

Council Reference: DA18/0486 LN45227
Your Reference:



19 September 2018

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Dear Sir/Madam

Development Application for a concept development application for 10 group homes (permanent) and development of Stage 1 for two group homes (permanent) containing 14 units at Lot 6 DP 524303; No. 26 George Street MURWILLUMBAH

You are advised that while Council recognises the need for social and affordable housing and are generally supportive of the provision of social housing, there are a number of serious deficiencies in the current application which need to be addressed.

Accordingly you are requested to submit the following further information:

1. Stormwater and Flood Management

- a) The development application requests Concept Approval for ten (10) group homes across three (3) stages. However, the engineering documents submitted with the application cover only Stages 1 and 2. Therefore, a proper assessment of Stage 3 is not possible. You are requested to either:
 - i. Submit revised engineering details including Stage 3 or;
 - ii. Amend the Proposed Concept Approval Plan and proposal to include only Stages 1 and 2.
- b) The Flood Response Assessment Plan provided is incomplete and defers many items required by DCP-A3.2.6 Note 1 to a future 'body corporate'. As required by DCP-A3.2.6, you are requested to provide a Flood Response Assessment Plan that addresses the requirements of Note 1. Where unknown, reasonable assumptions as to the nature and needs of future occupants can be made.
- c) It is unclear from the plans submitted if the units numbered "3" and forming part of Stage 2 (northern most units on York Street) can be accessed from the filled land. As a minimum, to comply with DCP-A3 evacuation clauses all units must have pedestrian access to the evacuation route above design flood level (4.8m AHD). Please confirm that these units have pedestrian connection to the filled area above 4.8m AHD
- d) The stormwater management plan provided demonstrates that the proposed earthworks can be undertaken without loss of flood storage on the site. However, it is not clear if the applicant plans to import any fill to the site. Please

confirm that the proposed earthworks are wholly contained onsite and no fill is to be imported from elsewhere.

2. Engineering – Water & Wastewater

- a) There is insufficient information provided on Stage 3 to determine an application for Concept Approval which includes this Stage. The Engineering Services Report and Plans shall be updated to include Stage 3 or to delete Stage 3 from the Concept Plan.
- b) The Engineering Services Plans to be revised to clearly show the delineation of works between each of the stages on the plans. Separate plans should be provided for each stage to make it clear to Council what Civil Works are proposed for each Stage.
- c) The Engineering Services Report shall be updated to include Development Design calculations for Water Supply for Stages 1 to 3 based on requirements outlined in D11.04 and D11.05 (ie: not just ET/EP information as provided in the report submitted).
- d) The Engineering Services Report shall be revised to update the downstream sewerage infrastructure capacity assessment which is anomalous (ie: the assessment submitted estimates PWWF will reduce from 20.3 L/s to 7 L/s when Stages 1 and 2 are constructed).
- e) The proposed civil works design shall be updated to show the following:
 - i. Only one sewer connection to the lot (as outlined in D12.07.01) and show any upstream sewerage infrastructure as privately owned by the Community Title for Stages 1 to 3. Plans shall demonstrate that the developer can service all of the proposed development with the house connection to Council's sewer, ensuring that the minimum depth of the soffit of the sewer connection point shall be 1.2m or in accordance with WSA02-2014 S5.6.5.
 - ii. Proposed works over the existing property connections from the lots in Martin Street to the sewer in Lot 6 DP 524303 will not be impacted. Further information is required to determine the location & depth of the existing services and shown on the plans in relation to proposed driveway/carpark works over the services.

3. Earthworks

The reference in the SEE and Engineering Services Report (Arcadis) to the submission of an operational works application is not relevant to the NSW Planning System. In accordance with Clause 7.2 of the Tweed Local Environmental Plan, development consent is required for earthworks unless:

- (i) *the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (ii) *the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

- a) You are requested to include the proposed earthworks for Stage 1 and 2 (which include flood/stormwater management earthworks and which the Stormwater Management plans indicate are to be undertaken concurrently) in the current application as part of the development works.

You are referred to the controls for earthwork in Section 1A of the Tweed Development Control Plan (DCP) 2008.

Should the amended Engineering and Stormwater Management Plans as updated to include Stage 3 (Refer to Items 1 and 2 above) require Stage 3 earthworks to be undertaken concurrent with Stage 1, such works will also need to be included).

