

Obi McDonald-Saint

Feedback submitted on behalf of Alidenes & Wilsons Creek Residents Association.

1\1217412\Letter - Objection to Planning Proposal - 23 June 2021.pdf [SCANNED,
FILE SAFE]



**ALIDENES & WILSONS CREEK
RESIDENTS ASSOCIATION**

23 June 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing on behalf of our members to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

We are a nature-loving group of residents who have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of the neighbourhood.

There are four key areas where residents will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities the existing residents have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and we end up with 30 dwellings on the development. Illegal dwellings are also a possibility.

ALIDENES & WILSONS CREEK RESIDENTS ASSOCIATION (AWCRA)

PHONE:

~ EMAIL: info@alidenes.com

We have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. All existing residents enjoy an excellent quality of life because they have chosen (often at great expense) to buy a piece of land that is large enough for them to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

3. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

In reference to the Traffic Impact Study prepared by Ardill Payne (August 2018), we reject a number of its findings and refer to the NSW Transport Road Safety Page (<https://roadsafety.transport.nsw.gov.au>), which says travelling at 100km/h requires 42m reaction distance and total stopping distance of 84m. Turning right at the intersection of Alidenes and Wilsons Creek Roads, the visibility is less than 45m viewing west. The turn has to be handled in a particular way. To maximise visibility, you have to enter as far right as possible as visibility is reduced to a few metres from the centre line. As it is dangerous to stop at the intersection, you virtually have to overshoot Alidenes Rd in order to turn safely into it.

The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. This cannot be corrected unless the bend is removed from Wilsons Creek Road. Vegetation removal will not remedy the issue.

Introduction of signs on a dark road will not remedy the issue. Simply put, Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

The map layout shown in the study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. It is not a T-intersection but rather a U-intersection attached to a dangerous bend. In terms of accident history, a young man was killed on Wilsons Creek Road approximately 100 metres from the intersection in June 2019.

We dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Many of the residents have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk. We have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

As mentioned above, the dwelling that exists on the development has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Rd.

4. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, we will see further degradation of the zones and Yankee Creek. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but local residents know the creek to break its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd, floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that we have entered a La Niña weather pattern where cooler and wetter weather is expected in coming seasons.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above and with nearly a 100% unanimous objection from all residents adjoining and surrounding the development, we request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to no more than five.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Disappointingly for many residents, a recent letter from Council was the only notice they received about this development despite documents dating back to 2018.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact us.

Yours sincerely,

Obi McDonald-Saint
Secretary & Public Officer – AWCRA

Solveig McDonald

2\1217412\feedback - Solveig.pdf [SCANNED, FILE SAFE]

28 June 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at: <https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

I have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of my neighbourhood.

There are four key areas where I will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and 30 dwellings end up on the development. Illegal dwellings are also a possibility.

I have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. I enjoy an excellent quality of life

because I have chosen to live on a price of land that is large enough to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

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I dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Many of my neighbours have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk. I have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

As mentioned above, the dwelling that exists on the development has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Rd.

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Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but I know the creek to break to have broken its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that La Niña weather patterns will bring about cooler and wetter weather in coming seasons.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above and with nearly a 100% unanimous objection from my neighbours adjoining and surrounding the development, I request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to no more than five.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Disappointingly, a recent letter from Council was the only notice I received about this development despite documents dating back to 2018.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely,

Solveig
Wilson's Creek Rd
Mullumbimby.

Angela Catterns

Please see attached Word doc.

3\1217412\Letter of Objection.docx [SCANNED, FILE SAFE]

Wilsons Creek 2482

28th June 2021

Re:

**Planning Proposal for Amendment of Byron Local Environmental Plan
2014 – Lot 38 DP 1059938 31 Alidenes Road, Wilsons Creek**

Dear Sir/Madam,

I am writing to object to the above planning proposal.

Having studied the proposal, I believe the plan is actually for a suburban subdivision in a rural area.

With a proposed 15 or more potentially large houses and their accompanying services, their vehicle movements, the possibility of 2nd dwellings being allowed in the future, and the location on flood-prone land adjoining a creek is extreme over-development and represents the wrong land-use for the following reasons:

Environment

There are a number of riparian zones and Yankee Creek flows within the development area. It's proposed to give responsibility for care of the creek and riparian zones to "the Association" which sounds like a recipe for disaster.

Communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, points out 15-30 dwellings, with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek.

Without proper management and further studies and consultation, it's quite possible much of the development, dwellings and infrastructure would be affected by major flooding - possibly more frequently than anticipated. Such a development in a flood prone area increases pressure on government services when it needs to be reduced.

Character and size of development

The proposed 15 lots earmarked for this development is a large number of dwellings to be erected on such a small parcel of land - less than 13 hectares. The bulk, scale and character of the development are not consistent with the existing rural nature of this area.

There is no guarantee that these lots won't be further sub-divided in the future, ending up with 30 dwellings on this site. Illegal dwellings are also a possibility.

Light pollution will also be an unforeseen impact of this development. With such a concentration of new dwellings, the rural outlook at night will be forever changed.

Possible Re-Opening of the Hydro-Electric Power Station

As Council would be aware, a feasibility study and other work has recently been undertaken to consider the viability of re-opening the Hydro-electric Power Station, to provide cheap, renewable power to the town of Mullumbimby.

Allowing residential development around this power station is extremely short-sighted. Should it be re-commissioned in the future, new residents would undoubtedly object to the proximity of a fully operational hydro-electric power generator.

Traffic movement and road safety

The predicted car movements will significantly increase the dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. Alidenes Rd has no dedicated pedestrian access to the school buses, the only available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk.

Destruction of the peaceful nature of the valley

I believe that such a development with (at least) 15 dwellings in such a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood and the valley in which it is located.

This plan, if it goes ahead, will result in the creation of what amounts to a suburban sub-division in a rural area.

For the reasons listed above, I implore you to reject this planning proposal.

Thanks for your consideration and all the best,

Angela Catterns AM

Gary Opit

A submission by Gary Opit, Yelgun / Wooyung, Byron Shire, on the proposal to rezone 31 Alidenes Road Wilsons Creek for a Community Title (CT) development of 15 dwellings on 12.27 ha. Submitted to Byron Shire Council on 29 June 2021.

In the accompanying file is a fauna survey that was undertaken by Gary Opit between from 1996 to 2021 of the property at 31 Alidenes Road, Wilsons Creek, and adjacent properties. Opportunistic surveys were undertaken by walking along the roads adjacent the property. I lived at the intersection of Alidenes Road and Robertson Road from 1996 to 2000 and have visited the locality several times a year until 2021 visiting friends.

I recorded four TSC Act 1995 Threatened Fauna species for the locality. Bush Hen (*Amaurornis olivaceus*) was the most threatened species recorded because it was restricted to the remnant regrowth riverine plant community along the creeks. Other threatened species were Rose-crowned Fruit-dove recorded feeding on Camphor Laurel fruit. Wompoo Fruit-dove recorded feeding on remnant rainforest trees particularly towards the western end of Alidenes Road adjacent the steep slopes and Koala recorded feeding on remnant eucalypt trees. Additional fauna species are likely to occur. Microbats were observed in flight though were not identified.

I object to the proposal because of the large number of dwellings proposed. To protect the threatened species recorded the creek lines need to be revegetated with riparian rainforest species and reed beds to support the Bush Hen. The property boundaries should also be revegetated with subtropical rainforest species to support the Rose-crowned Fruit-dove and the Wompoo Fruit-dove, Koala food trees should be revegetated adjacent the western boundary. Dogs and cats should be banned from the proposed development.

During torrential rain, the low-lying land adjacent the creek provides frog breeding habitat and audio recordings were made of all the frogs listed in the survey giving breeding vocalisations. Azure Kingfisher were recorded nesting in the creek bank. Eastern Rosella were recorded nesting in the remnant mature trees and in old standing fence posts eaten out by termites.

Having previously been a resident and as a regular visitor I am fully aware of the extremely dangerous intersection when driving west along Wilsons Creek Road entering Alidenes road with only a few metres of visibility to determine if vehicles are travelling east along Wilsons Creek Road. All of these constraints should be acted upon when determining the rezoning proposal.

4\1217412\2021 Fauna Survey for the Wilson Creek Road Alidenes Road
Locality.docx [SCANNED, FILE SAFE]

Fauna Survey for the Wilson Creek Road, Alidenes Road and Robertson Road locality below Laverty's Gap south-west of Mullumbimby, NSW.

A fauna survey was undertaken by Gary Opit. I lived at the intersection of Alidenes Road and Robertson Road from 1996 to 2000 and have visited the locality several times a year until 2021. Four TSC Act 1995 Threatened Fauna species were recorded for the locality. Bush Hen (*Amaurornis olivaceus*) was the most threatened species recorded because it was restricted to the remnant regrowth riverine plant community along the creeks. Additional fauna species are likely to occur. Microbats were observed in flight though were not identified.

All fauna species recorded in the study area are listed below.

