideals of the Code and the traffic considerations involving Amaroo Drive.	The submissions received have been forwarded to Council's Infrastructure and Planning engineers whom have provided the following comments:	No amendment to the Code recommended.

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			Referenced Austroads standards re locating roundabouts on grades greater than 3-4%; while no drawings are present the reshaping of Fraser Dr and Amaroo Dr leading to the roundabout is around 7-8%; close proximity of the Fraser Dr and Amaroo Dr intersection to the roundabout will be a major problem given traffic volumes; Strongly advocating that the intersection of Broadwater Parkway with Fraser Drive must be north of Amaroo Drive to prevent increased traffic flows.	<i>The Broadwater Parkway – Fraser Drive intersection is proposed to be located north of Amaroo Drive to discourage its use for “rat running”, promoting traffic to utilize Fraser Drive and other distributor roads to the north. It has also been designed to minimize the number of existing residential properties directly affected by the acquisition of a road reserve to allow construction of the road. Any such acquisitions would need to adequately compensate the affected landholders, as a result of negotiations with Council. It was not possible to achieve a feasible concept road design which avoided all existing properties, due to slope and environmental constraints. Detailed design of the intersection and roundabout is required and will be undertaken as part of the preparation of any development application. However, the desktop analysis undertaken thus far concludes that appropriate road design can be achieved.</i>	
	‘Temporary Access’	30	No logic behind this access and is objected to as: <ul style="list-style-type: none"> • The positioning of the road is close Parkes Lane and will create a dangerous situation for vehicles using Parkes Lane • Impacts on existing residential accesses on Fraser Drive • Create traffic congestion and danger when vehicles are using the turning lane into Area E • Creates ‘Rat running’ • Reduces amenity to existing residential properties 	This is a matter proposed within the current Part 3A application as opposed to the Code. Accordingly, detailed assessment will occur within the “Altitude Aspire” Part 3A Major Project application. Council acceptance of this road link is subject to engineering design demonstrating compliance with road design and property access standards. Its “temporary” nature, as proposed by the developers, does not affect this assessment.	No amendment to the Code recommended.
		53	No temporary access to Fraser Drive.		
	Broadwater Parkway	1	Do not believe that this will occur in present situation due to the incredible steepness of the land beside Fraser Dr. Professionally advised that the only sensible likely location and access point will have to be built partially in the wetland and that this may take some time to achieve government consent. Dispute over who will pay for this is likely to extend the timeframe to construct.	The submissions received have been forwarded to Council’s Infrastructure and Planning engineers whom have provided the following comments: <i>The Broadwater Parkway alignment has been subject to concept design taking into account the steep gradients adjacent to Fraser Drive. The proposed location of the intersection has been assessed as being adequate, with other options having been dismissed due to non-compliant grades and/or environmental constraints. A route through the SEPP14 wetlands is not considered likely to gain environmental approval and has not been pursued, in accordance with recommendations in the 2004 LES.</i>	The Code has been amended to include better clarity as to the desired southern interface treatment of Broadwater Parkway and provide minor variations to the alignment through the Village Centre precinct and the northern extent of Mahers Lane. These changes in alignment do not result in an increase in footprint of environmental protection land. Broadwater Parkway.
		1 22 34(2)	Consider that Broadwater Parkway connection from Fraser Drive to Area E must be constructed prior to any development apart from the initial section to be sourced by an access on Fraser Drive near Parkes lane intersection.		
		39	Consider that Broadwater Parkway connection from Fraser Drive to Area E must be constructed prior to any development. Must be no other road entry to Fraser Dr other than DCP 2005.		
		62	Broadwater Parkway must be constructed prior to any development.		No further amendment to the Code is recommended.
		48	Each section of Broadwater Parkway must be constructed prior to the sale of lots within the adjoining precinct.	<i>Provision of road infrastructure will be included in the s94 plan for Area E to ensure an equitable means of financing, although contributions may be significant.</i>	
		34(2) 35(2)	Concern that Broadwater Parkway will not be constructed due to safety and engineering reasons as well as cost.		

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
		34(2)	With the current Part 3A of Newlands access should be via the Parkway even if only that section at the eastern end is constructed. This would obviate the need for access to the development through Parkes Ln and Markey Pde and there would be no need for temporary access to the southern end of the development to Fraser Dr.	<i>Broadwater Parkway shall be the primary connection road to Fraser Drive. Alternate connection points will only be supported if justified by traffic studies and engineering designs accompanying subdivision applications.</i>	
		22	Broadwater Parkway should channel traffic to the new Kirkwood Rd bypass. Traffic should be encourage onto this road not Terranora Rd.	<i>The feasibility of the Broadwater Parkway remains subject to gaining environmental approval for the road, detailed design, and inclusion in an adoption s94 contribution plan in order to fund the construction.</i>	
		18	As Broadwater Pkwy is the main thoroughfare to the estate it would be appropriate to combine developer and Council to provide access at the proposed Broadwater parkway junction.	<i>The Broadwater Parkway is proposed to adopt a Neighbourhood Connector Road cross section east of the proposed town centre, and a Low-Volume Connector Road cross section west of the town centre, in accordance with Development Design Specification D1. Adoption of these cross sections has been determined by likely traffic volumes, permissible vertical alignments, and minimisation of the roadway footprint to avoid environmentally sensitive areas.</i>	
		21	Terrain and other issues may prevent Broadwater Parkway to joining Fraser Dr at Amaroo Dr rather than just north of it, thereby creating an intersection controlled by traffic lights. This would make it easier for traffic on Amaroo Dr to access Fraser Dr.	<i>A s94 Contribution Plan has been drafted to provide the mechanism for delivery of this road infrastructure. There are implications with the State Governments capping of developer contributions that need to be overcome.</i>	
		3	The proper form of route identification should be in place before any other layout on the site should be agreed to. The current Tweed LEP 2000 mandates a corridor for Broadwater Parkway and avoidance of an EIS preparation is seen as a dereliction of the intent of the Tweed LEP 2000. By avoiding the SEPP 14 road option the proposed alignment is therefore dictated by adverse topography, resulting in excessive road grades, undesirable earthwork formation and fails to separate through traffic and local traffic in West Banora Point.	<i>No acoustic assessment of Broadwater Parkway has been undertaken, however where the road approaches existing residential development, some noise attenuation is considered likely.</i>	
		3	Broadwater Parkway is referred to as a trunk or arterial road. Projected ultimate traffic volumes are consistent with arterial road traffic volumes.	<i>The route of Broadwater Parkway has been discussed at length within the preparation of the Code. Previous Council reports of April and June 2011 provide further detail on specific environmental issues, concluding that in light of the findings of the LES, relevant landowner generated studies and Council investigations the identified route for Broadwater Parkway should be pursued as per the Code. Despite these findings, the Code clearly states the level of analysis undertaken to date and provides opportunities for interested parties to pursue alternate alignments that result in an improved environmental outcome.</i>	
		3	The longitudinal section of Broadwater Parkway does not provide for a roundabout at approximately chainage 60. No detail or cross section is provided for the roundabout which is situated in a section of road with 10.66% longitudinal grade. This vastly exceeds the maximum recommended in Austroads Part 6 (Roundabout) of 4%. Council plans show a cut batter of 1.0 horizontal to 1.0 vertical, fill batters are depicted as 1.5H to 1.0V, exceeding Council's own D6 controls of 2.5H to 1.0V and 3.0H to 1.0V respectively.	<i>The Broadwater Parkway alignment displayed within the Code is not to construction detail as further detailed design is required. Plans have been</i>	
		3	Under Council's D1 Controls, the absolute maximum grade for an arterial road is 8%, parts of Broadwater Parkway exceed this maximum (10.66 – 12%). The approach grade is already nominated as 12%, which exceeds the absolute maximum grade for a distributor road (8%) and is the absolute maximum grade for a collector road (12%).		
		3	The Broadwater Parkway alignment shown in the DCP is grossly misleading as it does not depict the intrusion of the earthworks beyond the formation width into the adjoining properties or the proximate rare and endangered ecological sensitive areas.		
		3	No formal ecological assessment is appended to the Draft DCP for examination. Council's attitude would appear to be based on emotive concepts, heresay or perceived entrenched bureaucratic		

