

20 February 2018

Your Ref:
Our Ref:
File No: MC008532
Contact: Neil Wilson

Mr Michael Challoner
PO BOX 2066
WELLINGTON POINT QLD 4160

Information Request

Dear Michael

Proposed Development: Retirement Village Environmental Park and Recreation Facilities
Application Reference No: MC008532
Site Description: Lot 3 RP 216889, Lots 4 & 8 RP908452, Lots 6, 7,9 & 10 RP14166, Lot 1 P14171
Site Location: 13 Fernbourne Road, Wellington Point

Upon review of the abovementioned Development Application and supporting information we require further information to satisfactorily assess this application. The information requested is set out below.

1 Design

- a) Each unit will be assessed in relation to Council's "Residential Code for Multiple Dwelling Development". Ensure full compliance with each Acceptable Solution or Performance Criteria, as described in that Code.
- b) Incorporate responses to previous Information Request into the documentation, e.g. Fencing Treatments, documentation (plans, elevations, etc) of units raised on stumps, etc.
- c) The number of units and buildings constitutes a "small village" and as such the architectural design of the buildings would enhance the urban context and village feel of the development by responding to key nodes and gateways. Council's "Residential Code for Multiple Dwelling Development" encourages diversity to assist in distinguishing individual units. It is still unclear how the design differentiates individual units as well as achieving a degree of difference between groups of units. These differences could be expressed through the designed response of the built form to the specific location of the building (or part of the building...for example, the corners at road intersections.) Previous response has indicated that some units are raised on stumps, however these units are not documented.
- d) It is noted that units above the RL 2.4m height line are to be of slab on ground construction. This is demonstrated by the documentation illustrating these units. Some of these units are situated where there is a cross fall from west to east of approx 2.0m (see SW portion of the site). Demonstrate how the existing ground is proposed to be altered to provide the building platform for

these units, i.e. by cut and fill/retaining, etc, options. (These profiles are to be incorporated on the landscape plans.)

- e) The bulk and location of the multiple dwelling complex (apartment buildings) will be an imposition on the nature of the existing character of the street. The existing residential character of the locality consists of a mixture of single and two storey dwellings of varying architectural character, mostly surrounded by generous spaces. The apartment buildings are approx 60.0m long and display little articulation to the south. Demonstrate how the proposed apartment buildings comply with Design Element 2 of Council's "Residential Code for Multiple Dwelling Development", Performance Criteria P2, Acceptable Solution A3.1 (or Performance Criteria P3) and Performance Criteria P6. (It should be noted that the bulk of a building is perceived from various locations and not limited to the view from directly to the front.)
- f) The apartment buildings incorporate curved roofs. The dominant roof form of the dwellings within the surrounding neighbourhood is pitched. Demonstrate compliance with Design Element 2 of Council's "Residential Code for Multiple Dwelling Development", Acceptable Solution 4.1 or Performance Criteria P4.
- g) The units within the southern Apartment Building have limited opportunity to take advantage of cooling NE to SE breezes due to the close proximity of the northern Apartment Building. Demonstrate how these Apartment Buildings comply with Design Element 7 of Council's "Residential Code for Multiple Dwelling Development", Acceptable Solution A2.7.
- h) As all the units can be considered to be part of the Multiple Dwelling Development, demonstrate how each unit complies with Council's "Residential Code for Multiple Dwelling Development", Design Element 8 – Visual Privacy and Acoustic Amenity.
- i) Demonstrate compliance with Council's "Adaptable Housing Policy".
- j) Indicate the locations of the site sections in plan form.

Advisory Note:

If amended drawings are submitted, all amendments should be clearly identified, a drawing reference added to identify the amendment and drawings are to be submitted in full sets, including any unamended drawings. At least five complete sets of full size drawings (to scale) are to be submitted, which are to be supplemented by A3 copies of all black and white drawings. Five complete sets of A3 coloured drawings are to be submitted also.

2 Landscape

- a) Provide details of how the caretaker's residence does not impact on the neighbouring amenity of Lot 139.
- b) Provide details of how the caretaker's residence does not impact on the tree root zone of the Poinciana tree, which is registered on Council's Tree Protection Register.

3 Engineering

- a) Demonstrate that the amount of carparking complies with the requirements of the town planning scheme.
- b) Demonstrate that the internal roads comply with the requirements of Austroads, AS2890.1 and AS2890.2 (e.g. road widths, crossfall, gradients).
- c) Demonstrate that the proposed internal carparking layout complies with current standards AS2890:1 and AS2890:2.
- d) Provide details on how the existing Valley Road major drainage system has been taken into consideration when designing the internal drainage system for the proposed development.

- e) Demonstrate that the existing internal stormwater drainage system complies with current Australian Standards.
- f) Provide details outlining the design and construction of the lake. Explain how this lake will be sealed from possible leaking.
- g) Provide details of the construction material and the height levels of the proposed boardwalk.
- h) Provide further detail on the proposed retaining structures for the proposed development.
- i) A traffic report is required detailing the impact on the road network. In addition the traffic report shall also include:
 - Analysis of Fernbourne Road and Station Street intersection
 - Sight distance requirements at Fernbourne Road and Station Street intersection
 - Analysis of Station and Main Streets intersections
 - Road width requirements along Station Street between Fernbourne Road and the access to the development
- j) Indicate how service vehicles and buses can manoeuvre around the site and enter and exit in a forward gear.
- k) The proposed caretakers residence and visitors bungalows as sited on Lot1 RP14171 No. 37 Fernbourne Rd are located on an allotment otherwise disadvantaged by the existing trunk sewer main and associated overflow outlet structures. Demonstrate how the design will cater for this issue.
- l) Demonstrate how the site is proposed to be serviced by town water for internal reticulation and firefighting purposes.

Advisory Notes:

Kerb and channel along the full frontage of Fernbourne Road and along both sides of Station Street will be required.

Installation of a splitter island with pedestrian refuge at the intersection of Fernbourne Road and Station Street will be required.

SEWERAGE

The site is traversed by Trunk Sewer Main TH1, a 600mm OD Hobas main and associated overflow outlet installations from PS41. The site also abounds the limit of the Declared Sewered Area. There is a significant inconsistency between the as-constructed location of the TSM and the location as denoted on the proposal.

Generally a minimum clearance of 3.0m either side (6.0m total) shall be maintained so as to permit eventual repair or replacement of such critical infrastructure. Note that this requirement must be properly assessed taking into account the actual depth of the Trunk Sewer, and may be varied by Council.

Adequate provision shall be made with regard to maintaining adequate clearance between Trunk Sewer TS1 and any proposed development or site improvements, in accordance with Council Policy, and to the satisfaction of Manager Assessment Services, Service Manager Reticulation Services and Redland Water & Waste.

The proposed caretakers residence and visitor bungalows trigger Build Over Sewer, which is not warranted or permitted.

The proposed caretakers residence and visitors bungalows are located in an allotment outside of the declared sewered area and as such can only be connected to service by special arrangement, possibly through an Infrastructure Agreement. Standard Sewerage Conditions shall apply in addition to special conditions yet to be formulated.

WATER SUPPLY

Currently there are no water mains due East of the railway line / East of Fernbourne Rd along the Station St frontage of the proposed development. The only way to provide a service is via the Fernbourne Rd frontage.

It is assumed, but not certain, if the single 100mm dia. main adjacent to the site along Fernbourne Rd is adequate to supply internal domestic reticulation supply and address firefighting requirements. Generally such internal systems are looped internally. Where possible, a single source main is relied upon.

Redland Water & Waste comments that although it is a standard requirement for the developer to perform frontage works such as extension of water mains, it is at this time not certain if an extension of the Fernbourne Rd main due East into Station St is warranted as a frontage works requirement. The Strategic Plan does not necessarily support a need for reticulation in this area due to the lack of potential for further development. (Special Protection Area)

4 Contaminated Land

Please provide further details of the required remediation and validation program given the recommendations of the Preliminary Environmental Site Assessment, Fairman Retirement Village, Fernbourne Road, Wellington Pt by Coffey Geosciences Pty Ltd (6.10.03) for Lot 6 on RP14166.

5 Waste

Provide details of:

- a) The number, size and type of waste/recycling containers that are to be provided to contain the waste from the proposed land use;*
- b) The location and construction details of the waste/recycling container storage area; and*
- c) The proposed on-site waste and recycling bin cleansing facilities (ie. wash down bay) or alternative cleansing method.*

When considering the above issues, the following advisory statements should be taken into account:

Waste storage:

- All bins for the proposed land use must be stored within dedicated bin compounds that are constructed with a hardstand impervious surface. The compounds must suitably screen the bins from the road, neighbouring and on-site residences.*

Waste collection:

- An internal waste/recycling collection service will be required where the waste/recycling vehicles enter the site, service the containers from the designed service points, turn and exit the site in a forward manner.*
- Provide details of the swept path of the waste/recycling collection vehicles as they enter the site service the containers and exit in a forward manner. Confirm that the internal hardstand area where the collection vehicles will travel is of adequate strength to withstand fully laden collection vehicles.*

Cleansing of waste containers

- Where on-site waste cleansing facilities (ie. bin washdown bay) will be provided, it is recommended they be roofed, bunded/graded, and located on a hardstand area. For bin washdown bays, it is required that they be connected*

to sewer via an approved interceptor, or other waste treatment facility proposed onsite, and have a hose and cock available within the vicinity of the bay. Council shall approve the location and construction details of the washdown bay, with details to be submitted with the plumbing and drainage application for the development.

- *Where no on site waste/recycling bin cleansing facilities are provided, a written agreement is to be made (to the satisfaction of the Manager Assessment Services) with a private cleansing contractor for the purpose of cleansing the containers.*

6 Mosquitoes/Biting Midges

A Mosquito and Biting Midge Management Report from a suitably qualified person is required. The Report shall include, but not be limited to, the following issues:-

- a) Proposal is located in a high mosquito activity area. What measures will be adopted to:
 - i) protect residents and non-residents from the risks associated with mosquito nuisance and mosquito-borne diseases
 - ii) advise residents and non-residents of the mosquito risks
- b) Mitigation of existing and potential mosquito production areas located on the proposed development including Lot 2 RP 14171. If mitigation is not possible, then a management plan is required to control existing and/or potential mosquito production areas and mosquito nuisances with consideration given to necessary approvals/permits from external agencies.
- c) Construction of the lake and salt pan to prevent breeding of mosquitoes and biting & non-biting midge.
- d) Disposal of stormwater from the site to prevent potential mosquito and midge breeding habitats.
- e) Details outlining the responsibility of all relevant parties for the initial and future management of mosquitoes and biting and non-biting midges on the proposed development and, if relevant, details of the resource and financial implications expected from Redland Shire Council.

Contact should be made with the Development Application Co-ordinator as identified should you need to clarify or discuss any matter further. I encourage you to undertake this as soon as possible so that no undue delays or misunderstanding can arise to cause delays in processing your application.

I am obliged to draw your attention to Section 3.3.8, which sets out that you as the Applicant have three (3) options available in response to this Information Request. That is you (the Applicant) must give the Assessment Manager (Redland Shire Council):

- 1) All of the information requested; or
- 2) Part of the information requested together with a notice asking the assessment manager and each referral agency to proceed with the assessment of the application.
- 3) A notice:

- i stating that the applicant does not intend to supply any of the information requested; and
- ii asking the assessment manager and each referral agency to proceed with the assessment of the application.

Response to this Information Request should be forwarded to:

Neil Wilson
Development Assessment Team
Assessment Services
PO Box 21, Cleveland, Qld, 4163
Phone: 3829 8737 Fax: 3829 8809
Email: neilw@redland.qld.gov.au

Yours sincerely

Ross Edmonds
Development Assessment Services Manager

Right to Information Release

21 July 2005

MC Challoner & Associates Pty Ltd
PO Box 2066
WELLINGTON POINT Q 4160

Your Ref:
Our Ref:
File No: **MC008532**
Contact: Neil Wilson

Dear Michael

Proposed Development:	Retirement Village Environmental Park and Recreation Facilities
Application Reference No:	MC008532
Site Description:	Lot 3 RP 216889, Lots 4 & 8 RP908452, Lots 6, 7, 9 & 10 RP14166, Lot 1 P14171
Site Location:	13 Fernbourne Road, Wellington Point

I refer to your two letters received 23 June 2005 responding to requests for further information at our meeting of 4 May 2005, together with landscape masterplan and waste management responses received from Guymer Bailey Architects on 6 and 8 July 2005, and a contour/detail plan from AJS Surveys received 12 July 2005.

A file note is attached on a meeting of Council officers on 6 July 2005 on the insufficiency of information received at that date, together with notes on material received after that date, and additional notes on traffic and the apartments design.

At Council's Development Assessment Workshop on 12 July 2005, the following points were made which would assist Council if clarified further:-

- a clear rationale for the proposal to locate buildings below RL 2.4m, and in particular below any proposed filled areas. This could include a clearer indication of the expected community benefits from open space and recreation.
- Inclusion of a north elevation of the apartments adjacent to 'Fernbourne House' indicating shadows.
- mapping of existing filled areas over the entire site.
- an indication of whether solar hot water systems and water tanks are being proposed.

Unfortunately, unless the further information referred to both above and in the file note and additional notes attached is supplied, the application as it stands is likely to be recommended for refusal.

If you require further clarification, please contact Neil Wilson, Senior Planner, Development Assessment Team on 3829 8737.

Yours sincerely,

Paul Toohey
Acting Development Services Manager



File Note

File Note Purpose

Meeting
Prelodgement
Other

(Tick/ circle which one applies)

Telephone conversation
Application Not Properly Made

File No: MC008532 **Date:** 6 July 2005
Street Address: 13 Fernbourne Rd, Wellington Point
Subject Matter: Outstanding issues prior to DA Workshop
Attendees: Michael Murphy, Peter Coleman, David Carter, Rocco Petrillo, Emily Fletcher (part), Neil Wilson

Comments (NW)

- Further **cross-sections / contour** information is required, primarily to better indicate the extent of fill proposed. (*Contour and detail survey information received 12 July 2005 [conflicting with typical cross-sections received 30 June 2005] – revised cross-sections still required which match the latest fill information as well as indicating villas on stilts at a sufficiently large scale*).

(MM)

- **Insufficient information** supplied in general to allow assessment – there would therefore be too much reliance on correct supply of information at 'operational works' stage. The lack of information does not allow for even a 'Preliminary Approval' to be issued.
- **Mosquito control** – MC team (G Santaguiliana) advises the proposal will reduce breeding areas, but control measures such as the lake and runnelling need to be designed now (at least in sufficient detail to satisfy future workability) in conjunction with the MC team.
- **Stormwater design** – Lack of sufficient information given on
 - the lake (e.g. inlet, edge treatment and maintenance) (Note that edge treatment of the lake to limit mosquito breeding raises the question of safety for residents as a vertical edge is recommended by the mosquito control team).;
 - water quality – the model used and what percentage of pollution prevention is expected, and the associated structures to be used.
 - outlets throughout the site.
- Proof of returning of site to a 'much **healthier state**' – more detailed information required of the landscape and 'flora and fauna' responses outlined 23 June 2005 by Bailey and by Bailey/Roberts. The level of information required should physically locate in plan/section etc. the features/measures proposed, sufficient for 'in principle' support by Council officers, but not requiring final design detail.
- An example of the above point is **fencing**, for which a typical illustration of the fence type with its location including gates should be supplied. That is, it is still not clear where and how fencing and gates will be designed, located and operated to serve the purpose of security while maintaining fauna movement. (Note:- The applicant says current thinking is that the 300mm fauna clearance required by Council is too high, and that 150mm is better, allowing native fauna to move but excluding larger dogs. The SEQ Regional Plan Interim Guideline: Koalas and Development which replaces SPP 1/05 requires the larger 300mm clearance. This re-introduces the problem of excluding dogs).
- A further example is the '**voluntary conservation agreement**', for which the typical

text is required. Council would prefer either a 'mandatory agreement' or a covenant which carries with the land, rather than relying on agreement with a particular owner, who may change.

- A further example is for **migratory waders** and the need for mapping of the broad 'key habitat area' locations that are referred to.
- Mistake in **area/extent of land** to be dedicated to Council shown by applicant. (8ha not 14.5ha)

(RP)

- **Existing vegetation** – information on species and dimensions (height, diameter, canopy) of trees to be destroyed and those *Euc tereticornis* (blue gums, being koala food trees) to be retained is required. Blue gums are proposed to be located too close to buildings for safety.
- **Cycleway** lighting information is required in order to assess its impact on fauna.
- (Note:- updated landscape master plan supplied by R Bailey 6/07/05 – see Dataworks docs 1810126 and 1809532)

(PC)

- No benefit discernible from the information given, for a relaxation to be given of the planning scheme requirement for no **filling** below 1/100 year flood frequency level (RL 2.4m). Proof otherwise would need to be in the form of a catchment flood study.

(DC) (refer also to 'Additional Note' below)

- **Fernbourne Rd streetscape** – insufficient information to address the issue – namely, there is a need to provide a Street Character and Context Analysis as required by the Multiple Dwelling Code. While the applicant may have addressed the individual items of concern in relation to the apartment building, they have not commented on the "perceived density" issue of this building in the streetscape. In order to fully assess the application I will need current elevations of all the dwellings.
- The **elevations of the villas** have not been re-submitted and it is unclear if the previous elevations still apply.
- Where **villas are proposed to be on stilts**, details should include location and illustrative sections indicating roads, driveways, paths and private open spaces.
- **Similarities of villa designs** – insufficient response given.
- **Elevations of two storey villas** – none supplied.
- **Plans/elevations for manager's and caretaker's residences** – none supplied.

(Waste)

Truck turning template at Station Street entrance roundabout required. (since requested of M Challoner by Rebecca Mather of RWW and received 8/07/05 – however, the following issues require clarification -

- The **swept paths** of the waste collection vehicle (refer to drawings titled 'Garbage Pick-Up A' and 'Garbage Pick-Up B') do not fully address Council's concerns regarding the design of internal road network being able to accommodate the waste and recycling collection vehicles. Please submit a revised drawing that demonstrates how a 10.2m waste/recycling collection vehicle with a 12.0m turning radius (minimum) can adequately negotiate the roundabout, service the containers and exit in a forward manner. This swept path should be documented with the aid of appropriate software such as 'V-Path' or 'Autotrack'.
- It has been noted that screens and gates have been added to all the villas so that **bins** can be stored in the drying courts and wheeled to the front via a side gate. The proposed response regarding the 4 sets of villas (2X 'type C', 1X 'type D' and 1X 'type H') on stumps having their bins stored in the drying courts and then wheeling their bins through the garage is unacceptable. It is noted that in addition to wheeling the bins through the garage, the bins will also have to be wheeled through the laundry areas. Please provide an alternative bin compound location (such as an elevated bin compound built in front of each villa adjacent to the driveway) for each of the 4 sets of villas on stumps.

(EF)

- Condition of any approval would require a 'preliminary site contamination report' (and probably subsequent site remediation work), prior to any site disturbance.
- The preliminary site contamination report already submitted did not address the mounding (which could be indicative of buried waste) on the southern end of the site. So there are two issues, which can be dealt with in conditions similar to the following:-
 1. Prior to any site disturbance, these mounds must be sampled by a suitably qualified person and assessed for contamination to a standard that is

to the satisfaction of the Services Manager Health and Environment. The results must be provided to Council. Any remediation required must be carried out prior to Operational Works.

- 2. *The machinery, building rubble, and other items currently present on Lot 6 RP14166 must be removed prior to Operational Works, as recommended in the report Preliminary Environmental Site Assessment, Fairman Retirement Village, Fernbourne Road, Wellington Pt by Coffey Geosciences Pty Ltd (6.10.03).*
 - *The area is to be inspected by a suitably qualified person and assessed for leakages and spills.*
 - *A validation sample is to be collected in the surface soils in this area and analysed for heavy metals, TPH/BTEX, OC pesticides, PAH and PCBs. This shall be undertaken by a suitably qualified person to a standard that is to the satisfaction of the Services Manager Health and Environment.*
 - *The results must be provided to Council.*

Actions

NW to advise applicant (M Challoner) of insufficiency of information, and advise view that unless further information is supplied, the application is likely to be recommended for refusal.

NEIL WILSON

SENIOR PLANNER, DEVELOPMENT ASSESSMENT TEAM

ADDITIONAL NOTE RE TRAFFIC ISSUES (received 7 July 2005)

Neil,

The original response from ID by Michael Kriedemann on 15/9/04 included a request for a Traffic Study. A Traffic Impact Report by Roger Brameld Consulting Pty Ltd dated 4/11/04, was provided.

My comments are as follows:

1. The Report states that the intersection of Station St and Main Rd (an existing single lane roundabout) will still be adequate in 2015 with future development. No contribution for the future upgrading of this intersection has been identified.
2. The Report states that no analysis is required for the Station St and Fernbourne Rd intersection "as it is clear from the existing and forecast traffic flows that it would operate well within acceptable limits well beyond the design year of 2015", but this does not appear to include future impacts of residential development, generating traffic onto Station St from the south east.
3. Council's Planning Layouts indicate that Station St east of Fernbourne Rd will have a new road connecting to it from the south running next to the eastern side of the railway. As this is expected to have greater traffic than this development, it is proposed to create a 'T' shaped intersection with the section of Station St fronting this development forming the 'give way'. The section of Station St from Fernbourne Rd to the proposed 'T' intersection and the proposed road, shall be to Residential Collector Street standard (Type B - 7 m lip to lip) and the section of Station St to the east shall be a Residential Street (Type A - 6 m lip to lip).
4. Roadworks, including sealed pavement with K&C along both sides, are required in Station St that will accommodate bus movements.
5. As recommended in the Traffic Report, a stop sign with associated linemarking shall be provided at the Station St (east) approach to the Fernbourne Rd intersection, and a 20 km/h advisory speed sign provided at the western approach to the intersection (for vehicles travelling around the bend).
6. Installation of a splitter island with pedestrian refuge at the intersection of Fernbourne Rd and Station St is required. This may require some road widening to accommodate bus turning movements. Some road widening may be required.
7. A concrete shared use path 2.5 m width, shall be provided on the northern road verge of Station St from the intersection of Fernbourne Rd to the entrance of the development.
8. Sealed pavement widening, kerb and channel and a concrete shared use path are required along the full frontage of Fernbourne Rd.

9. Service vehicles and buses must be able to enter and exit in a forward gear, and manoeuvre on the site.

Regards

Steve Pyers

Senior Advisor Standards & Specifications

Ext 8465

stevep@redland.qld.gov.au

ADDITIONAL NOTE RE APARTMENTS DESIGN ISSUES (received 21 July 2005)

Neil,

I have reviewed the documents you sent to me by e-mail yesterday. (These consist of revised apartment building drawings, nos 1228 A-16 Rev C, A-17 Rev C, A-19 Rev C and A-20 Rev C.)

Some initial comments are as follows:

Significant amendments have been made to these buildings which consist of:

- Splitting each wing into 2 separate parts with the lifts relocated to these separation spaces;
- Re-arranging the upper level units by putting back the 2 units to the western end of the northern wing and removing 2 units to the eastern (separate) end of this wing, thus reducing the scale of the eastern portion of this wing;
- A redesign of the roofs to incorporate hips in place of curved ridges;

These changes have significantly reduced the bulk of the buildings and the form is now more respectful of the existing dwellings in the area.

There are, however, still some issues which have not been adequately addressed: (Note: "storeys" here refers to the number of storeys above the ground.)

- The 2 storey element to the western end of the north wing was reduced to single storey by the applicant in response to our concern regarding the streetscape. Perhaps the single storey portion of the north wing could be located to the west and the 2 storey portion to the east with the articulation as before?
- The streetscape and casual surveillance of the street could be further enhanced by the opening up of the end units and the provision of verandahs to the western elevations. If properly roofed these areas will be adequately protected from the summer sun.
- There is still the outstanding issue of "perceived density" which has still not been adequately addressed.

These are initial comments only and there may be other matters which may become apparent once these changes to the application are considered in more detail.

Regards,

David Carter

Architect / Urban Designer

Development Assessment Unit

Phone 3829 8866

**RETIREMENT VILLAGE, ENVIRONMENTAL PARK & RECREATION FACILITIES AT
13-17 & 37 FERNBOURNE ROAD & 37-43 STATION STREET, WELLINGTON POINT**

Registered by CMR Team

Datworks Filename: MC008532

Doc# 1920836

Responsible Officer Name: Paul Toohey

DAC

SM Date 27-9-05

Senior Planner - Project Manager, Development Assessment.

Author Name:

Neil Wilson

Senior Planner, Development Assessment.

