

From: Friends of Terranora,  
C/- 8 Carrington Ct Terranora 2486  
10 September 2016

To: Director Regions,  
Locked Bag 9022  
Dept. of Planning & Environment, Grafton 2460  
Dear Sir/Madam,

**Planning Proposal Submission: 420-434 Terranora Rd Terranora NSW, being Lots 2-8 DP28597**

The Friends of Terranora have analysed the above rezoning submission which was compiled and partly prepared for the owners by Planit Consulting of Kingscliff. We object to the proposal to rezone seven existing lots with no building entitlements to enable seven home sites with building entitlements. There would also be further potential for dual occupancy of each lot. The proposal is a strong overdevelopment of the land, compromises traffic safety and public views; it is therefore not in the public interest. The owners' proposal ignores the great body of existing planning documentation supporting the contrary position of protecting the ridgeline and the iconic broad north views for public benefit.

The reasons for our objection are significant:

1. A little history:

Tweed Shire Councillors unanimously approved a generous compromise of 4 dwellings following 2 prior requests for higher density, strongly opposed by our community. This is the matter subject to the current appeal process.

We supported this latest compromise at a Tweed Shire Open Access Meeting. We generally endorse the Newtown Danny Chappelle Submission which sets out a reasonable compromise for all parties. A copy is attached.

The existing lots currently have no building entitlements. We submit the current subdivision's lack of status indicates the old 1957 subdivision must be ignored. This opinion is supported by the current owners

purchase price several years ago. The purchase figure, understood to be around \$350,000 for the 7 lots, reflected no potential above one dwelling. A professional valuer's sales analysis at the time indicated a highly speculative purchase with low potential to realise a dwelling entitlement for each lot.

For many years our community, through the Friends of Terranora (Terranora's only community organisation) has lobbied consecutive elected Councils to rezone the property as a commercial lookout; ie a tourist destination site which could accommodate one house/café/restaurant, set below the road with concealed parking under and single access point. However, without owner enthusiasm, such use cannot be achieved.

Friends of Terranora has also persistently lobbied Council for almost 20 years to prioritise formulating a Shire wide Scenic Landscape Strategy. Our ideas included a public lookout in Area E opposite Sunnycrest Avenue entrance and a private commercially orientated lookout on the subject land.

2. Maintain open character:

The existing lots, if developed as 7 home sites, would strongly compromise the surrounding generally open character of the landscape. Refer Tweed Council's document Area E Structure Plan at Figure 4.3 which requires all north facing lots opposite the semi-rural Azure Estate to be large lots. Rezoning of the subject land must consider the intent of maintaining the open feeling of Terranora along the ridgeline.

3. Long standing Obligation to Protect Ridgeline;

Tweed Shire Scenic Landscape Evaluation (1995) states: 'The landscape plays a dominant and important role in the Shire's identity and image.' It is very important to realise the subject land is on the upper scarp of the Terranora Ridge. This is no ordinary ridge. It is the caldera rim of the ancient Mt. Warning Shield volcano; a World Heritage Area. Terranora is the only settlement on the entire rim. It is a fact that a strip of land on the south side of Terranora Road on the Azure Estate frontage was previously zoned 2A Residential. At the time, we successfully lobbied for the change to the much lower density Rural Living Zone because the

land was near the top of the protected scenic rim and the view towards the ridge from across Terranora Lake was equally significant.

We direct you to Council's Area E Development Code v.1.0 7/2011.

Page 81/2: Views from the subject land are classified as regionally significant.

Page 83: Objectives include need to 'maintain important regional and local views' and 'provide view sharing and maintenance of field views' (ie the wide vista no longer visible from any other vantage points along Terranora Road). "Some of the (Area E) site's best views are experienced from the highest points travelling along Terranora Road'. It is important that these key vantage points and identified view fields are not obstructed by future development, cross-site views should also be acknowledged and embraced. Future development will need to consider: Protecting key view lines from Terranora Road looking north, maintaining the natural visual focus of Terranora Broadwater and its edges as a natural setting'.

Page 84: Visual Catchment image identifies the public's view over the subject 7 lots as the only 'Key Public Vantage Point' Number 3 in a circle on image).

Page 85: 'Any (development) proposal must not obstruct the key view lines from Terranora Road of the Terranora Broadwater s detailed in Figure 3.21(image of view)'.

A draft DCP requires all built development near Terranora ridgeline to be earthy or natural colours. This must be applied to the subject land.