Additional information submitted should include details of the proposed retaining walls on the rear boundary of properties on Martin Street.

- b) The earthworks proposed in Stage 2 (which the plans indicate are to be undertaken concurrent with Stage 1 earthworks) are in an area identified as Class 3 Acid Sulphate Soils.

You are requested to submit a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual which indicates that an acid sulfate soils management plan is not required for the works or alternatively to submit an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual.

4. Density of Development

- a) For the purposes of calculating the density of development appropriate to the site, the development is best described as 'town houses'. In accordance with Section A1 (Part B) of the Tweed Development Control Plan 2008, the specified density in Zone R2 (equivalent of Zone 2(a) as per the plan) is no greater than 1 dwelling per 450sqm. The current concept plan proposal for 72 units on a site of 28,520sqm is considered to be excessive and to represent an over-development of the site. You are requested to submit revised proposal for a concept plan yielding no greater than 1 dwelling per 450sqm across the entire site.
- b) Please confirm the proposed Gross Floor Area (GFA) of the development (Stage 1 and 2) located on the lands zoned R2 to which a maximum Floor Space Ratio of 0.8:1 applies.

Please note that the GFAs provided on the Site Plan (Stages 1 & 2) do not correspond with the GFA show on the plans (being significantly lower).

5. Access – Roads and Footpaths

- a) The Concept plan is to be amended to provide for a concrete footpath along the York Street frontage through to the existing concrete footpath in George Street to the north. The road profile and formation widths are to be maintained.

- b) The Concept Plan should be revised to provide for pedestrian connectivity between Stages 1 & 2 and Stage 3 to ensure that a legible and practical pedestrian movement route through the site is facilitated.
- c) The spacing of the two proposed southern driveways off York Street does not appear to comply with Council's minimum requirement of 6.5m. You are requested to submit amended plans to address this.

6. Car Parking

The application states that car parking will be provided at a rate of one space per unit. There is no indication of how this rate, which appears to be inadequate, was derived.

Further there are no specific spaces allocated for visitors, support workers, health workers, etc. There is also no provision for accessible spaces. Given the nature of the development (accommodation for people with a disability or people who are socially disadvantaged) the provision of spaces for visitors, support works and the provision of accessible car parking would be reasonably expected. There is also no parking for service vehicles.

You are revised to submit further information on how the car parking assessment was undertaken and to make provision for sufficient car parking for visitors, support workers, health workers, etc (calculations for same to be included in the car parking assessment). Provision should also be made for accessible car parking spaces and parking for service vehicles.

7. Natural Resource Management

You are requested to review and consider vegetated open channel design features as detailed in the following manuals and guidelines to ensure any reconstructed channel sensitively interfaces with the surrounding landscape and maintains and enhances watercourse conditions:

- *Water by Design Bio-retention Technical Design Guidelines Version 1.1 October 2014 - swale design and planting densities*
- *Queensland Urban Design Manual 2007 - Chapter 9 Open Channel Hydraulics*
- *NSW DPI – Water, Guidelines for:*
 - *Riparian corridors on waterfront land*
 - *Vegetation management plans*
 - *Watercourse crossings on waterfront land*
 - *Instream works on waterfront land*

Having regard for those design manuals/guidelines detailed above, the applicant should provide:

- a) Appropriately scaled plans and cross sections of the re-aligned watercourse
- b) A Statement of Landscape Intent

The following design elements should be shown on the respective plans (but not limited to):

- i. Include a fully structured vegetated buffer of 10m landward either side of the top bank of the constructed watercourse. The landscape buffer should comprise 100% suitable local native species at appropriate densities reflective of a riparian community.
- ii. Incorporate native sedges and rushes within the bed and banks of the watercourse.
- iii. Consider a channel morphology that assumes a more natural channel profile and incorporates geomorphic features such as meanders, chain of ponds and a pool/riffle sequence.
- iv. Ensure any proposed built form/associated curtilage areas is clear of the landward edge of the 10m vegetated buffer (associated with the constructed waterway).