EXECUTIVE SUMMARY

Application Type	Impact Assessment
Proposed Use	Retirement Village, Environmental Park and Recreation Facilities
Property Description	Lot 3 RP 216889 Lots 4 and 8 RP 908452 Lot 6, 7 9 and 10 RP 14166 Lot 1 RP 14171
Location	13-17 and 37 Fernbourne Road, and 37-43 Station Street, Wellington Point
Land Area	17.1435 ha
Strategic Plan PDLU Designation	Medium Density Residential (Lot 3 RP 216889 and Lot 4 RP 908452) Specific Planning Intent No. 2 (Lot 6, 7 9 and Western sector of] 10 RP 14166) Special Protection Area (Lot 1 RP 14171 and Eastern sector of] Lot 10 RP 14166)
Greenspace Map	Greenspace Habitat (Lot 10 RP 14166) 'Other Major Habitat' and 'Dominant Landscape and Scenic Values' (eastern sector of Lot 10 RP 14166) Marine Vegetation (Lot 1 RP 14171)
Development Control Plan 1	Residential B (Lot 3 RP 216889 and Lot 4 RP 908452; Lot 6, 7, 9 RP 14166) Drainage Problem (western sectors of Lot 10 RP 14166 and Lot 1 RP 14171) Public Open Space (eastern sectors of Lot 10 RP 14166 and Lot 1 RP 14171)
Planning Scheme Zoning	Residential B (Lot 3 RP 216889 and Lot 4 RP 908452) Rural Non-Urban (Lot 6, 7 9 RP 14166) Drainage Problem (Lot 10 RP 14166 and Lot 1 RP 14171)
SEQ Regional Plan - Land Use Category	Urban Footprint
No. of Public Submissions	73
Applicant	Mr M Challoner
Land Owner	Mr R A Fairman, Mrs V M Fairman, Retirement Villages Pty Ltd As Trustee
Date of Receipt of Application	4 August 2004
Start Decision Stage	28 July 2005
Statutory Decision Date	19 August 2005
Application Coordinator	Neil Wilson
Manager	Paul Toohey

The proposal is for development of a 'retirement village', comprising 72 'villa' units (16 of which are two-storey, and the remainder single storey), 23 apartments, a caretaker's residence, a manager's residence, a community centre, an interpretive centre, and a croquet green and tennis courts with associated sports pavilion. The latter two recreational facilities are intended to be available for public use during restricted hours. A 'lake' is proposed (adjacent to the centrally located community centre) having several functions – stormwater quality, flood retention basin, aesthetic appeal.

The key issues arising from the proposal are as follows:-

- Potential conflict with Strategic Plan intent;
- Development below the storm surge and Q₁₀₀ flood levels;
- Impacts on the existing Fernbourne Road streetscape character;
- Minimising impacts on existing vegetation, including Cypress Pines and Poinciana tree;
- Potential conflict with historical nature of area.

In view of insufficient responses to these issues, the application is recommended for preliminary approval, subject to successful resolution of a number of issues, including the most appropriate extent of development.

PURPOSE

This Category 4 application is referred to the Development Assessment Committee for determination.

BACKGROUND

The application was originally lodged in April 2003 but lapsed in June 2004 due to failure by the applicant to respond within the time frame specified by the *Integrated Planning Act 1997* to a request for information.

The current application was lodged in August 2004. Significant amendment was made in June 2005, resulting in a slight reduction in the extent of development in the northeast of the site, but a maintenance of the yield through the replacement of each of four single storey buildings with two storey buildings, in the south west of the site.

CONSULTATION

Development Assessment has consulted with other assessment teams where appropriate. Copies of the original proposal and subsequent amendments to the application were provided to the Divisional Councillor (Division 1 - Cr Alan Barker) on 19 August 2004, 9 November 2004, 27 June 2005 and 31 August 2005.

The application was presented at Development Assessment Workshops on 19 April 2005 (including a presentation by the applicant team), and 12 July 2005.

The application was publicly notified in accordance with the provisions of the *Integrated Planning Act 1997*. 73 'properly made' submissions have been received, including four in support of the proposal. (Refer to Section 4 for details of the grounds of submissions).

A meeting was held on 10 August 2005 between Council officers and nine residents of Fernbourne Road and environs, with a view to clarifying several concerns raised.

1.0 DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

1.1 Proposal

The proposal is for development of a 'retirement village', comprising 72 'villa' units (16 of which are two-storey, and the remainder single storey), 23 apartments, a caretaker's residence, a manager's residence, a community centre, an interpretive centre, and a croquet green and tennis courts with associated sports pavilion. The latter two recreational facilities are intended to be available for public use during restricted hours. A 'lake' is proposed (adjacent to the centrally located community centre) having several functions – stormwater quality, flood retention basin, aesthetic appeal.

1.2 Site

In terms of height, the site is fairly clearly divided into two segments – an elevated southwestern portion (comprising approximately 1.5 ha or 10% of the site, and having its highest extent near Fernbourne Road), which includes falls (at grades approximating 10-15%) to a predominantly flat portion (comprising approximately 90% of the site).

Reduced levels range - for the higher portion - from 11m at Fernbourne Road to 4m, and for the lower portion down to 1m at the banks of Hilliards Creek.

Salt marsh and mangroves fringe parts of the creek banks, whilst there is a freshwater marsh located in the southern central edge of the site.

1.3 Surrounding Area

The surrounds of the site can be summarised as follows:-

- Hilliards Creek corridor to the east;
- Further low-lying land including salt marsh and the earth formation Bligh Street to the north;
- To the south, the Station Street Wetland reserve and the Cleveland – City rail line;
- The western edge of the site primarily abuts the rear of residential allotments fronting Fernbourne Road.

1.4 Amenity and Character

The site is characteristically coastal rural in nature with outlook to the bay, and with past agricultural/grazing activity having been partially the cause of land degradation in term of vegetation and possibly soil contamination.

The site has historical links having been used in the late 19th Century by pioneer Gilbert Burnett for sugar cane and timber milling, with physical evidence apparently remaining of an associated tramline and a jetty at the creek.

Fernbourne Road has an attractive treelined streetscape with swale drains in place of formal kerb and channel.

A number of items (listed below) have been noted in a proposal put to the State Heritage Council by residents for listing of a wider precinct which includes the subject site).

The items which are associated with the subject site are as follows :-

5	Road Reserve	Fernbourne Rd	Cypress Pines, Fernbourne Road.
6	35	Fernbourne Rd	Casuarina Cottage – firemans cottage on the old sawmill and vegetation planted by Gilbert Burnett.
7	19	Fernbourne Rd	Fernbourne House and palm trees planted by Gilbert Burnett.
8	Road Reserve	Bligh Street	Gravel Road
9	13	Fernbourne Rd	Remnants of tramline, wharf, causeway avenue of trees and timber jetty.

Items 5 and 9 are contained within the subject site.

2.0 APPLICATION ASSESSMENT

2.1 Integrated Planning Act 1997 (IPA)

This application has been made in accordance with Chapter 3 (Integrated Development Assessment System, IDAS) of the *Integrated Planning Act 1997* and constitutes an application for impact assessment for a material change of use under Redland Shire *Transitional Planning Scheme*.

As the application is made under a transitional planning scheme, it is subject to the 'Transitional provisions' under Chapter 6 of the *IPA*. Sections 6.1.29 and 6.1.30 of the *IPA* set out matters to be considered in the assessment of applications made under transitional planning schemes. These matters include:

- (a) the common material for the application.
- (b) the transitional planning scheme.
- (c) the transitional planning scheme policies.
- (d) any planning scheme policy made after the commencement of Section 6.1.29 of the *IPA*.
- (e) all State planning policies.
- (f) the matters stated in Section 8.2(1) of the *Local Government (Planning and Environment) Act 1990* ("the repealed Act").
- (g) an interim development control provision, if relevant.
- (h) for this application which would be an application for town planning consent under Section 4.12 if made under the repealed Act, Section 4.13(5A) of the repealed Act applies.
- (i) any other matter to which regard would have been given if the application had been made under the repealed Act.

2.2 Local Government (Planning and Environment) Act 1990

As mentioned, regard must be given to the matters under certain sections of the repealed Act if an application is made under a transitional planning scheme and the 'Transitional provisions' of the *IPA*. Those matters include: -

Section 8.2(1) – part

"...whether any deleterious effect on the environment would be occasioned by the implementation of the proposal..."

Section 4.13(5A)

"The local government must refuse to approve the application if –

- (a) The application conflicts with any relevant strategic plan or development control plan; and*
- (b) There are not sufficient planning grounds to justify approving the application despite the conflict."*

2.3 Strategic Plan 1998

- A. The site is located in an area having three designations, namely (in order of areal extent) –
- B. "Specific Planning Intent No. 2"
- C. "Special Protection Area", and
- D. "Medium Density Residential".

- A. The intent of the "Specific Planning Intent No. 2 area is described as follows:-

"Specific Planning Intent No. 2 is located between Hilliards Creek and the railway line at Wellington Point and is considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component (my underlining). Any future development would however need to address a range of considerations relevant to the site including ecological values, flooding and drainage, soil conditions including acid sulphate potential, hydraulic services, access and traffic, biting insect issues and public control of the foreshore.

It is Council's preference that privately owned land in this designation be developed in a single, coordinated project so as to optimise both the opportunities for environmental protection and enhancement and the potential for appropriate development within the environmental, planning and infrastructure constraints of the area.

Council will continue to manage land that it controls in this area primarily for conservation purposes and will promote the management of other publicly-owned land for conservation purposes with the relevant Government agencies such as Queensland Rail".

It is conceded the proposal cannot be conceived "prima facie" as containing a 'limited' residential component.

However, given the 'Urban Residential – Subarea 1' zoning within the draft RPS over most of the potentially developable part of the site, there is considered to be enough argument that there are "sufficient planning grounds to justify approving the application despite the conflict" in accordance with Section 4.13(5A) of the *Local Government (Planning and Environment) Act 1990*.

2.4 Transitional Planning Scheme (TPS)Zoning

Residential B (Lot 3 RP 216889 and Lot 4 RP 908452)

Rural Non-Urban (Lot 6, 7 9 RP 14166)

Drainage Problem (Lot 10 RP 14166 and Lot 1 RP 14171)

Officer's comment

The intent of the 'Residential B' zone is "to cater primarily for multiple dwellings" and is consistent with the use proposed.

The intent of the 'Rural Non-Urban' zone is predominantly for agricultural purposes (but can include land expected to be required for urban development), and is inconsistent with the uses proposed.

The intent of the 'drainage problem' zone is not for development (although there is provision for additional investigations to prove otherwise).

However, some land within the zone has potential for development as indicated by more detailed information in the form of the "Hilliard's Creek Flood Study" (including a Q_{100} flood level (1% AEP) of RL 2.06 in the centre of the site).

(The Q_{100} flood level (1% AEP) compares with the 'storm surge' level of RL 2.4m, which allows for an event comprising the Highest Astronomical Tide (HAT) plus a 'cyclonic' wind from the bay, as well a margin to allow for 'greenhouse' increases in sea level).

Filling and Drainage / Minimum Development Levels (Part IV, Division 5, Clauses 16 and 17)

Clause 16 (refer above, entitled "Filling and Drainage") does not allow filling of any allotment that is subject to Q_{100} flooding, except where it is of a "minor" nature. The proposed filling would not be considered "minor" by Council, given previous interpretations.

Clause 17 (refer above, entitled "Minimum Development Levels") stipulates that, despite anything else to the contrary in the scheme and unless Council approves otherwise, building floor levels must be a minimum of 300mm above the Q_{100} flood level. In similar vein, an associated provision stipulates that the minimum floor level of any building shall be RL 2.7m, and the minimum ground level below (filled if necessary) shall be RL 2.4m.

In summary, the intent of both clauses is to secure sites against two flood events – the Q_{100} and the 'storm surge'. There is no surety the proposal will not be affected by the 'storm surge' flood event, and the policy of no development below such a level should be adhered to.

2.5 Development Control Plan 1 (DCP 1)

Residential B (Lot 3 RP 216889 and Lot 4 RP 908452; Lot 6, 7, 9 RP 14166)
 Drainage Problem (western sectors of Lot 10 RP 14166 and Lot 1 RP 14171)
 Public Open Space (eastern sectors of Lot 10 RP 14166 and Lot 1 RP 14171)

The designations within DCP1, whilst having some correspondence with the current zoning, have been overtaken by the later Strategic Plan designations.

2.6 SEQ Regional Plan 2005-2026

The subject land is located within Urban Footprint in the SEQ Regional Plan 2005-2026. (refer Attachment 1)

2.7 State Planning Policies

The following State planning policies apply to this application.

State Planning Policy	Applicability to current Application
SPP 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide	The Team recommendation to reduce the development footprint in the south east corner of the site serves to ensure the maximum degree of flood immunity for the proposed residential

SPP 2/02 Planning and Managing Development Involving Acid Sulfate Soils	development component of the application. A preliminary study has identified acid sulfate soil within the area proposed for development. More detailed investigation, and possibly treatment, will be required at the operational works stage.
SPP 1/05 Conservation of Koalas in South-east Queensland	The eastern boundary of the site is within Koala Management Area A2 of SPP 1/05 and the Koala Sustainability Area of the SEQ Regional Plan Interim Guideline: Koalas and Development. The part of the site proposed for development is adjacent to, but is not included in, these areas.
State Coastal Management Plan Under the Coastal Protection and Management Act 1995 the State Coastal Management Plan and subsequent Regional Coastal Management Plans have the status of State Planning Policies for the purpose of assessing and deciding development applications.	The Team recommendation to reduce the development footprint in the south east corner of the site is consistent with the requirements of the Policy.

2.8 Regional Ecosystem

The northern part of the village site, in the vicinity of "Casuarina Cottage", contains two sections of mapped remnant regional ecosystem. One is classified as Not of Concern, while the other contains some components classified as Endangered. The areas of remnant ecosystem follow the watercourse alignment, and will not be built on.

2.9 Engineering

The proposal has been assessed against all relevant engineering requirements. Details are as follows: -

Road Access and Required Road Frontage Works

The site has frontages to Fernbourne Road and Station Street. Access to the site is gained from both Station Street.

Station Street;

- 1 Currently Station Street is partially bitumen sealed strip and unsealed (i.e. gravel) strip.
- 2 There will be a requirement to upgrade Station Street to Council Standards (both sides). This will include kerb and channelling, underground stormwater drainage, water supply, road widening and providing a concrete footpath to Council standards.

Fernbourne Road;

- 3 Currently only constructed as a bitumen sealed strip along the frontage of this site. As a result of the arguments as set out following (see Intersection comments), only frontage works to the site will be required.
- 4 There will be a requirement to construct edge restraining kerb and channel and underground stormwater drainage to Council standards along the entire frontage.
- 5 There is not an existing footpath along the frontage of the site. A concrete footpath will be required as a condition of development.

Intersection of Station Street and Fernbourne Road

- There will be a requirement to construct a splitter island with pedestrian refuge at this intersection.
- There will be a requirement to provide street signage and line marking in accordance with MUTCD (Manual of Uniform Traffic Control Devices) and Austroads.

Internal Traffic Movement and Car Parking

Internal traffic movements do not comply with AS2890.1 and AS2890.2. The on-site carparking (for visitors and residents) do not meet the requirements of AS2890.1 in terms of manoeuvrability. The internal roadway widths don't meet the minimum requirements of AS2890.1 for 2-way traffic flow. There has been no provision for light commercial vehicles to enter and exit the site in a forward gear to all sections of the development.

For this reason, a preliminary approval should be granted for the development, with a development permit to be provided upon the resolving of this issue.

Car parking numbers are as per the requirements of the Redland Shire Council's "Residential Code for Multiple Dwelling Development";

Dimensions and layouts of the car parking spaces generally comply with AS2890.1 subject to detailed design.

Stormwater

With adequate engineering design, to be provided during a subsequent associated development works application, it is believed that no stormwater problems will result for upstream or downstream properties, or for the site itself.

Sewerage

A sewerage connection is currently not available to the site, and the requirement for one will be a condition of any approval given for the development.

There is an existing trunk sewerage main and sewerage easement through the site that structures proposed within the development will conflict with. There will be a requirement to have all permanent structures (including retaining walls, buildings etc) located outside of this easement.

Water Supply

Additional water supply infrastructure will be required as a result of this development.

Electricity Services

The subject land can be provided with appropriate electricity services without undue concern.

Telecommunication Services

The subject land can be provided with appropriate telecommunication services without undue concern.

2.10 Pollution Prevention

Council's Pollution Prevention Unit has assessed the proposal and considers the recommendation for a preliminary approval is appropriate, given that further investigation of contaminated land issues can be dealt with during later stages.

2.11 Environmental Assessment

Remnant Vegetation –

The location of the managers / care takers residence and additional dwelling is shown to be positioned on top of a sensitive creek area and existing Casuarina grove. This grove forms part of the vegetation corridor mapped as 'remnant vegetation'. The construction of the two dwellings will have a great negative impact on the importance and sensitivity of this vegetation. These buildings should be either removed from the site or relocated where the impact of construction will not negatively impact the vegetation.

2.12 Landscaping

Callitris (Bribie Island Pine) species fronting Fernbourne Road –

The current location of the basement car park is not in accordance with the recommendations of the applicants consulting arborist or as per the recommendations of Councils Vegetation Enhancement Strategy. The current location of the dwellings is shown to be located adjacent to the canopy dripline of the trees. The applicants consulting arborist recommendation is to relocate the construction zone of the basement car park area to a minimum distance of 5m from the dripline of the trees. In addition to the construction of the basement car park the layout shows the provision of a pedestrian path which will create a greater problem to the long term health and longevity of the protected *Callitris* trees.

Council's adopted document "The Vegetation Enhancement Strategy" recommends the placement of dwellings, adjacent to existing trees, a minimum distance equivalent to two thirds of the mature height of the trees. This is in conflict with the arborist recommendation and increases the minimum distance to where site excavations can be carried out. This therefore would require the relocation of the basement car park to the unit component of the development.

Roadway location –

The roadway shown in behind existing Lot 131 RP219141, Lot 132 RP14151, Lot 1 RP14166 and Lot 2 RP14166 is not considered necessary. This area should be utilised for the purposes of providing a vegetated buffer and setback to the development from the existing residences. It would also assist with the retention of the existing mature trees on the subject site that form part of the existing koala and habitat corridor.

Delonix regia (Poinciana tree) –

The existing *Delonix regia* (Poinciana) is on an adjoining residential allotment which does not form part of the application. The applicant has not provided information which demonstrates how the long term survival and longevity of the tree will be protected following construction of the driveway access from the manager's residence and residential building into the rest of the development. The tree root zones are very sensitive and there should be no construction or excavations within the canopy dripline of the tree.

2.13 Referral Agencies

The application triggered referral coordination requirements under the Integrated Development Assessment System (IDAS), due to a trigger regarding proximity to a nearby RAMSAR site. Subsequently, the Department of Local Government and Planning identified the Environmental Protection Agency as the sole concurrence agency, with Dept of Natural Resources and Mines as an advice agency, and the Dept of Primary Industries and Fisheries as a third party.

3.0 DRAFT REDLANDS PLANNING SCHEME

The new planning scheme for the Shire of Redland, the *Redlands Planning Scheme (RPS)*, has been drafted and is currently undergoing the second State Interest Review. Discussions with Land Use Planning Group have indicated that the current planning scheme should form the basis of planning application assessment and conditions. Although the *RPS* has not been adopted as a statutory planning instrument, it indicates the strategic direction for future developments and land uses within the Shire. It is considered that reference should be made to this scheme in the assessment of the subject proposal.

According to the *RPS*, the subject site will be included in the following zones:-

- Urban Residential Zone, Sub-area 1 (UR1) and being the area defined by the eastern boundary of residential lots fronting Fernbourne Road, and the 1% AEP Storm Surge Level RL 2.4m contour;
- Medium Density Residential Zone, being the two lots fronting Fernbourne Road immediately to the south of 'Fernbourne House';
- Open Space Zone, being the area to the east of the 1% AEP Storm Surge Level RL 2.4m contour; and
- Conservation Zone, being an area abutting Fernbourne Road immediately to the north of 'Casuarina Cottage'.

and is to be wholly covered by the Acid Sulfate Soils and Bushfire Hazard Overlays, and partially covered by the following Overlays:-

- Flood Prone, Storm Tide and Drainage Constrained Land
- Bushland Habitat
- State Koala Policy
- Road and Rail Noise Impacts
- Waterways, Wetlands and Moreton Bay.

Acid Sulfate Soils

The proposal involves the construction of a waterbody for the purpose of stormwater retention and treatment. The applicant has previously prepared an Acid Sulphate Soil Management Plan. The issue will be subject to further investigation at the time the Operational Works application is lodged.

Bushfire Hazard

The site supports sparse vegetation only. It is considered that the risk of bushfire occurring will be minimal.

Flood Prone, Storm Tide and Drainage Constrained Land

For the subject site, the extent of 'urban residential – sub-area 1' zoned land is limited by the extent of this category of land. The development footprint recommended lies above the mapped Storm Surge contour.

Bushland Habitat/ State Koala Policy

The Environmental Strategies Unit has commented on these aspects. Existing koala food trees will not be impacted on by the development. Conditions of approval accompanying the Development Permit will require extensive planting of native vegetation species to enhance the habitat values of the site. The recommended approval conforms with the planning intent of the State Koala Policy

Road and Rail Noise Impacts

These issues have been addressed by Pollution Prevention Unit.

Waterways, Wetlands and Moreton Bay

The Environmental Strategies Unit has commented on these aspects.

The proposed uses are defined under the *RPS* as the following:-

"Multiple Dwelling", which is

"the use of premises for three or more dwelling units on a lot, where each dwelling unit has a separate entrance. The term includes townhouses, villas and terrace housing".

"Apartment Building", which is

"the use of premises for three or more dwelling units in a building that –

- (a) is three or more storeys in height;
 - (b) results in another dwelling above or below;
 - (c) has a common foyer entrance;
 - (d) has communal facilities including outdoor spaces, car parking and waste collection".
- Apartment buildings are reconfigured as a community title scheme, generally horizontally.

"Outdoor Recreation Facility", which is

"the use of premises either publicly or privately owned, for playing of a game, recreation, instruction, athletics, sport and entertainment where these activities take place primarily outdoors whether they are used for the purpose of gain or not.

The term includes –

- (a) sporting fields, athletics tracks, race tracks, equestrian uses, swimming pools, golf courses, driving ranges and tennis courts, but excludes private tennis courts;
- (b) ancillary facilities including a clubhouse, whether licensed or not".

and "Park" which is

"the use of premises to which the public has rights of access free of charge for recreation and enjoyment. The term includes ornamental gardens, environmental or scenic reserves, any infrequent use for a sport or form of athletics conducted on an informal basis, picnic areas and children's play areas".

In accordance with the Table of Assessment for Material Change of Use of Premises for the Urban Residential Zone, Sub-area 1 (UR1) Zone,

A. a "Multiple Dwelling" is code assessable if: -

- 1) In sub-area –
 - (a) UR 1 or
 - (b) UR 2;
- (2) The building height is 8.5 metres or less;
- (3) The premises is –
 - (a) 1200m² or more in area;
 - (b) has a frontage of 20 metres or more

As all these criteria apply, the 'multiple dwelling' component of the application would be a **code assessable** if submitted under the RPS, and would be subject to an assessment against a number of codes within the scheme.

B. an "Apartment Building" is code assessable if:-

- (1) In sub-area MDR 1;
- (2) The building height does not exceed that detailed in Table 2 – Maximum Overall Building Height

As all these criteria do not apply (the land is not within sub-area MDR1), the 'apartment building' component of the application would be **impact assessable** if submitted under the RPS.

C. an "Outdoor Recreation Facility" is Code Assessable, if –

- (1) Being undertaken by the local government;
- (2) On land in the ownership or control of the local government.

As all of these criteria do not apply (the development is not being undertaken by the local government), the 'Outdoor Recreation Facility' component of the application would be **impact assessable** if submitted under the RPS.

D. a "Park" is Self-Assessable if –

- (1) Being undertaken by the local government;
- (2) On land in the ownership or control of the local government;
- (3) Complying with the assessment criteria being the acceptable solutions listed in column 3.

and Code Assessable otherwise.

As all of these criteria do not apply (the development is not being undertaken by the local government), the 'park' component of the application would be **code assessable** if submitted under the RPS, and would be subject to an assessment against a number of codes within the scheme.

Conclusion

It is considered that the Team recommendation supporting the granting of a Preliminary Approval subject to further requirements represents a planning outcome consistent with the intent of the Draft Scheme.

4.0 GROUNDS OF SUBMISSIONS

A total of 73 'properly made' submissions were received, of which four were in full support of the proposal. One submitter has since withdrawn their (opposing) submission.

Several submitters were concerned their submissions may be considered 'not properly made', and raised the matter with the Minister for Local Government and Planning. In response, Council has accepted all those submissions which were stamped (due to a clerical error) as received the following business day after the close of the public notification period.

The grounds of the submissions are as follows:-

4.1 Development below 'storm surge' level RL 2.4 metres

There is a conflict with the planning scheme requirements on "filling and drainage" in that buildings and infrastructure are proposed below RL 2.4m.

Officer's comments

The extent of development, whilst likely to have no significant impact on the flood regime, is to be limited so there will be no filling or development permitted below the Q_{100} flood line or the RL2.4m AHD contour.

