

Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Caroline Urquhart
21 Stanley Park Rd,
WOLLONGBAR NSW 2477
Ph. (02) 6628 5327
Mob 0414 011 999
12 June, 2012.

OBJECTION TO DA 2012/171

Proposed 2 Lot Subdivision and Approval to Build 2 Attached Dual Occupancies, Lot I DP 1055827 Stanley Park Drive Wollongbar.

As a close landowner and ratepayer, I am applying to object to DA 2012/171, firstly on the basis that it violates Ballina Shire Council's DCP regarding Control Plan Area L1, which specifies the favoured form of housing for this site is a single residence on a large lot. It furthermore violates Council's LEP which recognises '*the need to regulate the subdivision and use of land to permit housing and ancillary development where the scale, type and traffic generating characteristics of the developments are compatible with the character and amenity of surrounding residential areas.*

In addition, Lot 1 DP 1055827 is situated within Village Zone 2(b) and Environmental Protection / Scenic Escarpment Zone 7(d) under the Ballina Local Environmental Plan (LEP) 1987. The proposed subdivision application does not meet the minimum 40ha requirements of SEPP No.1 for development within a 7(d) zone. The DA attempts to reduce the importance of this breach and declines to recognise its consequence, which increases with its purpose to construct two attached duplex buildings on each of the subdivided lots, meaning there will be four residences built on a site that is explicitly zoned for a single residence or a dual-occupancy at the most (L1).

The suggested buildings will substantially affect the area of thick plant life with the elimination of substantial mature eucalyptus trees, which are home to a mass of birdlife & occasionally koalas. This has been totally disregarded by the flora and fauna assessment attached to the DA. This is also a lifestyle feature for our cul-de-sac, with a beautiful creek and waterfall running throughout, our cul-de-sac has a small share of serenity.

The increase in traffic produced by a possible 8 or more vehicles with an additional four residences, in contrast to the two vehicles which would accompany a single residence (as prescribed under L1 zoning), will change the safety of our cul-de-sac. There are 10+ children who utilise the front of their homes and the road, only 3 doors up from the proposed residence, to play outside. My home is in line with the decline/rise of the road and this extra traffic would place an additional strain on road safety, making it incredibly unsafe for the majority of the children who are under 9

years of age. The character of our cul-de-sac will also be affected, with only 4 car spaces available within the residence, leaving the cul-de-sac as the only other place to park a possible further 4 cars.

I believe the subject DA 2012/171 should be rejected and limited to a single dwelling on a large lot, as stated with the existing zoning L1. Attention is furthermore required to address the preservation of the eucalyptus trees and native flora. The development of the proposed residence will incur negative environmental and social impacts.

Kind Regards,

Caroline Urquhart

12/16204
ACKNOWLEDGED

Ballina Shire Council
PO Box 450
BALLINA NSW 2478

RECORDS SCANNED
14 JUN 2012
Doc No. 12/15944
Batch No. Hugh J.

Harry & Helen Jarvie
28 Stanley Park Rd
WOLLONGBAR NSW 2477
Ph. (02) 6628 5912
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RECEIVED
13 JUN 2012
COUNCIL

OBJECTION TO DA 2012/171

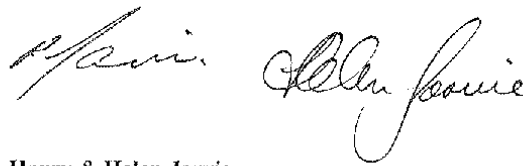
Proposed 2 Lot Subdivision and Approval to Build 2 Attached Dual Occupancies, Lot 1 DP 1055827 Stanley Park Drive Wollongbar