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			intransigence rather than considered scientific evidence, common sense, or cost evaluation. The JWA (2008) report does not discount the construction of Broadwater Parkway through the area classified as a moderate to high conservation value, however appears to underestimate the impact of endangered communities due to misconception of the extent of works necessary as part of batter slopes.	prepared to a standard beyond that displayed within the Code to understand the potential impacts of associated earthworks and are contained within Section 94 Contribution Plan No. 31 – Area E.	
		53	It is unreasonable for the community to be asked to accept the inexact location of this major connector road. We request separate public consultation on various route options after engineering and environmental studies are made. Our preferred route is within the 2(c) Urban Expansion zone, avoiding the large fig tree at Fraser Drive, wetland and lowland forest. The Code must provide for noise modeling for collector roads to avoid artificial noise barriers.	The design of Broadwater Parkway should include a range of public domain treatments and address pedestrian movement and comfort, efficient vehicle movement, and establish a key entry statement and journey to the overall character and appearance Area E. The Code has been refined to better clarify the required treatment to the Southside of Broadwater Parkway to ensure the abovementioned objective is met.	
		51, 65	The issue of Broadwater Parkway has not been satisfactory addressed. It is crucial that a coherent method of delivery is established for this vital piece of infrastructure. Council must provide more certainty with respect to funding and timing of construction. Also, the DCP is suggesting that in general the Broadwater Parkway should not be located within the 7 (a) Environmental Protection zone. This position is not justified by any scientific analysis.		
		67	Development Control No. 4, Fraser Drive Precinct, Page 211 Development Control No. 4 requires a landscape buffer along the length of Broadwater Parkway on the southern side. This is considered to be an unnecessary requirement as Broadwater Parkway is already buffered from the wetlands by 100m and is located in the 2(c) zone which consumes valuable land. Locating the Broadwater Parkway within the outer 50m of the wetland buffer could be achieved with minimal environmental impacts and to require the alignment within the 2(c) zone together with the buffer is unnecessary and unreasonable.		
		67	That Figures 4.3 (Structure Plan) and 4.35 (Precinct C Structure Plan) be amended to allow Broadwater Parkway in the outer 50m of the 100m State Environmental Planning Policy No. 14 buffer and no open space buffer be required to the residential lots.		
	Cycle ways	21	The plan to have on road cycle way or shared footpath between Terranora Rd and Leisure Dr. This road north of Amaroo Dr is narrow and steeply sloping on both sides.	Steep gradients of many of the likely future cycleway and pedestrian paths are unfortunately unavoidable due to local topography. Despite this, the Code encourages such facilities to pursue routes that traverse similar contours, providing movement corridors that are flatter within a steeply sloping area. Cycleway and pedestrian infrastructure is still to be provided by the development of Area E, to provide alternatives to car transport.	No amendment to the Code recommended.
		3, 42	Plan advocates integration of pedestrian links and cycle ways but with grades of 10-12% over 200m this is hardly conducive to pedestrian / cycle way usage. Northward of joining Fraser Dr pedestrians and cyclists would encounter the worst section of the entirety of that road.		
		3, 62	Great idea but not in this area as it is too steep and only the very fit will be able to use them.		
		3	The mix of pedestrians and cyclists on an excessively steep relatively narrow shared user path have very serious safety	Provision of cycleways will be considered in detailed design of road upgrades in the area and as part of	

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			ramifications.	future Development Applications.	
		48	No pedestrian and cycle way facilities on Parkes Lane.		
	Property Access	3	Access to properties will be difficult and exacerbated by no cut and fill controls, impacting upon road geometry and design	Property accesses will be assessed in consideration of bulk land forming and road design details provided with development applications and construction certificates for future subdivisions, as per Section A5 of the Tweed DCP. To clarify, the Code does not specify 'no cut and fill', rather pursues a design philosophy of working with the landform of the site. The prescriptive provisions of Section A5 as they relate to landforming provide the parameters for bulk landforming.	No amendment to the Code recommended.
	Sustainability	62	Increased population is unsustainable due to the increase in cars and pressure on road systems	The land has been identified as suitable for urban release, and will be provided with road, public transport and pedestrian / cycle way infrastructure.	No amendment to the Code recommended.
	Internal Roads	53	The local road running south from the village up the ridge should be deleted for geology reasons. The southernmost road of Precinct B (Central Precinct) should be deleted as it invites land outside of Area E to be developed.	Road alignments shown in the Code, aside from Broadwater Parkway, are diagrammatic/indicative only. Revisions to the Code have been made to ensure they are not interpreted or misconstrued as development controls.	Amend the Code as discussed.
		51	It is assumed that the alignment of many of the minor roads is indicative only and final locations will be subject to further investigations.		
		67	Council is requested to amend all relevant Figures to show road alignments by broken lines with a clear note that indicates that the road alignments are conceptual and indicative only and are subject to detailed survey and design and that the provisions of A5 in relation to lot, neighbourhood and road alignments prevail over B24.		
		51, 65	The Road pattern (grid) proposed does not suit all parcels of land and does not reflect topography and road geometric and grade constraints.		
	Cul-De-Sacs	51, 67	The draft DCP intends to preclude the provision of cul de sacs. It is suggested that it would be better to indicate that they are generally deemed inappropriate however may be permitted when the site constraints are such reasonable planning outcome will be achieved.	It is not the intention of the Code to preclude the use of cul-de-sacs, however they should be avoided unless required due to topographic constraints. Cul-de-sacs will be permitted as per the requirements of DCP Section A5	Amend the Code to clarify that cul-de-sacs, whilst not supported as the primary street form, are permitted within set circumstances.
	Roundabouts	51	Some clarification is sought as to as to whether Council engineers will assist on roundabouts at four way intersections & whether there will be any further variations permitted to Councils Subdivision Manual standards. This is particularly relevant for the town centre where is envisaged that strict compliance with normal standards may hinder optimum design outcomes.	Provision of roundabouts as prescribed in Development Design Specification D1 is based on Austroads design standards and seeks to provide a safe means of managing opposing traffic movements at four way intersections. Alternate road alignments should be investigated in areas where provision of roundabouts is not practical.	No amendment to the Code recommended
	Road Noise	51	It is not considered to require noise attenuation measures to be	No acoustic assessment of Broadwater Parkway has	No amendment to the Code

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			included within Broadwater Parkway. Clarification is sought on this issue.	been undertaken, however where the road approaches existing residential development, some noise attenuation is considered likely.	recommended

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
PLANNING & URBAN DESIGN**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Village Centre	Building Height	(2)16	Four storey development is not appropriate for this site and would not add sufficient yield compared to the negative visual impact.	<p>The current Tweed LEP 2000 details a 3 storey maximum building height for Area E. When considering the definition provided within the Tweed LEP 2000 could result in a building height of 13.5m for a residential building and 15m for a commercial building. As such, as 15m high building could be pursued in any event under the current Tweed LEP 2000 framework. Whilst it is the case, it is acknowledged that the Code is seeking to enable 4 storey development, comprising retail, commercial, community and residential uses, within a 15m tall built form.</p> <p>The Village Centre is shrouded in vegetation and significant elevation change to the East, South and West, making the Village Centre visually remote when viewed from public vantage points outside Area E, and within Area E itself. In light of the vision and objectives of the Vision Centre (being to create an active and vibrant mixed use hub), and the limited visual impact between the current Tweed LEP 2000 provisions and the Code, maintaining the proposed 4 storey/15m maximum building height is considered warranted.</p>	No specific change to the Code recommended
		20	Considers high rise (4 storey development) overdevelopment at its rampant worst.		
		6	The higher densities and 4 storey (15 metre) height in the village centre is supported.		
	Location	53	Promotes a village centre on elevated land, of more 'human scale', negating the need for filling, avoiding flash flooding and the mosquito and biting midge problem.	<p>The Code does not locate the Village Centre to a construction level of detail, however the location of the Village Centre within the <10m RL level is considered to be the ideal location. When reviewing the Area E site, locating the Village Centre in this location best enables:</p> <ul style="list-style-type: none"> • the co-location of recreation land (both active and passive) with mixed use development, • desirable access grades to promote pedestrian movement and • accessibility to public transport networks. • centralised positioning within the release area • reduced visual impact from more intensive urban form 	No specific change to the Code recommended
		51	The actual location of the village centre as shown is not ideal and it should be situated further west and its location shouldn't be dictated by the location of overland flow paths. The village centre needs to be located having regard to a number of criteria.		
	Design Principles	51	The general design principles for the village centre are generally supported, with the exception of the areas of structured open space. However some clarification is sought in relation to densities and height limits. In addition, the requirement to utilise overland flow paths as a focus point will result in substantially inferior design outcomes.	<p>The Village Centre has been identified as an ideal location for an area of structured open space in light of the topography, opportunities for dual function as stormwater overflow in larger rain events, and the ability to positively contribute to the Village Centre's mix of activity.</p> <p>The Code has been amended to clarify building height and density within the Village Centre and to clarify that utilisation of overland flow paths as a focus point of public domain, whilst desirable, is not mandated.</p> <p>The amount and placement of fill is to be determined</p>	Amend the Code as discussed.
		54, 56, 58, 66	Filling should be minimized with non flood obstruction structures such as temporary stalls and mobile vans, wall less shelters or pole structures.		