Frog survey

Six native frog species were recorded on the study site:

Common Eastern Froglet (*Crinia signifera*)
 Striped Marsh Frog (*Limnodynastes peroni*)
 Green Tree Frog (*Litoria caerulea*)
 Eastern Dwarf Tree Frog (*L. fallax*)
 Dainty Tree Frog (*L. gracilentata*)
 Broad-palmed Rocket Frog (*L. latopalmata*)

Reptile survey

Eight reptile species were recorded on the study site:

Eastern Water Dragon (*Physignathus lesueurii*)
 Delicate Skink (*Lampropholis delicata*)
 Lace Monitor / Tree Goanna (*Varanus varius*)
 Small-eyed Snake (*Cryptophis nigrescens*)
 Green Tree Snake (*Dendrelaphis*)
 Carpet Python (*Morelia spilota* spp *variegata*)
 Eastern Brown Snake (*Pseudonaja textiles*)
 Red-bellied Black Snake (*Pseudechis porphyriacus*)

Birds

Seventy-five bird species were recorded on the study site:

Brush Turkey (*Alectura lathamii*)
 Little Black Cormorant (*Phalacrocorax sulcirostris*)
 Pacific Black Duck (*Anus superciliosa*)
 Australian Wood Duck (*Chenonetta jubata*)
 White-faced Heron (*Egretta novaehollandiae*)
 White-necked Heron (*A. pacifica*)
 Great Egret (*Ardea alba*)
 Cattle Egret (*A. ibis*)

Australian White Ibis (*Threskiornis molucca*)
 Straw-necked Ibis (*T. spinicollis*)
 Wedge-tailed Eagle (*Aquila audax*)
 Swamp Harrier (*Circus approximans*)
 Black-shouldered Kite (*Elanus axillaris*)
 Bush Hen (*Amaurornis olivaceus*) **Threatened Species**
 Dusky Moorhen (*Gallinula tenebrosa*)
 Purple Swamphen (*Porphyrio porphyrio*)
 Masked Lapwing / Spur-winged Plover (*Vanellus miles*)
 Wompoo Fruit-dove (*Ptilinopus magnificus*) **Threatened Species**
 Rose-crowned Fruit-dove (*Ptilinopus regina*) **Threatened Species**
 Wompoo Pigeon (*Leucosarcia melanoleuca*)
 Bar-shouldered Dove (*Geopelia humeralis*)
 White-headed Pigeon (*Columba leucomela*)
 Top Knot Pigeon (*Lopholaimus antarcticus*)
 Brown Cuckoo-dove (*Macropygia amboinensis*)
 Crested Pigeon (*Ocyphaps lophotes*)
 Spotted Turtle Dove (*Streptopelia chinensis*)
 Rainbow Lorikeet (*Trichoglossus haematodus*)
 Scaly-breasted Lorikeet (*T. chlorolepidotus*)
 Yellow-tailed Black Cockatoo (*Calyptorhynchus funereus*)
 Sulphur-crested Cockatoo (*Cacatua galerita*)
 Little Corella (*Cacatua sanguinea*)
 Galah (*Cacatua roseicapilla*)
 King Parrot (*Alisterus scapularis*)
 Eastern Rosella (*Platycercus eximius*)
 Common Koel (*Eudynamys scolopacea*)
 Channel-billed Cuckoo (*Scythrops novaehollandiae*)
 Pheasant Coucal (*Centropus phasianinus*)
 Tawny Frogmouth (*Podargus strigoides*)
 Laughing Kookaburra (*Dacelo gigas*)
 Azure Kingfisher (*Alcedo pusilla*)
 Forest Kingfisher (*Todiramphus macleayii*)
 Sacred Kingfisher (*Todiramphus sanctus*)
 Black-faced Cuckoo-shrike (*Coracina novaehollandiae*)
 Cicadabird (*Coracina tenuirostris*)
 Olive-backed Oriole (*Oriolus sagittatus*)
 Fig Bird (*Specothes viridis*)
 Rainbow Bee-eater (*Merops ornatus*)
 Dollarbird (*Eurystomus orientalis*)
 Welcome Swallow (*Hirunda neoxena*)
 Fairy Martin (*Cecropis ariel*)
 Magpie-lark (*Grallina cyanoleuca*)
 Grey Shrike-thrush (*Colluricincla harmonica*)
 Leaden Flycatcher (*Myiagra rubecula*)
 Willie Wagtail (*Rhipidura leucophrys*)
 Grey Fantail (*R. fuliginosa*)
 Eastern Whipbird (*Psophodes olivaceus*)
 Superb Fairy-Wren (*Malurus cyaneus*)
 Red-backed Fairy-wren (*M. melanocephalus*)

Striated Pardalote (*Pardalotus striatus*)
 White-browed Scrubwren (*Sericornis frontalis*)
 Brown Thornbill (*Sericornis pusilla*)
 Scarlet Honeyeater (*Myzomela sanguinolenta*)
 Blue-faced Honeyeater (*Entomyzon cyanotis*)
 Noisy Miner (*Manorina melanocephala*)
 Lewin's Honeyeater (*Meliphaga lewinii*)
 Noisy Friarbird (*Philemon corniculatus*)
 Grey-breasted Silvereye (*Zosterops lateralis*)
 Red-browed Firetail Finch (*Emblema temporalis*)
 Chestnut-breasted Mannikin (*Lonchura castaneothorax*)
 Satin Bowerbird (*Ptilonorhynchus violaceus*)
 Spangled Drongo (*Dicrurus bracteatus*)
 Grey Butcherbird (*Cracticus torquatus*)
 Australian Magpie (*Gymnorhina tibicens*)
 Pied Currawong (*Strepera graculina*)
 Torresian Crow (*Corvus orru*)

Mammals

Eight native mammal species were recorded on the study site:

Short-beaked Echidna (*Tachyglossus aculeatus*)
 Long-nosed Bandicoot (*Perameles nasuta*)
 Northern Brown Bandicoot (*Isodon macropus*)
 Swamp Wallaby (*Wallabia bicolor*)
 Koala (*Phascolarctos cinereus*)
 Short-eared Brushtail Possum (*Trichosurus caninus*)
 Black Flying Fox (*Pteropus alecto*)
 Grey-headed Flying Fox (*Pteropus poliocephalus*) **Threatened Species**

Len Heggarty

My objection to:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

Why does Council want recipients of the blocks to build on Flood-Prone Land?

5\1217412\Wilsons Creek.docx [SCANNED, FILE SAFE]

Len Heggarty

5/7/2021

Mark Arnold
Byron Bay Council
General Manager

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I would like you to register my objection to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilson-Creek>.

Byron Shire Council is changing its attitude to being a Green Environment Council for Tourism income to brick-and-tile and concrete development. Therefore, Council has extra costs in infrastructure. To change to a development Council is folly because it also increases costs to council when it changes itself from being environmental. Those costs most go to ratepayers. In Council's change to brick development it seems "anything goes" in approving built development on FLOOD PRONE LAND that Byron Shire Council has stipulated as Flood-Prone Land. Flood-Prone Land has its legal and moral implications. Byron Council needs legal advice or Council can be sued when flooding occurs on Council-stipulated Flood Prone Land.

In the Flooding Assessment and Mitigation Report by Ardill Payne and Partners are these paragraphs below admitting the land is Flood Prone therefore saying that owners of the new lots can sue council in the courts with a probable win if there is flooding.

Why does Byron Council have land that is stipulated as "Flood-Prone"?

To protect people and to warn people that they are liable to be flooded if they build on that land. IT IS A LEGAL REQUIREMENT because laws follow morals. It is immoral of Council to allow people to build on Flood-Prone land.

Therefore, is Byron Council being immoral in this instance? Yes. The Report states: "Parts of the site can be made flood immune ...". Where on the planet is there land that is flood immune?

Maybe in the deserts and on top of the highest mountains. Even on the sides of mountains, places are not flood immune during Climate Change.

It also says: "This flooding mitigation works can be undertaken in future development stages."

What does that wording actually mean as it is incongruent? Does the wording apply to this DA or will it apply to another DA down the track outside this development application? When it states "in future development stages" it has to mean other development stages than what is before us here in this DA. What other development stages?

From the Flooding Assessment and Mitigation Report:

- Parts of the site are flood prone but will still be developable. Construction levels for these areas can be extracted from the hydraulic model and provided to the developers for future planning and designs
- Parts of the site can be made flood immune with relatively minor cut earthworks within the on-site flow paths and localised fill earthworks mainly along the flow paths left and right banks. This flooding mitigation works can be undertaken in future development stages.

If I was to buy a block of land that was for sale from the approval of this DA what are my legal rights in regards to flooding? Wilson's Creek's annual rainfall is 1483mm because the escarpments build up cloud embankments while Byron Bay's rain figure is about 1157 mm.

Regards,
Len Heggarty

Mark White

6\1217412\Objection to 31 Alidenes Rd.pdf [SCANNED, FILE SAFE]

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek.

Date: 06 July 2021

To: Byron Shire Council

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at: <https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

I have chosen to buy property across the road at 2 Alidenes Rd and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of my neighbourhood.

The increased noise, traffic and increased population resulting from this development will negatively impact on our ability to enjoy and use the land we purchased.

We do not wish to live in an area adjacent to a rural subdivision with unplanned and wholly inadequate public amenities and basic services and I do not intend to live alongside undesirable increases in already significant road dangers we have witnessed frequently and the extra car noise.

There are four key areas where I will be permanently impacted by this development:

1. Character and size of development

The impacts of this development will be far reaching and long term on our quality of life. It is not like adding another home or two to the blocks nearby where these extra dwellings would be in keeping with existing character, size of surrounding homes. The proposed 15 lots earmarked for the development are a large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

The development of this property will not preserve the lifestyle I have come to enjoy and know. There are many factors that need to be considered, such as updated fire requirements, creeks, flood zones, riparian buffers, sewerage, driveways, and power.

The size and scale of the development mean detailed assessments are needed as the subdivision is 'integrated development', an ecological (fauna and flora) assessment, environmental assessments (acid soils, land contamination), review of the detailed design of allotment layout and engineered infrastructure services (roads, water supply, sewerage network, stormwater drainage, electricity and telecommunications), having regard to the above size of the project and need for such assessments by the surrounding residents well in advance of approving this development.

Furthermore, there is no guarantee that these pieces of property will not be cut up and we end up with 30 homes on the tract. Illegal construction is also a possibility.

New buildings on this land have little regard for the architectural character of the surrounding precinct. Brick buildings with no matching style, tenants playing loud music and increasing traffic in the narrow country laneway and deteriorating causeways of Alidenes Road with a right-hand blind curve across speeding downhill traffic needed to access the land are great examples of how not to build a residential subdivision.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. I chose to live on a large piece of land, far enough away from my neighbors that I am not affected by their noise and traffic.