1. As neighbouring landowners and ratepayers, we wish to lodge an objection to DA 2012/171 on the basis that it contravenes Ballina Shire Council's DCP regarding Control Plan Area L1, which clearly indicates that the preferred form of housing for this site is a single dwelling on a large lot. Also, it clearly contravenes Council's LEP which identifies 'the need to regulate the subdivision and use of land to permit housing and ancillary development where the scale, type and traffic generating characteristics of the developments are compatible with the character and amenity of surrounding residential areas'.
2. Further, Lot 1 DP 1055827 is located within Village Zone 2(b) and Environmental Protection / Scenic Escarpment Zone 7(d) under the Ballina Local Environmental Plan (LEP) 1987. The proposed subdivision application does not meet the minimum 40ha requirements of SEPP No.1 for development within a 7(d) zone. The DA attempts to discount the importance of this contravention, however, it fails to acknowledge the compounding effect of this contravention when added to the intent to construct two attached duplex structures on each of the subdivided lots, which effectively means that there will be four dwellings constructed on a site that is specifically zoned for a single dwelling or a dual-occupancy at the most (L1).
3. The proposed development will have significant effect on the neighbouring streetscape in vicinity of my property through the appearance of relatively low-value high-density housing combined with the removal of a significant area of lush vegetation, including mature eucalyptus trees that house a multitude of birdlife & occasionally Koalas – which has been completely ignored by the flora and fauna assessment attached to the DA. This is likely to negatively impact property value in the street, thereby directly causing an adverse economic impact on us, contrary to the assertions in the DA.
4. The provision for 8 or more vehicles at the end of the cul-de-sac represents a significant increase in traffic volume past my property in comparison to the reasonable expectation of only two vehicles associated with a single dwelling (as prescribed under L1 zoning). The increased traffic generated will change the character and safety of the street, particularly in regard to children's safety due to the slope of the proposed driveways entering the roadway causing questionable visibility due to the cresting effect.
5. The flora and fauna assessment appears to deliberately ignore the substantial native birdlife and occasional koala sightings in the eucalyptus trees, which represents lifestyle

amenity for residents of the area, and it fails to take account of the relationship of the flora to adjacent vegetation to the South East of the site, which forms a pathway / linkage to the "unnamed creek" as a water source for native fauna.

6. The statement of environmental effects and associated stormwater plan does not appear to account for the fact that the lot sits at the bottom of a steep cul-de-sac catchment and at the apex of converging creeks / drains. In particular the "unnamed creek" along the Eastern boundary of the site is likely to be subject to vastly increased water flows associated with the planned developments along Plateau Drive, particularly the proposed 83 lot residential subdivision associated with the Smith Family development proposal and its associated detention basin planned for the "unnamed creek". Therefore, the assumptions of the stormwater management plan should be carefully reviewed by council's engineers and specialist staff, looking specifically at the composite effect of a vastly larger surfaced area under the DA due to the proposal for two paved driveways instead of one, and up to four times as much roof area and paved surfaces, causing significantly more concentrated runoff from the site, with the associated erosion and saturation effects. Further, it should be noted that the use of rainwater tanks as a stormwater management measure, as per the DA appendix, are only effective until the time that they reach capacity and overflow – a common occurrence in recent rainfall events.

7. In conclusion, we believe that council should decline the subject DA 2012/171 and direct that the proponents be restricted to a single dwelling on a large lot, in accordance with the existing zoning L1, and take action to preserve the eucalyptus trees and native flora on the site. Contrary to the conclusions stated in the DA, the points stated above show the development will impact socially, economically and environmentally. I am available to attend any meeting or consultation associated with the subject DA, and look forward to council's careful and favourable consideration of our objections.



Harry & Helen Jarvie

9 June 2012



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY



DON PAGE, M.P.
MEMBER FOR BALLINA

DA-2012/171.

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15th June 2012



Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

FAXED
3:20pm

Dear Mr Hickey,

I am making representations on behalf of Mr Stuart and Mrs Rae Hough of 28 Central Park Drive, Wollongbar who have objections to Development Application 2012/171 submitted development of 32 Stanley Park Road, Wollongbar.

I enclose herewith a copy of Mr and Mrs Hough's correspondence detailing their objections to the abovementioned Development Application.

It would be appreciated if you could arrange to look into the issues Mr and Mrs Hough have raised and take these into consideration when determining Development Application 2012/171.

Thank you for your assistance in this regard. I look forward to your advice and comments in due course.

Yours faithfully,

Don Page MP
MEMBER FOR BALLINA

encl.
DP:dc

14/06/12

Stuart & Rae Hough
28 Central Park Drive
WOLLONGBAR NSW 2477

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

12/16598
ACKNOWLEDGED



Dear Sir

Re: DA 2012/171 WOLLONGBAR

We are writing to you in response to council's letter dated 21/05/12 informing us of the proposed development at Lot 1 in DP 1055827, 32 Stanley Park Road, Wollongbar, DA 2012/171.

We have reviewed the Statement of Environmental Effects and other documents lodged with the development application and wish to make an **objection** to the proposed development.

The Statement of Environmental Effects states that the proposed development is appropriate to and compatible with the existing nearby residences. The author concludes that there will be no 'negative impacts upon the amenity of the area'.

