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Proposed 80 Lot Subdivision, Stage 7, Heath St Broulee
Lot 3&4 DP 1271181 and Lot 23 DP 127 4371 , DA0493/22

Dear Mayor, Councillors and Staff,

Below is an outline of the objections I have to aspects of this submission proposal. I have made recommendations that will make it more environmentally friendly, safer, and provide a softer transition between the new and existing character of Broulee. My objections and recommendations are covered in more detail under the headings below.

- * The proposed road that would join the eastern end of Ian Fraser Drive and the Elizabeth Drive/Frances Street intersection should not be built. It is not appropriate to put a major intersection within a school zone.
- * A number of mature, landscape trees should be retained for shade, cooling, habitat, water absorption and visual pleasure.
- * More bird and animal habitat needs to be retained.
- * Excess stormwater be dealt with within the development, not on public land.
- * The development should fit in with the existing character of Broulee.

The subject land has an area of approximately 12 hectares fronting Train Street, Heath Street and May Parade, Broulee. The land has common boundaries with Captain Oldrey Park (COP) and Banksia Retirement Village (Statement of Environmental Effects p4).

The land is remnant endangered Bangalay Sand Forest. While it is part of the *Broulee Biobanking Agreement Part 7A Division 2 Threatened Species Conservation Act 1995 ID Number: DOC 14/183463-15 under Dealing A1996120*. (SEE p4). I question the validity and application of this process.

As a Broulee resident, I understand that the Eurobodalla Shire Council's Development and Control Plan (DCP), the Eurobodalla LEP, 2012 (now ten years old), and State legislation are the current planning instruments/laws/guidelines against which this planning proposal will be assessed.

I challenge the following three statements;

1. There is no significant adverse impact of the proposed development on pedestrians and cyclists (Traffic Impact Statement 5: Conclusions and Recommendations)

Reasons:

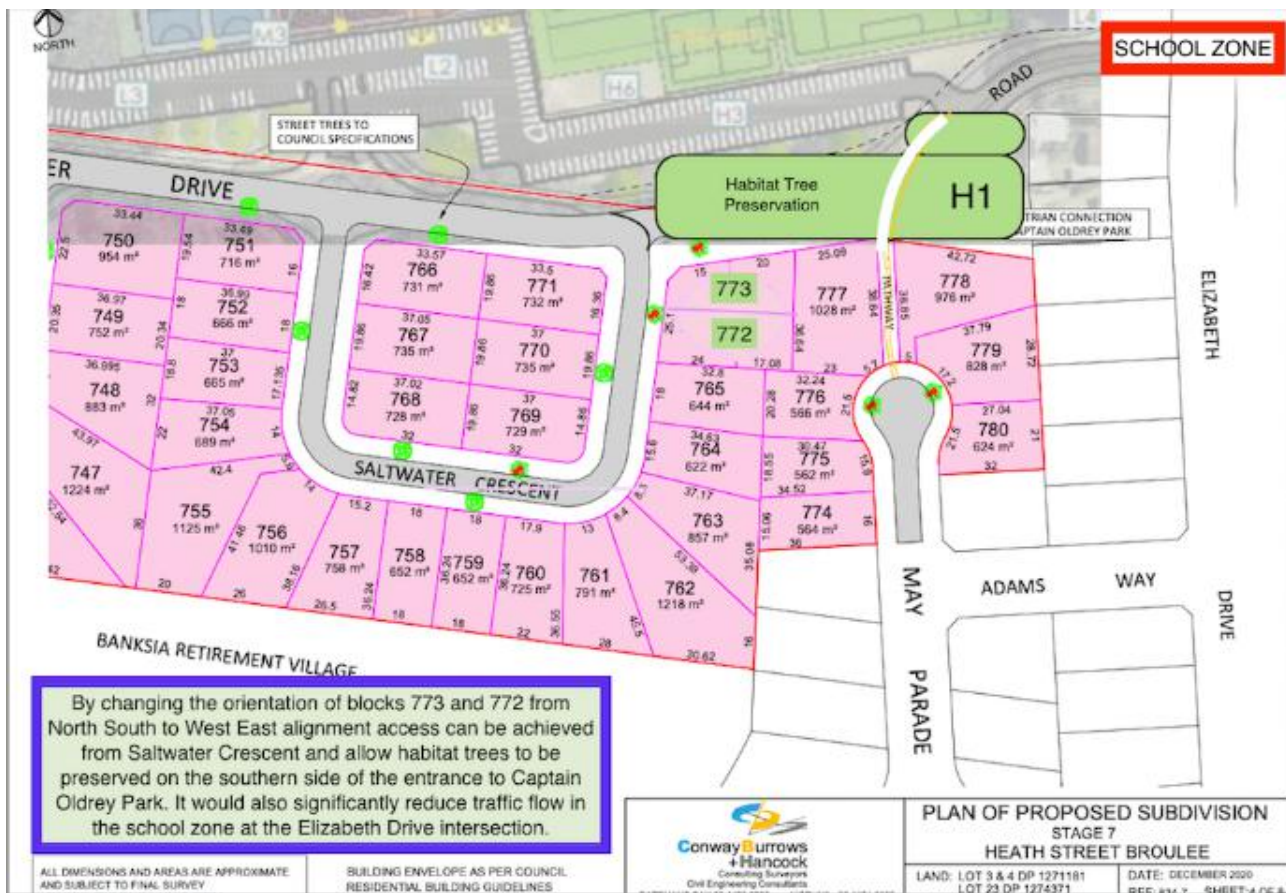
* Some of the traffic flow modelling is based on numbers from 2016 census figures, when Broulee had a relatively high proportion of holiday accommodation, 43.5% compared to 9.9% in the rest of NSW. The population of Broulee has increased significantly since 2016, particularly in the last two years, so I maintain these figures are outdated and cannot be used to accurately model traffic flow throughout Broulee.