Many of the residents in Wilsons Creek share a similar set of values when it comes to protecting beautiful natural areas. Nearly 100% of us objected to coal seam gas mining (complaints were as high as any recorded area), which would have impacted the scenic surroundings. The beauty of our community is taken very seriously among residents. This subdivision will seriously affect this adversely.

3. Traffic movement and road safety

The extra vehicles worth of daily traffic from 15 - 30 houses and residents will significantly increase the dangers on Alidenes Rd not only where it intersects with Wilsons Creek Road but also for the surrounding streets. A significant downside with this property is that there is a blind curve on Wilsons Creek Road as drivers approach the Alidenes Rd turn-off. It tends to give drivers speeding past 80-100 km/hr. on this stretch of road an accident waiting to happen! There is no signage, mirror or stop at the intersection, either.

I reject Ardill Payne's outdated 2018 Traffic Impact Study conclusions. Instead, I refer to the Road Safety page on the NSW Transport Ministry website (<https://roadsafety.transport.nsw.gov.au>). According to this page, when traveling at 100km/h means that there is a 42m reaction distance and total stopping distance of 84m. Turning right at the intersection of Alidenes and Wilsons Creek Roads, visibility is less than 45m viewing west. The turn must be handled in a particular way. To maximize visibility, you must enter the turn as far right as possible (depending on traffic) while reducing your speed significantly with limited visibility just from the center line of Alidenes Rd. With speeding downhill drivers heading east and west bound traffic trying to negotiate a curve just behind, this is a disaster waiting to happen.

The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road. Unless the bend is removed from Wilsons Creek Road, there is no true way to remedy the issue if increased traffic movement takes place. Vegetation removal does not fix the issue.

The map used in this study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. This is because it is technically a U-intersection, one end attached to a dangerous bend on Alidenes Road and the other connected to Wilsons Creek Rd. In terms of accidents, a death was recently recorded in June 2019 only 100 m from this curve, highlighting the inherent dangers of the road.

I disagree with the lack of public transportation in this study. There is currently no option for public transport, and I feel that must be included now before we are asked to support a growing population in this suburb. Creating a township without transportation and infrastructure of any kind would not be responsible as it will increase car traffic due to a lack of safe, sustainable, and viable options, and disrupt the existing community members without car access.

The location of my home on Alidenes Road, at the first narrow causeway and dangerous curve at Wilsons Creek Road has allowed us to witness how this has created an unsafe environment for school children. With no pedestrian access to available public transport, this road does not provide a safe passage for these walking students. A 100% increase in car and truck traffic with no footpath access on a narrow dark curvy road with nowhere on either side for pedestrians to avoid the traffic is another disaster waiting to happen.

Shoddy maintenance of verges on Alidenes and Wilsons Creek Roads forces children and pedestrians to walk dangerously close to traffic. The development proposal could increase the number of kids walking near traffic twice a day, increasing their risk of injury or death.

4. Riparian zones along Yankee Creek and management of the habitat

There are riparian zones throughout the development and Yankee Creek runs through many of these areas. If they are not managed properly, the zones and creek will deteriorate further. According to a communication with Alex Caras, a coordinator of land use for the Byron Council, if the subdivision increased by 15 to 30 residences this would invite 60 to 120 more people onto Alidenes Road and an additional 30 or more cars. As such, this development does not contribute in any way to environmentally sensitive or responsible growth for Yankee Creek.

Consultation around Yankee Creek has typically only focused on major floods. However, I know the creek to have overflowed its banks and temporarily closed access to Alidenes Rd several times in the past 8 years I have lived here. The four-acre triangle block near Alidenes and Wilsons Creek Road has flooded so often that half of it is unusable or inaccessible during any given large flood. This triangular lot is immediately adjacent to the proposed development.

Developing in a flood-prone area may increase the chance of frequent flooding, which can open government services to more demand than they can handle, especially during La Niña weather patterns.

Yankee Creek flows into other water courses including Mullumbimby Creek. Improper sewage management and maintenance of the upstream waterways could result in unsafe water quality conditions for these downstream waterways, such as a potential rollover effect from Yankee to other subsurface creeks or streams.

5. Conclusion

I request that you reject the development proposal based on the reasons mentioned above.

Following nearly unanimous opposition from my neighbours, I suggest this number should be reduced to no more than five houses in total.

I request you begin community consultation to keep residents regularly updated on any potential decisions or any developments that might adversely affect their neighbourhood's peaceful and idyllic nature.

Disappointingly, a recent letter from Council was the only notice I received about this development despite documents I have now seen dating back to 2018. I had to go Googling myself to find these now outdated 2018 planning documents that were provided to Council but not to residents.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Regards,

James Mark White

lidenes Rd

Wilsons Creek

Nirala Jacobi

As a resident of Alidenes Rd, I strongly object to the DA of Wilsons Creek/ Alidenes Rd intersection. Though I understand housing shortage is critical in the shire, do we really want to start carving away at the edges of the forest of the Koonyum range to develop a high density subdivision ? I'd like to point out that Yankee Creek running through the targeted land as well the surrounding woodlands serve as a wildlife corridor with resident echidnas, wallabies and even koalas inhabiting the area. It is disheartening to consider the impact such a development would have on them. Lack of infrastructure is another point of objection-- with the increase in traffic, the corner of Alidenes rd and Wilsons Creek rd will become even more of a hazard. Plus, considering that the area is prone to flooding far more frequent as was described, it seems the proposal once again puts profits before realistic sustainable housing solutions. I suggest getting the community feedback before approving this proposal.

Wednesday

This will be a massive traffic hazard. The area can not handle this.

The area is also a large refuge for already endangered native animals.

Emily Sugars

I am against this rezoning as it will be a massive traffic hazard and local wildlife will be impacted.

Sarita Ford

Hi

I believe that this development will create traffic issues because the current road and intersection from Wilson's Creek Road is hazardous. There is a need to also protect the wildlife in this area as it extends to the Koonyum Range.

Bernice Sigley

If it meets the current LEP, I.e the land set aside for this purpose then go for it.

If not then No-donot change zoning opens the door for Nepotism

Claudia Gyr

12\1217412\Alidenes Rd.docx [SCANNED, FILE SAFE]

6th July 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

There are three key areas where we will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the surrounding area where we are not allowed to subdivide bigger blocks like ours (10acres) for the good reason to keep some areas further out of town rural.

2. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it. There would have to be some serious improvements to alleviate this danger.

The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. This cannot be corrected unless the bend is removed from Wilsons Creek Road. Vegetation removal will not remedy the issue. Introduction of signs on a dark road will not remedy the issue. Simply put, Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

The map layout shown in the study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. It is not a T-intersection but rather a U-intersection attached to a dangerous bend. In terms of accident history, a young man was killed on Wilsons Creek Road approximately 100 metres from the intersection in June 2019.

I dispute adequate public transport in the study. There is zero public transport except for school buses. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

3. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, further degradation of the zones and Yankee Creek will occur. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but I know the creek to break to have broken its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above I request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to **no more than five**.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Thank you for your time and consideration.

Yours sincerely,

Claudia Gyr

Sequoia Glastonbury

I have attached a letter of objection to the proposed development.

13\1217412\alidenes objection letter.docx [SCANNED, FILE SAFE]

7 July 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

We are writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

We have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of our neighbourhood.

There are four key areas where we will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and 30 dwellings end up on the development. Illegal dwellings are also a possibility.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. We enjoy an excellent quality of life because we have chosen to live on a piece of land that is large enough to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and

Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

3. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

In reference to the Traffic Impact Study prepared by Ardill Payne (August 2018), I reject a number of its findings and refer to the NSW Transport Road Safety Page (<https://roadsafety.transport.nsw.gov.au>), which says travelling at 100km/h requires 42m reaction distance and total stopping distance of 84m. Turning right at the intersection of Alidenes and Wilsons Creek Roads, the visibility is less than 45m viewing west. The turn has to be handled in a particular way. To maximise visibility, you have to enter as far right as possible as visibility is reduced to a few metres from the centre line. As it is dangerous to stop at the intersection, you virtually have to overshoot Alidenes Rd in order to turn safely into it.

The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. This cannot be corrected unless the bend is removed from Wilsons Creek Road. Vegetation removal will not remedy the issue. Introduction of signs on a dark road will not remedy the issue. Simply put, Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

The map layout shown in the study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. It is not a T-intersection but rather a U-intersection attached to a dangerous bend. In terms of accident history, a young man was killed on Wilsons Creek Road approximately 100 metres from the intersection in June 2019.

We dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Our children and many of our neighbour's children walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars

entering causeways from either direction leave no space for school children to walk. We have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

The dwelling that exists on the development currently, has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Rd.

4. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, further degradation of the zones and Yankee Creek will occur. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but we know the creek to break to have broken its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that La Niña weather patterns will bring about cooler and wetter weather in coming seasons.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above and with nearly a 100% unanimous objection from my neighbours adjoining and surrounding the development, we request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to no more than five.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Disappointingly, we did not even receive a letter a recent letter from Council about this development despite documents dating back to 2018. It was concerned neighbours that informed us of this development.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely,

Dr Stuart Glastonbury and Sequoia Glastonbury
Wilson's Creek

Carol Taylor

please find attached. 4 pages.

14\1217412\31 Alidenes rd submission Carol Taylor.pdf [SCANNED, FILE SAFE]

Carol Taylor
Alidenes Rd; Wilsons Creek.
(one of four pages)

I wish to object to the proposed 31 Alidenes Road Development.

Presently the house at 31 Alidenes Rd has 10 people living in it, 5 cars. Using the existing resident number, the development proposed could add 150 people, with up to 60 cars. The area is looking at a significant increase in safety and environment issues. With minimal thought into infrastructure and the capabilities to support the increase of people and cars.

Following is reasons for objections followed by suggested proposals or questions to create constructive feedback.

1. SAFETY

90% of traffic will be leaving from Alidenes Rd.