4.2 Exceedance of 'limited' residential development

The proposal has more than the 'limited' residential component, as specified in the Strategic Plan.

Officer's comments

An excerpt from the relevant section of the Strategic Plan is as follows:-

"Specific Planning Intent No. 2 is located between Hilliards Creek and the railway line at Wellington Point and is considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component. Any future development would however need to address a range of considerations relevant to the site including ecological values, flooding and drainage, soil conditions including acid sulphate potential, hydraulic services, access and traffic, biting insect issues and public control of the foreshore.

It is Council's preference that privately owned land in this designation be developed in a single, coordinated project so as to optimise both the opportunities for environmental protection and enhancement and the potential for appropriate development within the environmental, planning and infrastructure constraints of the area".

It is conceded the proposal cannot be conceived "prima facie" as containing a 'limited' residential component.

However, given the basis for the 'Urban Residential – Subarea 1' zoning within the draft RPS over most of the potentially developable part of the site, there is considered to be enough argument that there are "sufficient planning grounds to justify approving the application despite the conflict" in accordance with Section 4.13(5A) of the *Local Government (Planning and Environment) Act 1990*.

4.3 Proposed landscaping species

Proposed *E. tereticornis* (blue gum) as the prime habitat tree is in conflict with Council's Vegetation Enhancement Strategy, and a more diverse range of species is required, considering the species can be dangerous in urban environments.

Officer's comments

The use of the species *Eucalyptus tereticornis* will be limited to the areas that are not urbanised or built in. This species will be utilised to enhance the koala corridor within the open areas and adjacent to areas where there will be limited access by the public. The applicant has not as yet provided a detailed design for the landscape treatment of the site and this will be conditioned to be provided prior to or at the operational works stage of the application.

4.4 Insufficient buffer width

The proposed buffer between existing residential lots and the development is insubstantial for its purpose.

Officer's comments

It is not clear to the purpose of the buffer. For the purposes of fauna movement particularly koalas the width would not be considered to be sufficient. The applicant will be requested to provide additional information identifying the purpose of this buffer.

4.5 Potential effect on Poinciana tree

Tree Protection Area No. 28 ('Casuarina Cottage' and Lot 1 RP14171 – Poinciana and 'general vegetation' over both sites) limits development over the majority of the site.

Officer's comments

The dwellings should be removed or relocated to ensure that the impact of construction and excavation works does not negatively impact the protected tree. The driveway access is not really required and should be removed from the plan. The location of the dwellings will also have a negative impact to the existing Casuarina grove which forms part of a vegetation corridor mapped as remnant vegetation. These buildings should either be removed or relocated where the requirement for driveway access is not warranted.

The existing *Delonix regia* (Poinciana) is on an adjoining residential allotment which does not form part of the application. The applicant has not provided information which demonstrates how the long term survival and longevity of the tree will be protected following construction of the driveway access from the manager's residence and residential building into the rest of the development. The tree root zones are very sensitive and there should be no construction or excavations within the canopy dripline of the tree.

4.6 Potential effect on Pine trees

Pine trees along Fernbourne Rd frontage have Vegetation Protection Orders and basement car parking and buildings will intrude into root zones.

Officer's comments

The applicant has provided an arborist report which indicates a recommended distance to the excavation of the basement car park. The report recommends a minimum distance of 5m from the canopy drip line of the trees. Council will be recommending a greater distance to be provided. This distance will reflect the recommendations as outlined in Councils Vegetation Enhancement Strategy.

The current location of the basement car park is not in accordance with the recommendations of the applicants consulting arborist or as per the recommendations of Councils Vegetation Enhancement Strategy. The current location of the dwellings is shown to be located adjacent to the canopy dripline of the trees. The applicants consulting arborist recommendation is to relocate the construction zone of the basement car park area to a minimum distance of 5m from the dripline of the trees. In addition to the construction of the basement car park the layout shows the provision of a pedestrian path which will create a greater problem to the long term health and longevity of the protected *Callitris* trees.

Council's adopted document "The Vegetation Enhancement Strategy" recommends the placement of dwellings, adjacent to existing trees, a minimum distance equivalent to two thirds of the mature height of the trees. This is in conflict with the arborist recommendation and increases the minimum distance to where site excavations can be carried out. This therefore would require the relocation of the basement car park to the unit component of the development.

4.7 Poor fencing style

The fencing style proposed abutting residential properties is not fauna-friendly, restricts breeze and is visually poor.

Officer's comments

The applicant proposes secure fencing around the northern, eastern and southern boundaries of the actual village compound. Fencing behind numbers 23 to 35 Fernbourne Road, and leading to the internal roundabout, is to be of a fauna-friendly type with a ground clearance of 15cm. The clearance required under state koala policies is 30cm. The applicant states that 15cm is adequate. There is no data to assist in assessing whether native fauna species are likely to use this corridor.

The applicant states that dogs over 7kg will be excluded from the village by way of body corporate regulations. There is still the potential for smaller dogs to harass wildlife, if not supervised. Details of how smaller dogs will be contained will need to be provided at the development permit stage.

Proposed fencing outside the actual village compound, along the balance of Station and Bligh Streets is stated to be of approved fauna-friendly types. The applicant states that fencing of these boundaries needs to prevent vehicle entry only. A combination of bollards, and fencing with a 30cm ground clearance, is proposed. Details will be required at operational works stage. The applicant will need to demonstrate that these fences will not impede fauna movement, and that carpark fencing will exclude vehicles only. Details of the latter will need to be provided at operational works stage.

The applicant will be conditioned to provide additional detailed design and information identifying and describing the style of fencing and locations of the fencing at the operational works stage of the application.

4.8 Fernbourne Road design

Existing swales should be retained, and no kerb & channelling provided.

Officer's comments

Council will investigate appropriate design of any works within Fernbourne Road.

4.9 Public accessibility

The proposal is for a "gated community", and it is unclear which parts of the site will be freely available to the public, particularly the proposed boardwalk/pathway system and internal roads.

Officer's comments

The applicant has provided additional information clarifying the proposed extent of public accessibility to the site. This indicates that of the total 17 hectare site, approximately eight is to be dedicated to Council, approximately four is to be 'public land' and maintained by the future body corporate, with the remaining approximately five hectares in body corporate ownership. These proportions are considered acceptable from a 'public accessibility' point of view.

4.10 Insufficient private open space

Areas adjacent to living areas are not shown, and insufficient utility areas and separation between detached dwellings are proposed. Delineation between private and communal open space is not indicated.

Officer's comments

A more detailed design of private open space will become apparent during future negotiations.

4.11 Conflict with Commonwealth EPBC Act

The proposal is in conflict with the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Development of the site will impact on bird specie diversity including migratory waders.

Officer's comments

Approval under the EPBC Act is required for actions that are likely to have a significant impact on several matters of national environmental significance. These include "Ramsar wetlands of international significance", which lie adjacent and to the east of the subject site. In its present form, it is unclear whether the proposal would have significant impact on the Ramsar wetlands, as assessed under the EPBC Act.

It is the responsibility of the applicant to decide whether or not to refer the proposal under the EPBC Act. Any decision by the Commonwealth in this matter has no bearing on any decision by Council. If the proposal is referred under the EPBC Act, the Commonwealth may require the state to advise whether the application was approved or refused under the *Integrated Planning Act 1997*.

4.12 Conflict with State and Council Koala protection policies

The proposal is in conflict with State Planning Policy 1/97 (Koalas) Council's Koala Conservation & Management Policy and Strategy (August 2002) and is incompatible with the *Qld Nature Conservation Act*.

In particular, koalas currently use land to the east of, and including the backyards of, residential lots along Fernbourne Road, and this land needs further protection. Fencing of pool and lake is required.

Officer's comments

The eastern boundary of the site is within Koala Management Area A2 of SPP 1/05 and the Koala Sustainability Area of the SEQ Regional Plan Interim Guideline: Koalas and Development. The part of the site proposed for development is adjacent to, but is not included in, these areas. Irrespective of this, koala presence is known along the Fernbourne Road alignment.

The submitters' observation of koala usage of existing Fernbourne Road residential properties and the land to the rear of these is acknowledged. While proposed fencing along Station and Bligh Streets outside the actual village compound can be designed to allow koala movement, the proposed open space between the streets is not prime koala habitat at present. With adequate revegetation, this state can be achieved, but not in the short-term future. Detailed revegetation proposals for the open space will be required at the development permit stage.

At present, koala movement is along and behind the residential properties on Fernbourne Road, and adjacent to the creek. The proposed development is very likely to impede koala movement, particularly as the unit complex in the pedestrian entrance off Fernbourne Road will present a significant barrier, as will secure fencing around the village compound. It is not known whether the proposed vegetated corridor behind numbers 23 to 35 Fernbourne Road, and leading to the internal roundabout, will act as a viable wildlife corridor.

Koalas do not adapt readily to barriers along familiar routes, and it would be several generations before an adequate replacement route becomes available through revegetation of the open space to the east of the village. In the meantime, breeding and social patterns are very likely to be disrupted.

4.13 Impact on habitat corridors

There is a conflict with RSC publication "Corridors of Habitat" in which such sites should be retained. The proposal will fragment a potential corridor.

Officer's comments

The proposal will reduce the width of the existing wildlife corridor between Station and Bligh Streets. Proposed fencing outside the actual village should allow wildlife movement if properly designed at operational works stage. Without a long-term study of several key species, it is not possible to estimate the effect on wildlife movement. Some species will adapt quite readily whilst others will not.

Revegetation of the open space will enhance the wildlife corridor and replace that which will be removed for the village compound, however it will take 10 to 15 years for replacement habitat to become established. The frog species identified on site are common, however frog habitat is likely to be reduced as the eastern boundary of the village will generally follow the

alignment of current habitat. It is not considered practical to replace this habitat in the vicinity, due to potential creation of mosquito breeding areas.

The details of how the health of the site will be improved are not yet available for assessment.

The comments about koalas in Section 4.14 are relevant to this issue.

4.14 Impacts on Hilliard Creek Wildlife Corridor

The proposal includes pathways, jetty with associated vessel use, and public access, will compromise the health of this currently inaccessible area. The site is already poorly rated by the Wildlife Preservation Society.

Officer's comments

It is acknowledged that Council's ENPE-014 (Waterways Wetlands and Coastal Zone Policy) states:

"that development should be separated from wetlands by a buffer zone of sufficient width to accommodate the maintenance of physical and biological processes, storm surge or flood inundation, public use and access, and visual amenity. Buffer zones are to vary on a site specific basis depending on individual circumstances such as the presence of existing vegetation, flooding conditions, size and ecological significance of the wetland and intensity of development proposed. As a general rule however, minimum buffer widths are typically in the order of between 30 and 60 metres from the highest inundation level of wetlands or RL 2.4 metres in coastal areas."

The proposed pathways, jetty and public access are not likely to present a significant impact on the creek corridor. The pathways will be constructed on piers to minimise impact where the ground surface is below RL 2.4 metres. More detailed design will be required at the development permit stage to demonstrate minimal impact.

4.15 Pollutants from urban runoff

Pollutants will contaminate the creek, given the close proposed proximity of dwellings to the HAT line. Proposed swales will channel runoff directly to the creek. The artificial lake will need to be designed for long retention times to reduce nutrients, and will need careful maintenance to avoid nutrient buildup. The caretaker's residence and associated units at the north end are immediately adjacent to a waterway, with no buffer.

Officer's comments

The applicant has provided a concept stormwater management plan which demonstrates that stormwater leaving the village will comply with water quality guidelines. Primary stormwater treatment will be by means of bioretention swales which provide satisfactory water quality for discharge to the creek. The lake is primarily for aesthetic purposes but does have a secondary stormwater treatment function. Detailed design will be required at operational works stage to demonstrate that the proposed control devices can be adequately located. The units at the north are no longer part of the proposal, and a buffer will be maintained to the waterway.

4.16 Mosquitoes and Biting Midges

Because of the low permeability of the soil in this area, and the shallow slope, it is difficult to imagine that ponding will not occur. The applicant's proposal that education and building design (i.e., screening) are solutions is insufficient.

Officer's comments

Some known mosquito breeding areas will be eliminated by construction of the proposed village, however the proximity of other areas, and biting midge areas, is acknowledged. The wetland (and frog habitat) immediately adjacent to the north of the proposed village is a known mosquito site. Proposed stormwater controls are designed to prevent creation of additional mosquito breeding areas. The proposed artificial lake is to be designed in consultation with Council's Mosquito Control Team, and is to be stocked with native predators of mosquitoes. The applicant states that prospective residents will be asked to sign an agreement that they understand they will be living in an area with mosquito and midge problems.

5.0 CONCLUSION

The proposal has been assessed against all relevant provisions of:

- the South East Queensland Regional Plan 2005-2026;
- the Transitional Planning Scheme;
- Section 8.2 of the Local Government (Planning and Environment) Act (Repealed)
- the Strategic Plan 1998;
- the Waterways, Wetlands and Coastal Zone planning policy (ENPE 014); and
- the Draft Redlands Planning Scheme

Due regard has also been given to the matters raised by submitters and the Divisional Councillor.

A number of issues remain unresolved satisfactorily, these being related to engineering and vegetation management issues.

Accordingly, it is recommended that a preliminary approval be granted, subject to conditions.

OFFICER'S RECOMMENDATION

That the application for material change of use for the purpose of a Retirement Village, Environmental Park and Recreation Facilities on the land known as 13-17 and 37 Fernbourne Road, and 37-43 Station Street, Wellington Point, described as Lot 3 RP 216889 Lots 4 and 8 RP 908452, Lot 6, 7 9 and 10 RP 14166, and Lot 1 RP 14171 be granted a preliminary approval subject to conditions.

Subject to the matters under Section B being satisfactorily addressed in any negotiated decision period, the Development Assessment Services Manager is authorised to issue a development permit subject to conditions.

B ADDITIONAL REQUIREMENTS PRIOR TO ISSUE OF DEVELOPMENT PERMIT

1. Revised plans detailing the changes required to the proposed use to bring it into compliance with the following requirements shall be submitted to and approved by Council prior to a development permit for the proposed use being issued.

A. ENGINEERING

- a. No structure is permitted within the sewerage easement traversing the site. This includes retaining walls, buildings etc.
- b. Provide written approval from Redland Water demonstrating their approval to allow the proposed nutrient pond to be constructed within the sewerage easement.
- c. Internal roadway widths to allow for 2-way vehicle traffic flow don't comply with AS2890.1:2004. Amended plans are required demonstrating compliance with this standard.
- d. Further clarification is required on how vehicles parked in all visitor parking bays can exit the site in a forward gear.
- e. Demonstrate how a light commercial vehicle / removalist truck can enter and exit the site in a forward gear in accordance with AS2890.2.
- f. There will be no filling or development permitted below the Q₁₀₀ flood line or the RL2.4m AHD contour.

Advisory Note:

There will be a requirement to amend the existing sewerage easement document to allow for access within that easement.

B. ENVIRONMENT

- a. Vegetation Management Plan (VMP)

The applicant must submit a Vegetation Management Plan (VMP). The VMP should include graphics and text, and must be prepared by a suitably qualified person in consultation with Council's Assessment Services Team. The VMP must address the conservation purpose of the private and public open space areas and clearly illustrate how this area is to be enhanced for the benefit of wildlife.

The VMP shall include the following elements:

- Objectives, management strategies, potential impacts, maintenance, performance indicators, corrective actions and reporting;
- Planting densities for rehabilitation within the private and public open space areas. The VMP should demonstrate maintenance of biodiversity and maximum natural and artificial regeneration rates;
- Regeneration works designed to enhance the existing natural bushland setting and, where appropriate, to be incorporated into stormwater treatment systems, including natural drainage channels and other water bodies;
- Species list for each proposed regeneration area;
- Demonstration of how vegetation regeneration will enhance fauna usage, across a range of fauna species, and the estimated timeframe for habitat establishment;
- Planting schedules and timing, including any staging program;
- Details of fertiliser and chemical use;

- Weed management, in terms of declared plants and environmental weeds as defined in the RSC *Pest Management Plan* and *Vegetation Enhancement Strategy*. The VMP is to outline the extent, location and methods of eradication in those areas not to be cleared for residential and active recreational use;
- A proposed maintenance program for the post-construction period.

The choice of species proposed for regeneration works shall be based on the local vegetation association detailed in Redland Shire Council's *Vegetation Enhancement Strategy*, and on site observations. The *Vegetation Enhancement Strategy* 2004 can be obtained from the Redland Shire Council web site at <http://www.redland.qld.gov.au> by entering "Vegetation Enhancement Strategy" in Search. The relevant species of the 2004 version are listed on pages 56-57.

b. Stormwater Quality Management Plan

The concept stormwater management proposals by SSE Engineering and Max & Winders are approved in principle. More detailed design will be required at the development permit stage to confirm that the water quality objectives will be met while accommodating engineering and site constraints. The design must demonstrate that mosquito breeding areas will not be created.

c. Artificial lake

The applicant shall provide detailed plan view and cross sections of the proposed lake, including details of proposed vegetation planting and edge treatment and fencing. The applicant shall consult Council's Mosquito Control Team in preparation of this plan. The plan shall demonstrate how the lake is to be filled and water levels maintained, how buildup of silt will be prevented, and the species of mosquito predator to be introduced. The applicant shall demonstrate that water discharged from the lake will meet water quality guidelines. The plan shall include maintenance proposals, including maintenance in the event of sea water intrusion.

d. Waterway protection

The applicant shall provide details of how the waterway (and frog habitat) entering the site from the north-west, and generally following the eastern limit of residential development, will be protected from pollution and the edge effects of development.

e. Acid Sulfate Soil

The applicant shall provide an Acid Sulfate Soil Management Plan, based on the preliminary assessment. The plan shall specifically address all areas where construction is proposed, including recreational features, pathways, dams, and parking areas. The plan shall address the excavation for the basement carpark and artificial lake, and any alterations to groundwater and surface water behaviour.

f. Fauna Friendly Fencing

A detailed plan illustrating fauna-friendly fencing along each section of Station and Bligh Streets, external to the village compound. The applicant shall provide detailed designs and specify exact locations of such fencing. The applicant shall provide detailed plans which demonstrate how domestic animals will be prevented from accessing open space areas unless restrained. The plan shall clearly illustrate all fencing on site and indicate which is secure against dogs and/or native fauna and/or vehicles, and which is fauna-friendly, as well as proposed gates, with an explanation

of when gates will be open/shut and who will control this. Fence design for each section shall be shown. The applicant shall clearly show by illustration how dogs will be contained on site. The applicant shall provide a plan which clearly illustrates how the movement of koalas through the Fernbourne Road residential properties between Station and Bligh Streets will be maintained during and after construction.

g. Roadway location –

The roadway shown in behind existing Lot 131 RP219141, Lot 132 RP14151, Lot 1 RP14166 and Lot 2 RP14166 is not considered necessary. This area should be utilised for the purposes of providing a vegetated buffer and setback to the development from the existing residences. It would also assist with the retention of the existing mature trees on the subject site that form part of the existing koala and habitat corridor.

h. Callitris (Bribie Island Pine) species fronting Fernbourne Road

The current location of the apartment buildings and associated basement car park will be relocated to ensure the long term health and survival of the protected Callitris trees. It is Council's recommendation that the minimum distance to the basement car park and apartment buildings be ten metres from the outermost edge of the drip line. The applicant will be required to provide information supporting this and a redesign of that part of the site. The pedestrian path location will also need to consider the long term health and survival of the protected trees and may also need to be relocated.

Author:

Group Manager:

General Manager/
Chief Executive Officer:

Date:



1 December 2005

MC Challoner & Assoc. Pty Ltd
PO Box 2066, WELLINGTON POINT Q 4160
Attention: Michael Challoner

Your Ref:
Our Ref:
File No: **MC008532**
Contact: Neil Wilson

Dear Michael

Proposed Development: Retirement Village, Environmental Park and Recreation Facilities.
Application Reference No: MC008532.
Legal Description: Lot 3 RP 216889, Lots 6, 7, 9 & 10 on RP.14166, Lots 4 & 8 on RP.908452 and Lot 1 on RP.14171, Parish of Capalaba.
Site Location: 13 Fernbourne Road, Wellington Point.

Following our meeting of 10 November 2005, the issue of 'fill proof requirements' has been further considered, and I wish to provide the following advice.

Northern waterway (Valley Road drain)

Council is of the view the Q_{100} flood level immediately west of Fernbourne Road at the piped stormwater crossing (immediately north of Lot 1 RP222445) approximates RL 2.55.

In this context, you are requested to supply drainage/flooding information along the flow path / northern waterway, from Fernbourne Road east to its junction with Hilliards Creek, sufficient to indicate the levels, areal extent, depth and velocity of floodwaters for Q_2 and Q_{100} events. Such information may include cross-sections and calculation of tailwater parameters within the 'Jacobs Street subdivision' immediately west of Fernbourne Road.

Station Street

It is likely that the intended road within this reserve be sealed pavement with minimum level above the Q_2 flood level. To the east of the main access to the development, there will be a requirement to construct Station Street up to the access of the proposed carpark for the tennis courts, croquet courts etc. The road is to have a minimum of Q_2 immunity along with providing pavements and drainage to Council standards within that road reserve.

Overall site

It may be useful to seek advice from the authors of Council's 'Hilliards Creek Flood Study' dated 2003, GHD Pty Ltd – in particular regarding interpolation between cross-sections in the study, and an appropriate Q_2 flood level.

Redland Water and Waste advice

Refer to attached notes, prepared in response to questions on developing near the existing trunk sewer and pump station.

Fill - Southern part of site

The "fill" located in the southern portion of the site is located in a position that affects an overland flow path. There will be a requirement to demonstrate that the fill will not have an adverse impact on any upstream property/s and will not adversely affect Station Street. Verification of how the fill will not affect the Q_{100} overland flow path and its impact on any upstream property/s and Station Street (calculations and design) is to be provided by a suitably qualified Hydraulic Engineer who is a Registered Professional Engineer of Queensland.

Water Table

There will be a requirement to provide a new geo-technical survey by a suitably qualified Geo-technical Engineer who is a Registered Professional Engineer of Queensland verifying the level of the water table located within the development site. This is required to verify how it is proposed to drain water from the development site in accordance with the Queensland Urban Drainage Manual (QUDM).

Proposed Shared Use Paths/Raised Timber Boardwalks

Council standards require these to be above the Q_2 levels for Hilliards Creek to the east, and flows from the Valley Road Drain discharging at the northern edge of the proposed development. The H.A.T. level of RL 1.6 AHD is not necessarily above the Q_2 levels for these watercourses, and additional flood studies or drainage calculations are required to confirm these levels. The impacts of any filling proposed with this development would also need to be taken into consideration.

If you have any queries regarding the above, please do not hesitate to contact Neil Wilson, Senior Planner on phone 3829 8737.

Yours faithfully,

Paul Toohey
Senior Planner – Project Manager

ATTACHMENT

Redland Water and Waste advice

As far as building over the trunk main is concerned:

- Water retaining structure, such as ponds will not be permitted over the trunk sewer (including its likely maintenance area).
- The height of the retaining wall proposed on the northern side of the development abutting or traversing the trunk sewer (including its likely maintenance area) should be limited in height to ensure that footings are negligible.
- Any manholes / overflow structures impacted by the proposed works (e.g. paths, fill, excavation, etc) are to be raised to FSL and remain clear of obstructions
- Minimal excavation works should be undertaken over the trunk sewer (including its likely maintenance area). Stormwater drainage, for example, should be above ground or outside the likely maintenance area wherever possible.

Also, there is a need to demonstrate how water supply (including fire fighting provisions) are to be addressed.

In addition, there is a need to address the potential for the overflow structure from SPS 41 to cause inundation (with raw sewage) of part of the site. Please confirm the retaining wall and bank batters will be constructed so as to minimise potential for overflows to impact on the subject development.

It is also important that, in finalising any easement document, Council not be liable for restoration/re-establishment of any work that is permitted within any easement in the event that they are damaged or demolished in undertaking maintenance or construction activities.

Right to Information Release

From: Neil Wilson

Sent: Friday, 16 March 2007 12:35:12 PM

To: 'Michael Challoner (mcctplan@bigpond.net.au)'

CC: Peter Coleman; Michael Murphy; Rocco Petrillo

Subject: MC008532 - Retirement village at Fernbourne Rd, Wellington Point - additional info required

(WITHOUT PREJUDICE)

Michael,

In order to help finalise Council's position on the amendments agreed between the applicant and the appellants, can you please supply the following plans/elevations:-

- L-04 Rev B Fencing Layout (referenced in your memo of 27 Feb 2007, but not included in the package of plans submitted)
- Managers Residence - Full plans and elevations (including intended proximity to southern boundary of 17 Fernbourne Rd (Lot 8 RP908452).
- A plan view of the general area between (and including) the eastern edge of both apartment blocks, and Block 1 of the "2 storey villas-south entry" and the managers residence, indicating the road pavement alignment, edges of all buildings, and S/SW property boundaries of 17 Fernbourne Rd (Lot 8 RP908452).