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
PLANNING & URBAN DESIGN**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
				through future flood design investigations.	
	Scale of non-residential development	47	With the number of existing retail facilities failing, residents want to shop in a larger shopping complex, with convenience stores or a supermarket in close proximity.	The Code identifies opportunities for approximately 4,000 – 5,000m ² of non-residential development, comprising retail, commercial and community/educational/social uses. It is important to acknowledge this point of difference between the Code and the LES which detailed 800 – 1,000m ² of retail/commercial space (not including community/educational/social use).	No specific change to the Code recommended
		54, 56, 58, 66	Previous LES specified 1,000m ² Commercial/Retail, now 4,000 – 5,000m ²		
		53	5,000m ² of non-residential floorspace is excessive and only entices a supermarket. A supermarket would destroy the viability of most small traders, we do not want it. Need to encourage young couples to live in the village, not only retirees who spend less and decrease viability of small business if they are the majority.	The Code identifies the need to provide the following community infrastructure: <ul style="list-style-type: none"> • a Community Meeting Room/Multi-purpose Hall of minimum size of 1,000m²; • a Neighbourhood Centre; and • a Preschool. 	
		54, 56, 58, 66	The commercial focus should be based around low impact food related production and activities. A low key village centre could be developed in the style of regular outdoor markets surrounding a market garden.	The land requirements of these uses will need to be incorporated into the Village Centre footprint, reducing the amount of retail/commercial development to substantially below 5,000m ² .	
			The benefit of a traditional commercial village centre and especially a full line supermarket is disputed.		
		54, 56, 58, 66	The commercial focus should be based around low impact food related production and activities. A low key village centre could be developed in the style of regular outdoor markets surrounding a market garden.	The Code is supportive of the Village Centre being a 'hub' for the sale of local produce and creation of local markets.	
Built Form	Building Height	5	High rise buildings on tiny allotments in a sensitive area seem to endorse the view that the development is about money. Considers there could have been more attention to existing surrounds and the future of Terranora as a place of serenity and beauty.	The current Tweed LEP 2000 details a 3 storey maximum building height for Area E. When considering the definition provided within the Tweed LEP 2000 could result in a building height of 13.5m for a residential building and 15m for a commercial building.	Amend the Code as discussed.
		17	High rise is totally unacceptable. "Would this development be allowed in Balmain, Woolloomoolo, Redfern – No City of Sydney City would shake its head at such an abomination"	The Code details maximum building heights in metres as opposed to number of storeys, enabling a improved integration with the future Standard Instrument LEP.	
		60	18 m height of dwellings on small lots is way out of kilter with current housing, another factor ensuring the plan is not in harmony with the current housing.	Building heights within the Code acknowledge the slopes within Area E, particularly the relationship between measuring building height and slope. As the Tweed LEP requires building height to be measured from ground level, sloping sites often forfeit much of the 'built' height permitted as floorplates project horizontally, whilst the lay of the land falls away.	
		49	The land is too steep for 3 storey houses – does anyone even want to live in a 3 storey house. The plan is over ambitious and there is no scope for natural growth. Can't we just zone an area for proposed growth - the shopping centre for example. The only trunk road access is not designed for urban use.		
		61	Seems incomprehensible that three storey dwellings are proposed on steep hillsides. With worsening climate change extremes, storms, landslip will	Accordingly, the intent of the Code in staggering permitted building heights according to slope is not to place taller or	

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
PLANNING & URBAN DESIGN**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			ratepayers be financially liable for future damages of ill conceived planning today?	larger buildings on steeper sloping blocks, but rather acknowledge that a development of similar size will be technically 'taller' on steeper lots.	
		39	Buildings to 19m must not be allowed as it will destroy the pleasant appearance of the area. 2 Storeys is would not hurt the appearance.	Post public exhibition the building height controls have been reviewed and amendments made to confine buildings up to 15m to the Village Centre and a maximum of 12.2m outside of the Village Centre.	
		55	The current 2 storey's is now proposed for 4 storey's and 19m development in certain areas = increased density, more profits, less environmental protection.		
		59	3 and 4 storey buildings resemble the lifestyle of Sydney and Melbourne. This is a scar on the landscape.		
		54, 56, 58, 66	Change from 2 storeys to 4 and in some instances 19m disputed		
	Building Design & Materials	67	Controls 5 and 13 stipulate minimum 600mm eaves which is excessive, expensive and counterproductive in some instances in terms of daylight access. This is a design guideline issue and should be removed from this document. Control 14 requires garages to be constructed on the high side of a sloping lot. This is impractical as it doesn't allow the garage to be built under the main house of a few steps down in the case of a gently sloping lot. It also places greater visual emphasis on the garage and in some cases forces the garage out of the main roof line both of which are expensive and aesthetically undesirable.	Use of colourbond sheet for fences in urban areas visually dominates the streetscape. This is because they are generally built to a height of 1.8m and have no opportunity for transparency or visual permeability. If colourbond fences are to be excluded from the streetscape, for consistency, they should also be removed from side and rear fences to achieve a visual and design cohesiveness. Further colourbond fences absorb and reflect significantly more than timber fences increasing heat loads in backyards. Given the subtropical climatic context of Area E, and the predominant north and north west orientation of the north sloping site, the requirement for an eave of 600mm as a means of achieving some solar shading during the hot summer months is important in achieving passive building design objectives.	Amend the Code as discussed.
		67	Development Control No. 8 This Control requires a mix of building materials comprising at least three and colours. Again, this is considered to be onerous and inflexible and should be reworded.	Control 14 has been deleted. Side slope (and upslope down slope) design guidelines have been illustrated in Figure 4.5 which encourages garages to be built below the main house allowing for elevation, view and breezes.	
		67	<i>"Area E's residential estate is to be characterised by lightweight construction..."</i> This statement is too general and implies that all construction should be of lightweight construction regardless of site slope. It should only apply to sites which exceed 6 degrees slope either as sloping or benched landform.	The requirement for a mix of materials is aimed at improving the streetscape appeal of houses and avoids the homogenous use of single material houses and improving the thermal performance of houses.	
		53	The Code is inconsistent, emphasizing 'any development to be of high quality' yet strongly encouraging lightweight buildings, which also are higher maintenance.	The preference for the use of lightweight materials is aimed at improving the thermal performance of buildings within this subtropical climate. For example the use of a mix of materials including lightweight cladding has the ability to more quickly release heat gained during the day whereas a house built of only brick retains a significant amount of heat through thermal mass which takes a longer time to release the heat. This position is supported by the centre for	
		(2)27	Architectural response to slope is welcome. Traditional QLD style offers many benefits and is more affordable with lower impact. Roof colours should be light green to help reflect the heat.		

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		53	Carparking should be screened, off-street and require visitor parking on-site.	<p>subtropical design (QUT). Masonry building materials in subtropical (Zone 2) areas should only be used where they are significantly shaded and ventilated.</p> <p>The code is not inconsistent by aiming for high quality design and encouraging lightweight materials. Both go hand-in-hand. A house which has been designed to suit the climate and site context (taking into account view, slope sun aspect and materials) would be considered high quality. Poor quality would be a house which doesn't factor in sunlight access, breeze, view or appropriate materials.</p> <p>Achieving an architectural response to slope is crucial to achieving the visual, landscape and sustainable building objectives and vision of the code.</p> <p>Car parking and car ports associated with houses are encourages to be integrated and designing in the same architectural language of the main house to achieve a cohesiveness and attractive streetscape presentation.</p> <p>The codes materials guide (pg 114) suggests colour palettes should be derived and compliment the natural landscape. Red terracotta roofs, red roofs, blue roofs and white roofs are not permitted due to the detrimental visual impacts and high reflectivity (off white roofs).</p> <p>Front fences defer to the requirements specified within DCP A1 which allows front fences to 1.2m high. Figure 2.13 (page 64) encourages the use of landscaping rather than front fences but this is not a control.</p> <p>Garden sheds are exempt (and permitted) development under State Environmental Planning Policy and as such do not require development consent.</p>	
		53	Earth-tones for all buildings that blend in harmony with the natural colours of the escarpment.		
		53	No front-fences in the setback area should be permitted.		
		53	No small garden sheds should be permitted – these can be lethal and destructive when airbourne during fierce winds experienced on the escarpment.		
	Lot sizes and Density	P7 14 39 45 46 52	Allotment sizes are not in keeping with adjoining lots.	<p>Area E was originally identified for potential urban release within the Tweed Residential Development Strategy 1991. In addition, Tweed Futures 04/24 identified Area E along with Cobaki, Kings Forest and Bilambil as the main release areas to delivery growth in the Tweed over 20 years.</p> <p>Tweed Futures identified the need within the Tweed Shire to pursue 'urban consolidation' as the desired method of urban growth. The urban consolidation vision sort to ensure the high utilisation of land identified as suitable for urban purposes to reduce future urban sprawl and ad hoc development occurring.</p>	Amend the Code as discussed.
		36	Strongly objects to the amount of housing on very small lots within a semi-rural area,		
		47, 52	Concern that lot sizes do not integrate with surrounding neighbourhood.		
		19	Major concern with lot sizes down to 333sqm and the percentage of properties to be built on sloping sites.		

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		35(2)	Objects to the change from 317 lots of 450-1400sqm to 423 lots of 250-1200sqm in the Fraser Dr precinct. Resulting in small lots and much higher density.	As such a Local Environmental Study was prepared for Area E in 2004, concluding that the site was suitable for urban purposes and identified a target of 1793 dwellings.	
		40	Suggestion that there be a reduction in the number of lots and increase in the minimum size of lots.	As publically exhibited, the Code contained a target of 1799 dwellings, 6 more than the LES forecast.	
		55	Average lot sizes reduced from 800sqm to now an average of 464 sqm = increased density, more profits, less environmental protection. Reduced front and side setbacks = increased density, more profits, less environmental protection.	Post exhibition, in accordance with the submissions received, a band of 'Transitional Lots' has been included, along the Parkes Lane, Market Parade interface.	
		59 62	Objects to the urban sprawl created by lot sizes as small as 250sqm, which is akin to development in major cities in Australia. Objects to the type of development due to the adverse impact it will have on residents especially those in Parkes Lane and Market Parade. What happened to the 2005 requirement for 600sqm lots?	Transitional Lots are to have a minimum lot size of 1,200m ² , assisting in the transition from the existing 2,000m ² lots, to the <800m ² suburban lots within Area E. In addition, the extent of small lot and medium density housing within Area E has been reduced following concerns that the extent of medium density could potentially adversely impact upon the visual and desired character, and also because there is a risk that the site constraints and associated building costs would cause the orderly and economic use of the land to become uneconomical.	
		60	Opposed to the size of the lots as they are too small and will create 2 distinct neighbourhoods side by side. A proposal that creates disparate neighbourhoods should be radically altered.	Accordingly, the Code seeks a less intensive development form than previously envisaged, targeting the provision of 1590 dwellings, 200 dwellings less than the LES forecast, and provide a higher proportion of dwelling house development, compared to multi-dwelling housing.	
		62	Objects to the small lot sizes of 250sqm and the duplexes, row houses etc as they are unsuitable for steep slopes. Four storey inland city is out of character and will have a detrimental impact on the scenic views of Terranora Broadwater.	This outcome is considered to strike an appropriate balance between providing for the highest and best use of residential land to achieve long established density targets within the Far North Coast Regional Strategy 2006, the Tweed Urban and Employment Land Release Strategy 2009, and maintaining the high quality visual and landscape characteristics of the region.	
		6	Minimum lot sizes of 4,000m2 directly adjoining Terranora Road is recommended.		
		30	Lot sizes not justified, creates insufficient areas for off-street parking and social problems.		
		47	Rows of terrace houses and suburban lots of 450-600m2 are ideally suited to the growth of urban areas.	The Code acknowledges Area E's position within surrounding residential fabric and seeks to positively integrate through the use of transitional lots, landscape corridors and visual character controls. Whilst an impact on adjoining lands is likely, the Code seeks to minimise the impact to an acceptable level through high quality land use planning and urban design. Subject to the amendments recommended to the Code being adopted, the Code is considered to achieve this target.	
		53	The PB LES declared an average lot size of 800m2, the draft code appears to re-interpret this in a most unorthodox manner as 800m2 over all developable land. Average is supposed to mean half the lots greater to balance half the lots less than 800m2. 450 lots over 800m2 and 450 under 800m2 is proposed. 1799 lots is excessive.		
		13 45	Density of housing is out of character with the surrounding properties of Parkes Lane and Market		