1.1 BLIND BEND

I dispute the developer's visual safety report travelling west along Wilsons Creek Rd, turning right into Alidenes Rd..This is a blind turn, visual is less than 43 metres. (The visual is less than the braking speed required for a car travelling 100 kms from the west direction of Wilsons Creek Rd to be able to stop)

As a resident of Alidenes Rd, we are required to overshoot Alidenes Rd from Wilsons Creek Rd to try and gain further visibility for a turn that is dangerous. We effectively have to make a U turn into Alidenes Rd, from Wilsons Creek Rd.

*Proposed requirement to meet safety concerns;
Wilsons Creek Rd requires more than removal of vegetation to ensure safe navigation into Alidenes Road, it requires the bend to be removed*

1.2 CAUSEWAYS SAFETY ON ALIDENES RD.

Alidenes Road has 3 causeways, effectively bridges over creeks. When two -way traffic enters the causeway, there is no room for pedestrian access. I have personally witnessed school children pushed to the edge of the causeway while two cars enter the causeway. (They can't step onto a verge; they can only fall into the creek.) Increase in people and traffic creates a cars verse pedestrian safety issue The development could add at least a further 60 children's pedestrian movements a day. (Average family has 2 children x 15 homes.)

*Proposed requirement to meet safety concerns:
Three x pedestrian bridges parallel to causeways and paths to service the school children heading home from the school bus.*

1.3 ALIDENES RD IS NOT A "T" INTERSECTION AS PER DEVELOPERS' DRAWINGS:

The developers diagram submitted shows Alidenes Rd, as a "T" intersection, it is not a "T" intersection it is a "U" shaped intersection with blocked visibility. Alidenes Rd enters Wilsons Creek Rd, with blocked visibility merging onto a gravel side road that also serves as the school bus drop off. At times cars spin out on the gravel trying to enter Wilsons Creek Rd. Cars frequently park all day in the merging area. This part of the road is not maintained by council, it is full of potholes.

Proposed requirements to meet safety concerns:

The road merging has to be tarred for safety with increased visibility at the intersection. The proposed increased cars the intersection should not be used as a school bus drop off combined with a merging intersection from Alidenes rd onto Wilsons Creek Rd, heading east. To protect school children the merging area needs to have defined spots, for the school bus, create separate merging for traffic.

1.4 SAFETY MARKINGS

Wilsons Creek Road does not have road lines, leading to Alidenes road nor markings or street lights for the intersection of Alidenes Rd. The developer has suggested minimal signage that I believe will not be noticed or even ignored.

Proposed requirement to meet safety concerns;

Adequate street lighting, reflectors on the intersection, road markings and safety signs west and east are required for safety.

1.5 FLOOD AREA

Alidenes road is a flood area, as indicated by the Flood signs upon entering Alidenes Rd, why is council proposing to increase population in a Flood Area and put more pressure on state rescue services?

1.6 OUTDATED ROAD ACCIDENT REPORT

The developer states no accidents on Wilsons Creek Rd, this is an outdated report. A cyclist was killed on Wilsons Creek Rd, 300 metres from Alidenes Rd intersection.

2. ENVIRONMENTAL

There does not seem to be any consideration for the environmental future with the proposed developments. The developer wants to build houses without infrastructure which impacts the environment.

2.1 INCREASED PEOPLE/CARS DOES NOT EQUATE TO CLEAN CREEKS/RIVERS.

Congestion of people subsequently sewage overflow potential, fertilizers etc, is not conducive to healthy creeks that dominate the proposed development area. Polluted creeks feed into other creeks that impact native wildlife. Due to the fact the area

floods it goes beyond building buffer creek zones to protect the creek and river systems.

My concern and question:

How does the council and developer propose to eliminate pollution of the creek systems that goes beyond the standard buffer zone? What are the plans to stop concentration of sewage and pollution like oil leakage from increased cars, work sheds etc leakage during floods etc?

2.2 LACK OF INFRASTRUCTURE ENVIRONMENTAL IMPACT.

Creating a housing estate without infrastructure incorporating buses, cycle ways, pathways. Cars movements will be increased by at least 100%, effectively 1000 car movements a day driving to utilities 5 kms away in Mullumbimby Town. How is this environmentally friendly, putting more cars on the road, enforcing use of cars to commute?

Proposed to meet universal environmental considerations:

Cycle ways, footpaths, bus services to town to reduce car movement and pollution, suggest building housing estates closer to town & utilities OR create the utilities and infrastructure in the proposed development?

2.3 BULK OF HOUSING NOT WITHIN KEEPING OF THE AREA

The bulk and type of housing proposed is not within keeping of the area. The developer has built a spec brick/slab square box home on the site, I assume it meets council minimum requirements. (Not sure how this holds up in a flood) There is a real danger that developers will buy and build spec homes without any character or rural aesthetics or sustainability. Many councils now create a covenant to ensure that the character and sustainability of an area is maintained. There is a real chance that this area could look like a concrete/brick suburb in the middle of a rural setting, the bulk and character not keeping with the area.

Proposal to meet environment, sustainable & character of the area.

A covenant to ensure the type of housing built in relation to imprint on the area and keeping within character of a rural environment. Type of vegetation within keeping of the area to sustain the wildlife?

2.3.1 BULK OF NUMBER OF ALLOTMENTS.

The bulk of the allotments is not within keeping of the area.

Proposed;

Reduce allotments to minimum 4 acres, keeping within the existing rural environment.

2.3.2 BULK OF HOUSES & SHEDS WITHOUT DRIVEWAYS

The increase in houses, sheds & cars if sealed driveways are not mandated, the increased movement of cars will create dust pollution. Using the existing dwelling with 10 people/ 5 cars, 150 people extra 60 cars. this is a significant environmental pollutant.

Proposed:

Covenant on sealed driveways to houses and sheds.

2.4 WILD DOGS & UNRESTRAINED DOGS, NOT ADEQUATE FENCING.

Wild dogs or unrestrained dogs an existing issue, wildlife is killed, increase in domestic animals of no less than 15 pets, changes the rural environment.

Propose;

Considering the bulk of housing, consideration needs to be given to creating a domestic pet free development to ensure protection of the wildlife? The covenant to include adequate fencing around the houses.

2.5 COMMUNITY STRATA

How are the strata going to be managed by the developer and council to ensure that environmental, sustainable, aesthetic, and the amount of people on the estate is managed?

CONCLUSION

In the push to create more housing, the council and the developer may be creating a ghetto environment without forethought about sustaining and supporting up to a further 150 people. A lot of issues are created with housing estates that are not supported with infrastructure, environmental considerations, town planning aesthetics, and nature considerations. No consideration has been given to the character of the area or the wildlife. The developers' reports are an exercise in what they don't have to do, in the quest to save money. No consideration to what needs to be done to support an increase of people and car movements. No consideration to maintaining the existing wildlife or keeping the creeks clean. **The developers have minimized the special qualities of Alidenes Rd & Wilsons Creek area, I object to the fact little consideration has been given to improving the area. It is an exercise in dumping people and the developer making money.**

Henning Beth

15\1217412\hennings submission.docx [SCANNED, FILE SAFE]

23 June 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

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I have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of my neighbourhood.

There are four key areas where I will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and 30 dwellings end up on the development. Illegal dwellings are also a possibility.

I have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. I enjoy an excellent quality of life because I have chosen to live on a price of land that is large enough to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

3. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

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I dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Many of my neighbours have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk. I have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

As mentioned above, the dwelling that exists on the development has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Rd.

4. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, further degradation of the zones and Yankee Creek will occur. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but I know the creek to break to have broken its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that La Niña weather patterns will bring about cooler and wetter weather in coming seasons.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above and with nearly a 100% unanimous objection from my neighbours adjoining and surrounding the development, I request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to no more than five.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Disappointingly, a recent letter from Council was the only notice I received about this development despite documents dating back to 2018.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely, Henning Beth

Alidenes road, Mullumbimby, 2482 NSW

Ely Beth

16\1217412\Elys submission.docx [SCANNED, FILE SAFE]

23 June 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

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I have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of my neighbourhood.

There are four key areas where I will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and 30 dwellings end up on the development. Illegal dwellings are also a possibility.

I have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. I enjoy an excellent quality of life because I have chosen to live on a price of land that is large enough to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

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Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely, Ely Dekarz
Alidenes road, Mullumbimby, 2482 NSW

Lou Dabin

Tino Beth

I do not consent to the rezoning of 31 Alidenes Rd, Wilsons Creek.

18\1217412\Alidenes-rd-CBSC.docx [SCANNED, FILE SAFE]

23 June 2021

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Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely,

Tino Beth
Alidenes Rd, Wilsons Creek NSW 2482

Kerrie Ferguson

We desperately need more housing options in the Shire but this proposed development is NOT the way to achieve this. Far too many proposed dwellings in an area without the infrastructure to support in and the possible pollution of our waterways should have had this proposal refused long ago.

Max and Beverly Joffe

8th July 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

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Feedback on 31 Alidenes Road proposed subdivision

1. As owner-occupiers of a property on Alidenes Road, that adjoins 31 Alidenes Road, Wilson's Creek, we challenge the intention to subdivide rural land in the Byron hinterland that is only 12.27 hectare in size.
2. Particularly, we oppose intended subdivision of 31 Alidenes Road, (otherwise referred to as 'Lot 38 DP 1059938 with the street address of 31 Alidenes Road, Wilson's Creek'); and object to plans by the owner-developer of that property to subdivide that small piece of land into 15 lots, in order to build and sell 15 houses.
3. We also protest against seeming support for such a plan, by Council.
4. The question could be asked whether such a plan has as its objective, wealth creation for the owner-developer and more money from 15 properties for rates?
5. This proposed subdivision would likely not provide affordable housing, despite any claim that suggests alignment of intent of the owner-developer with that of the Council. Such a plan would also unlikely enable optimal rural lifestyle living.
6. Instead, a proposal to put 15 houses on small plots by means of subdividing a small piece of land risks setting up housing estate, urban residential feel.
7. This would take away from an essentially rural area, and detract from the place and space that is Wilson's Creek.
8. The outcome of such a plan would erode plant life and wildlife; have a negative impact on the environment; and destabilize the rural landscape character; and destroy bushland in this area.
9. Despite any suggestion that this plan would have no impacts on this place and space, if one does not live in this Wilson's Creek area, how is it possible to conduct comprehensive sampling of actual conditions at all times?
10. Indeed, some of the reports in appendices attached to the plan, bring to mind the question of validity and possibly limited or surface sampling of discrete parts of this area; especially given the suggestion that some discussion has been based on extrapolation, and the acknowledgement of a '... reliance on interpretation and often limited factual information based on judgement and opinion...'
11. Despite the ecology report suggesting there is no evidence of koalas in this

area, we have sighted echidnas, large lizards, koala, bush wallaby, tawny frog mouth and many other birds.