Depending on when I receive those plans and discussion with various staff, I expect to be able to give you Council's position next week.

Regards,

Neil Wilson

Senior Planner

Development Assessment Team

Redland Shire Council

Ph 07 3829 8297 Mob 0417 759 098

Fax 07 3829 8809

E neilw@redland.qld.gov.au



Redland
CITY COUNCIL

Redland City Council
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Cleveland Qld 4163

PO Box 21,
Cleveland Qld 4163

Telephone 07 3829 8999
Facsimile 07 3829 8765

Email roc@redland.qld.gov.au
www.redland.qld.gov.au

16 January, 2009

Pretirement Villages Pty Ltd
Attention - Mr Frank Dobson
PO Box 1532
CAPALABA QLD 4157

Your Ref:
Our Ref:
File No: **MC008532/LW000509**
Contact: DA

Dear Sir

Re: 2 storey Townhouse Villas – 37-63 Station Street, Wellington Point

I refer to your letter dated 5 November 2008 and recent telephone discussions on final plans of the 2 storey townhouse villas at the above address we require further information.

Council requires plans that indicate approved **versus** proposed. These are required so we can clearly distinguish the changes before a "generally in accordance" can be recommended.

If you require any further information, please contact Mr Adam Webb on 3829 8470.

Yours faithfully


for Adam Webb
Senior Planner/Project Manager

Scanned into EDMS

Doc#

PRETIREMENT VILLAGES PTY LTD

P.O. BOX 1532

CAPALABA QLD 4157

Unit 1 / 69 Secam St – Mansfield Qld 4122

PH: 07 3219 3211 FAX: 07 3219 3266

ABN: 13 927 784 252

5 November 2008

Bruce Appleton
Redland City Council
PO Box 21
CLEVELAND QLD 4163



Good Morning Bruce

RE: 2 STOREY TOWNHOUSE VILLAS – 37 – 63 Station St Wellington Point
Ref: LW000509

We have discussed with you on two occasions that final plans of the 2 storey townhouse villas differed from the DA approved plans.

The reason for that was the DA approved plans would not have obtained full wheelchair accessible approval. The final plans 'do' achieve full wheelchair accessibility.

You said that these new plans would be approved by yourself as being "generally in accordance with the DA".

The certifier – Bartley Burns needs to see something in writing from you that says the new plans are "generally in accordance with the DA".

How do we handle that?

We are desperate to start this project – what do you suggest!

We left a full set of the final plans with Alberto Mantilla and it is the 2 storey – "L" and "M" plans we are referring to.

Please come back to us with your advice.

Kind Regards

FRANK DOBSON
(Project Manager)

Cc: Alberto Mantilla- RCC, Cynthia Lawes (Bartley Burns)

Cc: Chris Roberts, Bob Roberts, Gordon Anderson, Alan Tesch, David Dobson

Rang 24/11/08
left message js

Bruce: All drawings are registered in Dataworks
under DW000844

a) Opening Statement.

The proposed development is planned on a parcel of land that is fraught with problems. Council has recognised these problems in the past by zoning much of the land as drainage problem, under the Q100 flood line, Special Intent No. 2, Rural Non Urban land, Special Protection Areas and Tree Protection Area No. 28. Many of the areas join the Highest Astronomical Tide Line. All of these problems require that the council relax its laws and changes the value of the land to meet the developer's request to build a retirement village. The developers themselves admit that the land is not suitable for building purposes by pushing the buildings to the highest level ground and placing many of the dwellings on stilts over land that could at some point be flooded. (According to recent flood studies.....)

There is a serious question here as to the value of the Council's zoning laws if the Council is continually prepared to relax or wave the specifications to give windfall profits to developers.

The very nature of this land is low lying. In wet weather, water collects on this land for lengthy periods of time. The nature of a Retirement Village is to offer residences to an ageing population. An ageing population brings with it particular health issues of decreased mobility, frailty of bones and skin, heart and lung deterioration etc. All of these health issues would be exacerbated by the damp environment and the design of the village. Much of the village is accessed by constructed boardwalks which will deteriorate fairly rapidly and provide an uneven surface for mobility.

Another major issue to an aging population would be the presence of biting insects. These provide health issues in their own right but as skin texture and mobility decrease - the annoyance and affect on the health of older residents would be quite severe. Kingfisher Bay Resort is held up by the architects as an indicator of mosquito control through management of the vegetation and water ways. However, the Resort uses various mosquito and insect control equipment and has vastly greater resources than a body corporate such as this. As the council, in its own policy declarations makes note that it is preferable to develop areas away from biting insect breeding grounds; it is surprising to see that they would allow this development. During a recent visit to the site with the Environmental Consultant he showed us a major mosquito breeding ground, right in the middle of the site. Admittedly, this is to become part of the lake, but it is unlikely that complete eradication of mosquitoes within the lake will occur.

It would be worth the council noting that the developers have employed environmental consultants to undertake studies of the impact of the development on the environment. The fact that the developers are supplying the income of these consultants would surely make them more predisposed to supplying a positive outcome for the environment in this case. Outside environmental agencies such as the Wildlife Preservation Society of Queensland, value this land highly as a corridor, wetland and border to the internationally

recognised RAMSAR site of Moreton Bay Marine Park. Their studies believe that there will be a serious impact on the creek, grassland and wetland habitat.

In a recent document distributed to residents by the Council there is a special column entitled *"Corridors of Habitat" Living in the Redlands makes us responsible for the significant changes occurring in the region's biodiversity and natural habitat, so we need to constantly look for ways for us to live in harmony with our environment and protect it. This region is unique in biodiversity and home to over 4000 plant classifications and around 800 freshwater and land-based fauna species. Council....has guidelines for protection, enhancement, and rehabilitation of all habitat areas and wildlife corridors. These corridors are essential to ensure wildlife can move safely between habitat areas."* Again the council is going against its own guidelines, if it recommends the development. Taken into consideration with the proposed application for Duncan Street, (The Turf Farm), there is severe fragmentation of the wildlife corridor along Hilliards Creek. The council has recognised the importance of this area by purchasing areas along Station Street for bushland care. However, the development on either side of this will isolate the area and make movement for wildlife much more hazardous.

There is a unique opportunity at this point in time to salvage an open space area for the future generations of the Redland Shire. It is degraded, contaminated farmland but it offers the only remaining space for wildlife in Wellington Point as it borders the koala and Hilliards Creek conservation areas. Development in this area of any degree will severely impact on the environment and have a long lasting detrimental effect on the Shire. Although it seems pro-active to offer boardwalks and viewing towers to interact with the wildlife, human activity and noise disturbs the habitat and breeding cycles of creatures. We need to be responsible and give them undisturbed areas to live and breed. The increased outcome of wildlife population would then move out and enhance the surrounding suburbs.

We believe that this development in its present state is unsuitable for this parcel of land.

b) Affect of multiple unit dwellings on our residence Fernbourne House (19 Fernbourne Road, Wellington Point.

Fernbourne House was built around 1890 by Gilbert Burnett and is a significant heritage building in the Redland Shire. As a family home, it has been maintained without very much structural change since that time, thus it is of valuable historical significance. Placing two/three storey units next to this home will severely devalue the visual amenity of this gracious old building.

Residential Code for Multiple Dwelling Development:

1) Design Element 1 – Streetscape Amenity

Performance criteria P1 states *“that the layout and design of multiple dwelling developments should enhance and compliment the relevant features in built form of the surrounding streetscape by:*

· varying the appearance of multiple dwelling units from the street if the multiple dwelling development is located in an established area with diverse building styles (See figure 1.1).”

It is difficult to see how the units on Lots 3 and 4 could be said to meet these criteria.

Performance criteria P3 states *“Multiple dwelling developments are designed with reference to the relevant features of the existing built form that determine the character of the surrounding area. These elements include:*

· building mass and proportions”

The unit buildings are certainly not respecting this criteria.

Performance criteria P4 states *“Multiple dwelling developments complement and enhance the significance of heritage and character items on-site or on neighbouring properties.”*

The dwelling at 19 Fernbourne Road, called Fernbourne House was built by Gilbert Burnett in approximately 1890 after he had sold Whepstead Manor. This dwelling was placed on the Redland Shire Interim Heritage Register and as such qualifies as a heritage property under P4. A4.1, A4.2 and A4.3 state that a new development must respect and compliment neighbouring heritage buildings. The units certainly do not do this at this time.

2) Design Element 2 – Building Size and Bulk

A1.2 states that *“multiple dwelling units have a maximum articulated building length inclusive of roof of 25 metres along side and rear boundaries.”*

The units are institutional in scale and disregard this criteria especially in regard to roof and building mass. The units are 2 storey/3 storeys with a length of 50 to 60 metres.

3) Design Element 3 – Building Setbacks and Site Coverage.

Performance Criteria 1 requires that front; side and rear setbacks are of appropriate residential character. The northern two storey units have only a 3m clearance from the side balcony to the site boundary. Balconies do not have screening. The southern units, the boardwalk also does not comply with the minimum setback.

Lot 3 has a site area of 0.1313ha and Lot 4 is 0.1380ha, total 0.2683ha. They will contain 26 units with 2 people per unit. This gives a population density of 192 people per hectare which clearly in breach of the council's own guidelines. The developer appears to wish to exceed allowed population density by trading off lower quality drainage problem parts of the site against higher density on

Residential B portions of the site. It is not reasonable for an adjoining property owner to expect that the population density on a Res B site will be far in excess of council regulations because a developer is trading off density on some low value drainage problem land. It is the population density which has the greatest effect on the amenity of the existing neighbours, while the reduced density hundreds of metres away has vastly reduced impact upon the neighbourhood amenity. This is particularly relevant to this site as the reduced population density is not adjacent to any existing neighbours. In reality, much of the land which is being included in the whole area of the development site could never be built on at all and thus should not be included in population calculations.

The developer's insistence that he requires a certain number of dwellings on the site to pay for the cost of all the reclamation works on the site is a spurious argument as nobody, including the council has an independent way to calculate the true economics of the site. Every experienced developer must use such an argument to grossly inflate the number of dwellings he says he needs to make the development viable. It would be extremely naive to believe that what is shown on this application is the minimum required to make the development feasible.

4) Design Element 4 – Dwelling Unit design and appearance.

Performance Criteria 1. *"Multiple dwelling units are designed to reflect the relevant features and the prevailing character of the surrounding neighbourhood."*

A1.1 *Multiple dwelling unit design, roof form, detailing and materials visible from public areas and adjoining properties are compatible with the character of neighbouring buildings.*

A1.2 *The appearance of individual multiple dwelling units are varied where the multiple dwelling development is within an established area with diverse building styles."*

The design of the unit buildings is not visually in keeping with the hip and gable roofed individual dwellings in the surrounding neighbourhood. While the materials used in the duplex accommodation generally respects the building materials used in the neighbourhood, the units clearly do not. The individual units are currently indistinguishable parts of the institutional scale unit blocks. The scale and bulk of the unit blocks will totally dominate the neighbourhood.

5) Design Element 5 – Car Parking and Site Access

The underground car park does not comply with Australian Standards in relation to end bay turn around and reversing.

At the rear of the site the buildings are effectively three storeys as the basement car park is virtually out of the ground.

6) Design Element 6 – Land Scaping and Open Space.

It is important for fences on all boundaries of the new development which adjoin existing properties to be 1.8 metres high to provide visual screening and have sections where koalas can traverse properties.

7) Design Element 8 – Visual Privacy and Acoustic Amenity

Performance Criteria 1 states “*Direct overlooking of habitable living areas and private open spaces of other dwellings is minimised by:*
site and building layout;
location and design of windows and balconies;
screening devices and landscaping; and
distance.”

There needs to be screening in the form of timber or similar screening on the balconies of the unit building to provide visual privacy to adjoining neighbours. This is particularly required because all of the bedrooms of 19 Fernbourne Road are overlooked by the balconies on the north side of the unit development.

There also needs to be dense vegetation planted and maintained on all boundaries that adjoin existing neighbours.

8) Design Element 9 – Security.

Performance Criteria 2. It is important that lighting from these units does not adversely affect the residents of adjoining homes, especially as mentioned previously regarding the siting of bedrooms.

c) The effect of the overall development on the local environment and wildlife.

The development site and surrounding neighbourhood is used by a wide variety of wildlife including Koalas, birds, reptiles and small mammals. Wildlife will be severely disrupted by the development, especially during the construction phase which could last for three years or more.

- 1) Koalas: The listed koala corridor adjoins Hilliards Creek and is in the area designated as public use. Koalas mentioned in the environmental report use Fernbourne Road as a corridor and (no. which were sighted). However, the koalas use the eucalyptus trees, gardens and space at the rear of east Fernbourne Road residences extensively to feed, breed and rear their young. This has not been significantly noted in the environmental report. During construction, this particular area will be subject to heavy vehicular traffic, construction of buildings, noise and pollution. If their habitat is disturbed for a long period of time, we believe that we will lose the existing koala residents of this area. After the construction phase it is anticipated there will be an increase in human activity, pets and vehicles, all of which threaten the koalas both within the site and externally where they use the roads for movement. Most trees to be planted for

koalas would be outside their normal movement patterns. It would be more appropriate to further extend the habitat adjacent to the rear of Fernbourne Road residences. Development of this site is inconsistent with SPP 1/97, by promoting development incompatible with koala conservation.

We are particularly concerned with the movement of koalas and the linkage of koala habitat especially in relation to the proposed development of the Turf Farm on Duncan Street, Wellington Point. (Please see enclosed photographs of recent sightings on our property) The type of fencing in and around the development must allow for freedom of movement through the site. Areas such as the swimming pool must be adequately protected from koala access (as well as young children). The lake and nutrient pond should provide exit areas.

- 2) Birds: Over 120 species of birds have been listed as using the development site and surrounding areas as their range of habitat. The environmental report states... and only takes into account a limited time frame of monitoring. Birdwatchers in this area are recording over the whole year. Several of these species and habitat are protected by international bird migration agreements. Increase in human activity on this site, particularly by public access through boardwalks and unit development will disturb the habitat of these birds. Construction on this site is likely to have an irreversible impact on grassland species. It is noted in the Pedersen Biological and Environmental Report, *"Grassland birds are strongly represented in both diversity and number... This guild will be disadvantaged under the landscape plan which proposes to replace much of the grasslands to the south with forest and open forest."* Although it is part of the recommendation that *"some extent of tall grasslands be considered for retention in Zone 5,"* during the construction phase many of the grassland birds would be lost. Vulnerable birds in this area include: Speckled Warbler, all birds of prey and the Rainbow Bee Eater.
- 3) Reptiles: The grassland area and surrounding residential area houses a wide variety of snakes including the Carpet Python, Common Tree Snake, Yellow-faced Whip Snake and Eastern Brown Snake. There are also Common Bearded Dragons and Blue-tongued skinks. (others are listed in the Pedersen Biological and Environmental Report) Again these creatures will be continually disturbed, maimed or killed during the construction of this development.
- 4) Small mammals: Common Ringtail Possums, Common Brushtail Possums and Squirrel Gliders. (others are listed in the Pedersen Biological and Environmental Report) Again all will be under threat during the construction phase.
- 5) Insects: The grasslands would house a wide variety of insect life important to this area.
- 6) The development encompasses part of the Hilliard Creek Wildlife Corridor. This is considered by the Environmental Preservation Society of Queensland as being one of the most environmentally significant waterways of Southeast Queensland. 2004 saw this creek score a "D" in health. Increased development, proposed pathways, jetty (including associated vessel use of the creek) and public access along the corridor will further compromise the health of the creek. At the present time there is very little public access to this area.

Right to Life

- 7) The site adjoins Moreton Bay Marine Park which is an international RAMSAR site. Any site pollution, disturbance of the acid sulphate levels, increase in human activity will compromise this Park, particularly in relation to the extensive seagrass meadows at the mouth of Hilliards Creek. There are wide ranging influences of this site on other wildlife, such as dugongs, migratory birds and fish. Redlands Shire Council Strategic Plan 1998, P9 recognises the RAMSAR agreement as follows: "*recognising national commitments to international agreements, such as the Ramsar Convention on Wetlands of International importance, the Japan Australia Migratory Bird Agreement and other migratory bird agreements in relation to the protection of areas subject to these agreements*". We believe that this development will have an effect on the environment and migratory birds protected by these agreements.
- 8) Units below the Q100 flood line border the Highest Astronomical Tide Level. Runoff from gardening, kitchen waste, water cleansing of boardwalks etc. will go directly into the area that will be washed at some stage with tide water and thus washed back into the creek. This again compromises the health of the creek and the wildlife in this area.

d) Contraventions of the Redland Shire Planning Requirements

- 1) Significant numbers of the unit dwellings are to be built below the Q100 flood line. This would be the first dwellings to be allowed in the Redland Shire below this flood level. It the council going to allow a precedent to be set by these dwellings that will have far reaching consequences for low lying areas in the shire. Division 5, Clauses 16 and 17 within the Planning Scheme refer to filling of land within flood plains and minimum development levels. It appears to be clear that it was never intended that filling (other than a minor amount) occur within flood plains and that buildings are to be kept out of areas subject to flooding. This site is subject to flooding and a large number of buildings are proposed within the area below RL2.4. In fact, the recent Council report Hilliards Creek Flood Study actually gives the Q100 flood line as extending further into the site than on previous maps. Such development of land is therefore not in accord with the intent of Division 5 Clauses 16 and 17 in the Planning Scheme.

Lot 10 where these dwellings occur is also zoned as Drainage Problem land. Under the Town Planning Scheme for the Shire of Redland (1998) P33, it states that, "*Column V. Purposes for which buildings or other structures may not be erected or used or for which land may not be used...Accommodation units...Multiple dwellings*". How does the council justify the use of this land for accommodation units which are also multiple dwellings? Is the council also prepared to take on the liability of these buildings in the future when flooding causes evacuation or destabilising of the foundations?

Right

Lot 1 is also zoned as Drainage Problem. However included on this area of land is a caretaker's residence, respite/visitor units and boat/caravan storage. To use this land, it would most likely require fill which would result in destruction of areas of significant natural habitat value.

- 2) Rural Non Urban Land. Lots 6, 7 and 8 are zoned in this category. Under the Town Planning Scheme for the Shire of Redland (1998) P37, it states "*Column V. Purposes for which buildings or other structures may not be erected or used or for which used land may not be ... Multiple dwellings*". Again, how does the council justify allowing multiple dwelling units to be built on this site?
- 3) Special Protection Area. Under the Strategic Plan for Redland Shire (1998) this "*indicates the location of areas within the main urban parts of the Shire which have been identified as possessing natural environmental qualities worthy of conservation. These include many areas of remnant vegetation which provide important habitat, corridor and visual landscape values. The purpose of the inclusion of these lands in this designation is to retain their natural values. This may be achieved while land is in private ownership though suitable environmentally sensitive use of the land itself or balance areas of the land. The conservation of the environmental values of land in this designation is an essential pre-requisite to Council's preparedness to consider development within or adjoining this designation. This designation therefore represents a constraint to the development of adjoining land and the manner in which it is able to be developed in terms design of roads, services and drainage so as not to impact on land in this designation, and in the purposes in which it may be used.*"

The caretaker's residence, visitor/respite accommodation and the caravan/boat storage area extend into this Special Protection Area. They also destroy the Casuarina forest and wetland area on this part of the site. This proposed use is contrary to the primary intent of conserving and enhancing a Special Protection Area and thus contravenes the Strategic Plan. Council also states in the Town Planning Scheme (P105) that, "*Development which, in the opinion of the Council, would be likely to be in any way detrimental to any designated Special Protection Area shall not be favourably considered.*"

The proposed buildings and car parking do not meet the "Open Space Orientated" preferred dominant land use classification of the Special Protection Area.

Buffer areas between the villas and the Special Protection Area are not adequate, especially at the northern end of the site and thus do not comply with the development constraint introduced to adjoining designations by the Special Area designation on Lot 1.

- 4) Traffic and Safety Issues.

There is a projected number of an extra 300 vehicle passage per day usage of surrounding neighbourhood streets. We believe that the noise and pollution from this will severely impact on our neighbourhood. There is also the impact of the proposed Duncan Street (Turf Farm) Development and further unit development at the southern end of Fernbourne Road. Thus the impact of this development cannot be taken in isolation with regard to the surrounding area.

During the construction phase, heavy vehicles will compromise the safety of the residents and particularly children of the neighbourhood. Construction traffic will also damage vegetation overhanging the street, in particular the Poincianas at the eastern end of Station Street and the Eucalyptus near the entrance site to the development.

We are opposed to any reopening of Valley Road, which has been mentioned in initial talks about the development. It is not an option to solve any traffic problems. At the public meeting we were given assurance by the architects, town planner and Councillor Alan Barker that this would not occur. We would expect the council to uphold this. Valley Road has major drainage problems and when open provided a straight road access to Fernbourne Road for hooning. Council has also just spent a great deal of money providing a concrete surface and drainage to the road.

We believe that the access point to the development in Station Street is appropriate because it has less impact overall on residents of Fernbourne Road who are already going to bear most of the impact from the development.

5) Visual and Privacy Amenities.

The Fernbourne Road precinct is a quiet neighbourhood area with a particular visual characteristic of old homes, relocated homes and modern houses on the most part built to fit into the streetscape. (Please see attached photographs) Modern designed dwelling units that do not take this into account will spoil the visual amenity of this area. At this stage, the building materials and design of all the units, particularly the two storey units on Lots 3 and 4 do not reflect the neighbourhood characteristics.

Units particularly adjoining 19 and 35 Fernbourne Road impact quite dramatically on the privacy and visual amenities of these homes. Number 35 is a long narrow home with all bedrooms and living areas overlooking the proposed caravan/boat storage, caretaker's unit and respite/visitor bungalows. The visual outlook from this house will be severely compromised. As stated before, there is an issue of privacy regarding bedrooms at Number 19.

e) Cultural, Heritage and Residential Issues.

The proposed development area is part of a significant cultural, heritage area that was established when Louis Hope built Ormiston House and began the sugar

industry in Australia. Gilbert Burnett was his engineer/overseer. Burnett built Wepstead Manor around 1850 and began the economic industries that developed Wellington Point. Around 1890, he built Fernbourne House and moved there, continuing to import timber and milling it on site. The tract of land to be developed is recognised as of historical significance by Mary Howell, a local Historian in her research document "Fernbourne Precinct". She begins in a Statement of Significance, "Fernbourne Precinct is a site of cultural heritage significance because of its aesthetic, historical, technological and social significance to past, present and future generations. This is in accordance with the definition of cultural heritage significance in s.4 of the Queensland Heritage Act 1992, and its amendment through s.19 of the Environment Legislation Act 1995, based on criteria a,b,f and g." She lists these criteria as most important "a) The place is important in demonstrating the evolution or pattern of Queensland's history. b) The place demonstrates rare, uncommon or endangered aspects of Queensland cultural heritage and h) The place has a special association with the life or work of a particular person, group or organisation of importance in history." Ms Howell goes on to mention that there are remnants on this site of a tramline, wharf, causeway tramway and jetty and says that, "These uncommon remnants of industrial activity are at risk from future development and from natural decay." Construction of these would have been carried out by Kanaka labour. Casuarina Cottage was built as the fireman's residence as part of the sawmill complex.

The tract of land to be developed is the last remaining farmland that belonged to Burnett and one of the last open pieces of land in Wellington Point. Burnett made an important contribution to the development of Queensland and more specifically to the Wellington Point area and the heritage value of this area should not be underestimated. There are several points of interest on the site itself that should be recognised and saved, but we believe the whole area is of significant historical value to retain without further degradation of the site.

By building too close and in a manner that is not sympathetic to Fernbourne House and Casuarina Cottage, the visual and heritage nature of these residences will be compromised. An effort has been made to retain space around Fernbourne House to enhance its architectural and cultural heritage. Unless there is adequate distance and vegetation separating units on Lots 3 and 4 and Fernbourne House, they will encroach upon the visual nature of the house. In the past, as mentioned, development within the Fernbourne Precinct has largely been in keeping with the historic value of this area. At this point, it would be tragic to destroy that.

Residents in this area moved here because of the unique streetscape, rural ambience and tranquillity. This development means to us – a loss of all of these amenities. We deserve to keep this in tact as much as possible as we were residents here - before development was initiated.

Right

There are some concerns regarding public access to the area. At the present time there is a problem with speeding and reckless driving along Station Street, Fernbourne Road and particularly Bligh Street. We believe that the public car park and upgrade of access to east Station Street would exacerbate the problem further. Access to the boardwalks and creek areas particularly at night time could create opportunity for vandalism and destruction of the environment.

f) Protected Vegetation.

On the boundary of the proposed site are several environmentally protected trees.

1) Cypress Pines: Until early this year, Cypress Pines (under protection order since (12.06.96) planted by the Fairman family lined most of the eastern side of Fernbourne Road. Many of them were lost in a violent storm and it is important to retain the remaining protected trees. Placing buildings, roads, earthworks, paths, gardens or water infrastructure in close proximity to these trees will endanger their lives. They cannot be replaced in our lifetime.

