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**The General Manager  
Port Macquarie-Hastings Council  
PO Box 84  
PORT MACQUARIE NSW 2444**

**Council's reference number P12/74.**

**RE: Draft Amendment: *Port Macquarie-Hastings Development Control Plan 2011, Part 5*, area-based planning provisions for Area 14, and the accompanying draft Koala Plan of Management (KPoM).**

Dear Sir

By way of introduction to this submission, the Bonny Hills Progress Association (BHPA) is a voluntary incorporated organisation whose committee is elected at an annual general meeting<sup>1</sup>. In a nutshell BHPA's charter is to safeguard the Vision that the Bonny Hills community has agreed for the village and surrounds – primarily upholding and enhancing the reasons why people come to live in such a locale.

Ensuring that a major development such as that proposed for Area 14 in the Port Macquarie Hastings Council region, of which this development is a part, complies with the State and Local Government rules and regulations, minimises unintended consequences impacting on the community while capitalising on the opportunities presented, is core to the BHPA charter.

## **Approach**

Our submission focuses heavily on the likely unintended consequences of the proposed amendments. It also reiterates many of the comments and concerns enunciated by community members at a forum previously convened in Bonny Hills by the developers and which were captured in earlier BHPA submissions (dated 30/09/10 and 17/12/10).

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<sup>1</sup> BHPA operates under a Constitution set up under the Associations Incorporation Act, 1984, which is under the auspices of the NSW Office of Fair Trading.

## General intent of the area based provisions

Council has stated that the purpose of the area-based provisions is to facilitate coordinated development outcomes across the area over the next twenty years or so and guide the site-specific development approvals. In particular, these provisions aim to:

1. protect and enhance the environmental values of the area,
2. facilitate development that accommodates population growth of around 2,000 new dwellings while maintaining a coastal village feel,
3. achieve residential densities sufficient to support business and mixed use centres, public transport provision and infrastructure investment,
4. facilitate a mix of housing types and encourage higher residential densities in areas close to retail or community activities and public transport nodes,
5. encourage an urban form that clearly defines the new centres,
6. ensure a high level of amenity for future residents and visitors, and
7. ensure a high level of visual and acoustic amenity along the Ocean Drive Corridor.

While each individual aim is quite laudable, it is apparent that a number of these objectives are in fact in conflict with each other as outlined below.

Also we note that while there are General Provisions that apply to all precincts, only precincts A and B have further detailed development provisions. Detailed Development Provisions (DPs) for the largest precinct, C, are to be included as a future amendment. An unstated implication is that what is approved for A and B by way of detailed DPs is likely to set precedents for precinct C to follow in which case this certainly puts the onus on all involved to get it right for precincts A and B.

As an overall comment the General Provisions give the greatest scope for latitude and hence concern as often they have broadly based objectives and consequently DPs are more difficult to specify tightly. Whereas the detailed provisions for precincts A and B have tighter objectives and better specified DPs.

## Main points

The particular points we wish to make are:

- Aim of maintaining “a coastal village feel” is compromised by other objectives
  - It is proposed that there be even greater dwelling densities (development yields) than were proposed at the outset<sup>2</sup>
  - Building heights and the location of high rise (four stories) on the highest ridge will ensure that these buildings can be seen from afar and from all directions including from the ocean to the east.

Housing or development that is not consistent with the existing heights and densities in adjacent villages will compromise the very reasons people come to live in this part of the world – for the ‘coastal village feel’ - and certainly cut across the community’s vision for the future of this area. One of the most consistent responses BHPA has obtained from community surveys is that people do not want to see this locale fall into the trap of permitting high rise development such has occurred elsewhere and subsequently made those locations less desirable places to live.

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<sup>2</sup> The documents indicate development densities considerably higher than we had previously been led to expect with lot sizes in R1 'medium- low density' areas to provide for between 16 and 20.69 dwellings/hectare and in R3 'medium to medium-high' density areas of 30.95 to 35.56 dwellings/hectare, to achieve the desired development yields.

- Impacts on infrastructure that is already found wanting for the existing population.  
The Provision of Infrastructure Servicing Plans only deal with infrastructure internal to the developments. External needs and external impacts are not be addressed by such plans.

The parlous state of local and State government finances is of overriding concern as existing infrastructure and services are deemed to be inadequate for the current population let alone the projected doubling of population via Area 14. It is more than apparent that the developer will only provide what they are obliged to, and this will apply only within and immediately adjacent to the precinct. So the budgetary shortfall will be large across the range of external infrastructure and services needed.