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		52	Parade. Less than 500sqm when surrounding land is 0.5hectares. Also out of character with the area as a whole.		
		8, 63	Density of the Fraser Drive precinct (464 sqm) is out of character with the surrounding Parkes, Market and Trutes areas. The structure plan shows medium density housing, row housing, duplexes immediately abutting rural residential properties. This is an untenable interface.		
		63	The ideas behind containing urban sprawl work well in the city that is well serviced by public transport and walkability to centres. Area E has none of these. It is too steep to walk, poorly serviced by public transport and will be car dependent, thus will require off street parking and space for boats trailers etc, something small lots cannot provide with minimal frontage. Suitable solution would be to increase the lot sizes and provide a gradual change from the rural living areas, as indicated in previous planning.		
		52	Considers literature stating “integrated” and “maintenance of integrity” which frequently appear to be in stark contrast to the congestion and overcrowding illustrated in the plan.		
		18 40	Overall objection to medium density on minimal sized lots of duplex and cluster housing.		
		17	Several years back the proposal was to build 5-600 homes and now the proposal is 3 times that amount – too many too crowded and a slum.		
		26	With High density housing Parkes Ln rural atmosphere will be destroyed with little concern for security and lifestyle, the very reasons they came to this area. No objection to progress as long as it maintains the semi-rural environment, wide roads, safe footpaths, larger blocks, low density housing, parks, trees, bikeways, underground power etc providing a safe family environment.		
		35(2)	Object to the type of density being pushed by the landowners group and acquiesced by State and local government.		
		49	What is the reason for choosing such a location for 1800 dwellings, where the land is steep and road access is limited. 1800 cars will be moving to and from there everyday. Shouldn't such a project be attached to Murwillumbah or Tweed Heads.		

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		8	The LES detailed a 95% dwelling house, 5% multi-dwelling housing mix, yet Table 4.1 recommends 52% multi-dwelling lots. The DCP details that medium density is suitable to be applied to steep ground and adjacent to open space without justification.		
		47	Density proposed is excessive and suitable for the site.		
		53	Why isn't the number of lots capped below roads capacity?		
		53	Please revise population figures based on local population mix, not broad averages.		
		53	Areas with excessive densities: Row houses around sportsfields (lots too small, out of character), lots backing onto Terranora Road should be minimum 4,000m ² (including 30 metre setback), Transition Zone adjoining Rural Living Enclave Parkes Lane (and a 30m setback), land between the central drainage line within the Fraser Drive Precinct and Fraser Drive (600 – 800m ² lots recommended).		
		47	Residents of the area were aware that development would occur, however not to this scale.		
		P11 P12 39 35(2) 52	Objects as departs from the draft DCP 2005 and the impact it will have on the Tweed.		
		P11 P12	Concern that the structure plan provides for lots as small as 250sqm. Required 600sqm minimum with 800sqm average.		
		52	Contradicts the DCP 2005 which recommends 1200sqm lot sizes.		
		1 45 62	Previous workshops indicated a floral boundary between the rural residential and residential areas and larger lot sizes in proximity to the rural residential to effect a "scaled down" between the new and established. Feels that this has been ignored and that residents wishes not considered.		
		P11 P12 50 63	No recognition of the rural living areas and proposed transition zone.		
		50	Out of character – the transition zone is gone and instead of a row of trees will be looking from Market Parade Property at a row of fences and rooftops. As trees are currently on theirs and adjoining		

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			property, can only assume these will be cut down to make way for very small residential lots. There is no plan for the periphery of the plan and the transition to existing residential areas.		
		55	No buffer or transition zone to existing residential areas on large treed lots of 1-3,000sqm = little consideration given to existing residents.		
		60	Buffer between the new and the old is a must unless the new can harmonise with the old.		
		54	Recent population projections for Tweed have also significantly reduced population estimates by approximately 50% - the need to achieve such high yields and the sustainable legitimacy of this is disputed.		
		54, 56, 58, 66	Average lot size of 800m2 to 464m2 disputed. Small lots of 250m2 in medium density areas. No buffer or transition zone. Previously prohibited traffic access through existing residential areas.		
		51, 65	The density prescribed is unachievable if Council requires adherence to many of the design principles espoused within the DCP. The density targets will simply not be realized as Council is seeking to impose far too many prescriptive design criteria. The result of reduced residential yields will bring into question the feasibility of a retail village hub which in turn further reduces local amenity. The loss of yields as a result of the numerous design standards will also make it difficult to economically provide infrastructure. This is particularly relevant for areas designated bushland where there are no environmental grounds for these Camphor infested areas to be retained. The only justification seems to relate to visual issues, however there are limited visual benefits related to retention of certain sections of nominated bushland.		
		67	For the reasons discussed above, Council is requested to amend Table 4.4 and Figure 4.35 (Precinct C Structure Plan) to provide that a total of approximately 40 medium density dwellings will be established within Precinct C in locations to be nominated on the Development Application Plans for each subdivision.		
	Location of Medium Density	67	Small lot and medium density and medium density on community title zones are not suitable for sites	The Code has been amended to clarify the ability to pursue 'medium density' on steeper slopes. In this regard, the	Amend the Code as discussed.

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			with slopes of greater than 6 degrees as it is an impractical and undesirable housing typology in such locations and expensive to build upon. It should not be located adjacent to surrounding residential development as it is an inappropriate interface with existing development and is likely to create justifiable objection.	Code seeks to enable a variety of housing types, forms and sizes throughout the release area, though the more genuine, or significant 'medium density' development areas are to be pursued on the lesser slopes and with immediately access, or at a minimum, within walking distance to amenities such as public open space and the Village Centre.	
		67	In summary this Development Control requires the central drainage corridor to be bounded by medium density development. This is an inflexible and proscriptive provision which may not be achievable because of topographic constraints.		
		67	Topographically Sensitive Development Opportunities, Page 119 This statement suggests that higher density should be placed on sloping lots. This form of development is generally considered to be undesirable and unviable for the following reasons: <ul style="list-style-type: none"> • It makes the house much more expensive (mainly because of access, scaffolding and extended building time costs) which doesn't correspond with the expectation that a house with a higher density typology should be more affordable. • It depends on niche markets such as young professionals and is undesirable and impracticable for mobility-challenged sectors of the market which predominate in this area. • Split levels create planning inefficiencies which can add 20% to the size of living areas further reducing affordability without necessarily adding to liveability. 		
		53	No medium density should be on slopes over 12 degrees.		
	Lot configuration and setbacks	(2)16	Small lot sizes where boundary setbacks are required gives a very inefficient and visually appalling outcomes. The side and front void spaces are useless and unusable with little benefit. On sloping sites proposed terraced housing that follows the contours and uses roof terraces as open space / green living opportunities (example diagrams provided)	The Code contains several Design Principles to ensure future development responds to the topography of the land, including site specific setback controls to enable development to be best positioned with the contours of the land. Further, controls are provided to ensure variety and interest within the building's façade treatment, therefore contributing to variety within the streetscape.	No amendment to the Code recommended
		8	The Structure Plan is a coloured sketch that is not based on a consensus of planning and engineering principles. It is not clear how multi-unit dwellings in the South-east corner of the Fraser Drive Precinct can incorporate deep verandahs with eaves greater than 600mm to north, north west and west elevations. Plain figure allotments stifle creativity	The creation of regular shaped lots allows easier building construction (therefore reducing costs) as well as promoting greater solar orientation and energy efficiency. Cul-de-sacs, whilst being useful in areas of steep topography, do not provide connectivity, create longer trips and often discourage pedestrian activity. It is not clear how multi-unit dwelling cannot incorporate deeper eaves.	