8. Social Impact Assessment

Section A13 – Socio Economic Impact Assessment of the Tweed DCP requires the preparation of a Socio-Economic Impact Assessment (SIA) for a dwelling of 50 or more residential units. Notwithstanding the submission of any amending plans deleting Stage 3 and/or a reduction in unit numbers to accommodate communal open space (as requested below in **Item 11**) which may reduce the number of units to less than 50, a formal socio-economic impact assessment is warranted.

You are requested to submit a SIA (in consultation with North Coast Community Housing Company (NCCH) as the identified housing provider) addressing the following matters (as per TSC SIA Checklist):

- i. Further detailed information of housing, mix of clients and examples of best practice models of groups homes;
- ii. Further evidence of long term security of affordable housing;
- iii. Partnership approach and community networks to support future tenants;
- iv. Human/Community services/supports for future tenants;
- v. Access – Universal design evidence and social inclusion considerations;
- vi. Further analysis of the impacts in terms of magnitude, significance, duration, effect on group housing proposal.

9. Tenancy Management Arrangements

- a) You are requested, in association with (NCCH), to submit details of an operational plan of management for the development. This should include details of the role of NCCH and intended support for tenants. You are also requested to provide details of proposed tenant management arrangements.
- b) The Community Need Statement submitted with the application states that NCCH has an agreement with the developer to lease eight proposed Group Homes on a 5 year plus 5 year basis (presumably Stage 1, 2 and part of Stage 3). Security of tenancy for low-moderate income residents is critical. Council has some concerns with the short term nature of this agreement given that the intent of Group Homes is for permanent accommodation of vulnerable groups of

persons. Please confirm that arrangements will be made for the continued use of the units after this 10 year period with NCCH or another Registered Housing Provider.

- c) Please confirm what management arrangements are in place for the remainder of Group Homes in Stage 3.

The information above can be incorporated into the SIA referred to in **Item 8**.

10. Accessibility

Though the Statement of Environmental Effects (SEE) submitted with the application refers to the 'accommodation of socially disadvantaged people' only, the definition of Group Home (permanent) relates to the provision of permanent household accommodation for people with a disability and people who are socially disadvantaged. However none of the dwelling types proposed for Stage 1 or subsequent stages are accessible with even the ground floor units accessed with steps.

Further, the provision of bicycle parking in the breezeway of each building is also unacceptable for units proposed to accommodate persons with a disability (which may include limited vision or mobility).

- a) You are requested to submit revised dwelling plans for units which are accessible to persons with a disability and which can meet the needs of the identified target populations (being persons with a disability which may include physical disabilities, limited mobility or vision impairment).
- b) You are requested to provide evidence of meeting *Australian Standards for Adaptable Housing* and/or *Australian Standard Access and Mobility 1428.1-2009*. This includes minimum mandatory access requirements for public areas including carpark and common areas within the development.
- c) Having regard to the nature of the development aimed at accommodating persons with a disability, you are requested to consider including one or more residences that meet the Specialised Disability Accommodation (SDA) requirements under the NDIS.

11. Communal Open Space

The SEE submitted with the application states that there is adequate outdoor space for residents to engage in recreational activities and that no communal open space is required. However a significant proportion of the undeveloped site will be a flood area and will not be easily accessible from the units given the proposed cut and fill. Further there is no provision of any identified area for recreation (active or passive).

Having regard to the nature of the development and the limited private open space provided for each unit (less than minimum of 10sqm specified), the provision of formal communal open space is essential. You are therefore

requested to submit plans which include the provision of a communal open space area.

In accordance with the DCP, the design of communal open space must demonstrate how it achieves specific functions that enhance the liveability and residential amenity of the development and how it will serve the needs and number of people within the development. In the event that the proposed communal open space area is not located into Stage 1, provision should be made for a temporary communal open space area accessible to all units in Stage 1, prior to the delivery of the communal open space in Stage 2.

12. Concept Plan

Please submit a concept plan which identifies all proposed stages.

13. Landscape Plan

Please submit a modified concept landscape plan for Stage 1 which incorporates a buffer between the ground floor units and the adjoining car parking areas.

14. Loss of Privacy

- a) Concern is raised with the potential for overlooking from Group Home 1 and potential noise impacts affecting existing residential properties to the south (7 and 9 Martin Street), please confirm that the southern elevation of the first floor balconies to Group Home 1 facing Martin Street residences will be fitted with fixed louvres or screens.
- b) The proposal to maintain the existing side boundary fence in Stage 1 is unacceptable raising concerns in relation to loss of privacy and light spill from car parking areas, into properties on Martin Street.