As adjoining landowners we are very concerned about the negative impacts the proposal will have on our neighbourhood.

- 1) We are concerned that if council allows the development to proceed the concentrated increase in traffic, generated by the 4 additional three bedroom dwellings, will significantly increase noise levels, while threatening the safety of the many children who take advantage of the protection of a quiet cul-de-sac to play and exercise. This proposal would see the amount of on-street parking increase dramatically.
- 2) The proposal indicates that the many Tallowwood and Cadaghi trees on the site will need to be removed to allow clearance for the proposed dwellings to be constructed. These trees currently serve as a visual and acoustic buffer to the newly constructed link road, Plateau Drive, and their removal will have a very negative impact on our immediate environment as well as that of the surrounding properties. Furthermore, if the trees were removed, there would be the destabilisation of the already steep and eroded creek banks adjacent to the eastern and western boundaries of the site.
- 3) Koalas have been sighted on several of the local properties over the last few years and as they have been recently listed as 'vulnerable' it can only be detrimental to the local koala population to remove more of their habitat. The mature Tallowwoods are a known food source and habitat for koalas and the group of Tallowwoods in question constitutes a significant part of an isolated habitat, in an area of continually diminishing habitat. We request that council encourages the developer to look at an alternative solution for the site, one that protects habitat and retains these trees for the benefit of koalas and the local community, whilst allowing the owner to still develop the site with a more compatible plan.
- 4) The NSW Office of Water shows the creeks adjacent to the western, northern and eastern boundaries of the subject property to be designated watercourses varying from class 1 to class 3. The banks of these creeks are quite steep and are subject to erosion. The site plan lodged with the development application shows the proposed buildings to be within approximately 4 to 6 metres of the western watercourse. This would be very close to the creek and would have a definite, negative impact on an already fragile area. The location of

the local watercourses appears to be the basis for the siting of the 7(d) (environmental protection zone) and has an obvious importance to the area. Council needs to ensure that any development either within this zone, or adjacent to it, must be carefully considered, and if necessary any consent issued should be conditioned to allow for the creation of buffers or protected areas adjacent to these watercourses. The retention of the Tallowwood trees and other vegetation would assist in this matter.

5) Currently, members of the public are using this site as a thoroughfare to gain access to Plateau Drive with a well-worn path existing along the site's southeastern boundary (adjacent to No. 30 Stanley Park Road). If council sees fit it should instruct the developer (by way of consent condition) to dedicate a strip of land as pathway to allow the public to continue this practice. There may also be the need to provide a sealed pathway along Stanley Park Road to provide safe access, especially for the children that would be affected by an unproportional increase in traffic, in this normally quiet street.

A look at the Ballina Shire Combined Development Control Plan - Map 8 shows that the subject lot is classified L1, and that it is one of only two such areas in Wollongbar. This appears to be significant and begs the question why would council originally set aside this area and identify it's 'predominant form of housing as a single dwelling on a larger than normal lot', only to allow it's subdivision into two smaller parcels, both with dual occupancies. This is hardly 'preventing the fragmentation of larger lots' and goes against guidelines designed by council to maintain the character and amenity of the existing residential areas.

It is not acceptable for the author of the Statement of Environmental Effects to state that, because in his opinion the proposal "is highly unlikely to have any detrimental impact on the amenity of the area", and from that, to then conclude that council should support the proposal. We trust that council will apply all relevant development standards to this proposal when considering it.

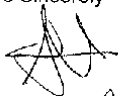
The author does not give any detail about how he proposes to minimise impact on the local residences. Most of the local residents are owner-occupiers and choose to live here to take advantage of the amenity that exists; an amenity that they rely on council to maintain.

The development may meet the minimum lot size requirements for this zoning, but as noted above, the site has several difficult and important constraints that are in direct contradiction to the current proposal.

We ask that council reject the proposal in its current form and instruct the developer to try to achieve a solution that works within these constraints and to still maintain the existing amenity of the neighbourhood. We do not want to stop development on this site and we have looked forward to having a family establish a home there, but we do seek a development that is compatible with the existing character and environment.

If council requires clarification of our thoughts on any of the issues mentioned above please don't hesitate to contact the undersigned.

Yours Sincerely



Stuart & Rae Hough



17 Stanley Park Road,
WOLLONGBAR NSW 2477

12 June 2012

Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Sir/Madam,

Re: DA 2012/171 Stanley Park Road (Drive), Wollongbar 2477

As concerned residents and ratepayers of Stanley Park Road, Wollongbar, we wish to voice our objections to the above development application for Lot-1 DP 1055827 Stanley Park Road, Wollongbar. The application includes a proposed 2 lot subdivision and approval to build two attached dual occupancy dwellings on this site.