*The main intersection into the eastern side of the development is within a designated school zone at the corner of Frances street and Elizabeth drive. This road is used heavily by students to access Broulee Public School. Many students, who lack road sense, enter and exit the Elizabeth Drive/Frances St intersection during the start and end of school days. An extension of Ian Fraser Drive through to Elizabeth Drive, has been proposed in the plans, which would make this a key intersection. If this road goes ahead, the traffic feeding into the intersection would increase significantly. There is no data or modelling in this plan to assess the impact of this on pedestrian safety, especially around school drop-off and pick-up times when high volumes of children and adults spill out through the intersection at the same time. I maintain that if the proposed road extension goes ahead, the increased traffic volume entering and exiting the development/school grounds/sporting grounds poses a substantially high safety risk to pedestrians and cyclists.

Recommendation

By changing the orientation of blocks 773 and 772 from North South to East West alignment, access can be achieved from Saltwater Crescent, which would negate the need for the extension at the eastern end of Ian Fraser Drive and significantly reduce traffic flow in the school zone at the Elizabeth Drive/Frances Street intersection. It would also provide the residents of Ian Fraser Drive, Frances Street and Elizabeth Drive a less busy road. Council would also save money as no work would be needed at the Elizabeth Drive intersection.

This would also allow habitat trees to be preserved on the southern side of the entrance to COP.



2. 'No identified detrimental impact on the amenity of the surrounding land will be caused by this proposal.' (Statement of Environmental Effects, p11 Context and Setting)

Reasons:

* Broulee Mossy Point Community Association recently wrote: *Stormwater should be managed within the bounds of the development. The DA is proposing that the southern boundary of Captain Oldrey Park should be cleared to dig in stormwater pits ("bioswales"). We demand that no "Bioswales" be constructed on Public Lands of Captain Oldrey Park AND no new water should be pumped out onto South Broulee beach. In the context of this DA this would mean that the developer would need to adjust the plan to locate "Bioswales" in Serenity Place and Saltwater Crescent to retain the stormwater collected from these roofs and roads. Because the "Bioswales" need to be at a lower level this would require no fill for these areas and they could choose locations that have an existing established tree - think of the serenity in Serenity place for new residents to have an established tree in their street (the only one in the whole Broulee Beach Estate!). It will be 60 or more years before the proposed new planting on the planners CAD drawings reach this height. We note that this redesign could result in fewer blocks or reduction in size of some of*

the proposed blocks - however we think this is the example of a balanced approach between community interests and developer profits.

- * Part of the proposed development has a common boundary with COP. COP is a well-used sporting facility comprising soccer fields, football fields, a cricket pitch and netball courts. It has high usage throughout the year, attracting sporting events across the Shire. During the summer months it can be extremely hot. The trees surrounding the oval provide a cooling effect especially during the most extreme temperatures. Some trees have already been removed to facilitate extra netball courts and a parking area, providing an additional heat-island effect. If all the trees on the Southern side of the oval are removed it will be even hotter, and more of a health risk to those playing sport on the oval.
- * Broulee, and in particular, the bushland surrounding COP has been named an area of significance for Gang-gang cockatoos, a small, grey, stocky cockatoo with a wispy crest and a call like a 'creaky gate'. They are Broulee residents throughout the year. Their numbers had declined by 69% before the 2019/2020 bushfires, and a further 25% since then. This year, they are likely to be nationally listed as endangered. Gang-gangs nest in hollows, with very specific requirements. Suitable hollows can take 100's of years to form. Gang-gangs will often use the same hollow each season, if it is available. Without available hollows they cannot breed. Climate change, loss of breeding and foraging habitat due to land clearing and deforestation are some major reasons they are in trouble. The gang-gangs and many other native birds are dependent on the mature trees surrounding COP for food, habitat and as safe passage to other forested areas. Removal of all the mature trees in the proposed development will reduce the chances of these endangered birds and many others (Yellow-tailed, Glossy Black and Sulphur Crested Cockatoos, King Parrots, Rosellas, Rainbow Lorikeets for example), breeding and surviving for future generations. Without homes, food, safe passage to other forested areas, our bird biodiversity will be significantly reduced.
- * There will be a significant increase in pet ownership. Dogs would be contained in backyards and there are means within the legal system to deal with nuisance dogs. Cats, however, can be very destructive to the local wildlife. The Nature Reserve behind COP and surrounds, is populated with many species of birds and animals that inhabit and nest in the lower bushes and understory. Whipbirds, bowerbirds, wrens, reptiles and small mammals cannot retreat into hollows or high nests for safety. It is estimated that a domestic cat will kill up to 180 birds and mammals per year. If as few as one in five households have a pet cat and allowed them to roam, without curfew, 16 cats could kill up to 2 880 birds and animals yearly.