12. We don't understand how a so called 'Green Council' could contemplate backing a plan to subdivide a piece of land 12.27 Ha (about 29 acres), so as to squeeze 15 lots into Lot 38 DP 1059938.

13. As members of the Alidenes and Wilson's Creek Association (AWCRA), we align with the motto, 'we oppose irresponsible development that impacts on residents' permanent enjoyment of the natural environment'.

14. The proposed scale of development is inappropriate for this area and would have associated negative impacts on physical and mental health.

15. The one house that is currently on that property seems to be functioning as a boardinghouse, as it appears the owner/developer is renting it out to multiple tenants with 6 cars in the driveway.

16. Any consideration of 15 houses according to such an inappropriate template, would destroy the design of the Wilson's Creek locality, creating a sense of living on the Gold Coast instead of in the peaceful, beautiful, nature surroundings of Wilson's Creek.

17. Such a plan risks damage to our property, including through: wastewater disposal systems from 15 houses polluting the groundwater and water we use from our Borehole and via increased floodwater and also increases the risk of fire.

18. Such a plan would lead to increased noise from traffic and would more many more cars would have a detrimental impact on safety for people living in this area.

19. The main inner road of the unsuitable intended subdivision adjoining our home, opens directly onto Alidenes road, providing vehicle access for many cars directly opposite our property.

20. Such a plan would more than double the number of cars in this area and the extremely dangerous slip road onto Alidenes Road from Wilson's Creek Road; a slip road that has produced many heat-stopping moments as speeding vehicles behind the driver fail to realize that turning vehicles may actually have to come to a full stop to avoid oncoming cars. When we requested, a few years ago, that Council at least install a traffic mirror on that blind bend, the response was that this would be unnecessary. There would be an increased risk of dangerous traffic accidents in such conditions; with risks of accidents already present, given no limits on speeding.

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Sincerely, *Max and Beverly Joffe of Alidenes Road Wilson's Creek*

Claire Yerbury

Attached is a letter outlining my concerns about this development. it should not go ahead.

Thank you

Claire Yerbury

21\1217412\Alidenes template.pdf [SCANNED, FILE SAFE]

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This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

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In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

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Yours sincerely,

Claire Yerbury

Brendan Kelly

Attached is a letter expressing my concerns for the proposed CT development at 31 Alidenes Rd.

It should not go ahead.

Thank you,

Brendan Kelly

23\1217412\Alidenes B template.pdf [SCANNED, FILE SAFE]

23 June 2021

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Brendan Kelly

Kira Rea and Brendan Palmer

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Wilsons Creek 2482

8th July 2021

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In the second half of 2020 we purchased our property at Wilsons Creek Rd. One of the reasons we chose to purchase the property was for the peaceful and idyllic nature of living rural. We walk our property daily and the tranquility, particularly in the northern section of our block, is one aspect that we truly treasure. One finger of yankee creek starts near the northern boundary and there are wetlands with much frog activity. We often see Echidnas in that area, and occasionally wallabies pass through.

The proposed development adjoins this northern boundary of our land. If it proceeds we will permanently have a mini suburb on our doorstep, something that is completely out of step with the nature of the neighbourhood, and the reasons why we purchased the farm over living in suburbia in the first place. The high density nature of this development will permanently impact on our quality of living, and also what remains of the local fauna.

The proposed 15 lot sub-division is far too dense for the parcel of land, and there is no guarantee that there won't be further sub-division - or have dual occupancy granted – allowing for 30 dwellings. As mentioned in the proposal "The applicant has suggested a 0.3-hectare MLS based primarily on achieving the maximum yield of 30 lots." As you would expect of a commercial developer, the motivation is there to maximise the monetisation of this subdivision with little regard for who is affected.

The existing house on 31 Alidenes is an example of how the neighbourhood could change. The developer built it a year or so ago and has rented it for a high price, meaning a large group of people have had to share the property to be able to afford it. We're told they have four cars themselves, and many guests come to visit. This multiplied by 15 (or 30!) is not what our immediate neighbourhood can accomodate.

We don't live on Alidenes but our son catches the shool bus from the intersection of Alidenes and Wilsons Creek Road every school morning. As he is only 8 years old, we wait with him and often see other school children walk up Alidenes road. As there are no footpaths, they walk on the actual road itself. There is a bridge over yankee creek that is narrow with hardly enough room for two cars. The whole situation is particularly dangerous. The intersection itself is a fairly unpredictable combination of unmarked tarmac and gravel. Numerous vehicles including cars and large trucks

drive past on Wilsons Creek Road at or near the 80km/h speed limit. From our perspective, this spells a disaster waiting to happen.

Often we drive along Wilsons Creek Rd and encounter a car stopped waiting to turn into Alidenes Rd, requiring us to brake hard. It's a very dangerous intersection. Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

Other than the school bus there is no public transport or bike paths to speak of. After Tim Watkins was killed (within a few hundred metres of the above intersection) there is less enthusiasm for riding a bike on Wilsons Creek Rd. This means the car is the only real mode of transport each of these prospective new residents will use, and most houses will have at least two cars – if not more - this means much more traffic, much higher risk of an accident at the intersection of Alidenes and Wilsons Creek Rd, and increased danger for the existing school children walking to the bus stop and waiting for a bus, alongside any new children that will move in. Creating a suburb without transportation and infrastructure is irresponsible.

We're not opposed to appropriate development, and understand there is a housing accessibility crisis unfolding in our region at the moment. We are not opposed to sustainable, responsible and appropriate development such as an eco village for instance that is sensitive to the environment and utilises building and design practices that unify the whole development and factor in affordability both for home buyers and renting tenants.

Simultaneously, land owners who wish to contribute to dealing with the housing crisis should be able to access more streamlined processes and models of doing so.

We do not feel that a commercial developer from outside of our region, carving up farm land and selling blocks is the right solution.

The previous owners of our property had no knowledge of this proposed development. None of the neighbours I have spoken to, including some who's adjoining land is included in the 2017 study, were not consulted either. There seems to have been very low levels of community engagement. Looking at the documents they seem to date back to 2018. For something this size to get this far without proper consultation with directly affected residents is disappointing.

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Aya Cottrell

Rebecca best

Very concerned that more traffic on the dangerous blind corner turning from Wilsons Creek Road into Alidenes will cause many catastrophic accidents. The extra cars driving, congestion & disproportionate scale of the proposed development is not suited to the rural and quiet area of wilsons creek.

Samantha field

I would like to object to this proposal. I do not think it is in the interest and well being of the Wilson's Creek community to allow this proposal due to inevitable substantial increase in traffic on poor roads. In addition the environmental impact .

Thank you .

luke arnold

This development will severely effect the amenity of the area.

The existing turn off Wilsons Creek road is already extremely dangerous yet alone with large increase in cars from this development. The Bullgarra springs area is highly diverse and sensitive with a large amount of unique flora and fauna.

The entire area is heavily impacted by major flooding during heavy rain events that often block causeways. This flooding also travels through the proposed developments location.

The roads are extremely narrow in the section leading up to the proposed development with no room for pedestrians, weekdays see a large amount of school kids walking to and from the bus stop at the corner of Aladenes and Wilsons Creek road. The impact of further traffic will create a serious safety issue for our local kids.

These roads also suffer from poor drainage.

15 house will equate to roughly another 30 extra cars on already ageing infrastructure, with the first culvert on Aladenes rd already subsiding. Development will impact a flood plane, impact the amenity of the area (including Wilsons Creek road and surrounding area) and character, create more noise, increase the chances of accidents, increased septic systems that will be directly attached to existing waterways.

I strongly oppose this development.

28\1217412\Aladenes road objection.pages [SCANNED, FILE SAFE]

23 June 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at: <https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>.

I have chosen to buy property and reside away from suburbs and busy streets. The proposed development will permanently impact on the peaceful and idyllic nature of my neighbourhood.

There are four key areas where I will be permanently impacted by this development:

1. Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities I have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and 30 dwellings end up on the development. Illegal dwellings are also a possibility.

I have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2. Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. I enjoy an excellent quality of life

because I have chosen to live on a price of land that is large enough to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

3. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

In reference to the Traffic Impact Study prepared by Ardill Payne (August 2018), I reject a number of its findings and refer to the NSW Transport Road Safety Page (<https://roadsafety.transport.nsw.gov.au>), which says travelling at 100km/h requires 42m reaction distance and total stopping distance of 84m. Turning right at the intersection of Alidenes and Wilsons Creek Roads, the visibility is less than 45m viewing west. The turn has to be handled in a particular way. To maximise visibility, you have to enter as far right as possible as visibility is reduced to a few metres from the centre line. As it is dangerous to stop at the intersection, you virtually have to overshoot Alidenes Rd in order to turn safely into it.

The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. This cannot be corrected unless the bend is removed from Wilsons Creek Road. Vegetation removal will not remedy the issue. Introduction of signs on a dark road will not remedy the issue. Simply put, Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

The map layout shown in the study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. It is not a T-intersection but rather a U-intersection attached to a dangerous bend. In terms of accident history, a young man was killed on Wilsons Creek Road approximately 100 metres from the intersection in June 2019.

I dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Many of my neighbours have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk. I have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

As mentioned above, the dwelling that exists on the development has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Rd.

4. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, further degradation of the zones and Yankee Creek will occur. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but I know the creek to break to have broken its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that La Niña weather patterns will bring about cooler and wetter weather in coming seasons.

Yankee Creek flows onto other water courses including Mullumbimby Creek. Improper sewerage management and maintenance of the waterways could see the possible creation of a rollover impact on other creek and river systems in the area.

For the reasons listed above and with nearly a 100% unanimous objection from my neighbours adjoining and surrounding the development, I request:

- you reject the planning proposal.
- you resolve that the intended number of lots is reduced to no more than five.
- provide timely and comprehensive communication with residents about potential developments that will permanently affect the peaceful and idyllic nature of the neighbourhood.

Disappointingly, a recent letter from Council was the only notice I received about this development despite documents dating back to 2018.

Thank you for your time and consideration. If you would like to discuss the matter further, please do not hesitate to contact me.

Yours sincerely,

Luke Arnold
Bullgarra Road, Wilsons Creek, 2482

Rebecca Ingram

I am appalled that this was supported by council. We live in Bullgarra Rd Wilsons Creek and the only reason we found out about this crazy subdivision development was through our community. This impacts us on so many levels - our child walks and rides his bike along Alidenes Road (a one lane road with no footpath) to catch his bus in the mornings. If this subdivision goes ahead then it means at least 15 new dwellings will be off this one lane road! It is already getting more and more dangerous with the traffic and now with this crazy rezoning I am seriously worried for us and others. This will also impact on the wildlife that is feeling the impact already of increasing population. There are koalas here amongst other wildlife desperately trying to survive.

We have seen a member of our community killed on Wilsons Creek Rd let alone the car accidents that happen on the road too.

Everyday when we drive out of Alidenes road and onto Wilsons Creek Rd we are tense as there are so many crazy drivers who speed along the road. When I turn into Alidenes Rd I am praying we wont get hit either by cars speeding behind me or speeding towards me - it is literally Russian roulette! An increase of traffic turning into this road is maddening!!!!

To allow this subdivision for 15 dwellings on this land with no infrastructure is ludicrous too - and its' on a creek!

Seriously who would approve this? This is sheer negligence and council approving this is putting everyone's lives (and our wild life and aqua-life) at further risk.

Subdivide land in town which is on the towns infrastructure if you think we need more houses to sell to the tree changers and city investors.

I am totally apposed to this and I am astounded there was no community consultation done with us. I will be fighting this all the way! This will ruin our community and put our children's lives at risk.

29\1217412\Ringram_letter to council.docx [SCANNED, FILE SAFE]

Rebecca Ingram
Bullgarra Rd
Wilsons Creek NSW

08 July 2021

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:
<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek>

I am appalled that this was supported by council. We live in Bullgarra Rd Wilsons Creek and the only reason we found out about this crazy subdivision development was through our community. This impacts us on so many levels - our child walks and rides his bike along Alidenes Road (a one lane road with no footpath) to catch his bus in the mornings. If this subdivision goes ahead then it means at least 15 new dwellings will be off this one lane road! At least, not including cabins.

It is already getting more and more dangerous with the traffic and now with this crazy rezoning I am seriously worried for us and others. This will also impact on the fragile wildlife that is feeling the impact already of increasing population. There are koalas here amongst other wildlife desperately trying to survive.

We have seen a member of our community killed on Wilsons Creek Rd let alone the car accidents that happen on the road too.

Everyday when we drive out of Alidenes Road and onto Wilsons Creek Rd we are tense as there are so many crazy drivers who speed along the road. When I turn into Alidenes Rd I am praying we won't get hit either by cars speeding behind me or speeding towards me - it is literally Russian roulette! An increase of traffic turning into this road is maddening!!!!

To allow this subdivision for 15 dwellings on this land with no infrastructure is ludicrous too - and its' on a creek!

Seriously who would approve this? This is sheer negligence and council approving this is putting everyone's lives (and our wild life and aqua-life) at further risk.

Subdivide land in town which is on the towns infrastructure if you think we need more houses to sell to the tree changers and city investors.

I am totally apposed to this and I am astounded there was no community consultation done with us. I will be fighting this all the way! This will ruin our community and put our children's lives at risk.

Regards

Rebecca Ingram

Michael Collins

I strongly object to this proposed development. It is absolutely ridiculous to even consider fifteen dwellings. Please do not let this go through.

Indigo

I object

Amber

8.7.21

To whom it may concern,

Re: Objection to Planning Proposal of 31 Alidenes Road, Wilsons Creek

I am writing to object to the planning proposal to amend Byron Local Environment Plan (LEP) 2014 as advertised on your website at:

<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-amendments-planning-proposals-in-progress/Rezoning-31-Alidenes-Road-Wilsons-Creek> <<https://www.byron.nsw.gov.au/Services/Building-development/Planning-in-progress/LEP-am>>.

There are four key areas where residents will be permanently impacted by this development:

1.Character and size of development

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land, less than 13 hectares. This bulk scale and character of the development are not consistent with the existing development in this area.

This is especially the case once creek path and flood zones, riparian buffers, sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities the existing residents have come to know and enjoy.

Plus, there is no guarantee that these lots won't be further sub-divided and we end up with 30 dwellings on the development. Illegal dwellings are also a possibility.

We have seen from the first building recently built on this land that the landowner/developer has zero regard for the character of the precinct. They have built a brick building that doesn't match in style or form with any of the other building within the precinct. Furthermore, the building has been occupied by tenants that similarly have little regard for neighbours, playing loud music affecting the ambience of the community and adding four vehicles' worth of road movements to Alidenes Road.

2.Destruction of peaceful and idyllic nature of neighbourhood

Following on from the previous point, such a development with (at least) 15 dwellings in a concentrated area would permanently impact on the peaceful and idyllic nature of the neighbourhood. All existing residents enjoy an excellent quality of life because they have chosen (often at great expense) to buy a piece of land that is large enough for them to enjoy the lifestyle benefits the natural environs offer while being far enough from the neighbours to not be affected by noise and road movements.

Despite the distance from neighbours, many residents share a similar set of values when it comes to the peaceful enjoyment of nature. In fact, Wilsons Creek and Environs recorded an objection rate of 99% to coal seam gas mining, the greatest objection recorded in Byron Shire. Something that impacts on the natural beauty of our community is taken very seriously.

3. Traffic movement and road safety

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

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The proposed car movements will significantly increase this dangerous turn for cars on Wilsons Creek Road and especially Alidenes Road where 90% of the car movements will take place. This cannot be corrected unless the bend is removed from Wilsons Creek Road. Vegetation removal will not remedy the issue. Introduction of signs on a dark road will not remedy the issue. Simply put, Alidenes Road is not safe for increased traffic movement. It cannot cope with a 100% increase in traffic movement from either a car or a pedestrian standpoint.

The map layout shown in the study does not represent an accurate depiction of the angle of Alidenes Road when entering from Wilsons Creek Rd. It is not a T-intersection but rather a U-intersection attached to a dangerous bend. In terms of accident history, a young man was killed on Wilsons Creek Road approximately 100 metres from the intersection in June 2019.

We dispute adequate public transport in the study. There is zero public transport. Creating a suburb without transportation and infrastructure is irresponsible. It increases car movements, disrupts the existing community and is not environmentally viable. A cycleway or footpaths have not been included in the planning to support a proposed growing neighbourhood.

Many of the residents have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no dedicated pedestrian access to any available public transport. Alidenes Road has three causeways without pedestrian footpaths. Cars entering causeways from either direction leave no space for school children to walk. We have cited dangerous situations with children walking on Alidenes causeways with cars crossing both ways and not stopping to allow the children to pass safely.

The lack of maintenance of verges on both Alidenes and Wilsons Creek Roads force children and pedestrians to walk on the roads. The development proposal could see an increase in the number of children to a further 30 walking dangerously on the roads twice a day in the morning and afternoon.

As mentioned above, the dwelling that exists on the development has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the

intersection with Wilsons Creek Rd.

4. Riparian zones and Yankee Creek mismanagement

There are a number of riparian zones within the development and Yankee Creek snakes its way through many parts of the development. If mismanaged, we will see further degradation of the zones and Yankee Creek. Supported by communication between Byron Shire Council Land Use Planning Coordinator Alex Caras and the development proponent dated 31 March 2020, placing 15-30 dwellings with an increase of 60 to 120 people and 30 to 60 cars does NOT represent responsible development for Yankee Creek. It will only serve to add to the existing issues.

Consultation around Yankee Creek only seems to consider major 1 in 100 years flooding events, but local residents know the creek to break its boundaries at least every 10 years causing much of the surrounding land to go underwater or become sodden for days at a time. The four-acre triangle block at the corner of Alidenes and Wilsons Creek Rd, floods to the point that at least half of its area is unusable or inaccessible. This triangle block is immediately adjacent to the development.

Without proper management and further studies and consultation, it's quite possible much of the development and dwellings and infrastructure including sewerage would be affected by major flooding and possibly more frequently than anticipated. Developing in a flood prone area increases pressure on government service when it needs to be reduced. This is more likely the case now that we have entered a La Niña weather pattern where cooler and wetter weather is expected

Gail & Peter Rundle

I object to the proposed subdivision at 31 Alidenes Road, on Health Issues to proposed people purchasing and building on this land EMF radiation, the possibility of the council being sued by these people in the future, and poor consultation by council to the surrounding residents. Also the lack of planned foot paths and risk more people (children) being hit by cars.

33\1217412\RE Subdivision Alidenes Road.pdf [SCANNED, FILE SAFE]

Peter & Gail Rundle

Wilsons Creek. NSW 2482

Dear Sir or Madam,

With Regard to Rezoning 31 Alidenes Road Wilsons Creek.