Please submit details of proposed fencing on the southern boundary and western boundary (temporary) of Stage 1 –This should have regard to minimising the potential for loss of privacy (visual and acoustic) and light spill from the car parking areas.

15. Overshadowing

The information submitted is insufficient to accurately assess the potential overshadowing impact on adjoining properties, in particular 9 Martin Street, whose private open space will be impacted by overshadowing.

You are requested to submit hourly overshadowing diagrams showing the proposed overshadowing impact on 9 Martin Street on 21 June, clearly identifying the principal area of private open space associated with this dwelling. Sunlight to at least 50% of this area is not to be reduced to less than 2 hours between 9am and 3pm.

16. Building Design

- a) The submitted dwelling plans do not meet with the 8m building separation requirement between the wall containing primary windows/doors of a living room to the wall of an adjacent building containing primary window/doors of living rooms (being located either side of the 2m wide breezeway). While consideration can be given to a reduced setback, this needs to be justified in the application and the doors to the individual units should be relocated so that they do not face each other (to allow for natural cross ventilation while maintaining a level of privacy)
- b) The application should be accompanied by a statement on how the proposal complies with Prevention of Crime through Environmental Design (CPTED) principles.
- c) Please confirm how the allocation of storage in the carport is to be managed – Is an area to be allocated to each unit? Security of the storage area given open nature of carport, access around carparking space when in use, etc.
- d) Please confirm how the undercover car parking spaces and laundry facilities are to be managed to avoid potential conflict with the amenity of the unit over and adjoining unit (eg vehicle noise, washing machine noise, etc).
- e) Please submit details of the screened clothes drying areas – this should be of sufficient size to cater for the number of units in each block and should not be visible from the street or the internal access road.
- f) The laundry facilities in the car port should be screened and not visible from the street when the car port is not in use.

17. Other Matters

- a) Please submit a Construction Waste Management Plan for Stage 1 in accordance with the requirements set out in Section A15 – Waste Minimisation and Management of the Tweed DCP 2008.
- b) The Operational Waste Management Plan should be updated to reflect the number of stages proposed and the anticipated number of residents. (3 stages unless the proposed concept plan is amended to delete Stage 3).
- c) Please address the requirements of Section A6 – Biting Midge and Mosquito Control of the Tweed Development Control Plan.
- d) Errors in the Flood Emergency Management Strategy should be addressed:
 - Number of stages, number of units and expected resident population
 - As Group Homes, the assumptions with regard to middle-low income groups and no foreseeable medical conditions or disabilities are unreasonable
 - Clarification as to the stated requirement for subdivision
 - Clarification as to whether there will be a Body Corporate as assigned responsibilities in the Plan.

- e) The DCP compliance table submitted with the application states that rain water tanks are to be provided, however no details of same are shown on the plans.
- f) As per the definition of a Group Home in the *Tweed Local Environmental Plan 2014* and *SEPP (Affordable Rental Housing) 2009*, a Group Home relates to a single dwelling, therefore the proposal is to be described as Concept Approval for 72 Group homes in 10 building blocks with 14 group homes in 2 building blocks in Stage 1.

18. Natural Resources Access Regulator Request for Further Information

The application was referred to Department of Industry - Water (Natural Resources Access Regulator) as the development involves a controlled activity under the Water Management Act 2000.

On 10 September 2018 (and as amended on 18 September 2018), Natural Resources Access Regulator (NRAR) advised that an initial review of the material provided indicates that the following additional information relevant to issuing the General Terms of Approval is needed in order for NRAR to complete the assessment.

- a) NRAR requests that the proponent produce a scaled diagram demonstrating that a 20m (+ channel width) riparian corridor is possible given the building layout and any other concerns (such as asset protection zones etc). Their guidelines can be found at the following address
<https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>

NRAR guidelines stipulate 10m of fully structured riparian vegetation on each side of the watercourse, with the measurement taken landward from the top of each bank. A scale bar should be included on all plans, with watercourses clearly illustrated with top of banks marked.