Firstly, this Development Application is in direct contravention of the current Ballina Shire Combined Development Control Plan Chapter 1 – Urban Land. This Lot is zoned Low Density (Large Lots), which is suitable for one dwelling only. This is also in character with the majority of homes in this street.

Secondly, it appears that a large number of advanced trees will need to be removed. Apart from depleting the flora and fauna in the area, some of these trees are Tallowwoods, which will interfere with the koala habitat of the area, and their removal contradicts Council's environmental policy.

Thirdly, each proposed dwelling has two garages, indicating that at least eight additional cars may reside in the area, generating increased traffic, and safety issues in our street. Children currently walk along this street to meet school buses, as well as ride bicycles, and play in our quiet cul de sac.

We request that you give further consideration to the approval of this Development Application and honour the long-term development plan for this area. With the new Platypus Drive recently completed we already foresee large numbers of new residents in the area, and do not see the need to change the zoning for Stanley Park Road.

Yours sincerely,

Toni and David Brine



Alan Melville
26 Central Park Drive
Wollongbar 2477

The General Manager
Ballina Shire Council
Ballina NSW 2477

R/16582

ACKNOWLEDGED

In Reference to DA 2012/171
32 Stanley Park Rd
Wollongbar 2477

Dear Sir

as a neighbour to this development it appears to be of a money making venture for the proponents as proposed, rather than a lifestyle choice of a single family whether owner occupied or tenanted of a single dwelling on a large lot of land as recommended by councils own DCP regarding Control Plan Area L1.

2x2 dual occupancy units appears to be a commercial venture for the proponents of a significant detriment to the surrounding neighbours & neighbourhood. Therefore if this application was to proceed as is, would it be possible by the developer to compensate the surrounding neighbours & neighbourhood for their loss of local amenity by eg:

- ① Provide a paved footpath between Stanley Park Rd & Plateau Drive, as quite a few people now use this land as access between the two.
- ② By providing a bus shelter for the local children to

Protect them from the weather & provide a safer drop off point for both parents & buses.

③ Provide a paved footpath between the development & bus shelter, as this would alleviate parent with prams & small children from having to walk on the muddy nature strips or roads with more introduced traffic especially in inclement weather.

④ To plant out with mature trees & maintain the habitat protection zone.

These four points if nothing else would also be of a benefit to the development.

Yours Faithfully
Ala. McV. 16.

12 June 2012

Jennifer Melville
26 Central Park Drive
Wollongbar NSW 2477

**The General Manager
Ballina Shire Council
BALLINA NSW 2477**

RECORDS SCANNED	
15 JUN 2012	
Doc No.	
Batch No.	12/16245

12/16259
ACKNOWLEDGED

In reference to: **DA 2012/171(NJM)**
Lot 1 DP 1055827, No. 32 Stanley Park Road, Wollongbar

Dear Sir,

I am writing to submit my objection to the above D.A. proposal. I am basing my objections to this development proposal on the following points:

1. The size of the proposal being of 2 x 2 duplex units on a site that is recommended to be a single dwelling on a large lot (as indicated clearly as being at odds with council's DCP plan regarding Control Plan Area L1).
2. If this subdivision and subsequent development was to proceed it would greatly detract from the low density nature of the surrounding areas, there would be a significant increase of traffic in a quiet cul-de-sac (with 8 proposed car spaces as well as potential spill over street parking of visiting vehicles) and the heightened safety risks involved with this amount of traffic for the local families with young children who play in the immediate street surrounds and purchased family properties here for this safety reason.
3. The destruction of all the trees on the block which would take decades to replace, specifically native trees and which are currently the only significant noise and visual suppression of the increasing traffic using the recently constructed arterial road, Plateau Drive; these trees are important amenities to the surrounding homes in these circumstances.
4. The loss of the above-mentioned trees also would impact on koalas that have been observed in the adjacent properties over a long period of time.
5. The loss of the small but adjoining wildlife corridors along the local creeks for the families of wallabies, brush turkeys, echidnas, bandicoots, brush-tail and ring tail possums and unique native birdlife; of these, all have been present in this immediate area for at least the past 20 years that my husband and I have owned this property.