#### 4. Site constraints:

The subject lots except for the western end are very steep, however in adjoining Area E, under Council's Area E Development Code v.1.0 7/2011 page 85: 'Any proposal must demonstrate a building design and structural system which reduces the need for benching and significant cut and fill thereby maintaining the topographic integrity and visual character of the site.' We believe this requirement must also apply to the subject land.

The Area E Structure Plan at Figure 4.2 shows unstable steep land below and adjoining the rear of subject lots 5-8. It is likely parts of the subject

are also potentially unstable. We do know underground springs most likely exist on the subject. We have witnessed surface water flows on lots 4-5 which are at times a frightening torrent a metre deep. These flows have occurred in three east coast low events in the past four months alone. These issues suggest much lower density development than that proposed.

The building height should be determined according to Tweed Council Planning staff proposed criteria of rooflines not exceeding the view line while sitting in a car on Terranora Road. Council must be commended for their work on this practical proposal. We request this view line also apply to vegetation. Otherwise, it is highly likely a green screen along Terranora Road here could easily wipe out the entire view making building height limits of no consequence.

Sewer can only be connected on a temporary line uphill.

#### 5. Road Safety:

This is a deadly serious matter. Sight lines are poor. Traffic speeds. Why else does the police radar sit here regularly?

The proposed dual access is unsafe for 7 lots (which translates to average 70 traffic movements/day) where sight lines are poor for 2 directional turning. There must be no west turn-out and only a one way access road with one east turn-in and one east turn-out. Two almost deadly accidents have occurred here in recent times. All west traffic must turn east and travel to Fraser Road roundabout before proceeding west.

Current traffic flows are only 50% of the 12,000/day capacity of Terranora Road. Development of Area E will create traffic flows well above the maximum capacity.

The internal road is too narrow and needs full length parking lane on low side. The eastern end turn-out is too steep and should come out at a slightly oblique angle.

#### 6. Cultural Impacts:

The Everick Cultural Heritage Due Diligence assessment is a most disappointing document; wasting most of it 67 pages with irrelevant information.

The case for public interest must be paramount; however, this document is out of touch with our community and completely misses the significance of the iconic Terranora Memorial Avenue of Pines, directly opposite subject lots 6-8. The avenue was planted circa 1965 along the Chiltern-Hunt farm driveway.

Friends of Terranora led a community push to save the avenue and managed to save half as a public park. We have Council permission and have raised funds to erect plaques on the trees in commemoration of Terranorians who have served in Australia's wars.

This park is Terranora's most iconic cultural asset. The proposal for 7 houses opposite threatens the wonderful feeling of arrival walkers have when walking along the footpath within the Avenue to Terranora Road. The broad vista opens up gloriously. This must be preserved for future generations.

Our hope has always been to continue the walk (which is part of a major walk to Area E proposed retail area near the lake) across Terranora Road onto the subject lots 6-8. For many years we have been trying to persuade Council to buy these lots for a park; they lack the funds.

The owners Traffic impact Assessment at page 4 2.1.1 states the footpath is a 'small local pedestrian footpath'. This is untrue. It is part of the Terranora Walkway, funding for which is regularly submitted to Council at Budget time.

#### Conclusion:

Our Organisation has always been against spot rezonings such as this. The owners' studies do not reasonably consider the great body of work already done. After all, there is very little elevated land in the entire Far North Coast and Gold Coast which has views available to the public comparable to those across the subject; not even in Terranora.

The owners' studies do not fairly portray the public interest. They are therefore unreliable documents on which to base a planning decision which affects our entire community.

We generally endorse the Chapelle recommendation with the following variations:

- Lots 6-8 must remain with no building entitlements. Rather than leave them for another day, could the panel recommend a (private) open space rezoning? Ideally, the open space dedication

for lots 2-5 should be land from the rear of lot 8 (not cash). Note that Area E will provide a public road along the north side of lots 2-8 in the future.

- Building heights on lots 2-5 must permit full overlook of the broad lake vista from 1.05m above Terranora Road Level
- Single east direction access commencing on lot 5 (not lot 8).
- No dual occupancies be permitted (traffic safety issue in long term).

Hopefully, this submission puts some balance into the decision the Planning Panel must make. Your decision will significantly impact the future appeal of Terranora.

Thank you for considering community concerns.

Greg Burgis

President

Friends of Terranora

Footnote: I am available to address the Panel from 5 December 2016 onwards