NRAR specified a period of 90 days from the date of their initial letter (10 September 2018) as a reasonable period of time within which the requested information must be provided. Failure to provide the requested information within the specified period is to be taken by NRAR to mean that the information will not be provided which may result in NRAR refusing to grant General Terms of Approval. NRAR advised that you notify them, in writing of their intent to provide the requested information or to arrange for a suitable period to supply this information.

19. Submissions

During the submission period, a total of 52 submissions were received: 48 objecting to the proposal and 4 in support. A summary of the key issues raised are outlined below. A copy of the submissions are also attached for your information. You are invited to provide a response to the issues raised in the submissions.

The table over is a summary only and is not an exhaustive list of all of the issues raised in the submissions.

Flooding
<ul style="list-style-type: none"> • The area is a flood zone and development of the area may/will divert floods and create new flood zones (eg in York Street, Charles Street)
<ul style="list-style-type: none"> • The identification of RL 3.2m AHD as a measure for 'no adverse impact' is not sufficient to protect neighbouring properties
<ul style="list-style-type: none"> • The flooding and stormwater reports only address Stages 1 & 2.
<ul style="list-style-type: none"> • No details of earthworks for Stage 3 have been provided.
<ul style="list-style-type: none"> • During the March 2017 flood, the site acted as a storm surge containment. Flood modelling and projections need to consider real-life event of March 2017.
<ul style="list-style-type: none"> • Existing flood issues on the site will not be addressed unless the existing pipes under George Street which discharge to Mayal Creek are lowered, the drain on site cleaned and flood gates installed at the entrance of Mayal Creek – consideration should be given to a pump as at Lavender Creek
<ul style="list-style-type: none"> • Notwithstanding filling and raising levels, future residents will be at risk of flooding
<ul style="list-style-type: none"> • One submission supports Stage 1 and 2 subject to filling being prohibited in the low lying stormwater floodwater as identified in Council's Tweed Valley Floodplain Risk Management Study and Plan
<ul style="list-style-type: none"> • Stage 3 will require filling of flood plain land and will result in neighbouring properties being severely impacted under smaller rain events.
<ul style="list-style-type: none"> • Proposal is contrary to Council's policy not to allow development on Flood Plain areas
<ul style="list-style-type: none"> • Global warming and the associated increase in flood potential has not been considered
<ul style="list-style-type: none"> • The assessment uses the Australian Rainfall and Runoff Guidelines 1987 which is out of date and has been superseded by 2016 guidelines.
<ul style="list-style-type: none"> • Questions if it is good planning policy to widen and realign an existing drainage channel to accommodate development of this scale encroaching onto rural zoned and flood prone land.
<ul style="list-style-type: none"> • Inconsistencies in the Flood Emergency Strategy in terms of socio-economic profile and accessibility of future tenancies and questions raised with regard to future strata subdivision of the development.
<ul style="list-style-type: none"> • Proposal is in conflict with Section A3 of Tweed DCP by relying on elevated platforms above land which will be below the flood design level – with the issue further exacerbated by the fact that the dwellings are for those who are socially disadvantaged.
<ul style="list-style-type: none"> • Submission from University Centre for Rural Health on mental health impacts associated with flooding – see attached submission.
Land Use Issues
<ul style="list-style-type: none"> • Development should be restricted to the high ground and area of the site zoned for low density residential development.
<ul style="list-style-type: none"> • Development is not suitable for land zoned Rural Landscape RU2
<ul style="list-style-type: none"> • Suggestion that site would be more appropriate for accommodation for low income families thereby freeing up public housing for homeless persons or alternative a mix of private and affordable housing. Alternative suggestions to develop site as a playground, bmx track or botanical garden