I am writing with regard to this subdivision (a multiple occupancy). 15 years ago the previous owner of this land, wanted to develop this land with less lots that is now being planned. At the time the power station was being put into commission. Mr was not given permission to develop at that time due to the health risk of a power station emitting EMF waves.

Multiple occupancies used to have a minimum of 100 Acres. Now we are squashing MO's down to 12 ha with easements of Yankee Creek, power station adjoining the property, High voltage overhead power lines running through the property.

In an article from arpana, It is noted the possibility of leukemia in children from Electro Magnetic Fields emitted from high voltage power. . #

Similarly an article from Bright Hug Engineering and I quote below 'How EMF affects the Human Body

EMF contain both electric and magnetic field. The electric field traverses the air and starts oscillating human cells at high frequency, causing them to heat up. Thus high-power EMF can damage body cells. Similarly the varying magnetic field induces an electric current in human cells and tissues.

This damage is caused over a long time and the recommendation is not to live within 300m of a power sub station. This is bigger than a power sub station. The low hum it emits and the fact that this very power station exploded a few years ago is a cause of concern when you have potentially many people living close to this facility.

Extra people (children) walking along the road from the school bus where no provision is included for a footpath, cycle path is of much concern.

The first we heard of this subdivision was an article in the Echo. Now, without any consultation to the surrounding residents, the council is allowing this to go through. We were not consulted we were told it was going to happen. This is not a low cost housing solution. Where a house can be 9 metres tall.

If the council wishes to pass this development a foot and cycle path should be mandated in the development. Or half the amount of blocks allowed and reduce the speed to 40km per hour.

Gail and Peter Rundle

Kevin O'Brien

Not only is the intersection of Alidenes Rd & Wilsons Creek Rd dangerous, now, if this goes ahead there will be a serious if not fatal accident there, in which who approves this development should be held responsible in which they can explain to family and friends why they let this DA go through.

I feel that Mullumbimby and surrounding areas especially Huonbrook and Upper Wilsons Creek Rds are getting congested to the point where it is dangerous at certain times of the day, school start and finish times for instance. People don't even give way on Left Bank Rd going into town when the high school is opening and closing it is madness. Ask the bus drivers, even if you were to bring speed limits lower, people are too busy looking at the views, landscape, valleys etc. to realise they're in the middle of the rd.

What is happening to the beautiful area that I've lived in for 34 years? When will you people realise that the infrastructure wasn't put in place for these times, when Mullum was built.

Please respect the environment and the future of this incredible piece of paradise that the people here and now live in.

Dorothee Schammelt

I am writing to object to the planning proposal of 31 Alidenes Rd.

I have lived in the hills of Wilsons Creek for over 12 years and I have already seen a large change and increase in traffic on this rd. With a large (large for this area) development like the proposed one, there would be another considerable increase of car movements on a rd that is already a bit tricky and dangerous in places - especially at the intersections. I believe the extra traffic would also make morning and afternoon congestion in town a lot worse.

Other concerns I have are the environmental impacts of such an extensive development. It would see most of the natural area on the block destroyed. That means sensitive flora and fauna is getting destroyed or moved on. Particularly life around the Yankee Creek would be impacted on.

I am also concerned about friends who live in Alidenes Rd and would suddenly have at least 15 more houses in their direct neighbourhood. The blocks or houses would most likely be sold to the highest bidder and thus would attract more city people who don't have any experience living in the bush, don't know how to look after a block of land (with tank water, septic etc) and would probably not want to integrate in their immediate communities (as my personal experience over the last years here shows). I believe there would be a great deal of dissatisfaction in the Wilsons Creek community if a development of the proposed scale went ahead.

Thank you for considering my submission.

Regards,

Dorothee Schammelt

Toni Gunn

Overdevelopment of rural lands in flood-prone areas and with essential flora and fauna is wrong and a terrible idea for the future of our Shire.

P Cairns

I oppose this development for a number of reasons.

The proposed development does not fit with previous rural lifestyle lot size developments in his area.

The road approach from either side of the Wilson's Creek - Alidenes road intersection is unsafe with limited sight for approaching traffic from either direction and there is no plans in the development for council to make this intersection safer. Reasons cited are that there are no deaths reported on Alidenes Rd, but this is irrelevant as there is limited development in Alidenes Rd of this magnitude.

Approx 18 to 20 children use the Alidenes Rd bus stop, already a dangerous place to stand to catch a bus when you are under the age of 12 years. There are no safe walking places on Alidenes Rd for children to move off to safety. Increasing the traffic flow with no upgrade is risking the lives of these children and future numbers of children walking along this strip of road. Increased numbers of housing will increase the number of children accessing this bus stop. As noted previously already a dangerous location for children.

The wildlife in this area are at risk due to increased traffic flow, many diverse wildlife , including monitors, varied birdlife, wallabies and others species inhabit this piece of land and its surrounding area.

The causeway is prone to flooding as is lot 31 Alidenes. The sewerage from the septic systems may seep into the creek during flood times.

Ross & Leveda Smith

We have provided our feed back in the attached letter

38\1217412\Letter to Council re Rezoning Proposal.doc [SCANNED, FILE SAFE]

Ross & Leveda
Smith
WILSONS CREEK
NSW 2482

TO WHOM IT MAY CONCERN

Re: Planning Proposal for Amendment of Byron Local Environmental Plan 2014 – Lot 38 DP 1059938 31 Alidenes Road, Wilsons Creek

We are writing this to provide feedback regarding the above proposal as the owners of a 10 acre property situated directly behind the proposed development site.

As the only access to our property is by a *300m x 10m wide right of carriageway* directly through the above property, we therefore have an intimate knowledge of the land in question, and will be directly impacted by any development that occurs there. We therefore have a vested interest in ensuring that any development is done in a manner which is in harmony with the area & has minimal negative impact on the local environment.

We strongly believe that this proposal does not provide this in its current form. It seems apparent that the developers, who are a Sydney based Investment Company, are simply attempting to maximise their return on investment by gaining approval for as many allotments as they can possibly achieve, so that they can sell them off for a tidy profit. We strongly believe the land can only support a fraction of the 15x3000sq.m neighbourhood lots proposed for the reasons outlined below.

Yankee Creek & associated feeder watercourses wind through this property for at least 1.2 km(Google Maps), so much of this land is flood prone, as we can attest to, with our right of access road flooding in heavy rain events at least once a year, fast flowing & to a width of 20-30 metres, preventing vehicle access to our property. With no reticulated water & sewerage systems available in this area, each of the 15 proposed lots would require its own sewerage treatment system. As such, there is a significant risk of contamination of both Yankee Creek & the local groundwater if this proposal proceeds.

The many reports that accompany this proposal contain a lot of information, conclusions & recommendations that are both incorrect & misleading. For instance, in the Land Capability Assessment, they state that there is only one registered bore within 250m of their site boundary. In fact, there are 2 registered bores within 150m of their boundary; one which is less than 60m on the eastern boundary, & one that is less than 150m (on our property) on the western boundary. They are also proposing that flood mitigation works be carried out on site, which would divert floodwaters onto adjoining properties, including ours. This would indicate that they consider flooding on site to be a major issue. Their conclusion that *'The majority of the site is not flood prone and will be suitable for development with no flooding issues'* is patently wrong

Our calculations indicate that the minimum riparian size buffer zones that would be required for Yankee Creek & the associated watercourses alone would account for over half of the total 30 acres of land in question. If you include other areas that would not be suitable for subdivision, such as a number of steep ridgelines in the western portions of the site, the 300m right of access road and other easements on the property, plus the service roads that would be required to access the proposed 15 lots, the land available for subdivision shrinks to less than 25%(7.5 acres). There are also overhead power lines traversing the property from the Power Station to Alidenes Road which will have an impact on the subdivision. Because of the erratic course of Yankee Creek through the property, the land remaining for subdivision would be of such an irregular shape as to make subdivision extremely difficult, if not impossible.

Because of significant increased traffic movements that will occur in the area with the additional dwellings, there will be increased road safety problems. Many of the residents have children who have to walk to the corner of Alidenes and Wilsons Creek Roads to catch the bus in the mornings and back again in the afternoons. Alidenes Rd has no footpaths or lighting and has a number of blind spots, which impacts on the safety of the children walking on the road.

In addition to this, there is a blind curve on Wilsons Creek Road as you approach the Alidenes Rd turn-off. This turn has seen many a near accident as cars travel at speeds in excess of 80-100 km/h on this stretch of road and have to slow down suddenly to make the turn. There are no signage, mirrors or safety mitigations at the intersection or leading up to it.

The new 4 bedroom house that was erected on this property in 2020 has added four extra vehicle's worth of road movements to the precinct. A development with at least 15 dwellings on it could very well double the total number of road movements within the precinct adding to the existing dangerous conditions of Alidenes Rd and the intersection with Wilsons Creek Road..

The proposed 15 lots earmarked for the development are a very large number of dwellings to put into such a small parcel of land and are not in keeping with the character of the Alidenes precinct. This is especially the case once sewerage, driveways, power and other facilities are factored in. The development will resemble a residential estate, which is absolutely NOT in keeping with the lifestyle opportunities the existing residents have come to know and enjoy.

We are particularly disappointed in the manner in which the Council has dealt with this proposal. They have never advised nor consulted us nor or other local residents we have spoken to, for such a significant development, even though the original proposal has been with Council in some form for a number of years. Apparently the original proposal was rejected by the NSW Department of Planning, as it did not do enough to prevent the developer from building more than 15 dwellings on the site.

Leveda and Ross Smith
Wilsons Creek

Adam Mangleon

I fully support this planning proposal for the rezoning of 31 Alidenes Rd Wilsons Creek. Clearly there is a great need for more land of this type and council have been lacking in opening supply of this type of land for a long time. The site itself is well located and will be a great use of otherwise underutilised land.

Robyn Herklots

To whom it may concern,

I am writing to object to the proposed rezoning of 31 Alidenes Road, Wilsons Creek.