We acknowledge that these trees may not have an extended period of life left as they have been damaged by Energex. However, they are extensively used in the architect's drawings as providing the streetscape for the unit development on Fernbourne Road. With the possibility of these trees being destroyed during another storm it is imperative that the architects acknowledge that their buildings are what make up the streetscape, not the trees. Also with the possibility that these trees will disappear, the developer should provide enough distance and space from the boundary to plant vegetation that will screen the units in the future.

2) Poinciana Tree: On the northern boundary of Casuarina Cottage is a very large Poinciana tree. This tree needs to be protected beyond the drip zone from buildings, roads, movement of caravans and boats, earthworks, paths and other infrastructure. All vegetation at Number 35 (Lot 139) is under a protection order listing that significant trees on this property were planted by Gilbert Burnett, again pointing to the historical significance of this precinct.

3) Tree Protection Area 28: Lot 139 on RP14151 and Lot 1 on RP14171 situated at Number 17 and 35 Fernbourne Road are designated by the Redland Shire Council as Tree Protection Area 28. This covers a large section of the site including the Fairman's residence and much of the land where unit building would occur. Obviously the council in the past has recognised the significance of this land and the vegetation thereon. How can the council justify allowing building on significant vegetation protected land?

g) Greenspace under the 1998 Strategic Plan.

The Greenspace Map that accompanies the Strategic Plan designates Lot 1 on RP14171 as a Marine Vegetation Site. Further, the Rural/Non Urban and

Drainage Problem zoned lots are included as part of the Greenspace Habitat, with Other Major Habitat identified along parts of the Hilliards Creek frontage.

Neither the Planning Report nor the Environmental Report that accompany the application appears to recognise the Marine Vegetation designation over Lot 1. As the Marine Vegetation designation is not overly documented within the Chapter on Greenspace in the Strategic Plan, perhaps proposals for development of these areas are not envisaged.

The proposed development in Lot 1 certainly does not, "*maintain, protect or enhance environmental values*" in this part of the Special Protection Area (Section 5.2.1c) Again, council has obviously put a high value on this parcel of land in the past and seems to be disregarding this in allowing development to occur on this land.

It is not sufficient argument to suggest that poor management and farming techniques in the past, justify development over an extensive area of this site. It would be beneficial to rehabilitate this land as suggested, however, rehabilitation does not make a case for the extent of the development planned, which does not comply with the limited residential component as envisaged under the Specific Planning Intent No. 2 statement.

h) Water Supply.

At this point it has not been determined whether an upgrade of the existing water supply would need to be undertaken to service the proposed development. Servicing the area would be required either down Station Street or Fernbourne Road. Excavation of the footpath would damage existing vegetation, in particular the line of protected Cypress Pines, Poincianas and Jacarandas that line these streets. Again the visual amenity of this precinct would be compromised. It may seem to be a small issue to lose these trees, but to the residents it is very important. There is often a commitment to replant, but these new trees take years to grow and reach the capacity to provide such a beautiful streetscape.

i) Curbing and Channelling.

Fernbourne Road is one of the last remaining, unchanged streets in Wellington Point. The bitumen road is edged with grass, bordered by Jacarandas and other large trees and planted with gardens on the footpaths. Leading down to Hilliards Creek, the road changes to dirt/gravel at the end of the residential strip. To have retained a road like this in a suburban area is very rare and maintains the heritage precinct.

In 1995, the Redland Shire Council decided that it was not appropriate to curb and channel a section of Fernbourne Road, outside Fernbourne House. At the time, the

residents in the street indicated that they wanted to sustain the undeveloped nature of the street and more specifically, the Jacarandas that line each side.

One of the recommendations of the Council in their report responding to the development states that the full length of Fernbourne Road would require to be curbed and channelled. Most of the buildings in the proposed development do not front Fernbourne Road. With the entrance in Station Street and only a walkway joining the unit development to Fernbourne Road, it would appear that there would not be any significant increase in stormwater run-off or transport along the road. Curbing and channelling would destroy most of the Jacarandas as they are very close to the edge of the bitumen. If there was a requirement for increased drainage support, a more sensitive form of construction would need to be undertaken with respect for the streetscape.

Many people enjoy Fernbourne Road as a walking pathway. Children living in the street often ride their bikes, walk and cross the road to visit each other. Wildlife uses the road to access all surrounding areas. Jacaranda trees form an arch over the road in many places. Any heavy traffic, heavy equipment such as cranes and earthmoving equipment would endanger the lives of the pedestrians and children. Damage to the branches of the trees would also occur. When Jacarandas are pruned or broken, the regrowth tends to shoot vertically and spoil the natural form of the tree. (Burkes Backyard Magazine, Nov. 2004) This would visually destroy the street permanently

j) Biting Insects.

Although the council requests information regarding the mosquitoes and Biting Midges, the affect of these insects on the residents of the proposed development cannot be underestimated. Biting insects are a common occurrence for all Fernbourne Road residents, however, when the lower areas are accessed such as Bligh Street and especially after wet weather, the problem increases dramatically. With the introduction of a lake, nutrient pond, 'natural' creek channels will provide further areas for breeding. There is concern that extensive chemical use to control these insects will adversely affect residents and wildlife.

The council, itself, recommends that residences not be placed in areas where breeding takes place. The application notes breeding sites on the development area.

k) Ongoing Maintenance of the site.

At the public meeting held by the developers on Tuesday 30th November, at the Anglican Hall in Station Street, it was stated that ongoing maintenance of the public areas and vegetation zones would be the responsibility of the Body Corporate. It is a huge task to undertake, especially in relation to weed control and maintenance of the boardwalk areas. In the recent development adjoining Jacob

Street, the boardwalk areas are already deteriorating and becoming uneven. Weed control in the natural strip is very poor with a great deal of introduced nutgrass. Not very much maintenance appears to be undertaken in this area at all.

As this development is to be marketed as a retirement village, the connotation of that is for people who are aging, becoming more fragile and losing mobility. Much of the development pathways, driveways etc. centre around timber boardwalks which as they deteriorate will be totally unsuitable for the residents, especially if they require wheelchair/walker access.

We believe that the council needs to ascertain how the ongoing maintenance of the site will occur and have some measures in place to monitor its progress. This development could very quickly become something other than the "showpiece" the developers are planning.

l) Changing Nature of the Development.

We believe that the developers are going to market this project as an over 50's retirement village. Many of the residents will actually be below retirement age, a lot more active and heading out to work etc. each day. It was mentioned that although it is marketed as such, it is against the law to limit the age of the purchasers and people wanting to reside in the units. If the age/nature of the residents changes, there would be dramatic alteration in the impact of the development on the surrounding residents and neighbourhood. The council needs to assess the likelihood of this change of use of the units and make provision in the plans for this, such as dramatically reducing the numbers of units allowable.

m) Closing Statement.

When reviewing and voting on whether the development should go ahead, we trust that you will take into account our views and findings on this matter. There is considerable public objection and this should be duly noted.

Mary and Peter Kamels
19 Fernbourne Road
WELLINGTON POINT Q. 4160

Historic Fernbourne House



Jacarandas lining Fernbourne Road.



Eucalyptus Tree in Station Street.

DSCN1342.JPG 2004/11/02 10:27:53



These photographs were taken during the week 30/11/04 - 4/12/04. at 19 Fernbourne Road, Wellington Point.





Right to Information Release

Photographs of surrounding houses to show
integration of styles into historic neighbourhood.







Right to Information Release



REDLAND SHIRE COUNCIL

DATE RECEIVED

17 DEC 2004

CUSTOMER SERVICE

Mr / Mrs / Ms

Pat
Ross Belford

25 Station Street

Wellington Point

Post Code 4168

Date 10-12-04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT.

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Name

Ross Belford

Patricia Belford

OVER

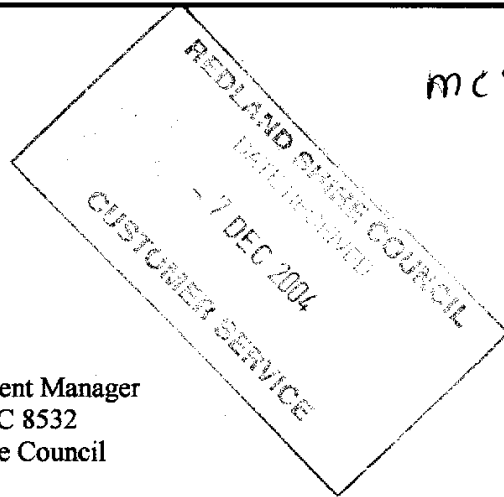
I have lived in this district as a long term resident (almost 70 years) and I have seen, in Cyclonic conditions, a raging sea torrent of water right across this area, up to and above the TX100 line. Any development below this line would be flooded under these conditions. Any development under this line would set a precedent for any similar areas.

The intersection of Station Street with Fernbourne Rd is a dangerous intersection now, let alone what it will be like with another 300 vehicles per day from this project alone (your estimation).

Environmentally this project will be a disaster.



mc 8532



Susan PHILLIPS
29 Burnett St
Wellington Point Q 4160

5 December 2004

The Assessment Manager
Reference MC 8532
Redland Shire Council

Dear Sir/Madam

Re: Development Application:
Fernbourne Road/Station Street by Pretirement Group Pty Ltd

I strongly object to the proposed development of 101 houses and various facilities at Fernbourne Road Wellington Point. My objections are based on a number of grounds, including environmental, social and cultural grounds.

1. Environmental Concerns

Sedimentation

The proposed development is adjacent to Hilliards Creek and borders Moreton Bay Marine Park, internationally recognised as a RAMSAR wildlife habitat. During the construction phase there is a high risk of unnatural sedimentation and adverse water quality as a direct consequence of erosion processes. Recent Seagrass Watch research has shown that the mouth of Hilliards Creek is a heavily utilised dugong feeding ground. Increased sedimentation particularly during construction could have a severe impact on seagrass and the dugong population. It is imperative that any construction carried out encompasses stringent control of site management strategies.

Flooding

Twenty seven homes are proposed for land which is below the predicted Q100 Flood extent line. In addition, several buildings, a swimming pool, boardwalks, lake, jetty, viewing tower and some other facilities are proposed for land which is below the Highest Astronomical Tide level. This means that the area so delineated is likely to flood under **average meteorological conditions** once every 18.6 years. (Harper, B, **Storm tide threat in Queensland: History, prediction and relative risks**. Qld Govt Dept Environment and Heritage, 1998, p2. Emphasis added.) Simply putting buildings and driveways on piers does not appear to address the complex problems associated with inundation, storm surges and polluted runoff.

Wildlife

The land is presently tidal flats, degraded grazing land and salt pan. The proposed development includes plans for revegetation of part of the site using native species, especially koala food trees. I am concerned that whilst revegetation is a desirable outcome for the land, any fauna thus conserved may be impacted by the infrastructure associated with more than one hundred homes. Koalas are often killed by cars or dogs. They drown in swimming pools. They cannot climb some types of fences.

Issues such as safe road and fence crossings for koalas, the impact of lighting on fauna, domestic dogs and cats impacting on fauna, and so on need to be addressed. The information report prepared for Council by Pedersen Biological and Environmental consultants suggested that some tall grasslands need to be retained to provide habitat for avifauna already on the site.

The impact of mosquito and midge management needs to be carefully considered. The use of pesticides to combat biting insects could have a detrimental effect on frog populations and other fauna.

2. Traffic

Existing problems

Inevitably the introduction of one hundred new houses will have an impact on the traffic flows and volumes in the surrounding residential streets. Residents in these streets have been concerned for some time about aspects of traffic management in the precinct. A petition about volume and speed of traffic in Station Street was lodged with Redland Shire Council in 2002. A group of residents in the Whepstead Precinct, encompassing Station, Buckland, Burnett, Alice, Edith and Matilda Streets, lodged a detailed submission to the Council in February 2004 expressing concerns about traffic safety, noise and decreased amenity, and making many suggestions for traffic calming and redirection. (Berrill, Phillips and Sweeney. **Whepstead Precinct Community Report to Redland Shire Council for Local Area Traffic Management**. 2004) Some of their proposals are still before Council, and the group is engaged in an ongoing dialogue with RSC to address the issue. The planned development by Pretirement Group will only compound local residents' concerns.

Volume

Redland Shire Council conducted traffic monitoring in October 2003 and found that Station Street carried an average of about 680 vehicles per day, while Buckland Street carried over 500 and nearby Burnett Street had about 285 per day. The monitoring device in Station Street was positioned near the eastern end, and so did not count traffic which entered either from Burnett Street and exited to Main Road, or which entered from Main Road and u-turned or exited via Burnett Street. Therefore the figure supplied is likely to be an underestimate.

The Pretirement Group's traffic impact assessment uses an estimate of three vehicles per day per residence, which seems conservative given that a standard figure of 5vpd is normally used for houses close to public transport and 8vpd for those far from public transport. Nevertheless, even at the lower figure this would add about 300 vehicles per day to the surrounding streets. While in traffic engineering terms these numbers are considered to be extremely low, in terms of local amenity and safety they have quite a high impact. The developer's consultant on traffic assumes that travellers from the site bound for Cleveland would exit via Station Street and Main Road, however experience and local knowledge tell us that many people already use Buckland Street as a short cut when travelling towards Cleveland. It seems safe to assume that the Pretirement development will add traffic to Station and Buckland Streets at a time when residents are already experiencing unacceptably high volumes. This will be compounded if the development south of Station Street including 54

dwellings, is given approval to proceed; and there is the potential for higher density housing in the surrounding streets, with the associated increase in vehicular traffic.

Safety

▪ **Speed**

Redland Shire Council's traffic monitoring conducted in October 2003 indicated that more than half of the motorists are exceeding the speed limit in Station and Buckland Streets, with a maximum speed of 139km/h recorded in Station St and 96km/h in Buckland St. Even in Burnett St where most vehicles only travel a short distance (<200m) from Station St to Edith St before a Give Way sign is encountered, the maximum speed recorded (85km/h) and percentage exceeding the speed limit (14%) are high. Traffic engineers routinely evaluate safety and amenity through a formula whereby if 85% of vehicles are travelling within 10km/h of the posted speed limit, the traffic is deemed to be safe. Residents feel that the existing speeds and volumes are unsafe and unacceptable. The Pretirement development will impact on these volumes, and there is little reason to suppose that the new Fernbourne Road residents will be travelling at slower speeds than those already documented for the area.

▪ **Heavy vehicles**

There is likely to be a major detrimental effect on surrounding streets particularly during the construction phase, due to heavy vehicles entering and exiting the site. Residents are concerned that speeding cement mixers, trucks delivering construction materials and the like will use "rat runs" of Burnett and Buckland Streets at all hours, creating a safety hazard and loss of amenity.

▪ **Unsafe intersection**

If the proposed development goes ahead, the intersection of Station Street and Fernbourne Road seems problematic. The traffic consultant's report suggests that sight distances are adequate ie meet Australian Standards' *minimum* requirements of 40 metres in a 50km/h zone. Given that actually the Standard lists **80 metres as desirable**, and that RSC surveys indicate that 58% of vehicles travelling in Station Street are exceeding the speed limit, the sight distances appear less than adequate.

The consultant assumes that the majority of vehicles exiting the development will turn left onto Fernbourne Road, but this may not be the case if Council alters the traffic lights which are presently on Main Road near Roberts Street. A proposal is before Council to deal with congestion at Wellington Point State School, and may involve repositioning of these lights or a roundabout. Traffic flows in and out of the Pretirement village may be affected.

Locals know that traffic volumes correspond with arrival and departure of trains at the Wellington Point Station. Vehicles enter and exit the Park and Ride facility via Harris Street, Fernbourne Road and Station Street at peak hours. The potential exists for rear end collisions, since vehicles from Station Street waiting to turn right into the new development are not visible to following vehicles due to the 90 degree bend in Station Street. The addition of a 20km/h recommended speed sign at the western approach to the intersection, as suggested by the traffic consultant, is unlikely to produce compliance among motorists.

- **Hooning**

There is a significant “hooning” problem throughout the district, and the long, straight, spacious appearance of some streets does not discourage this behaviour. Some residents have argued for street scaping which includes landscaping of verges, to try to eliminate this problem. The Pretirement development’s architects, Guymner Bailey Architects, in a statement on Planning and Landscape Strategy for the proposed Fairman’s Village, (June 2004) describe a public gravel based car park to be provided as part of the public facilities: “The car parking is secluded by using natural elements such as vegetation and also by setting it back from the street.” This would appear to offer further opportunities for hooning, already an issue in the district.

3. Visual Amenity

Fernbourne Road is currently a partly paved, tree-lined country lane without kerbing or channelling. The visual impact of this development on the character of the street would be major. Heritage values in Fernbourne precinct will be considerably degraded by the style and number of buildings in the development, because the building style is not sympathetic to the overall ambience of the existing streetscape. Residents whose properties adjoin the proposed development are understandably unhappy about the prospect of very close and high buildings impacting on their privacy and amenity. Noise, lights and domestic pets may all become issues for these people.

One of the defining features of Fernbourne Road presently is the existence of many street trees. Several significant trees may be endangered due to construction work of supply lines, footpaths and the like. The health of the Cypress Pines and Jacaranda trees may be compromised by root damage should upgrading of water supply pipes be required. The large old poinciana on the fenceline at 35 Fernbourne Road would need to be adequately protected.

4. Ecologically Sustainable Design

I am concerned that the proposed dwellings in the Pretirement Village do not appear to incorporate best practice for ecological sustainability. For example, what star rating with regard to energy efficiency do the buildings score? Prospective changes to legislation mean that five star energy efficiency will become mandatory in the near future. Have the dwellings been modelled in a computer simulation to confirm their compliance with existing legislation? Will passive solar design features be sufficient to discourage the installation of energy guzzling and noise polluting air conditioners? Will they have solar hot water systems, and if not why not; and will there be a covenant preventing their future installation? Is there provision for solar drying of laundry (ie clotheslines) rather than energy intensive electric clothes dryers? Will the houses have rainwater tanks?

The Redland Shire Council’s Strategic Plan identifies this parcel of land as part of Specific Planning Intent No.2, and states a preference for any proposed development “to optimise both the opportunities for environmental protection and enhancement and the potential for appropriate development within the environmental, planning and infrastructure constraints of the area.” I interpret this to mean that principles of ecologically sustainable design must be incorporated, and this would encompass the

energy efficiency, solar hot water systems, rain water tanks and other relevant features mentioned above. It is not clear to me that this is the case in the proposal by Pretirement Group.

5. Other issues

Long term maintenance of public recreation areas

The developers suggest that the body corporate fees from residents of the pretirement village will be sufficient to cover costs of maintenance of the property. However it is not clear whether this will include the public recreation areas, particularly in the longer term. Weed management, for example, may become an issue in future, as could the maintenance of proposed public bikeways, viewing platform, jetty, tennis court, croquet green, boardwalk, car park and pathways. How will access to these facilities be managed? Will Redland Shire Council (ie ratepayers) be paying for the upkeep of these facilities in the long run?

Future developments/direction

I am anxious to establish whether or not there is any guarantee about future directions for expansion after the developer has sold off all the dwellings in the village. For example, will revegetated areas be protected from any future residents' proposals for further development? Will the developer be able to give an assurance that cats and dogs will not impact on the wildlife that will be attracted by this revegetation? What mechanism will ensure these concerns can be addressed?

Conclusion

I object to this development proposal on the basis of a number of concerns, including environmental concerns, especially in relation to run off and flooding issues; impact on wildlife; impact on traffic volumes and flows in the surrounding streets; impact on visual amenity; lack of consideration of ecologically sustainable design principles; and a lack of assurance about future directions of the development. The development should definitely not proceed in its present form.

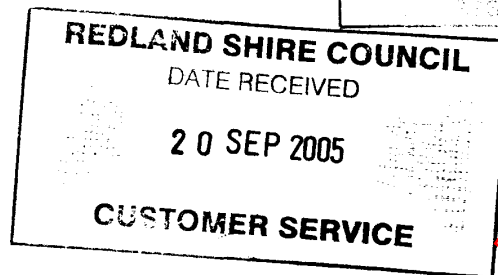
Yours sincerely



Susan PHILLIPS

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

20 September 2005



RECEIVED
20 SEP 2005
Development
Assessment

Re: Development Application MC8532 - Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 RP14171)

Submission in relation to amendments to the original application, subsequent to the public consultation period.

Dear Sir/Madam,

Since our original submissions to Council regarding the development application MC8532, there has been some replanning and redesign of the proposal and further responses made to issues that were raised by the community and by the development assessment officers. We wish to take this opportunity to outline some of our outstanding concerns and re-iterate the importance of achieving a successful long-term outcome for the local community.

The following sections detail some of these continued concerns:

Risk of Flooding

The latest plans associated with this development proposal show some reconfiguration of the site in response to concerns raised about building below the Q100 flood level. In response to these concerns, the latest proposal has reduced the number of units at the northeast corner of the site, but increased the footprint at the southeastern end. In response to questions asked by Council, the developer has argued that the buildings at the southeastern location are 'only just' over the Q100 line. We believe that this is simply not justifiable. We wish to highlight the fact that building over the Q100 is a safety risk for residents. In particular the use of the site by the more elderly community effectively increases the likelihood of injury and illness if such a flood should occur. It should also be considered that the building of houses on stilts over the flood line potentially makes the rescue of elderly people dangerous during a significant flood. This would severely impact on the ability of rescue services to perform their duties. With the recent events in New Orleans, it should be remembered that a primary purpose of the Q100 limit is to ensure the safety of residents as well as minimise the impact of urbanisation on waterways.

Pollution from Runoff

The developers have proposed that the primary means of controlling pollution and sediment runoff into Hilliards Creek (the boundary for the Ramsar-listed Moreton Bay Marine Park) are by the implementation of (i) swales to trap sediment and (ii) a lake on the site. We would question the suitability of these two mechanisms at this particular location due to the lack of permeability in the soil on this site and the shallowness of the slope leading towards the creek. Swales will simply channel the runoff from houses and roadways directly into the creek with minimal retention of sediments and nutrients. The lake, to be effective, will have to provide adequate residence time to retain sediments and nutrients and furthermore need active management (dredging and plant harvest) to be effective. This will be a costly exercise to ensure that the lake does not become an high nutrient, low oxygen environments, with the potential for toxic algal blooms, e.g. *Microcystis* and fish kills.

The developers have proposed to build three dwellings in an area under Special Protection, on the edge of the Northern corner, quite some distance from the main site (Lot 1). At most, the designation

represents an opportunity for low key recreational pursuits which do not cause undue adverse impacts on the environmental values of the land. Additionally the SEQ RCMP appears to identify the area as containing a significant coastal wetland under policy 2.8.1, 2.8.2 and 2.8.3. (Areas of state significance natural resources - the policy provides that development in or within 100 m of such an area must protect, maintain and enhance the coastal resources and values, maintain and protect the extent and diversity of significant coastal wetlands within the SEQ region including rehabilitation of disturbed areas and addressing cumulative impacts, and provide a buffer, and that water quality is maintained. Local government planning schemes are to identify significant areas and land within 100m and include them within open space or conservation networks and identify compatible development that will maintain, protect and enhance these areas). The development proposal shows no buffer between the 2 units and managers residence, and the immediate drop-off leading to the waterway on the northern end of the development.

Mosquito control

In response to issues raised regarding the control and impact of mosquitos, the developers have suggested that education and careful design are the two key methods to be used. However, given the issue previously raised regarding the permeability of the soil and the slope of the site, it is difficult to imagine that ponding will no longer occur. We also believe that education of the residents regarding the presence of effects of mosquitoes (and sand flies) is not an effective measure to reduce the impact of the problem on this site.

Environmental Corridor

The latest plans from the developers identify a tree corridor that traverses the centre of the site. The primary corridor is specified as 10 metres wide and is intended to increase koala movement from north to south. We feel that this 10-metre corridor is completely insufficient in two respects:

- Most koala food trees of reasonable size will have a spread of well over 10 metres. This means that any substantial trees in this corridor will overhang the planned residences. Given the real and perceived safety issues associated with overhanging eucalyptus trees, this will likely cause the removal of substantial trees and branches in this corridor making its value worthless.
- Secondly, the assumption appears to be that koalas (and other wildlife) will be able to map their way along the corridor to traverse the site. Such route planning is unlikely to occur and we contend that koalas will not restrict their movements to this facility. This issue is in addition to the fact that the corridor traverses the centre of the site, meaning that koalas are expected to navigate their way across the central thoroughfare and over a traffic roundabout.

Body Corporate Control of Environmental outcomes

The suggested proposal for managing many of the environmental outcomes for this site is to be the implementation of body-corporate regulations. Such regulations would apply to the control of pets, the control of litter/pollution and the preservation of flora (including the prevention of weed encroachment). We suggest that policing of such policies by the body corporate is unlikely to be effective. In the event of an environmental incident occurring, the body corporate is unlikely to take the risk and expense of taking action against any of its residents, meaning that offenders are likely to continue breaches and environmental issues continually compromised.