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			and individualism in design and restrict housing to a limited number of plain shapes. Curvilinear roads and cul-de-sacs allow for a variety of styles and construction of housing with non-standard angles, all the better for a pleasant and variable streetscape.	Prescribing a set lot width/depth ratio reduces the ability of future subdivision and built form to respond to the landform.	
		53	Lot shape should be 3:1 – 4:1, then 2:1 for lots over 12 degrees slope. The Code is too flexible in this regard. The minimum lot width should be 8m, not 5m	This Code prevails over the controls contained within Section A5 of the Tweed DCP to the extent of the inconsistency.	
		67	Minimum lots sizes are in conflict with subdivision controls in A5 and articulated front setbacks are not embraced in the setback controls. These provisions need to be addressed to make the matrix an effective control document and to avoid confusion as to which code takes precedence.	No detail has been submitted demonstrating that the deep soil provision contained with Section A1 of the Tweed DCP prohibit dual occupancy development on 500m ² and 750m ² lots.	
		67	Figure 4.11 provides for dual occupancies on lots as low as 500m ² which is not possible to achieve because of the detailed design standards in Section A1 including deep soil zones. That specific development controls be included in the Development Control Plan to facilitate dual occupancy development on lots of 500m ² and 750m ² and small lot development on conventional lots.		
NFCRS	Growth Targets / environmental	P11 P12 57	How can the Tweed accommodate 1/3 of the entire northern rivers future population when it already has the highest population and the highest concentration of threatened species?	The NSW Far North Coast Regional Strategy 2006 (FNCRS) was prepared by the NSW Department of Planning and Infrastructure.	No amendment to the Code recommended
		28	Population targets upon which housing is planned for Tweed have not been properly debated in the community. Without community consensus Council and State Planning are operating without a mandate. Surely existing residents / ratepayers need to have their wishes respected in deciding population and impact on their lifestyle - their concerns for a relaxed non congested lifestyle. Refers to the award winning community visioning plan last year. Council is trying to achieve the 19,100 population target despite numerous and consistent concerns. Recent population projections have reduce this number by about 50% and the need to achieve such high densities and the legitimacy of this plan requires more study and consultation. Throttle back for the sake of proper planning and give priority to the existing residents.	The FNCRS established a variety of planning considerations, including population growth, dwelling projections and dwelling mix targets. The FNCRS establishes a framework of pursuing population growth within key areas, within a confined urban footprint, thus preserving areas of environmental or agricultural significance. The FNCRS is reviewed on a 5 yearly basis to ensure its validity. The Code seeks to implement the desired outcomes and actions of the FNCRS. Amending the growth projections of the FNCRS is outside the scope of this Code.	
		54, 56, 58,	The sustainability of Tweed Shire proving for nearly		

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		66	a third of the Northern Rivers regions' future population, in a Shire that already has both the highest population of the region, and the highest concentration of threatened species, is strongly disputed.		
NC Design Guidelines		54, 56, 58, 66	<p>Objection to applicable controls of these the Guidelines seen to be missing:</p> <ul style="list-style-type: none"> • Inland villages are typically small and compact. • Residences are typically detached houses with generous setbacks on generous sites. • Generally the lower density and compact nature of these inland villages makes for a reduced impact on the landscape they occupy. • The settlement has developed without affecting the tree canopy substantially. • Building scale is a consistently one to two stories. • Typically, houses in the original village and newer areas are lightweight and elevated in response to the hilly terrain and subtropical climatic conditions. • Buildings respond to topography and climate and are modest in scale. 	<p>The Code is considered to embody the referred principles as follows:</p> <ul style="list-style-type: none"> • The urban development of Area E is provided through a series of small, compact settlements, separated by a series of 'green fingers' being environmental land, wildlife corridors and drainage corridors • The Code details predominately detached dwelling houses of sites that are consistent with, or larger than traditional 'urban' lot sizes. • The Code provides specific design principles to ensure the visual and landscape characteristics of the site are maintained. • Significant tracts of vegetation have been protected from urban development within the Urban Footprint Plan • It is acknowledged that the Code enables taller development should future landowners wish to pursue a taller building form • The Code supports the use of lightweight materials • A primary objective of the Code is to promote subdivision and building design that responds to topography and is climatically responsive. 	No amendment to the Code recommended
Landforming	Controls	53	No land forming should be permitted except along roads. The person building, not the person subdividing, should be the one deciding the style of footing required.	<p>Council's adopted landforming standards (DCP A5 and Development Design Specification D6 – Site Regrading) will be applied to subdivision works.</p> <p>It is not practical to exclude landforming other than for roads. It is generally more economical to undertake bulk earthworks at subdivision stage. This minimizes the extent of works required by home builders, and therefore costs.</p> <p>The Code has been amended to clarify opportunities outside of those detailed within Sections A1 and A5</p> <p>The Code clearly articulates that in the event of an inconsistency with any other DCP, the Code shall prevail.</p>	Amend the Code as discussed.
		67	This Development Control requires all excavation, cut and fill to comply with the provisions of Tweed Development Control Plan 2008, Section A1 but makes reference to some potential increases. The Control is unclear and should be reworded to provide greater flexibility and clarity	<p>The Code has been amended to distinguish between subdivision and residential controls.</p>	
		51, 65	The proposed land forming restrictions are not practical and will result in yield targets being impossible to achieve. It is noted that Councils own graphically depicted design solutions conflict with the prescribed standards. Whilst we are cognisant of the benefits of minimising significant earthworks it is considered more appropriate that the DCP provisions reflect the standards contained within		

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			Council subdivision manual.		
		67	Council is requested to insert a clause in the Code which, for abundant caution, provides clearly and concisely that Sections A1 and A5 prevail in the event of an inconsistency with B24. Council is also requested to include a provision in the Code to provide for retaining walls in lots created within the subdivision to be up to 1.5m high on side boundaries and up to 1.8m on rear boundaries, notwithstanding the provisions of Section A1, providing such walls are constructed on an integrated basis at the subdivision stage and not in conjunction with individual dwellings on approved allotments.		
		67	Development Control No. 1 provides that all natural ground levels are to be maintained, etc. <u>Comments</u> It is presumed the reference to natural ground levels means approved, finished surface levels after subdivision bulk earthworks have been completed. That Development Control No. 1 be amended to refer to approved final landforms.		
	Land slip	14 19	Building on the hillside liable to landslip is not logical	The Code requires detailed site investigations regarding soil stability with the submission of Development Applications, in addition to the existing controls applicable to development on sloping sites (i.e. footing details, structural integrity of retaining walls etc). The Code advocates development that responds to the topography of the site and avoids the expansive use of retaining walls.	No amendment to the Code recommended
		19	What building methods will be ensued to ensure no landslides occur? Who will ensure all allotments meet code of practice requirements to ensure no landslides occur?		
		21	Extensive cut and filling may result in unsightly retaining walls which may pose a risk to land slip after periods of heavy rain. If this damage occurs after the developer has left then Council is left with significant financial risk.		
		23 62	It is a steeply sloping site. Three storey homes on unstable land is obviously increasing the risk for land slip.		
		10	Argument to abandon due to steep slopes, wildlife corridors, water passage etc. Considers it madness and risky to go ahead with the plan.		
	Soil Stability	3	Annexure 20 of the EA documentation details evidence of active instability and contain a slow moving debris slide and provides criteria for fill slopes and heights, cut slopes and heights, and provision for retaining walls. When projecting these findings to the nearby Broadwater Parkway, Council's proposal fails to meet these recommendations.		
Section 94	Road	3	Table 6:2 and Schedule 5 of the TRCP appear		

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	Contributions		inconsistent and based off the Tweed LEP 2000 alignment of lesser length, potentially burdening Tweed residents and ratepayers external to Area E.	reviewed to reflect the findings of the Code and its associated developer contributions framework.	
	General	30	Object to any contribution impacts upon residents outside of Area E	The development of Area E and the infrastructure demands of that development (i.e. Roads, Stormwater, Landforming) will be subject to its own developer contributions framework or form part of normal costs incurred by the developer. The development of Area E will need to be funded by its developers, not the wider community.	
		51, 65	There have been no draft Section 94 plans available during exhibition of the Draft DCP which adversely affects the ability to see the total impacts of the Draft DCP and Sections 64 & 94 Plans. This is despite Council Officer previously indicated that the section 94 plan and the DCP are inextricably linked.	Whilst the Code and the draft contributions framework are linked, these documents can be comprehensively reviewed in isolation, particularly as the contributions plan seeks to provide equitable distribution of costs, as opposed to additional requirements.	
		47	The cost of landforming, roads, stormwater will be totally beyond any projected rates income or developer contributions received.		
	Drafting	51, 65	The DCP contains many discrepancies and as a consequence many of the desired goals / principles are mutually exclusive. The DCP in certain sections provides relatively specific detail while in other sections purports to be of a rather general or conceptual nature. This is of great concern as it will no doubt result in confusion with respect to interpretation issues.	Post receipt of the public submissions, a change in document structure has been established, modifying the document from locality based 'parts' to development phase parts. The amended format enables clarity as to where and where detailed information is required, the Codes relationship with existing Council policy and where amendments may be needed.	Amend the Code as discussed.
		51, 65	A number of constraint maps are inaccurate. In particular, the slope mapping does not reflect in situ conditions.	The Code has been amended to delete the requirement for a masterplan.	
		51, 65	Some of the provisions of the DCP are inconsistent with the Tweed LEP and there will be obvious implementation issues. For example, the DCP allows for a minimum allotment size of 250m ² , whereas the current LEP stipulates a minimum lot size of 450m ² . It is considered appropriate to allow for 250m ² allotments however the LEP needs to provide for this.	The Code has been amended to acknowledge that the Tweed LEP requires amendment to facilitate some components of the Code. Supporting detail has not been submitted to confirm inaccuracies in the slope mapping.	
		51	The DCP requires preparation of a formal Precinct Master Plan. We have included an initial concept master plan however would like clarification as to whether approach will meet Councils requirements.	The Code has been amended with regard to road terminology.	
		67	That the requirement for a Master Plan be deleted.	The Code has been amended to remove the reference to intensive farming within the Fraser Drive precinct.	
		67	That the Code recognise that slope, affordability and marketability are acceptable reasons for departures in yield.	Development costs in isolation are not considered sufficient grounds to justify a variation.	
		67	The road hierarchy/terminology should be the same as used in Section A5 Subdivision Manual (see Section A5.4.9). Page 65 of the Draft Code states that Broadwater Parkway will be a distributor road, but Figure 3.1.3 calls it a trunk road.		
		67	Page 113, Second Paragraph		

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			States that the area in the north eastern corner fronting Fraser Drive continues to be intensively farmed. This needs to be clarified as this area has not been intensively farmed for several years.		
		67	That Development Control No. 3 be amended such that development costs and the objective of providing affordable housing are accepted as justifications for a variation.		