Gang-gang families will lose their breeding hollows when the next stage of the development goes ahead.

Recommendations:

- * Stormwater must be managed within the bounds of the development. The DA is proposing that the southern boundary of Captain Oldrey Park should be cleared to dig in stormwater pits (“bioswales”). No “Bioswales” should be constructed on Public Lands of Captain Oldrey Park and no new water should be pumped out onto South Broulee beach. This would mean the developer would need to adjust the plans to locate “Bioswales” in Serenity Place and Saltwater Crescent in order to retain the stormwater collected from these roofs and roads....in locations that have existing, established trees .
- * Mature, landscape trees be retained, for shade, cooling, habitat, water absorption and visual pleasure, in order to mitigate the many detrimental effects clear felling would have on this area.
- * Tree clusters remain, the suitability of which, would be determined by an ecologist, as ‘passage trees’ for Gang-gangs and other birds and animals, allowing them safe access to other treed areas.
- * Before chopping trees down, an ecologist should inspect tree hollows. Any birds or mammals using them would need rescuing and relocating. Hollows can be retained and relocated, rather than destroyed. Central Coast Council have produced, *“Guideline for the Relocation of Large tree Hollows”* online. So this technology is available and being utilised by some Councils.
- * A contractual agreement with property owners that cats have a curfew time and are not permitted to roam at night, when they hunt. Council could make bells and cat bibs compulsory. Alternatively cats could be contained on the owner’s property at all time.

* *Note: one of the planning priorities in the draft of the Local Strategic Planning Statement 2020-2040 is...protecting and rejuvenating wildlife corridors, managing important habitat and establishing development controls that minimise our impact on these endangered species. It's 2022, the time to start is NOW.*

* **3. 'The proposal is consistent with the character of the area...'** (*Statement of Environmental Effects (SEE), p11, Context and Setting:*)

Reasons:

Broulee is a village where the forest meets the sea. Our village is defined and revered for the beaches, forests, landscape trees, plant and animal diversity. Visitors flock from the cities in the summer months to escape the urban sprawl. The older streets have wider roads and mature landscape trees which were retained for shade, cooling, animal habitat and visual pleasure.

Our village is at risk of becoming a suburban sprawl. With the new sub-divisions comes clear-felling of forest and bushland. Mature trees are replaced with rows of small shrubs and bushes which take years to grow and provide little shade, shelter or animal habitat. As replanting landscapes is not required, many new property owners choose to have minimal plants or lawn only. I invite Councillors to compare the temperatures in one of the new subdivisions to one of the older areas, on a hot summers day. The lack of trees, combined with heat coming off roofs, fences, roads and footpaths makes them much hotter and visually, far less attractive. In fact, research backs this significant temperature variation in treeless versus greener suburbs - and it is our duty of care to our residents to minimise this given the heating climate. I believe this new sub-division will be in a similar style of urban design to the one on the corner of Broulee Rd and Clarke St. Every tree and bush on the block was bulldozed and a large chunk of community land was taken as an Asset Protection Zone. I would argue this sub-division, in its present form is NOT consistent with the character of the area.

Recommendations:

- * Tree buffers to soften the transition between the natural and built landscape. These could be in the form of tree clusters left where possible, in a suitable position so as not to pose a bush fire threat.
- * Retain mature landscape trees for shade, cooling, habitat and visual pleasure, in fitting with Broulee as a treed suburb. There are three or four, tall mature trees (Bangalay and Black Butt), estimated to be well over 100 years old, along the Frances Street end of the road into COP which should

be retained. The concept plan will need to be altered in order to accommodate them.

- * Appropriate street trees should be planted by the developer prior to the sale of the land.

Conclusion

While I understand the need for housing within Eurobodalla Shire, I would argue there are serious issues with this development around safety and environmental impact on the surrounding land.



A group of concerned citizens, concerned about the devastating loss of mature trees in Broulee, gather under 'Old Lofty' the Blackbutt, near the entrance to Captain Oldrey Park, which has been standing here for over 100 years.

I have some questions for Councillors and Staff:

1. Is this style of development, where mature trees and bushland are cleared, appropriate or ethical when land clearing is a major factor contributing to global warming?
2. If the purpose of biodiversity offsetting is to balance biodiversity loss from a development at one site with gains in biodiversity from protection of an offset site, can you explain how protecting a tract of Bangalay sand forest near Moruya airport that was already protected, is valid under the biodiversity certification process?
3. Decisions that preserve the character of a community are well within Council's control. What are our Planning Department and Councillors going to do to prevent our Eurobodalla coastal communities transitioning from leafy suburbs into suburban sprawl?

Thank you, Giovanna Hounsell