Traffic control

Traffic in the area is already of concern to residents surrounding Wellington Point Station. Access to both this proposed development and the proposed "turf farm" development is via a very narrow, steep intersection of Station St and Fernbourne Rd. In order to control the speed of traffic approaching this intersection, the developer's traffic consultant has proposed the implementation of a speed bump. The implementation of a speed bump will be ineffective, dangerous and trivializes the need for a much more comprehensive traffic plan for the entire neighbourhood.

Unit design and density

We have previously made known a number of concerns regarding the size and design of the units proposed on lot 3 RP216889 and lot 4 RP908452. We particularly wish to highlight that the design of these units does not present an acceptable façade to the street, compatible with other residences style and mass.

We also wish to highlight again the inappropriate density resulting from these units. Whilst the medium density zoning allows for up to a maximum of 100 people per hectare, however the current proposal still has 186 people per hectare on lots 3&4. We believe that the density must be calculated on the area to be developed, not the total site, and should take into account the surrounding environment where the density is significantly lower.

Reconfiguration of the site

The units on lot 3 RP216889 and lot 4 RP908452 contain the highest density areas in the proposal. We believe it would be more appropriate to house the high density units in the central or southern areas of the site, to minimise traffic movement through the site and provide a more substantial central hub to the village. Further, by relocating the high density units to the core of the village, the density in Lots 3 & 4 could be reduced to bring them into context with adjacent residences and the Fernbourne Rd streetscape.

Summary

It is clear that if this development is to be successful, there need to be numerous controls and conditions in place. Many issues have been raised that impact on the proposal's viability:

- Flooding
- Pollution
- Conservation of koala and other wildlife habitat
- Mosquito control
- Traffic control
- Design and density

Whilst each of these issues in isolation may be addressed, it is the synergistic combination of issues that makes the current proposal a high-risk proposition. **We believe that overall risk for this venture is too high to be acceptable to the community and the sensitive environment in which it is situated. We believe that the most likely outcome is the loss of amenity to both residents and neighbouring houses, the permanent loss of the land's environmental qualities and a potential cost to the community for amelioration or rehabilitation.**

This potential failure must be set against the overriding need for this development. We understand and support the desire for Council's to encourage more dense development around transport hubs, but there is no need for a development of this size in this particularly sensitive location. A much reduced or re-located development are more acceptable solutions.

We have sought independent advice on the legal and planning issues, which has been obtained via the Wildlife Preservation Society of Queensland (Bayside Branch) who have contracted relevant professionals to provide such advice. These more detailed comments are attached as they further support our continued concern.

We hope you will consider these issues when assessing this proposed development application.

Regards.

Michael Bailey (on behalf of the following residents)

35 Fernbourne Rd
Wellington Pt Qld 4160

Paul Gilders, Gillian Cooney, Michael Bailey, Shane Wynter-Bailey, Graham and Ellie Carter, Mary and Peter Kamols, Cris and Tracy Kerrison, Peter Rothlisberg and Michele Burford.

cc. Cr Don Seccombe, Cr Alan Barker,

Minister for Local Government & Planning and Environment, Desley Boyle
Attachment

RE: Pre-retirement Village, application number MC008532

Further to the previous submissions of WPSQ (Bayside), and those of concerned residents, we take this opportunity to summarise the issues involved in the assessment of this application. This application should be refused because there are significant conflicts with the Redland Shire Strategic Plan, Planning and Development Policies and State Planning Policies, and there are no good town planning grounds to justify approving the application despite the conflicts. There are also serious environmental issues, and problems due to development below HAT/Flood line, unit development design, traffic and risk.

Succinct details of these conflicts and issues are provided below.

Conflicts with the Redland Shire Strategic Plan

The proposed development

- Is inconsistent with and cuts across the intent of the Strategic Plan. It does not form part of a logical or consistent pattern of development as it encourages significant urbanization contrary to the obligations and desired outcomes enunciated under SPI No. 2. The residential duplex buildings on the bulk of the site are not 'limited development'.
- Threatens significant environmental values and is inconsistent with the objectives of the Strategic Plan:
 - 3.1.1 Environmental Protection Strategy
 - 3.1.2 Ecological Sustainable Development
 - 3.2 Urban Form
 - 3.3 Community Development. Particularly Objective (i) "*maintaining and enhancing the character of the Shire by preserving those areas identified in Section 5.0 Greenspace.....as important to the overall character and image of the Shire.....*"
- Results in an over development of the subject land. The development intensity is significant and inconsistent with the Strategic Plan.
- Undermines the local and Shire's unique character.
- Compromises Green Space values as per RSC Greenspace mapping.
- Is incompatible development for Koala Conservation as per Interim Guidelines on Koala Conservation adopted under the SEQ Regional Plan and supporting local government planning instruments.
- May have a negative impact upon matters of state and national interest, particularly disturbing Avifauna of National Interest (EPBC Act) and possibly species such as the Illidge's ant-blue butterfly, *Acrodipsas illidgei* listed as vulnerable under the QLD Nature Conservation Act.
- Compromises the Redland Shire Corporate Plan Objectives 1.1 To protect, maintain, and rehabilitate environmental values and biodiversity; and Objective 1.2 To ensure the sustainability of the Shire's koala population.

Conflicts with the Redland Shire Planning & Development Policies

The proposed development

- Conflicts with local planning policies. Particularly, the objectives of the Redland Shire Council Local Planning Policy, *Waterways, Wetlands and Coastal Zone and Development in Areas having Bushland, Scenic Landscape or Cultural Heritage Value. (ENPE015)*
- Compromises the Redland Shire Koala Conservation and Management Policy and Strategy (Aug 2002).
- Heritage values are detrimentally affected by incompatible design and a lack of appropriately detailed heritage design street frontage.

- The multiple dwelling components (Lots 3 & 4) have a density calculated over the whole development area rather than the land zoned for that purpose.
- The Council is not able to approve a 'Pre-retirement' development. It is either "Multiple Dwellings" or "Retirement Village". It must fit in within the definitions of the Planning Scheme.

Conflicts with State Planning Policies

The development

- Cuts across the intent and specific objectives of the State Planning Policy 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslip. Specifically:
 - Outcome 1; Development is compatible if *"there is an overriding need for development in the public interest and no other site is suitable and reasonably available for the proposal"*. There is available land available in the near vicinity and there is no overriding need for the development on the subject land.
 - Annex 4, Specific Outcomes:
 1. Development maintains the safety of people..... from floods,
 2. Development does not result in adverse impacts on peoples safety
 3. Development minimises the potential damage ...to property
 - The placement of residents within the flood prone area places at risk the residents (particularly if they are elderly) and Emergency Services personnel (again particularly with elderly residents).
 - There is no public interest or overwhelming need to place residents in flood prone areas or fill the land.
 - There is no indication of where the Q5, Q10 or Q20 flood lines are and hence the impacts on the residents at the time of these events.
- Conflicts with the Interim Guidelines on Koala Conservation adopted under the SEQ Regional Plan. It promotes development recognized as incompatible with Koala Conservation. The SEQ Koala is recognised as regionally vulnerable. The proposed development is inconsistent with meeting the objectives of the guidelines and the management intent for vulnerable species as enunciated under the QLD Nature Conservation Act.
- Cuts across the intent and specific objectives of the Draft SEQ Regional Coastal Management Plan ("Draft Plan"). When finalised, the Draft Plan will have the legal status of a State Planning Policy under IPA, meaning Council must have regard to it when assessing development applications. The Draft Plan identifies the area as containing a significant coastal wetland under policy 2.8.1, Areas of state significance - Natural Resources. This State Policy provides that development in or within 100 m of an area of state significance must:
 - protect, maintain and enhance the coastal resources and values,
 - maintain and protect the extent and diversity of significant coastal wetlands within the SEQ region including rehabilitation of disturbed areas,
 - address cumulative impacts, and
 - provide a buffer.
- The area is identified as a significant coastal wetland under policy 2.8.2 Wetlands, and 2.8.3 Biodiversity of the Draft Plan. Policy 2.8.2 requires that development within the wetland or 100m of the wetland protects and enhances the extent and diversity of naturally occurring coastal wetlands within SEQ region; that rehabilitation occurs to degraded wetlands and cumulative impacts do not affect the wetland.
- Cuts across the Interim Guidelines on Koala Conservation adopted under the SEQ Regional Plan; in that the corridor of movement is limited to a ten (10) metre corridor. This corridor is not of sufficient width for sustainable food trees or free movement. In addition, roads and roundabouts to this medium density development fragment the proposed corridor. (Refer to Wildlife Corridor below).

Environment

- A ten (10) metre Koala movement corridor is not sufficient space to accommodate more than single a tree placement. These trees are likely to have a canopy width greater than the corridor and overhang residences. Subsequent limb loss and residents concerns will require the lopping of these trees and this is not sustainable for the trees.
- Koalas do not move in a linear fashion. They are territorial with a roaming movement pattern.
- The movement of Koalas is exacerbated by the fragmented nature of the corridor and the likelihood of pets.
- Council or the body corporate is not able to prohibit the residents from having either cats or dogs.
- Midges and mosquitoes- advice to residents is not an effective measure
- Landscaping of the site does not constitute an improvement of the natural environment, particularly when fragmented by medium density development and roads.
- The valued acacia stand (north east and abutting the caretakers residence and two (2) unit development) is marked for partial clearing in the landscape plan.
- The driveway to the caretaker's residence and two units are located under the canopy and over the root area of the Poinsettia tree located at the boundary of Casuarina Cottage. Notwithstanding this tree is protected by Council and has been the subject of previous discussion the proposal retains elements that need amendment and reflects the proposal's inconsistent treatment with the known values of the site.
- The stormwater management of the site neglects the fact that the site soils are predominantly clay. These soils do not permit percolation and infiltration of stormwater. In conjunction with the use of swales for filtration (?) and flow management, this conflicts with the need to limit mosquito and midge breeding.

Development below HAT/Flooding

- As previously noted the development cuts across the State and Draft SEQ Regional Coastal Management Policy.
- Flooding 1:5, 1:20 events are not known. Residents concerns will be unnecessarily heightened.
- Aged persons (or any persons) should not be placed at risk.
- Residents will want to use under houses for storage and other activities. Notwithstanding, likely damage to effects landscaping or other soil protection materials will be impacted and will likely affect the environment.
- There is no overwhelming need or good town planning grounds to place development in flood prone land or below HAT.

Unit Development Design

- The design of the units fronting Fernbourne Road is not in keeping with the single residential streetscape. The façade does not reflect the appropriate bulk, size or shape for heritage properties and the side elevation is inconsistent with surrounding properties.
- The calculation of density for the unit site is not in accordance with Council Planning Policy.
- The location of the highest density at the end of a (on site) cul-de-sac draws the highest volume of traffic through the site to the detriment of the internal movement of vehicles.
- There is inadequate manoeuvring pavement on site and garbage vehicles will need to reverse. This is possibly why the refuse area is fronting Station Street (east). Residents will need to carry refuse several hundred metres.

Traffic

- The broader road network will be detrimentally affected, as advised by the applicant's traffic expert. Sight distances to Station Street are inadequate (at the lowest possible level of acceptance

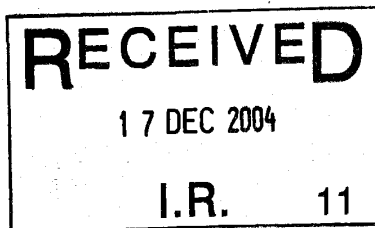
for a speed unlikely to be sustained) and works (a speed bump) are proposed for Station Street west of the railway line bridge. This is undesirable for a public road on a curve, particularly when traffic volumes are to increase along this road because of this and likely future development.

- As Council is not able to approve a pre-retirement village, it needs to qualify whether it is a nursing home or multiple dwelling and evaluate it within the appropriate policies, traffic volumes, etc.

Risk

- The cost of maintenance to the site (environment, landscape and facilities) will place at risk its viability as a pre-retirement or other form of development. This places the environmental values and liveability of the development at risk.
- If a development consent is considered, each of the valued features of the site and surrounding community (amenity, environmental, safety and financial) will be compromised and the sustainability of the site as a pre-retirement village and the environment will be unnecessarily placed at risk.
- The approval of the development will set an unnecessary precedent to development which cuts across the stated values associated with flood prone land, the heritage and streetscape of the neighbourhood, the terrestrial and marine environments, and the acceptance of medium density development within very marginal residential land.

This application should be refused because of significant conflicts with the Redland Shire Strategic Plan, Planning and Development Policies and State Planning Policies, without good town planning grounds to justify approving the application despite the conflicts. There are also serious environmental issues, and problems due to development below HAT/Flood line, unit development design, traffic and risk as identified above.



M/Mrs / Ms D & G BANKS
28 DUKE ST
WELLINGTON POINT
Post Code 4160
Date 14.12.04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

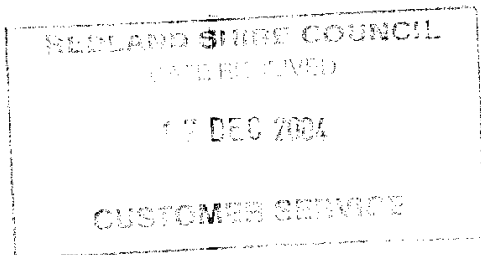
Sincerely,



G BANKS
Name D BANKS

We are disgusted to think that this development might be considered. In the 3½ years we have lived in the shire we have seen numerous koalas + other wildlife in this area. We would also question how this can be built on the edge of a protected wetland. What effect would the construction have on Milliards Creek? What is the use of having wildlife corridors or protected areas if they are going to be ruined by development.

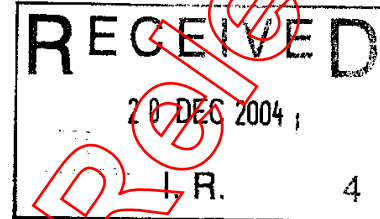
Right to Information Release



Mr P Bayton & Ms W Brown
10 Station St
WELLINGTON POINT Q 4160

15 December 2004

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND Q 4163



Dear Mrs Rankin

OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT FERNBOURNE RD, STATION ST AND BLIGH ST, WELLINGTON POINT

I write to you as a concerned resident of Redland Shire regarding the above proposed development. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular, my concerns centre on the following:-

Increased Traffic

We have two children, 6 & 7 yrs old, who will not be able to play safely near the road or ride their bikes. As it is, traffic on Station St is already busy enough with the train station and the local 'hoons' who speed up and down the street.

The 42 bay public car park

My concern is, will this area become another 'meeting place' at night time for the younger generation and their loud cars, like the reserve at Wellington Point, which became a problem for the local residents.

Effect on Koalas

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the

more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Effects during construction period

Increased traffic and large trucks back and forth everyday on Station St will be noisy and potentially hazardous for the residents.

Biting Insects

The council will have to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Rd and Bligh St (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the declaration to "maintain, protect or enhance environmental values".

Yours sincerely

Peter Bayton

Wendy Brown

Return Address

Mr/Mrs/Ms

Bickell

1373 Main Road

Wellington Point

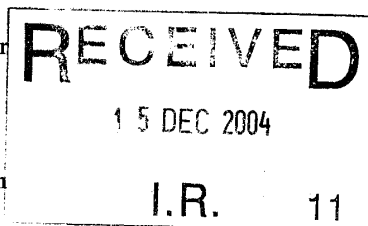
Post Code

4160

Date:

11.12.04

The Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND Q. 4163



Attention: Ms Susan Rankin

Dear Ms Rankin,

**OBJECTION TO PROPOSED RETIREMENT VILLAGE, 13 FERNBOURNE ROAD, WELLINGTON POINT
APPLICATION REF. NO. MC008532**

I am writing to object to the above application. This development will have a negative impact on the Whepstead/Fernbourne Precincts, causing - an increase in population and traffic; a loss of visual amenity; and an affect on local wildlife, environment, streetscape, residential and heritage values. We are submitting an objection to the above proposal for the following reasons:

1. Cultural Heritage of Whepstead and Fernbourne Precincts.
RSC requires multiple dwelling developments to, "compliment heritage and character items and their settings in the surrounding neighbourhood." Design and materials of buildings do not reflect the character of the surrounding neighbourhood and in particular heritage homes, Fernbourne House and Casuarina Cottage. Recent multiple dwellings, new homes and relocated houses have added to the areas 'Queensland design' appeal.
2. Protection of Wildlife in the proposed area.
 - a) It is an incompatible development with Koala Conservation as per State Planning Policy 1/97. The southeast Queensland koala population is recognised as regionally vulnerable and requiring protection under the Queensland Nature Conservation Act. There is significant koala activity on the edges of the development and we are concerned about the fragmentation of koala movement.
 - b) The proposed development is adjacent to Moreton Bay Marine Park and an internationally listed RAMSAR wetland site and will impact on the high diversity of bird species in this area.
 - c) Hilliards Creek is an important wildlife corridor, home to a wide range of vegetation and aquatic plants. This development will impact on the creek which already has a "D" health rating through increased human activity and stormwater drainage.
3. Traffic
 - a) Increased traffic will affect the noise and safety levels of the surrounding streets. An increase of an extra 300 car trips per day from this development and additional car trips from the Turf Farm development (if approved) is an unacceptable level of increase in a short time frame.
 - b) Construction Traffic will affect the safety of pedestrians in the area, increase noise levels dramatically and damage the trees overhanging Station Street. There is concern that the site works will pollute Hilliards Creek. Redland Shire Council, "ensures site works are consistent with the site's characteristics and do not adversely impact on adjoining properties or the environment." (Design Element 11) We believe the construction phase will adversely impact on this residential area.
4. Contraventions of the Redland Shire Planning Requirements.
 - a) A considerable number of units are to be built beyond the Q100 flood line and on land designated as drainage problem. (Lot 1, Lot 10) This is not considered appropriate under the Town Planning scheme for the Shire of Redland. (P33)
 - b) Rural Non Urban Land (Lots 6,7 &8) Town Planning Scheme (p37) states that this land should not be used for multiple dwellings yet this development incorporates this.
 - c) Special Protection Area (Lot 1) The Caretaker's residence, visitor/respite accommodation and caravan/boat storage area extend into this Special Protection Area. Also there would be a negative impact on the Casuarina Forest and wetland area. This use would be contrary to the primary intent of conserving and enhancing a Special Protection Area.

- d) Special Planning Intent No. 2. (Lots 6,7,8,9 and a significant proportion of Lot 10). Under the Strategic Plan, it is "considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component." Quite clearly, the proposed development does not include a limited residential component (105 units), with buildings and car parking extending beyond the limits of the Specific Planning Intent No 2 designation and into the Special Protection Area designation.
- e) It is clear that there are problems with this land and that the development density of the buildings are being pushed onto higher land and thus compromising the normal urban density allowable for that specific site. Lots 3 & 4 have a combined area of 0.2683ha and a population density of 192 people per hectare, that is, 92 people greater than the zoning density allowable of 100 persons per hectare on Res B. land.
- f) To add 105 units (25 unit blocks, 26 two-bedroom villas, 50 single bedroom villas, 2 respite bungalows, 1 manager residence, 1 caretaker residence) into a quiet suburban area is contrary to the visual and privacy amenities of existing residents. The proposed development on Duncan Street (Turf Farm) and further unit development will also increase the population dramatically and thus this development should not be considered in isolation.
- g) It is important to retain the character of the streetscape, however buildings with a length of 50 – 60 metres in length and 2/3 storeys high do not enhance the street at all. In the Residential Code for Multiple Dwelling Development it states that "multiple dwelling units have a maximum articulated building length inclusive of roof of 25 metres along side and rear boundaries." The design of the units on Lots 3 & 4 does not comply.
5. Open Space
- a) This is the last remaining open space corridor of land in Wellington Point. It allows a unique opportunity to reinstate the natural bushland and creek environment that has been destroyed through farming. To have a wildlife haven where creatures can live and breed without human intervention would be of long term benefit to the Shire and future generations. It would provide long term protection for the RAMSAR site and feeding grounds of the Dugong. From this ecologically sustainable area, wildlife could then spread into the surrounding suburbs.

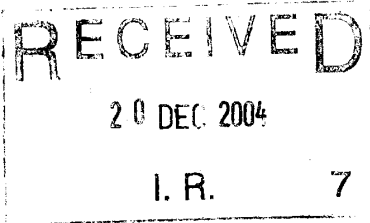
My personal views about this development are:

Continued development will ultimately lead to Wellington Point being a less desirable place to live.

In conclusion, we believe that in the current state, the development is not suitable for this area and trust that you take our concerns into consideration when you respond to the application.

Yours sincerely,

[Redacted Signature]



Mr./Mrs./Ms CHRISTINE BRUNELL
30 FREDERICK ST
WELLINGTON POINT
Post Code 4160
Date 15/12/04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature

C A. BRUNELL
Name

In the past 7 years we have seen
way too much development in
this ~~year~~ area. It is turning from
a very peaceful village into a
very noisy + busy place. We have
noticed that the amount of
wildlife, which was very much
an attraction to us, is diminishing
and changing. Please stop
destroying our environment and
our children's future environment.

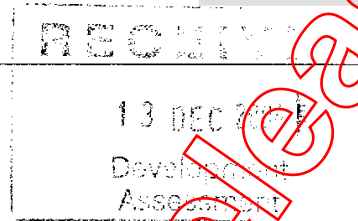
Yours hopefully

[Redacted signature]

Ms Rhonda Bryce
57 Hilliards Park Dr
Wellington Point Q 4160

8 December 2004

The Assessment Manager Reference MC 8532
Redland Shire Council
PO Box 21
Cleveland 4163



Submission in respect of Development Application: Fernbourne Road, Station St Hilliards Creek

Whilst the Developer's plan contains some features which are commendable I ask that the following be considered:

1. In accordance with s 4 of the *Queensland Heritage Act 1992* and its amendment in s 19 of the *Environment Legislation Act 1995*, the Fernbourne Precinct is a site of "cultural heritage significance" (see "Statement of Significance", pp 58 to 60 from *A History of Fernbourne Precinct Wellington Point* by Mary Howells, The University of Queensland, 1997, Appendix A & B). It is my view that the Development Application should address the cultural heritage significance of the area and support the need for a Conservation Plan to be completed by the Redland Shire Council. Also, the Development Application should demonstrate that the visual amenity of the sight is retained for the public.

2. Consideration of the Development Application by the Redland Shire Council should acknowledge the anticipated approval by the Queensland Parliament of the Public Health Bill 2005 whereby mosquito and midge areas that contribute to human health risks may be declared unsafe lands (contaminated land) that should not be sold or developed. The proposed buildings over the Q100 line might contravene this requirement.

3. I propose that,

The Redland Shire Council with the assistance of the Queensland State Government arrange for the purchase of the freehold properties on the north side of Bligh St (the first offer I believe was unsuccessful) and also the land relating to the proposed turf farm in Duncan St. to be used as part of an environmental wetland (similar to the Boondall Wetlands) incorporating the Geoff Skinner Reserve, the public area as indicated in the Development Application (after restoration by the developer) and the Council's volunteer Bushcare area in Station Street. (A conference facility and an entry fee administered by an onsite ranger could support the cost of the management of the site.).

Yours sincerely



CHAPTER 5

Statement of Significance

Fernbourne Precinct is a site of cultural heritage significance because of its aesthetic, historical, technological and social significance to past, present and future generations. This is in accordance with the definition of cultural heritage significance in s.4 of the Queensland Heritage Act 1992, and its amendment through s.19 of the Environment Legislation Act 1995, based on criteria a, b, f and g.

a) The place is important in demonstrating the evolution or pattern of Queensland's history;

i) The history of the site and associated land has links to two pioneers of south east Queensland. The land was initially part of Louis Hope's sugar plantation. Burnett first leased this land in 1875 and bought it in 1881. He continued sugar growing and milling, with Kanaka labour. He later turned to timber getting and milling and it was during this era, from 1884 to the mid 1890s that this was the major industry of the area. The causeway, mound, wharf and jetty remnants date from about 1884-5. The history of the site demonstrates the shift from the sugar industry to timber, and the accompanying shift from Kanaka to white labour.

ii) The timber mill was described as the largest country mill in Queensland in the 1880s and was the basis for the development of the region. The mill provided timber for housing and construction locally and in the southern suburbs of Brisbane. It also provided local employment, as well as contracting timber getters in the Albert and Logan catchment areas, and at Kilcoy. The physical remains of the tramway mound, causeway, wharf and jetty stumps are evidence of the extent of the industry and the access to and from the mill.

iii) The metamorphosis of the freehold land from sugar production, to timber milling, fruit growing and dairying, demonstrates the evolution of primary production in this area and in south east Queensland generally. The ongoing attempts to develop the Reserve into a marina, boat harbour or canal estate, indicates the developmental and business enterprises based around leisure and tourism during the 1960s and 70s.

iv) The Queensland Government's decision to situate the railway line and the Wellington Point Station adjacent to the sawmill, demonstrates the historical importance of the site in terms of regional development, and the growth of railways generally in Queensland in the 1880s.

b) The place demonstrates rare, uncommon or endangered aspects of Queensland cultural heritage;

i) While the section of the causeway on Recreation Reserve 244 has had minimal impact from urban development, it has the potential to suffer further from wind and water erosion and from human activity. The remains of the tramway on the freehold land appear only as a grassy mound. Whilst there is no apparent evidence of the mill itself, which was described as innovative in its heyday, the timber access to and from would certainly have been either via the wharf and its tramline or the causeway tramway and jetty. These uncommon remnants of industrial activity are at risk from future development and from natural decay.

h) The place has a special association with the life or work of a particular person, group or organisation of importance in history;

i) This precinct has a special association with Gilbert Burnett who was an important member of the Redlands community from the time of his employment at the Redland Bay sugar mill in 1869. He had associations with various other mills in the area which culminated in the establishment of his own mill around 1876 on this site in Wellington Point. During this time Burnett was also actively involved in local government as a member of Tingalpa Divisional Board. He successfully engineered the establishment the Cleveland Divisional Board in 1885, and briefly held the position of Chairman. His sugar mill and the subsequent timber mill provided the basis for development in the region, particularly in Wellington Point. Burnett was the driving force behind this enterprise through both his private business and local political involvement. The physical evidence of milling activities are evident in the causeway, mound, jetty and wharf in this precinct.

ii) It is likely that the construction of the tramways, causeway, jetty and wharf were carried out by Kanaka labour. The input of these people into local and regional development should be recognised, and the preservation of the remaining earthworks associated with this construction will assist in this process.

iii) The urban development of the area may be attributed to Gilbert Burnett who subdivided the land around his sawmill for housing. His subdivisional activities

gradually spread further afield in the district, with the success of the mill partially dependent on the sale of the urban land.