<ul style="list-style-type: none"> • The development is more appropriately described as a residential flat building having regard to the definition of Group Home and the number of dwellings in each 'Group Home' with residential flat buildings not permitted in Zone R2 or Zone RU2.
<ul style="list-style-type: none"> • The proposal represents an over development of the site with a density significantly in excess of 1 unit per 450sqm in Zone R2 as per Section A1 Tweed DCP.
<ul style="list-style-type: none"> • The density of development is contrary to the objectives for the RU2 zone.
Traffic impacts
<ul style="list-style-type: none"> • Connecting and surrounding roads cannot cope with associated increase in traffic
<ul style="list-style-type: none"> • Potential traffic conflict issues resulting from proximity to Primary School (>350 students) and local park <ul style="list-style-type: none"> ○ Safety of students cycling or walking to school, ○ Existing demand for parking on York Street and potential impact on availability of on-street parking if development proceeds
<ul style="list-style-type: none"> • Limited access to site will result in traffic flow on Tumbulgum Road becoming congested
<ul style="list-style-type: none"> • Insufficient car parking provided on site for residents, visitors, carers, medical/allied health professionals, support workers, etc. with resultant displacement of parking onto surrounding streets
<ul style="list-style-type: none"> • No provision of traffic calming measures – eg speed humps to enforce 40Km/hr speed limit.
<ul style="list-style-type: none"> • Construction traffic will cause traffic and parking chaos on narrow, residential streets surrounding the site
<ul style="list-style-type: none"> • Application should have been accompanied by a Traffic Impact Assessment, with particular regard to potential conflicts with Murwillumbah East Primary School
Social Impacts
<ul style="list-style-type: none"> • No evidence of social benefits of residents living on high-density social housing - Prospective residents of the future development stand to be further disadvantages.
<ul style="list-style-type: none"> • High density developments compound challenges already faced by low socioeconomic residents and create a pocket of vulnerability as opposed to lower density and more integrated solutions.
<ul style="list-style-type: none"> • An integrated/distributed approach to social housing provision is a more appropriate approach.
<ul style="list-style-type: none"> • Some submissions object to principle of accommodating Group Home residents on site: <ul style="list-style-type: none"> ○ Concerns raised in relation to the (unsupervised or otherwise) accommodation of socially disadvantaged persons close to a primary school (Murwillumbah East) ○ Concern re type of residents specified in some submissions as potentially being drug addicts, alcoholics, those on prison release programs, at risk youth, those with a disability, tenants with psychological disorders, poor people and victims of domestic violence ○ Potential increase in crime resulting in physical danger and break-ins ○ Concern re potentially unaccepted use of open space areas on site by residents (uses not specified)

<ul style="list-style-type: none"> ○ Concern that residents will be walking past houses on their way into town centre as they won't have cars
<ul style="list-style-type: none"> ● Queries whether emergency services have been advised of this development and the extra demand on their services if a situation arises
<ul style="list-style-type: none"> ● Development will over-extend administrations including Murwillumbah Police Station
<ul style="list-style-type: none"> ● Given the lack of accessibility to units, the future residents are likely to have non-physical disabilities and/or be socially disadvantaged.
<ul style="list-style-type: none"> ● No details provided on management, potential residents, provision of support services or the potential impact on community services
<ul style="list-style-type: none"> ● No details provided on the future tenants which would enable a determination of the social impacts of the development.
<ul style="list-style-type: none"> ● Inadequate support services will impact on surrounding properties particularly if tenants have complex mental health issues or disabilities that impact on their ability to live without assistance.
<ul style="list-style-type: none"> ● Application for development of this scale should be accompanied by a Social Impact Assessment – justification that NCCH are a registered Tier One social housing provider is insufficient justification to avoid same
<ul style="list-style-type: none"> ● Potential increase in attendance at Primary School
<ul style="list-style-type: none"> ● Development is out of character with existing socio-economic profile/community dynamic of area
<ul style="list-style-type: none"> ● Residents would be transient.
<ul style="list-style-type: none"> ● Lack of on-site open space will place pressure on existing parklands surrounding development (eg Martin Watt Park).
<p>Visual Impacts</p>
<ul style="list-style-type: none"> ● The size, height and length of the development and lack of design diversity is not in keeping with the rural character of the area
<ul style="list-style-type: none"> ● Two storey development (with height of 9m on top of 3m of fill) will have an adverse visual impact and an unreasonable impact on existing residents - single storey development would be more appropriate
<ul style="list-style-type: none"> ● Dwellings in Stage 1 at junction of George Street and York street will have to be at least 5m above the York Street level after filling.
<ul style="list-style-type: none"> ● Design of dwellings is out of character with 1950s/1960s architecture in the area
<ul style="list-style-type: none"> ● Units (even ground floor units with steps) are not suitable for residents with physical disabilities though a Group Home is defined as housing for people with a disability or those who are socially disadvantaged.
<ul style="list-style-type: none"> ● Suggesting in one submission for ramps to living areas.
<ul style="list-style-type: none"> ● Development (as a result of building height) will impact on views from adjoining properties and reduce the residential amenity of same
<ul style="list-style-type: none"> ● Impact on residential amenity of adjoining properties in terms of traffic and noise pollution and considerable loss of privacy resulting from dwellings and car parking
<ul style="list-style-type: none"> ● Direct overlooking of properties on Martin Street residences and associated loss of privacy
<ul style="list-style-type: none"> ● Overshadowing and loss of light
<ul style="list-style-type: none"> ● Design is not sustainable or environmental responsive:

<ul style="list-style-type: none"> ○ Stage 1 houses facing west and surrounded by concrete will be subject to extreme heat – will they have 24 hour air-conditioning? ○ No solar panels ○ Potential for community gardens, community green spaces not realised
<ul style="list-style-type: none"> ● Design of development – archetypal, roof height, lot size and shape and topography will be out of character with the long established style of housing in the area
<ul style="list-style-type: none"> ● Style of development (first floor units over ground units) unsuitable for intended resident mix and will create atmosphere of anxiety
<ul style="list-style-type: none"> ● No footpath access from the site to the town centre
<ul style="list-style-type: none"> ● Lack of public transport in area
<ul style="list-style-type: none"> ● No recreational or community space within the development
<ul style="list-style-type: none"> ● An entrance off Reynolds Street may be preferable being higher than that off York Street
<ul style="list-style-type: none"> ● Each dwelling must have a ground floor level as per Tweed DCP - Section A1, Chapter 1 Control (e)
<ul style="list-style-type: none"> ● Access via doors in a breezeway has potential safety implications given lack of visibility from the street.
<ul style="list-style-type: none"> ● A landscape plan and Statement of Landscape Intent is required.
<ul style="list-style-type: none"> ● Crime Prevention Through Environmental Design (CPTED) principles need to be addresses to ensure successful outcomes and the promotion of a safe community.
<p>Environmental Impacts</p>
<ul style="list-style-type: none"> ● The deepening of the ditch (cut) will result in longer periods of standing water and create issues with mosquitos.
<ul style="list-style-type: none"> ● Potential impacts on local wildlife who currently use the site for laying eggs, feeding and nesting, etc
<ul style="list-style-type: none"> ● Application should be accompanied by an Acid Sulphate Soil Investigation report and if necessary an Acid Sulphate Soils Management Plan given classification (Class 3) of soil in Stage 2 with the earthworks for Stage 1 and 2 completed together.
<ul style="list-style-type: none"> ● Questions raised with regard to ‘potential’ unauthorised removal of vegetation on site
<p>Other issues</p>
<ul style="list-style-type: none"> ● Application should have been accompanied by a geotechnical assessment given the proposals to fill the land.
<ul style="list-style-type: none"> ● Land contamination - further information is required to substantiate claim that there has been no change that would impact on 2005 contamination investigation outcomes – eg Statutory declarations, aerial photographs, etc
<ul style="list-style-type: none"> ● Inadequacy of the Wastewater system to cater for the development.
<ul style="list-style-type: none"> ● Details regarding the type and use of the development are vague and appear to conflict with character of area
<ul style="list-style-type: none"> ● What happens in the future if the units are sold off by the developer?
<ul style="list-style-type: none"> ● Lack of information on the proposed staging - Stage 2 earthworks will be necessary to construct Stage 1.
<ul style="list-style-type: none"> ● Current residents face the prospect of losing value off their homes
<ul style="list-style-type: none"> ● No consultation has been undertaken with local residents

- The information submitted with the application (Community Need statement) does not justify need for development of this scale in Murwillumbah – in terms of priority and choice of location.
- Potential flood impacts will increase home insurance premiums for existing residents
- A number of deficiencies/errors in the application:
 - Reference to less than 70 persons being accommodated on site yet there are 72 units proposed with a mix of 1 and 2 bedrooms
 - Reference to middle-low income residents
 - Reference to it not being foreseen that any residents would have medical conditions or disabilities – which is nonsensical for any type of residential development

The abovementioned matters are to be satisfied within twenty eight (28) days of the date of this letter, after which further assessment of the application will be undertaken and you will be advised if any additional information is required.

In the meantime if you have any queries in respect to this matter please contact [REDACTED] of Council's Development Assessment Unit on [REDACTED] who will be processing the application.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]