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OPEN SPACE**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Open Space / Recreation	General	13	Objects to the lack of green spaces (parks) and community areas.	Structured and casual open space is to be provided as per the quantum and site requirements established in Council's existing Tweed DCP – Section A5. Open space areas displayed within the Code are of sufficient size individually, as well as cumulatively to cater for the proposed development of Area E. Water infrastructure will be required as per Council's adopted policies.	No amendment to the Code recommended.
		19	Concern there is adequate parklands for future residents and will there be toilets, playgrounds etc?		
		19	Will the developer be required to provide grey water rather than potable to parklands – if not why not?		
		62	Appears there is little open space in the Fraser Precinct. Small lots and no trees need to be visually protected by large tracts of open space.		
		51	The requirements with respect to location and quantum of open space, casual open space and landscape buffers are poorly constructed. Buffer requirements associated with recreating forested land results in loss of developable areas of land through the need to provide Asset Protection Zones.		
		67	Development Control No. 2 provides that consent will not be granted for any Development Application unless compliance with the requirements for structured open space in Area E has been demonstrated to Council's satisfaction. This is a prescriptive and inflexible provision and should either be deleted or reworded to provide for appropriate flexibility.		
	Structured Open Space	67	The Structure Plan shows a number of structured open space areas in difficult terrain where significant cuts and fills will be required and it is submitted that these sites are not appropriate. Playing fields should be located off site at Terranora Village where topographic constraints are minimal.	The Code acknowledges the restrictions of providing 'traditional' open spaces uses, such as football and cricket, within Area E. As a result of the topography and the area of land required, the Code recommends three playing fields spread throughout Area E. The Code acknowledges opportunities for alternate open space use that can respond better to the site's topography, such as mountain biking, as well as off-site opportunities and provides a framework for landowners wishing to explore those options.	No amendment to the Code recommended.
		54, 56, 58, 66	Sports fields will be surrounded to a large extent by medium density development. The quality of the <i>outdoor</i> experience of open space recreation will be compromised by being surrounded, and partially enclosed by walls of development and obstructed views. There is great potential for noise and other conflict with residential amenity.	Medium density development is often pursued adjacent to areas of open space, such as sports fields in order to : <ul style="list-style-type: none"> • 'Frame' the space • Provide passive surveillance • House a greater number of people within close proximity to key infrastructure • Contribute to the activity and vibrancy of the space. The Code details the need for a public interface with open space, predominately roads, providing an appropriate buffer and separation to minimise future noise conflicts.	No amendment to the Code recommended.
	Fraser Drive Precinct	67	In summary this control requires the Precinct C drainage corridor to be enhanced for casual	It is recommended that the Code be amended to clearly establish that the drainage corridor within the Fraser Drive	No amendment to the Code recommended.

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OPEN SPACE**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			recreational uses including community gardens. Enhanced areas should be treated as usable Casual Open Space for the purposes of determining the overall quantum required within Precinct C.	precinct does not form part of the public open space network. The identified park is above the minimum size required of 2500m ² and is positioned to complement other casual open space sites within Precinct C (Mahers Lane) and to provide the retention of public views from this elevated position.	
		67	<p>The Structure Plan provides for an area of casual open space at the end of Parkes Lane however it would appear not to comply with Council's minimum requirement for 2500m² contained in the Subdivision Manual and it is not considered to be a central and accessible location for the whole of Precinct C.</p> <p>The proposed park area provides little benefit to Precinct C because it is on the periphery and is remote from most future dwellings in Altitude Aspire. The preferred and logical location for casual open space is a central location at the main entry off Broadwater Parkway. This location will augment the entry effect and is adjacent to the proposed Residents Club.</p> <p>The location is not only central to residents in the Fraser Drive Precinct but is also accessible to residents in future stages. This location forms a triumvirate of open spaces supplementing the Broadwater Wetlands and the natural valley between the two development parcels.</p>		
Agriculture		54, 56, 58, 66	<p>The code should specify that the agricultural history of the site is displayed for educational purposes and to promote utilization of the site for food production.</p> <p>The Code should make special provision to ensure public open space is sited with maximum sun and access to rainwater tanks to facilitate food production gardens.</p>	<p>The Area E Local Environmental Study 2004 contained a detailed discussion as to the merits of retaining the Agricultural Protection zoning of the site, thus facilitating agriculture, as opposed to rezoning the land for urban expansion. Whilst it is acknowledged that the site comprises high quality soils, the site has been rezoned for urban purposes as agricultural use was not identified as the highest use of the site.</p>	Amend the Code to include appropriate management and retention of Class 6 soils, enabling future food production opportunities.
			Market gardens could be provided as an alternative to more traditional forms of open space that are proving difficult to provide due to steep slopes.	<p>The framework of the establishment and maintenance of community gardens will be identified and agreed with groups wishing to pursue this concept. The Code does not seek to mandate community gardens, rather acknowledges the potential of the use and the site and provides an opportunity for interested parties that may wish to pursue this concept.</p>	
		53	If people had 1200m ² of the top 1% of land in Australia, they could be self-sufficient in vegetables with enough over for a supplementary income. Area E has 26% of Class 6 classed soils within Tweed Shire, why waste it? This is more practical than the Codes romantic notion of growing food on rooftops	<p>Although a very old form of public space usage it is new to Tweed Council and it is acknowledged that the policy machinery remains to be developed in this area. We note</p>	

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OPEN SPACE**

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			and footpaths.		
		61	Code lacks commonsense and foresight. Is scenic hinterland with rich soils for food production and natural environment being turned into urban sprawl. More safeguards need to be included in the planning.	that there is a community demand for community food gardens and that Council needs to be proactive in meeting this growing demand, one that it seemingly being met globally as a growing trend toward urban agriculture gains momentum. It is also seen as an excellent opportunity for new developments to reach out to growing market of environmentally / sustainably aware home buyers and utilize the quality soils present to a higher effect.	
		69	Objects to the proposal as it is not sustainable to build on important farmland.		
		40	Suggest that cluster housing has a community garden or individual lots have room for cultivation.		
		(2)27	Because of its desirable geography, climate, topography, solar aspect, view Area E must be one of the most desirable places on the east Australian seaboard - to grow fruit and vegetables. It could be argued that food security outweighs residential attributes. The resources of this site demand our respect and sympathetic treatment.	The Code requires that land forming plans are to identify Class 6 soils, detail how the soils will be managed throughout the land forming process and placed post land forming in order for these soils to continue to be productive. Class 6 soils should preferably be placed within a public space to better facilitate community gardens to be pursued. Further, large and transitional lot areas are contained within the Code should future residents wish to pursue food production on private lots.	

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GENERAL**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
	Engineering	33	Object due to engineering concerns	Council is unable to address this issue further without specific example or concerns raised	No further action or amendment required.
		61	Seems incomprehensible that three storey dwellings are proposed on steep hillsides. With worsening climate change extremes, storms, landslip will ratepayers be financially liable for future damages of ill conceived planning today?	The Urban Footprint identified within the Code restricts development to land predominately less than 18 degrees and positions development higher than current climate change projections.	No further action or amendment required.
		46	Multi-storey dwellings on such steep slopes is of concern so close to a body of water and will inevitably be affected by sea level rise risks and exposure to storms, heat waves, cyclonic weather, landslides and inundation	Development is required to meet engineering standards.	
	Urban design	49	Little evidence of admirable urban design in the Tweed Shire and in this area zoned for developers to develop. Considers developers are the true planners of the Tweed. In Terranora all development have not turned out as planned. Azure is not quite as up market as advertised. Terranora Village extension of Federation Dr is barren. Prices are slashed. The biggest blight is Terranora shopping centre. Considers it inconceivable to consider further development when so many small business operators are under financial pressure. Some shops have never been tenanted. Should not be considering another inappropriate shopping centre as the existing one should be fixed first. Semi-rural Terranora will not stand for another blight in their lifestyle. Endles cul-de-sacs and narrow streets make it hard to move around. Is this really urban planning? Perhaps we should focus and redevelop some of the more hideous urban areas and not on semi-rural areas.	<p>The Code contains guidance and provision regarding the size, scale and form of retail development within the Village Centre.</p> <p>The Code does not mandate the provision of a supermarket, rather provides design and economic guidance should a supermarket be proposed.</p> <p>The design principles and controls of the Code are considered to provide an appropriate framework for the construction of high architecture quality development.</p> <p>The Code advocates a street layout that provides connectivity and restricts the use of cul-de-sacs to steep land.</p>	No further action or amendment required.
		40 45 46, 47 59	This is urban sprawl within a rural hinterland. This overdevelopment is contra to the Tweed beauty.	The Area E site has been earmarked for urban expansion since Tweed Shire Council's Residential Strategy 1991. The Code contains specific design principles to ensure future urban development respects and maintains the key visual and landscape characteristics of Area E.	No further action or amendment required.
		23	The Azure development which was to be prestige homes is turning into a mish mash of many designs and losing its appeal.	This estate is outside the scope of this Code	No further action or amendment required.
		34(2) 35(2)	DCP of 2005 was never exhibited however it was in the public domain and is a legitimate document which represented Council's position at that time. Have seen the changes which favour the landowners and developers with less consultation with existing rural residential owners. The main Group, who will not be the ultimate owners	Landowner consultation throughout the Code preparation process was considered necessary as ultimately they are the owners that will undertake the development of the land. General public consultation was also undertaken in accordance with Environmental Planning & Assessment Regulation 2008.	No further action or amendment required.