- iv) The dedication of the Recreation Reserve 244 can be attributed to Gilbert Burnett and some of his associates. Had this area not been a dedicated reserve for public recreation, it is unlikely that the causeway would still be evident today.

Conclusion

As suggested in the statement of significance, the Fernbourne precinct is an industrial site of cultural heritage significance to south east Queensland. Not only does it have links with the first sugar plantation operated by Louis Hope, but its transformation into a sawmill in the early 1880s by Gilbert Burnett was the catalyst for further growth in the region. The mill provided timber for housing locally and in the southern suburbs of Brisbane. It provided local employment as well as employing timber getters in the Logan and Albert catchment areas as well as at Kilcoy. It is also possible that the remains of the mound, causeway, wharf and jetty, were the results of Kanaka labour, as it would seem that this construction was completed before they left the employ of Gilbert Burnett. The importance of the sawmill was recognised by the Queensland Government when planning the Cleveland branch railway and the route was eventually situated with access to the mill and the associated settlement in mind.

The development of the farm from sawmill to orchard and then a well designed and successful dairy, demonstrates the changes that were occurring in rural industries earlier this century. Similarly, the ongoing attempts to develop a marina, boat harbour, and canal estate on the reserve, reflects the shift towards the growth industries of the 1960s and 70s which were based around tourism and leisure.

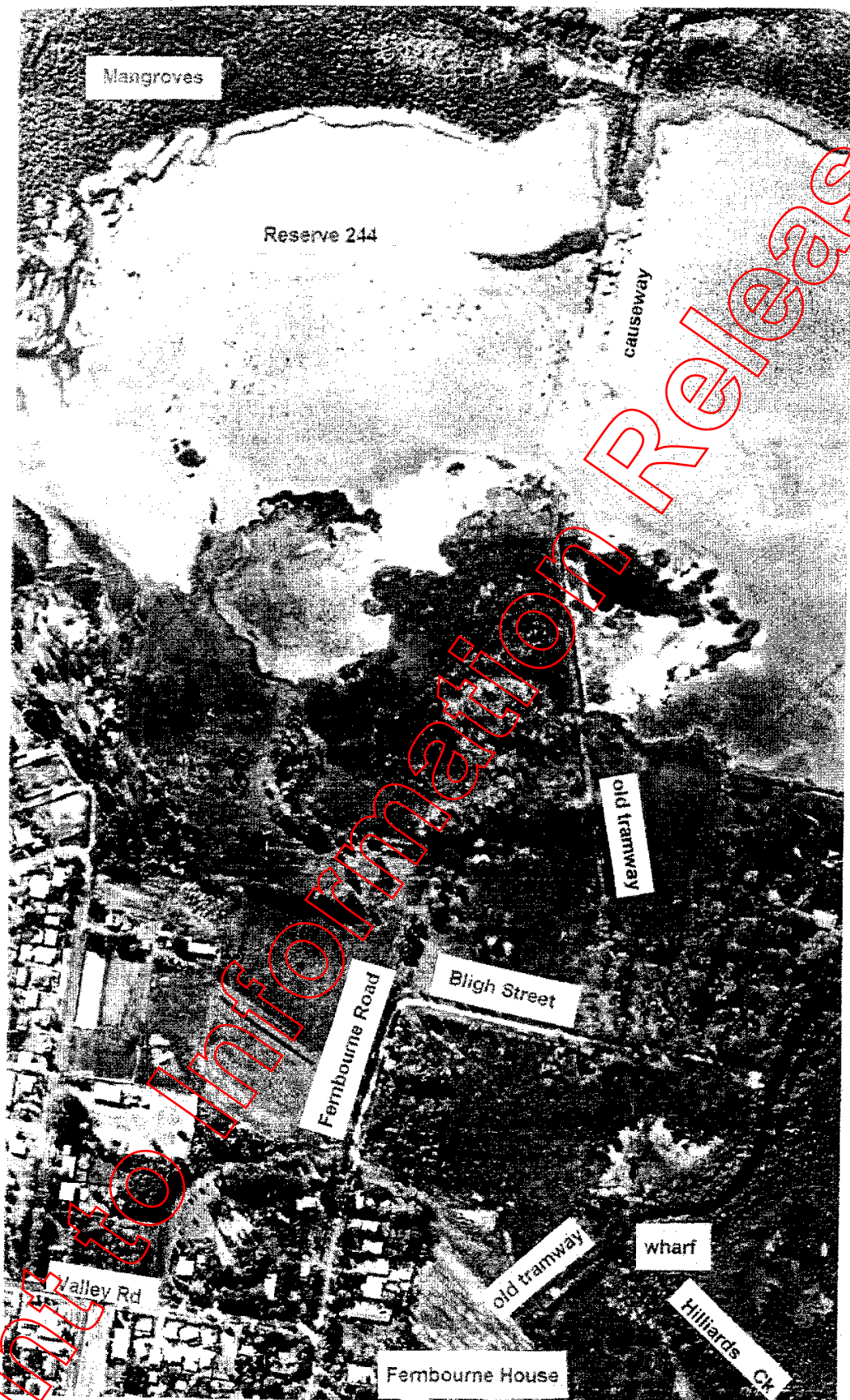
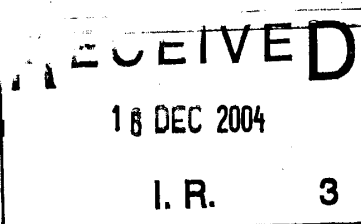


Figure 2: Aerial photo Fembourne Precinct 1996 (Airesearch Mapping, run 2 247-259)

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



36 STATION STREET
WELLINGTON PT Post Code 4160
Date 13-12-04

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->** * See Over

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

MRS LAHIE BUSCHMANN
Name MISS SANDRA BUSCHMANN

As well as destroying the environment and wildlife, the traffic and speeding along Station Street is bad enough now.

If this development gets ahead, it will make life unbearable for the residents of Station Street.

Right to Information

Eva Campbell
45 Edith Street
Wellington Point
Q. 4160

Dec. 12/04
The Assessment Manager
Redland Shire Council
P.O. Box 21
Cleveland. 4163

Reference MC 8532

Attention: Ms Susan Rankin

Dear Ms Rankin,

OBJECTION TO PROPOSED RETIREMENT VILLAGE, 13 FERNBOURNE ROAD,
WELLINGTON POINT
APPLICATION REF. NO 008532

Mosquito and other biting insects

The proposed sight for this development is in a very mosquito prone area being wet, and near the creek, wetlands and mangroves. The mosquito's are a very necessary part of the eco system, however for humans living in such heavily infested areas, there is a health hazard. Not only do these insects make for extreme discomfort of residents but because of the potential that mosquitoes have for such diseases as dengue fever and other mosquito borne disease.

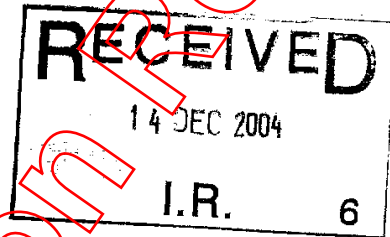
I am sure consultation with Medical officials regarding Mosquito borne diseases should be studied when considering this new residential building area.

I have been informed by neighbors that in the past Council has sprayed the nearby areas with chemicals from low flying planes to help contain this problem. I must point out that my home is in this vicinity and that not only do members of my family have respiratory problems, but I personally object to having my fresh air poisoned by chemicals.

Fresh air is not a privilege, but a right. If spraying is the Councils intended method of control in this area then I would seek legal advice to prevent this happening.

Traffic Problem.

Primary School children, and other pedestrians cross the Station Street road in front of the hump-back Railway bridge. Visibility is very poor for the driver as his vision is



impaired by the up-ward angle and curve of this Road at this point. An alternative access road should be considered if the retirement village building goes ahead.

Yours sincerely

[Redacted signature]

copy to Alan Barker

Right to Information Release

Geoff Carwardine
27 Frederick St
Wellington Point 4160

Thursday, 16 December 2004

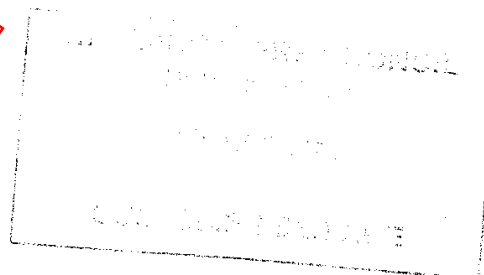
Chief Executive Officer
Redland Shire Council

Dear Madam

I wish to advise you of my objection to the proposed development at Fernbourne Road, Wellington Point on land situated at Lot 1 RP14171, Lot 3 RP216889, Lot 4 RP908452 & Lot 8 RP14166. Ref: The Pretirement Group. The grounds for my objection are as follows.

Yours sincerely

Geoff Carwardine



27 FREDERICK ST
WELLINGTON POINT Post Code 4160

Date 16.12.04

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 P14171) -
Council File Reference MC8532**

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

- **Further comments overleaf -> see attached sheets**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name Geoffrey CARWARDINE

FURTHER COMMENTS

I attended a public meeting on 30/11/04 at Station St, Wellington Point at which a number of consultants connected to the proposed development were present to "discuss the project and answer any questions from the public"(source – letter from The Retirement Group publicising the meeting). Many concerned residents attended and many questions were asked. My initial concern was heightened due to a general lack of honesty displayed by these 'experts' in their answers to many of these questions. These answers were obviously designed to diminish residents concerns rather than to honestly inform. Some examples follow.

- Both the article published in the Bayside Bulletin (30/11/04) and the developer's sign on the property clearly describe the proposed development as a **retirement village**. This appears to be untrue and a deliberate falsification in order to downplay the true impact of the proposal, particularly, I believe, on the likely increase in traffic in the area. I do not believe that the traffic engineer's conclusion that traffic increase will be minimal can be accepted because it is based on this falsehood. It is clear to me that if this proposal were to proceed, the resulting traffic increase on Station Road and, likely, Buckland Rd (currently a beautiful, narrow and quiet road), will very significantly reduce the quality of life for residents living in those streets.

To conclude this point, it has shocked me to learn that a developer can use the term 'retirement village' as a euphemism for what is really a high density residential development and 'get away with it.'

- Following a question as to how the local environmental groups and experts had responded to the proposal we were told that with a minor exception or two (and these were played down as being quite solvable), they had received a big tick from this source. You can imagine my (further) shock, after doing some research since the meeting, to discover how far from the truth this statement was. I'm sure the submission from the Bayside Branch of the Wildlife Preservation Society of Queensland, objecting to this same proposal, supports my claim of a further attempt to mislead the public (the people you represent) by representatives of this developer.

- We were initially told at the meeting that the developer, after establishing the 'environmental park,' would be responsible for its continuing maintenance. After further questioning, this statement was backed away from with the statement that the ratepayers would be responsible "at some stage." I have since learned that our council will definitely be responsible for the running of the park once it is established. While I would love to see this important area rehabilitated and maintained as a natural area, budgetary considerations will obviously have to be satisfied in order for this to occur.
- A large part of the proposed development is to be built below the Q100 level. We were told at the meeting that this was not a problem and that many precedents now exist. This does not appear to be the case. I understand that the Planning and Environment Court has recently upheld the importance of not developing within Q100. I ask you to please respect this very important standard.
- When asked about the mosquito/midge problem in the area, one of the spokesmen for the developer initially stated that much work had been done on this. However, a resident stated that he had been told at the council desk that no report on this issue was available. He had therefore assumed that no report had been done and suggested this to the speaker, who **agreed** but stated that mosquitos/midges wouldn't be a problem. I have since found out that a report **was** done but that the results have been suppressed due to the fact that they contradict any argument that residents should be located in this area. If this development does proceed, Council is then going to be in the difficult position of having to respond to calls for mossie control measures, an expensive and problematic exercise due to environmental effects of chemicals, modifying habitat etc.

CONCLUSION

While I believe that the proposed development has some good design features, I believe strongly that it is 'in the wrong place.' The impact on such an important and sensitive area, an area so closely connected to Moreton Bay, would be negative and significant. I ask you to please consider the proposition that we need planning which holds the protection and, where problems exist, enhancement, of our environment as being absolutely paramount. I would love you to seriously consider that, with Australia having a birth rate approaching zero, there is **NO REAL** pressure to destroy our beautiful environment through residential over expansion.

With these thoughts in mind, I believe that to approve this proposal on the site envisaged would be a backward rather than forward step. Please don't do it!

33 Fernbourne Road
Wellington Point
QLD 4160

Email: PGilders@powerup.com.au

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

15 December, 2004

Re: Development Application MC8532 - Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 RP14171)

Dear Sir/Madam,

We wish to provide you with an explanation of our concerns on the proposed development between Station Street, Fernbourne Road and Bligh Street, Wellington Point.

Whilst the proposed development is based around the concept of revegetating much of the site, in our view the extent and density of urbanisation being proposed detracts from these aims and as a result we believe that the overall proposal is not a reasonable use of the valuable resource.

The following sections detail our concern:

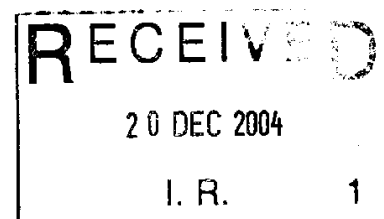
Scale of development

Q100

In maximising the number of villas on the site, the proposal includes development that goes beyond the Q100 flood line. The proposal indicates that this is possible by raising the villas on stilts, thereby preventing the residents from 'getting their feet wet'. We have concerns that a breach of this defined flood line will lead to progressively further encroachment into creeks and potentially into the Bay itself. Clearly, making any exception in this case is likely to have knock-on impacts to other development, all leading to further risk of damage to sensitive waterways. We remind Council and the developers that in the Redland Shire Town Plan (1998), the following statements apply:

"(1) Notwithstanding any other provision of the scheme or the bylaws, no person shall, without written approval of Council, erect a building within the floodplains of any watercourse on any land which is subject to flooding at a frequency of more than one (1) in one hundred (100) years."

Whilst it is clear that erection of such buildings is feasible with Council approval, it must surely be in exceptional circumstances. We do not believe that there is a requirement to break this principle for this proposed development. We refer to the June 2004 Appeal brought to the Planning and Environment Court of Queensland by Collin Park Pty limited (File number BD4007) regarding a similar proposal to build below the Q100 line slightly upstream from this development. Whilst there are some differences in the structures proposed, the fundamental reason for the rejection of the Appeal was that the Q100 line should only be breached in exceptional circumstances primarily based on the environmental value of land below Q100.



Given that we are not structural engineers, we feel it necessary to question the safety of constructing on stilts with potential floodwater beneath. Would Council be liable for any damage or injury caused by such flooding or would owners be required to accept the risk? If so, what is the likely affect on insurance premiums for those residents and does it make these units viable? The potential flood risk is defined as a natural hazard under the State Planning Policy 1/03. We suggest that the proposal to build over the Q100 line is not compatible with this natural hazard as required by the State Planning Policy 1/03 outcomes 1 and 2. In particular, building over the flood line in this instance is not justified by an overriding community need or result in an acceptable level of risk to the community in either environmental or safety aspects.

We are also concerned about the cost and impact of maintaining the raised platforms to be used by vehicles to access these villas. These platforms total about 400 metres of raised hardwood. Given that this hardwood is exposed and is structural in nature (i.e. supporting cars), its life is surely limited and the sustainability of this solution must be questioned. It should also be considered that these raised roadways are less suitable for aged people who require flat surfaces both for walking and for wheelchair access.

Interestingly, a recent study commissioned by Redland Shire Council (Hilliards Creek Flood Study, March 2004 - GHD Pty - see attached map) highlights that the Q100 line is actually higher than currently marked on Council maps in this area. In particular, all of lot 1 is below the estimated flood line.

Limited Development

The preferred land use covering lots 6, 7, 8, 9 and 10, RP 14166 is Specific Planning Intent No 2, which allows for development with only a "limited residential component". The appeal rejected by the Planning and Environment Court associated with the proposed development at Duncan Street (5th June 2002, File number 1325) was primarily defeated based on the interpretation of the term "limited" (refer to pages 6-8). We believe that the proposed development does not sufficiently meet this requirement. Building over the Q100 to us is a clear example of how this intention has been violated. We are certain that when Council made this preferred land use designation they would not have envisaged the acceptability of proposals that built out beyond the natural flood line of this site.

Special Protection Area

Lot 1 RP14171 is land with a preferred land use designation of Special Protection Area under the Redland Shire Strategic plan. The designation states:

"This designation indicates the location of areas within the main urban parts of the Shire which have been identified as possessing natural environmental qualities worthy of conservation. These include many areas of remnant vegetation which provide important habitat, corridor and visual landscape values.

Much of the land in this designation is privately owned, including some areas used for community purposes in a way which protects their environmental qualities (such as scout and girl guide activities); while other land in this designation is controlled by government agencies. The purpose of the inclusion of these lands in this designation is to retain their natural values."

"The conservation of the environmental values of the land in this designation is an essential pre-condition to Council's preparedness to consider development within or adjoining this designation."

It is therefore surprising that the proposed development includes the use of part of this site to house a caretaker's cottage and a boat/caravan park. This is clearly in conflict with the intended land use.

In addition, Casuarina Cottage on lot 139, RP 14151 is the oldest building in the street (built prior to Fernbourne House) and has significant cultural heritage value. The site includes a Poinciana tree that is listed under a vegetation protection order that directly borders these facilities and

overhangs a significant part of Lot 1 RP 14171. Placement of these facilities in such close proximity to these features demonstrates a clear disregard for the current streetscape, cultural heritage and amenity of the area. If necessary these facilities should be relocated to the southern part of the site.

Greenspace

Council has identified areas of land that are to be preserved as Greenspace. The Greenspace designation is associated with:

"major areas of high environmental and conservation value due to their bushland, habitat corridor or water quality protection values; and

areas of high landscape and scenic value important to the character of the Shire."

Lot 1, RP 14171 is designated as Marine Vegetation under the Greenspace map whereas Lot 10, RP 14166 is designated as Greenspace. It is therefore somewhat surprising that the proposal includes such significant development on these lots when they are clearly recognised to have environmental and conservation value. There is clearly further inconsistency with the requirements of the Redland Shire Strategic Plan.

Environmental

The second major area of concern is with the impact on wildlife.

Koalas

In particular, we are concerned about the impact on the area's koala population. Whilst the environment reports do mention the existence of koalas on surrounding property, we do not think these reports sufficiently reflect the extent of the community that utilises trees planted privately adjacent to the site to the rear of houses on the eastern side of Fernbourne Road. On lots 137, 138 and 139, RP14151 alone the number of koala food trees amounts to over 30 and as such these trees alone provide substantial habitat. Residents to the north of Fernbourne Road rarely experience a day where koalas are not clearly visible or audible, thereby providing further evidence to the level of population and their reliance on these trees.

Environmental reports accompanying this application recognise that the current population in this area is struggling due to insufficient food resources. This is particularly evidenced by the state of the trees, which are also under stress from over defoliation. The environment report states that the main area of the proposed development site does not currently allow koalas to transverse from the north to gain easy access to the south (due to long grass). This leaves koalas little choice currently but to move along Fernbourne Road for connectivity. In theory, the proposal supports koala movement through the site by allowing channels for access and providing posts for koalas to navigate over the security fence. However, given the following site characteristics:

- the density of the development;
- the increase in people movement and traffic;
- the presence of artificial lighting;
- the provision of only a limited buffer behind Fernbourne Road; and
- the presence of high security fencing;

one wonders whether the overall impact of the development is to further alienate these koalas from the main koala corridor and therefore lead to the demise of this koala community.

It is essential that the environment of these koalas not be diminished and indeed preferable that their movement and available habitat be improved. We believe that these issues can be resolved by:

- Reducing the scale of development proposed to reduce general urbanisation and impact of further human, pet and vehicle disturbance.

- Provision of a complete connecting corridor of trees from the northern part of Fernbourne Road around to south-eastern part of the proposed development. This connection will increase the likely sustainability of the area's koala population.
- Widening of the koala corridor and buffer to the immediate east of existing Fernbourne Road residences to provide additional food sources until a full connecting buffer can be achieved and to enable koala movement to the rear of these houses rather than have koala movement restricted to the road. We believe the width of this corridor should be increased to 30 metres (2 substantial tree widths) to allow for significant overhang of these trees and ensure that damage to property (including cars) is unlikely. It would be disastrous for this koala population if these privately owned trees were required to be felled due to safety concerns by residents in the proposed new development. (Vegetation Enhancement Strategy 2004 p 5)
- Ensure that regulations prevent the presence of all dogs on this site - to include small dogs, whose bite is equally as lethal to koalas as bigger dogs.
- Minimise the existence of fencing in and around the site. In particular, the complete removal of the security fence. We question whether this level of fencing would provide any additional security to residents.

Only with these precautions can the protection of existing koala colonies be assured as required by the State Planning Policy 1/92, which commits to the preservation of koala habitat within the koala coast. In addition to supporting the State policy on koalas, Redland Shire Council is also committed its Conservation and Management Policy and Strategy, which makes further reference to the preservation and enhancement of koala habitat.

Finally, there is very little information in the implementation plan outlining how koalas will be supported during the construction phase and prior to the full-scale revegetation of the eastern part of the site. Consideration of longer-term population support is worthless if the current population is not sufficiently supported during construction.

Birds

Whilst the most emotive animal associated with the site is the koala, it must not be forgotten that the site also hosts an extensive and diverse range of bird species. Over 120 species have been observed by local residents on and around the proposed development site (see attached species list). Several of these are listed species and protected under EPBC Act and Ramsar convention. This is in contrast to the 40 species identified in the environmental report.

Hilliards Creek and Geoff Skinner Reserve at the mouth of Hilliards Creek are internationally recognised areas for water and shorebirds. Human and dog activity has a negative impact on these birds. We have an international obligation to protect their habitat and the building of a jetty and boardwalks would seem to exacerbate a problem.

Many other birds would be severely affected by the increased human and pet disturbances associated with a development of this scale. Ground feeding and nesting birds are particularly vulnerable. We believe that one species in particular demands special consideration and seems to have been overlooked completely in the Pedersen Environment report. The speckled warbler (*Chthonicola sagittata*) is rarely seen in the Redlands. It has been sighted at the Station Street Wetlands to the south of the proposed development and in the garden of 23 Fernbourne Rd (Lot 3, RP 884906) and during the last year feeding in our own garden (Lot 138, RP 14151). The speckled warbler has a current conservation status of Near Threatened. They live in woodland areas with a grassy understorey, foraging on the ground for seeds and insects. They nest on the ground in grass, dense litter and dead branches making them extremely vulnerable to predation by cats. Speckled warblers appear to be declining in numbers throughout their range and are threatened by habitat fragmentation. Local extinction in fragments smaller than 100ha appears to be inevitable (Barrett et al. 1994). The recent sightings of this bird suggest that it is using the proposed development site, even in its degraded state, as a corridor from Station Street Wetlands possibly to the property to the north of Bligh Street where there is suitable habitat.

Other ground dwelling or understorey birds are recognised in the environment report (Pedersen Biological and Environmental Primary Response Vol 1 p 39). Referring to the grassland it is stated that:

"this habitat supports a guild of niche-specific grassland avifauna and associate prey items. These will be seriously disadvantaged under the present proposal".

There appears to be no attempt in any of the proposals to address any rehabilitation of these grassland species.