I write this objection, in summary of the following points:

The de-valuation of local and neighbouring properties, affected directly and indirectly by this development due to overlooking a large multi-roofed development, referred noise of four potential tenants in family sized dwellings (each being 3 bedrooms in size), increased traffic, loss of flora and therefore fauna, and the overarching concern that this development and subdivision is totally out of character with the amenity of the surrounding neighbourhood.

I trust these concerns will be of help before any decisions are made. I believe that the intentions of Ballina Shire Council's own DCP should be followed by approving a single dwelling only on a large block.

Sincerely,

J. Melville 12/6/2012

Mrs Jennifer Melville
H: 02 6628 3423
W: 02 6628 1009

12 June 2012

Alan Melville
26 Central Park Drive
Wollongbar NSW 2477

**The General Manager
Ballina Shire Council
BALLINA NSW 2477**

RECORDS SCANNED 15 JUN 2012 Doc No..... Batch No.....12/16259

12/16259
ACKNOWLEDGED

In reference to: **DA 2012/171(NJM)**
Lot 1 DP 1055827, No. 32 Stanley Park Road, Wollongbar

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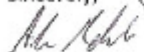
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2. If this subdivision and subsequent development was to proceed it would greatly detract from the low density nature of the surrounding areas, there would be a significant increase of traffic in a quiet cul-de-sac (with 8 proposed car spaces as well as potential spill over street parking of visiting vehicles) and the heightened safety risks involved with this amount of traffic for the local families with young children who play in the immediate street surrounds and purchased family properties here for this safety reason.
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I trust these concerns will be of help before any decisions are made. I believe that the intentions of Ballina Shire Council's own DCP should be followed by approving a single dwelling only on a large block.

Sincerely,



Mr Alan Melville
H: 02 66283423
M: 0427 004492

8.1 **DA 2012/171 No. 32 Stanley Park Road, Wollongbar.DOC**

12 June 2012

James Melville
26 Central Park Drive
Wollongbar NSW 2477

The General Manager
Ballina Shire Council
BALLINA NSW 2477

12/16578
ACKNOWLEDGED

12/16567
SCANNED
18 JUN 2012

In reference to: **DA 2012/171(NJM)**
Lot 1 DP 1055827, No. 32 Stanley Park Road, Wollongbar

Dear Sir,

I am writing to submit my objection to the above D.A. proposal. I am basing my objections to this development proposal on the following points:

1. The size of the proposal being of 2 x 2 duplex units on a site that is recommended to be a single dwelling on a large lot (as indicated clearly as being at odds with council's DCP plan regarding Control Plan Area L1).
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Sincerely,



Mr James Melville
H: 02 6628 3423

DA-2012/171



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY



DON PAGE, M.P.
MEMBER FOR BALLINA

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MAIL: PO Box 1018
BALLINA NSW 2478
WEBSITE: www.donpage.com.au

15th June 2012



Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

FAXED
3.20pm

Paul,
Dear Mr Hickey,

I am making representations on behalf of Mr Timothy Melville of 26 Central Park Drive, Wollongbar who have objections to Development Application 2012/171 submitted development of 32 Stanley Park Road, Wollongbar.

I enclose herewith a copy of Mr Melville's correspondence detailing his objections to the abovementioned Development Application.

It would be appreciated if you could arrange to look into the issues Mr Melville has raised and take these into consideration when determining Development Application 2012/171.

Thank you for your assistance in this regard. I look forward to your advice and comments in due course.

Yours faithfully

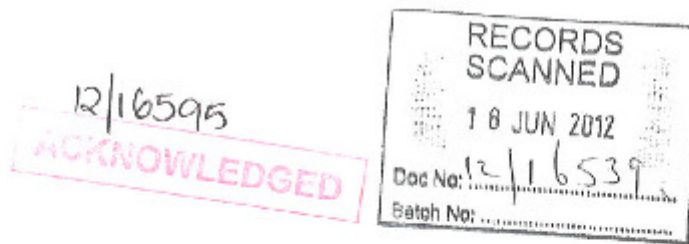
Don Page MP
MEMBER FOR BALLINA

encl.
DP:dc

12 June 2012

Timothy Melville
26 Central Park Drive
Wollongbar NSW 2477

**The General Manager
Ballina Shire Council
BALLINA NSW 2477**



In reference to: **DA 2012/171(NJM)**
Lot 1 DP 1055827, No. 32 Stanley Park Road, Wollongbar

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Sincerely,

Mr Timothy Melville
H: 02 6628 3423