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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			of the lots so what interest will they have in the transitional zone as the adjoining residential area does?		
		40	Support the plans recommendation for community title on the upper part of the property as per fig 4.3 page 96.	Noted	No further action or amendment required.
		6, 44	Support the draft Code, strongly supports the draft Area E Urban Release Code and whole of area strategies in particular 3.2.3 Topography and Slopes, 3.2.8 Infrastructure and 3.2.9 Scenic Protection.	Noted	No further action or amendment required.
		53	All transmission lines must be underground.	This matter is covered with Council's Tweed DCP – Section A5	No further action or amendment required.
	Graffiti	21	The acoustic barrier to Fraser Dr will provide a ready canvas for graffiti vandals and detract from the visual beauty of the areas. Whilst such walls may be essential along major highways it should not be required in a properly planned urban estate.	The Code does not require an acoustic fence along Fraser Drive, however some form of 'rear fence' is likely to be pursued by future landowners to maintain a level of privacy. The Code has been amended post public exhibition to provide further design advice on achieving a high quality interface along Fraser Drive	Amend as discussed
	Aesthetics	26	Concerned this will be a duplicate of Tweed Heights with little regard for wildlife, with very few aesthetic walkways, parks and play areas. Can see the greed of developers and Council when comparing what our once beautiful township has become. Concerned Council has little regard for wide roads, parks, cleanliness of streets with rubbish along road sides, graffiti and concerned that this will be repeated in Area E.	The Code is considered to provide an appropriate 'triple bottom line' approach to the development of Area E through retention and rehabilitation of environmental protection, suitable residential development, provision of structured and casual open space. Cleanliness of streets is an operational issue and is beyond the scope of this Code	No further action or amendment required.
		52	The proposal is completely out of character with the aesthetic and integrity of the area.	The Code contains specific design principles to ensure future urban development respects and maintains the key visual and landscape characteristics of Area E, as identified through the preparation of the Code and the Tweed Scenic Lands Evaluation Study 1995 and integrates within the surrounding community. The Code is considered to provide an appropriate 'triple bottom line' approach to the development of Area E through retention and rehabilitation of environmental protection, suitable residential development, provision of structured and casual open space.	No further action or amendment required.
		60	Area E should be delivering a prestigious suitable plan. Current residents are happy to share it with newcomers but do not wish to see its destruction with the current plan.		No further action or amendment required.
		61	Concern about the spread of Gold Coast style		

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GENERAL**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			development.		
	Non local interest	2	Concern that current Councillors and staff do not live in this area and therefore should consider the request of the residents living in the area.	Public consultation was also undertaken in accordance with Environmental Planning & Assessment Regulation 2008.	No further action or amendment required.
	Safety	33	Object to the proposal for safety concerns.	Council is unable to address this issue further without specific example or concerns raised	No further action or amendment required.
	Village or community	40	Suggest the development be created around a village or community atmosphere with a focus on sustainability.	The Code is considered to provide the planning framework for this to occur.	No further action or amendment required.
	Elderly Population	3	The topography of the proposed development does not lend itself in any part to servicing the needs of our older population. Accessibility for the elderly has not appeared to be a consideration.	Accessibility to addressed outside the scope of this Code through Council's shirewide development controls, such as Section A5 of the Tweed DCP, as well as Building Code of Australia provisions and SEPP Seniors Housing.	No further action or amendment required.

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
ENVIRONMENT**

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Environmental	Environment Impact - General	P4 33 P43 P50	Object to the development due to the impact on surrounding environment.	<p>Significant ecological values of the site are predominantly protected within environmental protection zones - i.e. floodplain endangered ecological communities and SEPP 14 Coastal Wetlands. The proposed Broadwater Parkway is unable to avoid some of these areas at the eastern extents where the Parkway connects to the existing road network. Before this road is constructed it would be subject to a detailed environmental assessment, with avoidance of significant conservation attributes considered, and impacts mitigated or offset.</p> <p>The provision of buffers between the development and significant ecological values of the site, and the need to revegetate buffers, is essential in reducing the impact of the development on natural areas.</p> <p>Development applications for precincts will be required to demonstrate that they first avoid, then minimise and manage impacts on the environment and development consent conditions will apply relating to environmental protection.</p> <p>The Code has been amended post public exhibition to include an Urban Footprint Plan which removes land of environmental quality from potential urban development; this includes tracts of bushland, particularly where it exists on land greater than 18 degrees in slope. The Code has also been amended to clearly articulate wildlife corridor opportunities within and beyond the site.</p> <p>The Code does not propose any works to the Market Parade wetland and is not considered to result in any impact in this regard.</p>	Amend the Code as discussed
		55 57	Development is on steep slopes that feed into SEPP 14 wetlands (full protection under marine Protected Areas in 1999) as well as EECs, lowland rainforest, threatened and rare species. It appears the need to foster development overrides the environmental attributes. Saddened to see the over development and ongoing environmental destruction where short term profits impact negatively on us all.		
		57	Lives next door to an area of 'high ecological status' and the rainforest has suffered for being too close to human development. When 8 villages in the Tweed have banned plastic bags this shows that residents in the Tweed care about the environment.		
		53	Wildlife Corridors should be extended through to Terranora Road.		
		19	Tree preservation alongside roadways is non-existent.		
		20	Concern for the impact of the extra 4,000 people on the remnant rainforest and flora habitat. Understands Council needs more ratepayers but when does the area get to keep the little bushland that remains.		
		33 40	Object due to the impacts on the ecology / ecosystems		
		47	Market Parade has a wonderful wetland which will be lost if this development goes ahead.		
		40	Suggest detailed study with a view to preserving wildlife corridors		
		57	Low impact uses for the central precinct would allow for important climate change ecosystem retreat, this has not been provided. Need to allow greater flexibility in road location furthest away from EEC and to maintain the integrity of the wetlands and the Broadwater. Any structures should be on stilts.		
	Vermin and reptiles	2	Adequate provision needs to be made to satisfactorily relocate vermin and reptiles, existing in Area E, away from the established community.	This is beyond the scope of the Code, Native fauna is protected under the National Parks and Wildlife Act, including native reptiles. Therefore Council has no authority to relocate native animals, even if they are considered vermin by some.	No amendment to the Code recommended
	Sustainability	(2)27	Such a world class site should be using sustainable services such as large on site water tanks, recycling, grey water treatment and use. This would assist stormwater run-off. North facing	Water capture and reuse is encouraged, and is discussed within Council's Integrate Water Cycle Management and Demand Management Strategy. All future proposals will be subject to the NSW Government's 'BASIX' Policy as a minimum requirement.	No amendment to the Code recommended

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			site should use solar power panel and photovoltaics. On site composting would reduce eater waste and effluent and improve the soil.	Higher levels of housing efficiency are encouraged, however cannot be mandated by Council as a result of the BASIX policy. It is not clear what components of the Salt and Casuarina developments are unsustainable and as such further response cannot be given.	
		5	Terranora has semi-rural sustainable homes and includes the use of sustainable technologies such as solar panels.		
		19	Would be prudent if any new development in the Shire is encouraged to reduce potable water and decrease fossil fuel dependency.		
		46	Considers the development shortsighted and unsustainable as in Salt and Casuarina.		
	Planting and landscaping	(2)27	All plantings should be locally indigenous species appropriate to location and function. Steep land should be rehabilitated. Plantings should also be used for micro climate controls.	Amend the Code to increase the proportion of locally indigenous plant species to 80%. Revegetation of steep land is discussed in environmental - general.	Amend the Code as recommended
	Wildlife/ fauna	(2)27	Wildlife should be encouraged though prolific planting as well and education and aggressive promotion.	The Code seeks to rehabilitate existing high conservation fauna habitats and also to revegetate buffers to these high conservation habitats.	No amendment to the Code recommended
		57	Wildlife corridors should be identified and special treatments provided where corridors cannot be excluded, eg fauna crossings for roads, large lots, fencing etc. Concerned about the genocide of other species.	It is beyond the scope of the Code to comprehensively guide resident behavior once the development is completed. However there are other avenues open to Council and the community to promote education and promotion of wildlife friendly behavior.	
		57	Consideration should be given to protection of bats due to Hedra virus concerns.	Council officers are not presently aware of a camp site for Flying Foxes within the large forested wetland area, nor within Area E. Flying Foxes are a protected species under the National Parks and Wildlife Act, with this Act administered by the Office of Environment and Heritage, not Council. However, in light of the environmental requirements contained within the Code, suitable buffering from residential properties is able to be obtained.	No amendment to the Code recommended
		52	Considers the DCP shows little regard for fauna in the area. In winter visited by wallabies and kangaroos. Trees provide shelter and roosting for birds. As sparsely inhabited areas shrink, habitat for birds and animals is dwindling, consequently many of these species will disappear.	A large continuous area of fauna habitat will be protected at the northern extent of Area E surrounding the Terranora Broadwater, and a north south fauna habitat and riparian corridor will also be protected (located between the Central and Mahers Lane precinct). These areas of high conservation significance were determined by a Local Environment Study on which the Development Code is based. The remainder of Area E consists of Camphor Laurel regrowth forest, agricultural land, dams and small native	No amendment to the Code recommended

**DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW
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Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
				<p>forest remnants.</p> <p>These are typically included within areas where development is permitted. However, each Development Application will need to consider the importance of these habitat features and the Code specifies that important feature trees or stands of trees are to be identified and where possible retained.</p>	
	Wetland and Habitat Restoration	67	<p>Development Control No. 1, Page 45 Requires the preparation of a Wetland Restoration Plan and a Habitat Restoration Plan prior to the issue of any Development Consent</p> <p>This is an onerous and inequitable provision as it requires at least the initial applicant to prepare these plans in respect of the whole wetland area when the plans will in fact benefit all landowners. A more equitable approach is to distribute these costs by way of a Section 94 Contribution Plan.</p>	<p>The Code acknowledges that land requiring restoration works is in fragmented ownership. To this extent, Council is open to discussion with applicants regarding delivery methods for the restoration work identified to ensure equitable distribution across the development of Area E.</p> <p>One method previously explored is the collection Section 94 funds, as is detailed within the landowners prepared Section 94 Plan. Council investigations have thus far concluded that this is not a viable method to resolve this issue as contributions cannot be collected for that purpose as detailed within the Department of Planning and Infrastructure Section 94 guidelines, November 2009.</p> <p>Further discussions and delivery methods will be explored by Council and Area E landowners within the development of an appropriate developer contributions framework.</p>	No amendment to the Code recommended
		67	<p>Development Control No. 2, 3 and 6, Page 45 In summary, this Control provides that prior to issue of any Development Consent the applicant must address the works identified within the approved Wetland and Habitat Restoration Plans and the intended method of carrying out these works.</p> <p>This is very difficult to comply with unless the wetland and habitat areas are in public ownership or the ownership of the applicant which is currently not the case and it is understood that Council is not making provision in the Section 94 Plan to provide a mechanism to fund the acquisition of these areas.</p>		
	Mosquitoes & Biting Midge	53	The SEPP 14 Wetlands needs to be rehabilitated to control these pests.	The Code requires a Wetlands Restoration Plan within future application	No amendment to the Code recommended

DRAFT AREA E URBAN RELEASE DEVELOPMENT CODE – SUBMISSION REVIEW

- WATER & SEWER INFRASTRUCTURE

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
Water & Sewer	General		Concern for lack of infrastructure and cost to rate payers for establishing the infrastructure for 4,000 residents.	<p>All infrastructure required for water supply to service Area E is to be paid for directly by the developers of the land. Additional capacity in the water treatment plant and water conveyancing system necessary to supply Area E is included in the Water Development Servicing Plan (DSP) which provides for the recovery of these costs through Local Government Act Section 64 contributions levied on developments as they are approved and have to be paid prior to issue of subdivision certificates, and occupation certificates as appropriate.</p> <p>Likewise, the Sewer DSP provides for upgrades of common conveyancing and treatment infrastructure as well as developers being required to construct necessary infrastructure to connect to the existing system at a suitable location.</p>	No further action or amendment required.
			Water and sewerage constraints on this area.		
			Concerned about the level of infrastructure required to accommodate so many people.		
	Infrastructure Location		<p>Object to the location of the secondary water reservoir on their 2.17ha property as per Figure 3.16 page 74. Resumption of an improved site, like theirs, demolition of buildings, gardens, cattle yards etc and major excavation is a far more costly exercise than making provision on an unimproved lot. Suggests placement on any part of the western section of Mahers Ln would severely impact on the visual amenity of this site and be contradictory to the visual character objectives and the views from this site and adjacent Lindisfarne School. Reservoir should not be on ridge top land. There are numerous other appropriate level sites at the same RL on unimproved land on the eastern side of Mahers Ln. When the time comes to establish the reservoir (2031) there will then be access roads to service the reservoir. Map of alternate below.</p>	<p>Council's Water Unit has provided comment as follows:</p> <p><i>At this stage, the final location of this proposed reservoir is undetermined. Other than being located within Area E, it is unrelated to Area E and is to provide additional storage in the trunk conveyancing system. It is not the most ideal site from an hydraulic perspective but all alternative sites examined have been ruled out due to the affect on the radio station infrastructure adjacent to the existing North Tumbulgum Reservoir or would be on properties of even higher value.</i></p> <p><i>Sites on the other side of Mahers Lane have also been considered but unless it is possible to construct the supply main through Lindisfarne Anglican Grammar School property, these sites are considered unsuitable as the main must come from below the level of the reservoir and not go any higher than the floor level at any point, or the reservoir will not function correctly.</i></p> <p><i>The design will endeavour to take into account views from properties above it and would be located on a bench constructed in the hillside.</i></p>	Amend the Code as discussed.
		<p>Objects to the location of the water reservoir on property as this will be an imposition on the prime parcel of building land; would be a massive wall right up next to my home and other; would block the fantastic views for this land; would be an eye-saw to the whole valley population as it is on an open ridge; transmission towers placed on top would be a health hazard to myself and neighbours; it would drastically devalue the property.</p> <p>Suggest that it be located further east along Terranora Rd on unusable land and where it can cut</p>	<p>The water infrastructure provisions (instrument and mapping) have been amended to reflect the above</p>		

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- WATER & SEWER INFRASTRUCTURE

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
			into the side of the hill, below the ridge line, thereby putting it out of sight. Maybe place in parks or reserve lands.	comments – identifying a band of potential sites and enabling those sites be retained until such time that Council formally decides on a detailed location and timeframe.	
			Sewerage connection to the Parkes Ln precinct has not been mentioned. Requests provision of an easement for its future implementation and consideration of stormwater drainage.	The possible sewerage of the Parkes Lane area was included in the Banora Point Sewerage Strategy Study in 1999 as being possible when Area E is developed. Council's Subdivision Design Specification D12 requires the design of sewerage in developments to consider the connection of future up stream areas that could be connected through the development and to make suitable provision in the capacity and location of sewers in the development area. This requirement will be considered in detail when specific development proposals come before Council and will be conditioned in future Construction Certificate Approvals.	No further action or amendment required.
	Dual Reticulation	57 31	Dual reticulation should be incorporated not just to reduce waste but also to reduce the likelihood for the need to build a dam. Healthy water supply is critical to the sustainability of mankind in the future.	Council has considered whether dual reticulation should be adopted in the Integrate Water Cycle Management and Demand Management Strategy previously adopted. A number of options were assessed using economic, social and environmental considerations. The preferred and adopted option of Council is to have household provide a 5000 litre rainwater tank connected to a minimum of 160 square metres of roof and plumbed to supply laundry cold water, toilet flushing and outdoor uses.	No further action or amendment required.
		61	Dual reticulation needs to be costed fully. \$38 million for the proposed 5 greenfield developments is hardly cost prohibitive and cheaper than a dam on Byrrell Creek.		
			Would be prudent if any new development in the Shire is encouraged to reduce potable water and decrease fossil fuel dependency.		
	Water and Sewer Infrastructure Delivery		The DCP fails to deal with delivery of water and sewer infrastructure. There has been no real comment in relation to acquisition, easements, timing and ultimate delivery of water and sewer.	The provision of internal infrastructure is the responsibility of the developers of land. General strategies have been put in place by Council in previous documents and it is the responsibility of developers to work within those strategies to achieve water supplies and sewerage systems that meet the standards required. A particular problem of this area is the diverse ownership of the various land parcels, the location of the most suitable location for the internal reservoir at an elevation suitable to service the whole are, the choice of location for the regional sewer pump station and the limitations on the Fraser Drive and Banora Point Waste Water Treatment Plant access corridor for sewer rising mains. With the exception of the proposed Conveyancing Storage Reservoir (7.5ML), it is the responsibility of the developers	No further action or amendment required.
			The Development Control Plan does not contain a water or sewer servicing strategy but rather defers to the applicant at Development Application stage to provide a servicing plan.		
			This requirement is inconsistent with holistic planning principles and the need to equitably distribute costs, particularly where interim works will need to be provided as well as ultimate works. Requested Amendment - That a detailed initial and ultimate Water and Sewer Strategy be contained in the Draft Development Control Plan.		

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- WATER & SEWER INFRASTRUCTURE

Theme	Issue	Sub. No.	Summary of submission	Planning response	Recommendation
				<p>to acquire the sites for internal infrastructure and to provide easements.</p> <p>A further conflict of this development is that whilst the logical area to commence from a water supply perspective is at the Mahers Lane end, from a transport and sewerage point of view, the Fraser Drive end is more logical.</p> <p>Unfortunately, Councils current water supply system in Fraser Drive is already at capacity and unless an additional reservoir is built adjacent to Chambers Reservoir, water will need to be sourced from the Mahers Lane end with construction of the 3.0ML reservoir early in the project.</p> <p>As such, it is difficult for Council to nominate timing of infrastructure, and given that development cannot proceed unless the water supply and sewerage systems are provided, it is not considered necessary or even possible for any greater detail to be provided within the DCP. It is a standard requirement for significant developments to provide water supply and sewerage strategies which have to be approved by the Manager Water or Director and are usually developed by the developer's engineers in consultation with Council officers.</p>	