As a long-term resident of Huonbrook, I have witnessed a huge increase in the population of Huonbrook and Wilsons Creek, with a subsequent dramatic increase in traffic on our rural roads and degradation of our environment and lifestyle.

The proposed development at 31 Alidenes Road is markedly inconsistent with the (already massive) development of Wilsons Creek, and will negatively impact not only the immediate neighbours, but everyone in the valley.

The existence of 15 lots on less than 13 hectares will be visually offensive, giving the appearance of a suburb in our rural valley and the increase in traffic on Wilsons Creek Rd will increase dramatically. The intersection of Alidenes and Wilsons Ck Rd is already extremely dangerous and potentially deadly. An increase in traffic, including carpenters, plumbers, electricians etc and cement trucks and trucks carrying building materials will greatly increase the likelihood of a serious accident occurring at this intersection.

The proposed development will negatively impact the riparian zones located within that area. Such a large increase in population and traffic so close to Yankee Creek will have a serious impact on water quality, flora and fauna.

In summary, I request that this planning proposal is rejected on the basis that it is completely unsuitable for the area it is proposed for and will have an extreme negative impact on our community, our quality of life and our environment.

Thank you for considering my objections.

Yours sincerely,

Robyn Herklots

jamie blacklaw

I am against this rezoning proposal as alidene's road is a completely inappropriate location for 15 more homes for the following reasons:

1. blind corner turning into alidenes road is extremely dangerous already with very little traffic
2. council has unnecessarily increased the traffic by 100% by approving the shop to operate as a cafe attracting traffic needlessly to an already poor and dangerous road, we do not need even more cars and on such a dangerous corner with so many inexperienced drivers on the road to pick up their take away coffee's.
3. the negative affects on the creek ;and waterways by increasing septic outflow
4. removal of habitat and increase to traffic negatively affecting wild life

This proposal is in no way appropriate for this area.

Sophie Macken

Dear Council,

I write to you in regards to the proposed rezoning of 31 Alidenes Rd.

I have lived at Alidenes Rd for many many years. I love it here.

I know there is a housing crisis but ruining nature is not the answer.

It is obvious that whoever approved this has not been to Alidenes Rd. What is proposed is absolutely ridiculous and harmful to the precious environment.

Firstly, our road is not suitable for a suburb. It is basically a one lane road. Children ride their bikes, walk to the bus stop and play on this road. Doubling the traffic is unsafe.

Secondly, Yankee Creek regularly floods. If there were 15 extra abodes it would be worse. What happens when their sewage makes it way to Yankee Creek? There are platypus in Yankee Creek. They are sensitive and endangered animals and would not survive the contaminations that would come with this development and the inevitable flooding. Yankee Creek is fragile. It needs to be protected from all contaminations.

And what if there are more bushfires? That black Summer was really scary. I know many of us on Alidenes Rd had packed the car in preparation for evacuation.

Beautiful birds like black cockatoos, owls, ducks, magpies, parrots and more line the trees along where the development wants to go. Wallabies live where the development is planned. Where are they to go?

New dwellings means more dogs and cats too. I have seen a dog attack and kill a wallaby in the past and I have called WIRES for another wallaby who was attacked by a dog on Alidenes Rd. Really traumatising stuff. And we know cats kill birds. We don't want any more!

Alidenes rd is precious, the nature needs to be preserved and cared for. Once you ruin the nature it is ruined.

Please do the right thing and that is a big NO to this development.

Regards

Sophie Macken

Alidenes Rd

Wilsons Creek

NSW 2482

*photo attached of a woolly Alidenes Rd resident

42\1217412\IMG_1615.jpg [SCANNED, FILE SAFE]



Chad Mangleson

I support this rezoning, will provide much needed small rural lots and housing. Already in area marked for future rezoning with many similar small rural holdings nearby. In my opinion it and will improve that area and be good for current & future residents.

Ann Sposito

I would have thought that a community title would be owned collectively by that community and object to this rezoning.

Thanks





From:
To: [council](#)
Subject: Community Title subdivision and dwellings at Lot 38 DP 1059938, 31 Alidenes Road, Wilsons Creek
Date: Saturday, 26 June 2021 2:10:44 PM
Attachments: [IMG_4963 \(2\).JPG](#)
[IMG_0537.jpg](#)

Planning Department
Byron Shire
26/6/2021

Dear Planning Dept,

We have lived for seven years at Alidenes Rd, directly opposite and overlook this potential development and make the following objections to this development. The objections are in no particular order.

1. I object to this DA as the DA for the Community Title allotments is based on one dwelling per lot, however a Byron Shire Solicitor, Janelle Stanford, stated in the Echo newspaper dated June 23 2021, pg. 17, that she intends to fight to have the one dwelling per title overturned and have two dwellings allowed. She claims previous success in doing just that with overturning the one dwelling on MO properties. If she is as successful in her aim as she claims in her article then No 31 Alidenes Rd will be allowed to have 30 dwellings on the site, grossly overloading the lands capacity. I object to the proposal as there is a chance the one dwelling per lot will be overturned and reading how the owner of the land has seriously attempted to push the boundaries on other issues, she will exploit this potential problem for the site and further affect the neighbours.
2. I object to this DA as the land is flat, low lying and subject to regular flooding as the site often receives in excess of 125mm on a single day during summer. With a constricted area with 15 dwellings on it, the seepage trenches will not prevent sewerage weeping into Yankee creek and eventually the Brunswick River and the oyster farms. Even the council documents say the land "should", not could, be able to handle the waste. I have seen this land on a number of occasions over the years completely flooded and inaccessible with water backed up past the creek entry point in Alidenes Rd, even the culverts in this area are overflowing. The exit culvert gets blocked almost after every storm and I and some neighbours have on occasions pulled parts of trees out that were blocking the water flow. It has been so solidly blocked on occasions that I have called the council and they had contractors come out to clear the blockage after the flood session was over.
3. I object to this DA as it does not require the owner to do any planting out in or maintaining the 30m creek buffers and in particular, to screen our view of this eyesore of potential houses. And again the owner has shown by her responses to council that she has no environmental credentials when she tried to have Yankee Creek downgrades in status and convince council that it is not fish habitat, a further sign of her disregard for the environment for which all the current residents hold in very high regard.
4. I object to this DA as the owned has no understanding of this community standards and life style outlook. She had built what could only be describes as a 1990, Gold Coast style, shining brilliant white home in an area where the residents are low key reclusive types and find this house completely unsuited to this environment. The house has been rented to a large group of people that have many cars parked all over the access track and the noise of the bongo drums at night are disturbing. The house was rented before a driveway was put in, consequently after the first rain the

area flooded and the driveway became a huge, long boggy quagmire mess with cars, trucks and vans churning up the whole front of the property and getting bogged. A load of crushed rock was eventually laid down in a wide uncontained blanket, without any drainage system installed which can make this raised area a dam to hold back flooding.

First photo attached shows typical number of cars using this property and the raised weir gravel driveway. The one house that has been built recently has 5 and sometimes 6 cars going in and staying overnight. If this is typical of future traffic coming into Alidenes that the basis of the traffic study is flawed.

The owner has no consideration for the environment and locals in how she is going about this development and I fear for what she intends to do in the future as her sole aim seems to be to extract as much profit as can be achieved without any concern for others.

5. I object to this DA as it will possible be the largest densely built house development on septic system in a low lying, flood prone area in the non-township areas, it will increase the population of Wilsons Creek by up to 15% in one go. This density of dwellings is more suited to be located where sewerage is connected.

6. I object to this DA as we came to this area, as did many others, at 75 years of age I wish to be able to live out our lives in a beautiful environment, quite location, spaced well away from as few neighbours as possible. We did not come to our Alidenes Rd property to look down at a mass of roof tops and to put up with this pending additional traffic, noise and total lack of consideration by this developer for our neighbourhood. We purchased our property partly because of the view from our front yard, this beautiful view overlooks 31 Alidenes Rd and up to Laverty Gap. To enhance the position we have planted a small orchard, vegetable gardens, general gardens and installed seats to take in the view of an evening with a glass of wine. Now we face the prospect of this view being destroyed by roof tops. Previously the only sign of life was an occasional cow moving across the open areas and the sighting of a spotted quoll and a koala crossing the road from 31 Alidenes Rd property. Ducks breed in and around our dam and the ducks with their ducklings move across the road into the creek in 31 Alidenes Rd for safety, this housing developments will remove the safety these birds are looking for.

Second photo attached is the view we see from our front yard at present. All across the middle of the photo is 31 Alidenes rd.

7. I object to this DA as we purchased our property knowing that 31 Alidenes Rd was a single lot and some years later it was advertised by the council as being subdividable into three lots, this was tolerable. But being divided into 15 lots with 15 houses and a push by some locals to allow second houses to be built on all 15 of these lots is unacceptable to us and will cause severe stress in totally upsetting our lifestyle that we worked so hard for so long to be able to achieve.

8. I object to this DA on increased traffic and collision risk on the dangerous corner of Wilsons Creek Rd and Alidenes Rd. Full view of traffic coming down Wilsons Creek Rd towards Mullumbimby is difficult to see due to the bend. To safely make the turn, one has to drive on the far left and go partially past the corner to be able to see up Wilsons Creek Rd and avoid oncoming traffic. I have on one occasion been moving to that position on the road when a large tip truck was speeding down Wilson Creek Rd on the centreline, he suddenly saw me and had to change his line into the corner and didn't make the turn careering into the gravel area near the corner up against the fence. We were both shaken as it was a close call.

There has been incidents where cars travelling west, have completely misjudged the bend and the corner and have ended up in the bushes on the opposite side of the road past the flooding sign.

The corner is so bad I have, on several occasions, cut away a lot of overhanging braches on the corner to make visibility for the turn better. It

requires full concentration every time I make the turn, increased traffic will heightens the odds of a major crash.

Phil & Diane Hempel
Alidenes Rd
Wilsons Creek NSW 2482