The region's road network is a particular example. On Council's reckoning, the volume of traffic on Ocean Drive is already equivalent in numbers of vehicle trips to that on the adjacent Pacific Highway. Additional traffic flows onto and along Ocean Drive and through the main streets of villages immediately to the north and south is untenable without major upgrades to those sections of roads within the villages, and to diversions, with Houston Mitchell Drive being the prime example. There is no provision for this and it is more than apparent that Council simply does not have the resources to maintain existing roads let alone undertake major upgrades.

- Traffic signals at the Ocean Drive – Houston Mitchell Drive intersection can possibly be justified but three 'Signalised Intersections' (plus one roundabout) within the short East West section of Ocean Drive running through Area 14 appears to be a case of enthusiastic 'over engineering' as it is more than obvious that this combination will lead to considerable disruption of traffic flows between Bonny Hills and Lake Cathie.

Serious consideration needs to be given to utilising well-constructed roundabouts at the two intersections denoted as 2 and 4 in Figure 2 (OB4, DP4.1), and as indicated in the document, possibly at the intersection with Bonny View Drive.

- It is inevitable that wildlife and flora will be placed under considerable additional pressures by this development despite the best efforts of these amendments to reduce the risks

We are dealing with a number of rare and endangered species in this area – not all of which are mentioned in this document.

It is critical that the restoration of the formerly existing bushland on the site, which historically supported species such as Wallum Froglies, Eastern Chestnut Mouse, and Planigales, in addition to koalas, should be high quality and its regeneration maintained by Council after the developers responsibilities have ceased. There is no mention of how the latter will be achieved.

- The adequacy of ecological corridors is highly questionable in our view.

The integrity of the proposed ecological corridor to the south is severely compromised by narrow bottlenecks between artificial lakes and between these lakes and the southern edge of the proposed estate, as well as by proposed north-south passageways across the corridor. This was pointed out to the developer in an earlier submission by BHPA but nothing has changed. If the southern school site does go ahead this will further compromise the corridor as it is effectively in swampland in the middle of the corridor.

The significance of this ecological corridor cannot be over stated as it is one of only two left in Bonny Hills between the coastal dunes flora and the larger tracts of flora to the west given that previous development has made such significant inroads into the connecting floral reserves.

Considerable care will need to be taken with the construction of the North-South “all-weather link” referred to in OB5, DP5.2 and depicted in Figure 3 to ensure that the integrity of the narrow ecological corridor is not further compromised. It is essential that this will be used for walking and cycling purposes only with no access to motorised vehicles other than mobility scooters, as stated in the document. These comments also apply to the two gravel pedestrian paths crossing the East-West ecological corridor either side of the all-weather link. Many of the requirements under OB7 (for access to the beach through littoral rainforest) appear to be those that should be considered in relation to all pathways crossing ecological corridors.

Ocean Drive underpasses or culverts referred to in OB4, DP4.2 and depicted in Figure 8: we agree that the provisions referred to in DP4.2 should apply to both sets of culverts under Ocean Drive to reduce the risks of creating a ‘predator smorgasbord’.

- Sportsfields: There is no mention of these or of the proposed school sites in the document – are these being covered under the detailed provisions for precinct C?
- Water quality in Duchess Creek and outflows onto Rainbow Beach  
The main point to make here is that Council, through an ongoing water quality monitoring program, has clear evidence of existing water quality problems in Duchess Creek and the adjacent ocean outfall. Even with the recent augmentation of the STP this has not been satisfactorily resolved. Given that the source of what appear to be sporadic episodes of contamination has yet to be identified it is possible that runoff from Area 14 is in some way involved. Given these uncertainties it will be important for Council to ensure that works in relation to water flows into Duchess Creek do not compromise water quality downstream. We have no hydrological expertise and so cannot comment on the likely efficacy of the proposed works.
- Inconsistencies and errors in the report
  - There is reference to only one wildlife corridor running East-West in the Bonny Hills environs, but there are in fact two as mentioned above, the other being that which runs along Saltwater Creek aka Little Vinegar Creek
  - The proposed number of dwellings (development yield) differs throughout the document in various sections of the text and in figures in relation to precincts A, B and C. This needs to be consistent.
  - Error - Queens Lake State Conservation Area is referred to as a ‘forest’ in the report. It is, in fact, a Conservation Area.
  - Under OB5 it is unclear what is meant by “To encourage surveillance of the corridor from the adjoining residential areas”? Is this referring to the ‘view corridors’ depicted in Figure 4?
  - Under OB9 – what is meant by “to ensure streets and neighbourhoods are legible”?
  - Note the spelling error under DP18.1 regarding ‘Subdivision’

We trust these views will assist in guiding your final decisions and thank you for the opportunity to make a submission.

Yours sincerely

Roger Barlow

President

Phil Hafey

Secretary