Revegetation

Whilst meeting with developers, they indicated their willingness to revegetate a large part of the site. Unfortunately, there are no specific commitments in the proposal for which areas are to be revegetated and how. It would be useful to understand which weeds are to be removed, what vegetation is to be planted and the expected timeframe and effort required. Our concern is that revegetation must be co-ordinated across the whole site and not just targeted at a small area to the southeast.

We are also concerned that the proposal includes a "mosaic of lawns". We do not consider lawns to be suitable vegetation for an environmental park of this nature. Rather, this will merely encourage further human disturbance and have a negative impact on birds and other wildlife. As a result, we believe it is necessary to understand the details of the proposed revegetation, since this will greatly affect environmental sustainability.

Moreton Bay

The affect of the development on the Hilliards Creek catchment area needs also to be further considered. The impacts are likely to be many:

- Increase in litter and dumping into the creek encouraged by increased public access to the creek.
- Increase in contaminated runoff brought by the development from car and boat washing, cigarette butts use of detergents and cleaners
- Increased contaminants from motorised boat traffic along Hilliards creek encouraged by creek access, jetties and boat parking facilities.

The developers have claimed that runoff would be eliminated by increased vegetation and by the implementation of swales. Swales are only effective at limiting sediment movement and are not likely to address other pollution issues identified above. It is therefore difficult to believe that the overall impact of this number of units is anything but negative on these waterways. Given that overall water quality in these areas are still in decline (refer to result of the recent Water Quality review) it seems contrary to both the EPBC Act and recognition of Moreton Bay as a RAMSAR site that such significant urbanisation so close to this waterway should be considered.

Traffic

The proposed development is likely to host approximately 200 people. The traffic analysis report states that the existing road infrastructure will be able to handle this additional load, however the report neglects the following issues:

- That traffic going from this site to Cleveland will travel through Buckland Street and therefore significantly increase the volume of traffic through this street. This will be significantly detrimental to residents on this road.
- The traffic report only addresses the traffic volume from the proposed site and not traffic volume emanating from the proposed development at Duncan Street (the turf farm). The combination of developments creates a very different load profile that is not acceptable to the current street designation.
- The proposed traffic volume also does not take into consideration the likely future expansion

of units on Residential B blocks to the south along Fernbourne Road (lots 1 & 2, RP216889 and lots 129, 130, 131 and 132, RP219141).

It is our contention, therefore, that these issues be addressed in a combined traffic management plan that feeds back this information into restricting proposed development scale and densities across all these proposed developments. This should be part of Council's commitment to grow the Shire in a sustainable manner as outlined and committed to in the RSC Strategic Plan.

We do not believe that increasing or distributing the traffic load onto other residential streets (in particular Fernbourne Road, Valley Road or Bligh Street) will effectively address this issue.

Scenic Amenity

Units

The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units on lot 3, RP216889 and lot 4, RP 908452 are built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby on Harris Street. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance (Fernbourne House) as required by the Redland Shire Strategic Plan.

Kerbing and Channelling

In one of the communications between Redland Shire Council and the developers, it has been suggested that the developers would be required to contribute to the cost of kerbing and channelling of Fernbourne Road. We would like to make it clear that kerbing and channelling of Fernbourne Road would ruin its unique character and ambience as a country road and likely cause damage to the jacaranda trees that line this road. Previous proposals to implement kerbing and channelling along Fernbourne Road have been met with substantial resistance from residents. We see no advantage to residents in making such alterations in the name of progress now.

Long Term Viability and Sustainability

We have a number of concerns regarding the overall sustainability of the proposed development.

The developers have suggested that the number of units proposed is required for overall viability of the site - in particular with regard to affording both re-vegetation and ongoing maintenance. It is also our understanding that maintenance will be the responsibility of the body corporate rather than being handed over to Council to manage this public area.

As a result, it is crucial for the community to ensure that the proposed retirement village is viable, since any financial issues are likely to have a direct impact on the maintenance of the environmental aspects of the site. It is our understanding (at a meeting with the developers on 30th November) that Council has been provided with some evidence of financial viability. Given that these figures are not in the public domain, it must be for Council to verify this viability.

However, such consideration should include:

- Maintenance of boardwalks and all other raised wooden platforms;
- Affect of mosquitos on villa values and maintenance costs;
- True consideration of maintenance costs required for the revegetated areas (noting that these areas will require continuous maintenance to remove weeds that will be brought in from the surrounding neighbourhood by birds, animals and people).
- Higher maintenance costs of buildings to ensure that all maintenance is undertaken in an environmentally friendly way (i.e. control of runoff and soil disturbance).

We are very concerned that after 4-5 years, maintenance costs will rise significantly, leaving environmental issues as secondary to financial limitations. We suspect that if this does happen, the following compromises are likely to occur:

- Limited continuing revegetation and replacement of trees;
- Opening up units to under-50s people with families, dogs, cats, boats, cars - with an overall increased level of disturbance to the environment;
- Slowly increased encroachment of weeds onto the site;
- Loss of environmental management of the site, including education of residents and enforcement of policies.

Many of the commitments associated with the proposal are difficult, if not impossible, to enforce over the long term:

- Limitation of age group to over 50s is only to be achieved by marketing.
- Environmental conditions associated with the development will only be enforceable for a limited period. This includes site maintenance and continued revegetation.
- Ensuring that residents respect the environment is only achieved through education, but is not enforceable as a policy.
- Restrictions on pet ownership may not be binding.

We would suggest that a covenant in perpetuum associated with the land would be the most appropriate method of ensuring that these commitments are longstanding.

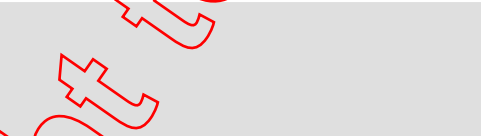
Summary

We believe that a form of development on this sensitive site is possible using some of the ideas presented in this proposed development. However, we believe that development should only be accepted if the following conditions are met:

- Significantly reduced scale of development - to at least be limited to above the Q100 flood line;
- Further provisions for existing and future koala populations, in particular the implementation of more substantial connecting corridors.
- Further assurances that water quality will be maintained and monitored;
- Further details on revegetation of specific areas of the site;
- Complete removal of any development on the Special Protection Area;
- Further refinement of unit designs to demonstrate amenity with existing streetscape;
- A coordinated traffic management plan for all developments in the area;
- Assurances that commitments made in the short-medium term are enforceable in the long-term.

We hope you will consider these issues when assessing this proposed development application.

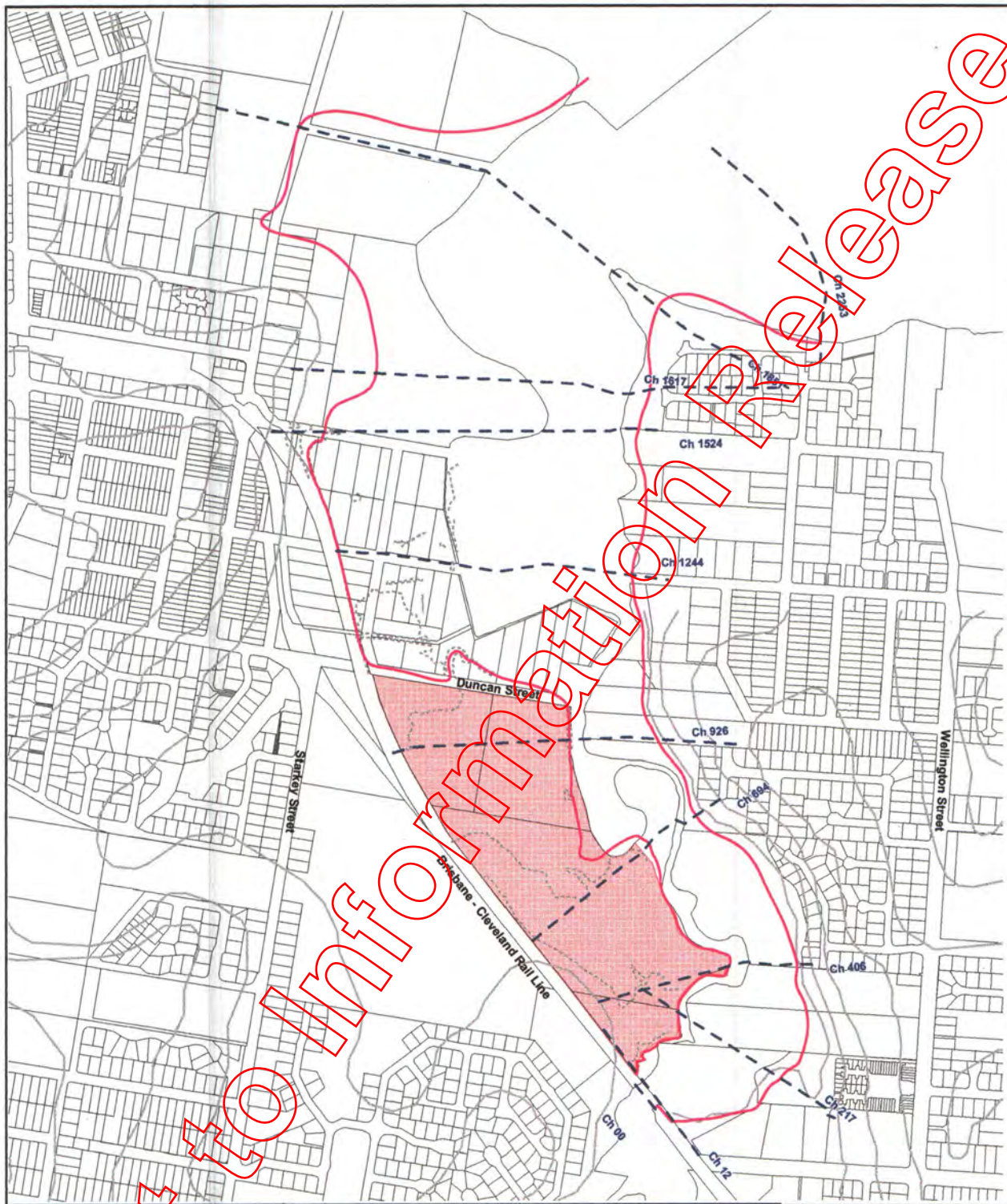
Regards,



Paul Gilders and Gillian Cooney

Attachments

Right to Information Release



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- LEGEND**
- Starha Property Boundary (approximate)
 - Q100 Flood Extent
 - Contours (5m)
 - Contours (1m)
 - Cadastral Database
 - Surveyed Cross Sections



Source Information: Redlands Shire Council DCDB and Contour Data

**REDLANDS SHIRE COUNCIL
HILLIARDS CREEK FLOOD STUDY**

FLOOD INUNDATION MAP

FIGURE 6.1

Fernbourne Road Bird List

Common Name	Scientific Name
Australasian grebe	<i>Trachybaptus novaehollandiae</i>
Pelican	<i>Pelecanus conspicillatus</i>
Darter	<i>Anhinga melanogaster</i>
Pied Cormorant	<i>Phalacrocorax varius</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
White-faced Heron	<i>Ardea novaehollandiae</i>
Little Egret	<i>Ardea garzetta</i>
Intermediate Egret	<i>Ardea intermedia</i>
Great Egret	<i>Ardea alba</i>
Cattle Egret	<i>Ardeola ibis</i>
Mangrove Heron	<i>Butorides striatus</i>
Black Bittern	<i>Ixobrychus sineris</i>
Nankeen Night Heron	<i>Nycticorax calendonicus</i>
Sacred Ibis	<i>Threskiornis aethiopica</i>
Straw-necked Ibis	<i>Threskiornis spinicollis</i>
Royal Spoonbill	<i>Platalea regia</i>
Magpie Goose	<i>Anser anas semipalmata</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Hardhead (White-eyed duck)	<i>Aythya australis</i>
Maned (Wood) Duck	<i>Chenonetta jubata</i>
Osprey	<i>Pandion haliaetus</i>
Black-Shouldered Kite	<i>Elanus notatus</i>
Pacific Baza (Crested Hawk)	<i>Aviceda subcristata</i>
Brahminy Kite	<i>Haliastur indus</i>
Whistling Kite	<i>Haliastur sphenurus</i>
Collared Sparrowhawk	<i>Accipiter cirrhocephalus</i>
Brown Goshawk	<i>Accipiter fasciatus</i>
Grey (White) Goshawk	<i>Accipiter novaehollandiae</i>
White Bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>
Brown Quail	<i>Coturnix australis</i>
Lewin's Rail	<i>Rallus pectoralis</i>
Buff-banded Rail	<i>Gallirallus philippensis</i>
Purple Swampphen	<i>Porphyrio porphyrio</i>
Dusky Moorhen	<i>Gallinula tenebrosa</i>

Fernbourne Road Bird List

Common Name	Scientific Name
Eurasian Coot	<i>Fulica atra</i>
Masked Plover	<i>Vanellus miles</i>
Rose-crowned Fruit Dove	<i>Ptilinopus regina</i>
Spotted Turtle-Dove*	<i>Streptopelia chinensis</i>
Peaceful Dove	<i>Geopelia placida</i>
Bar-shouldered Dove	<i>Geopelia humeralis</i>
Crested Pigeon	<i>Ocyphaps lophotes</i>
Galah	<i>Cacatua roseicapilla</i>
Little Corella	<i>Cacatua sanguinea</i>
Long-billed Corella	<i>Cacatua tenuirostris</i>
Australian King Parrott	<i>Alisterus scapularis</i>
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
Scaly-breasted Lorikeet	<i>Trichoglossus chlorolepidotus</i>
Crimson Rosella	<i>Platycercus elegans</i>
Pale-Headed Rosella	<i>Platycercus adscitus</i>
Fan-Tailed Cuckoo	<i>Cuculus pyrrhophanus</i>
Shining (Golden) Cuckoo	<i>Chrysococcyx lucidus</i>
Common Koel	<i>Eudynamys scolopacea</i>
Channel-billed Cuckoo	<i>Scythrops novaehollandiae</i>
Pheasant Coucal	<i>Centropus phasianinus</i>
Southern Boobook (Mopoke)	<i>Ninox novaeseelandiae</i>
Tawny Frogmouth	<i>Podargus strigoides</i>
White-rumped Swiftlet	<i>Aerodramus spodiopygia</i>
White-throated Needletail	<i>Hirundapus caudacutus</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Azure Kingfisher	<i>Ceyx azurea</i>
Forest Kingfisher	<i>Halcyon macleayii</i>
Sacred Kingfisher	<i>Halcyon sancta</i>
Collared (Mangrove) Kingfisher	<i>Todirhampus (Halcyon) chloris</i>
Rainbow Bee-Eater	<i>Merops ornatus</i>
Dollarbird	<i>Eurystomus orientalis</i>
Welcome Swallow	<i>Hirundo neoxena</i>
Fairy Martin	<i>Hirundo ariel</i>
Richard's pipit	<i>Anthus novaseelandiae</i>
Black-Faced Cuckoo-Shrike	<i>Coracina novaehollandiae</i>
Varied Triller	<i>Lalage leucomela</i>

Fernbourne Road Bird List

Common Name	Scientific Name
Eastern Yellow Robin	<i>Eopsaltria australis</i>
Golden Whistler	<i>Pachycephala pectoralis</i>
Rufous Whistler	<i>Pachycephala rufiventris</i>
Grey Shrike-thrush	<i>Colluricincla harmonica</i>
Little Shrike-thrush	<i>Colluricincla megarhyncha</i>
Spectacled Monarch	<i>Monarcha trivirgatus</i>
Leaden Flycatcher	<i>Myiagra rubecula</i>
Satin Flycatcher	<i>Myiagra cyano-leuca</i>
Grey Fantail	<i>Rhipidura fuliginosa</i>
Willie Wagtail	<i>Rhipidura leucophrys</i>
Tawny Grassbird	<i>Megalurus timoriensis</i>
Golden-headed Cisticola	<i>Cisticola exilis</i>
Variegated Fairy Wren	<i>Malurus lamberti</i>
Red-backed Fairy Wren	<i>Malurus melanocephalus</i>
White-browed Scrubwren	<i>Sericornis frontalis</i>
Speckled Warbler (Scrubwren)	<i>Sericornis sagittatus</i>
Mangrove Gerygone	<i>Gerygone laevigaster</i>
White-throated Gerygone	<i>Gerygone olivacea</i>
Yellow-rumped Thornbill	<i>Acanthiza chrysorrhoa</i>
Brown Tree Creeper	<i>Climacteris picumnus</i>
Noisy Friarbird	<i>Philemon corniculatus</i>
Little Friarbird	<i>Philemon citreogularis</i>
Blue-faced Honeyeater	<i>Entomyzon cyanotis</i>
White-throated Honeyeater	<i>Meliphreptus albegularis</i>
Noisy Miner	<i>Manorina melanocephala</i>
Lewin's Honeyeater	<i>Meliphaga lewinii</i>
Yellow-faced Honeyeater	<i>Lichenostomus chrysops</i>
Brown Honeyeater	<i>Lichmera indistincta</i>
Scarlet Honeyeater	<i>Myzomela sanduolenta</i>
Varied Honeyeater	<i>Lichenostomus versicolor</i>
Mistletoe Bird	<i>Dicaeum hirundinaceum</i>
Striated Pardalote	<i>Pardalotus striatus</i>
Silvereye	<i>Zosterops lateralis</i>
Double-Barred Finch	<i>Poephila ichenovii</i>
Spangled Drongo	<i>Dicrurus hottentottus</i>
Figbird	<i>Sphecotheres viridis</i>
Common Mynah*	<i>Acridotheres tristis</i>

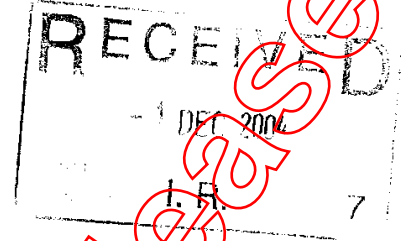
Fernbourne Road Bird List

Common Name	Scientific Name
Australian Magpie-lark (Peewee)	<i>Grallina cyanoleuca</i>
White-breasted Woodswallow	<i>Artamus leucorhynchus</i>
Grey Butcherbird	<i>Cracticus torquatus</i>
Pied Butcherbird	<i>Cracticus nigrogularis</i>
Australian Magpie	<i>Gymnorhina tibicen</i>
Torresian Crow	<i>Corvus orru</i>

* denotes introduced species.

Friday 26th November 2004

The Assessment Manager (Ref MC8532)
Redland Shire Council
PO Box 21
Cleveland
Qld 4163



Dear Sir/Madam

I have viewed the application for the development at Wellington Point bounded by Fernbourn Road, Hilliards Creek and Station and Bligh Streets (your reference MC8532) and wish to bring to your attention my concerns in regard to such a development. The points below are listed in no particular order.

1. **Traffic flow.** The application shows a possible total of 105 residences including 2 visitor/respite bungalows, 1 manager's residence and 1 caretaker's residence. I am concerned about the increase in traffic flow that this number of additional dwellings will create. In particular, I am concerned about the increase in traffic flow past the day care centre at the corner of Herbert and Valley Roads and the safety of the children attending the day care centre. I am also concerned about the impact any additional increase will have on Main Road, which already has heavy flows particularly past the near-by State Primary School.
2. **Corner of Station Street and Fernbourn Road.** I feel that this corner will become dangerous due to the curve in Station Street as it crosses the train line. Many times I have walked across the bridge at this corner and witnessed cars rounding the bend from Station Street to Fernbourn Road at a speed excessive for the conditions. I feel the lack of vision at this corner may place at risk those drivers and their passengers in vehicles turning from this corner into the 'lower' part of Station Street. More and more people are using the train to commute and enter/exit the train station car parks through this intersection. To my knowledge there have not been any accidents at this corner since the construction of the bridge but I wonder what may occur with a substantial increase in traffic flowing into the 'lower' part of Station Street. I appreciate that this is the only viable access point to the development site and commend you for not allowing the removal of the mature pine trees on the Fernbourn Road frontage of the development.
3. **Hilliards Creek.** I am concerned with the impact that such a development may have on Hilliards Creek, and the flora and fauna in and around Hilliards Creek. I feel it would be environmental vandalism if we as a society allowed the water quality of Hilliards Creek to decline further from

it's current rating of 'poor' as issued by the joint EPA/QPWS healthy waterways project.

In particular, I am concerned about:

- (a) Disturbance of potential acid sulphate soil (PASS) and the subsequent creation of actual acid sulphate soil (AASS);
- (b) The treatment of any water flowing from this site, both during and after construction of the development, into the creek without first being properly treated;
- (c) The effect that any increase in silting will have on the mangrove trees along the banks of the creek, and any seagrass beds at the mouth of the creek;
- (d) The affect that such a development will have on the bank of Hilliards creek adjacent to the development site;
- (e) The effect that such a development will have on native trees and mangroves on the construction site, particularly those in close proximity to the bank of the creek.

4. **Animals kept as pets.** Dogs and cats impact on native wildlife. I would be very concerned if the residents of this development (if approved) were allowed to keep dogs and/or cats as pets. I understand the companionship some people derive from having pets but I feel that to allow cats and/or dogs to be kept at this site would unnecessarily lead to destruction of native wildlife. Further, I feel that even non-native fish kept as pets may eventually lead to destruction of native species. Some noxious species of fish are commonly kept as pets (eg Carp). It is not uncommon for an owner of such a pet to become bored with that pet. Rather than destroy the fish they sometimes release the fish into a nearby creek. The impact of such a move can have a very destructive effect on native wildlife in and dependant upon that creek.

I appreciate that you are required to consider the needs of both the developer and the nearby residents but I feel that 105 additional residences as proposed by the developer seems excessive.

Yours sincerely

Mr Bruce Cranstoun
46 Harris Street
Wellington Point
Old 4160

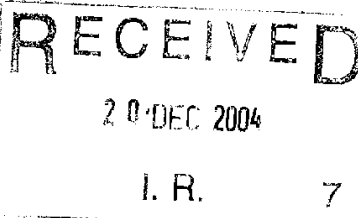
Mr Mrs / Ms PAUL DENTON

2 CALENA ST

WELLINGTON POINT

Post Code 4160

Date 16/12/04



Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

see attached

Sincerely,

Signature

PAUL DENTON
Name

Residential issues

I would like to point out that as a resident of Galena st my personal experiences with this particular developer during the development of "Fernbourne Cove" in 2003/2004 would indicate to me that the concerns of the upheavals, noise, dust etc; by neighbouring residents will fall on deaf ears.

We had a constant problem with dust and noise during the aforementioned development and struggled to get them to acknowledge or take action to avoid or rectify problems as they arose.

If not for the assistance of council in requiring the developer to have a signed release prior to final registration, from each of the residents that had a problem, I firmly believe I and my fellow neighbours would have been left with the burden of civil action for restitution against this developer.

Frogs

I do not know whether the current population of frogs in the area are endangered species or not, however I can say that there is certainly a significant variety of species here, going by the variety of calls one hears.

I have lived in other parts of the shire and not experienced such abundant frog activity.

The disturbance of this habitat does concern me greatly.

Regards

Paul Denton
2 Galena st
Wellington Point.

Right to Information Release

10 December 2004

30 Fernbourne Road
Wellington Point
Qld 4160

The Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND Q. 4163

Attention: Ms Susan Rankin

**OBJECTION TO PROPOSED RETIREMENT VILLAGE, 13 FERNBOURNE ROAD, WELLINGTON POINT
APPLICATION REF. NO. MC008532**

Dear Ms. Rankin,

In addition to the points raised in the attached objection letter, I would like to add my personal concerns about the proposed development of the retirement village at 13 Fernbourne Road. As a resident of Fernbourne Road, I feel that council has a wonderful opportunity to retain a swath of open space for future generations. The land in question is the only open corridor connecting the Geoff Skinner Memorial Reserve and the Hilliards Creek area that stretches all the way to Ormiston and beyond. I strongly feel that development of this land, much of which is low-lying and would require some filling to accommodate the proposed 'caravan storage areas' etc, would seriously and adversely impact on Hilliards Creek, and seriously narrow this corridor between the open areas. You cannot 'undevelop' land. You can only choose to preserve open space for ever, or destroy it for ever.

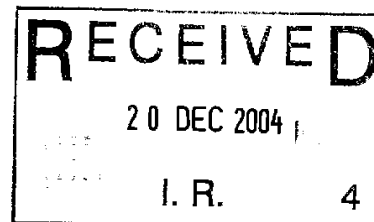
I am particularly concerned about the proposed site for the 'caretakers residence.' Not only will development of this site have an adverse visual effect on historic Casuarina Cottage, but I fear for the various species of wildlife that I have observed living in and around this area. There are a community of very shy water birds called 'buff-banded rails' inhabiting this very site. The number of frogs heard calling here in the adjacent casuarina forest after rain is just astounding, and so rare in the Redlands these days.

I strongly urge you to consider, if not taking the step of rejecting this proposal outright, then of seriously downgrading the 'footprint' of this development and adopting a 'touch lightly' mode when construction is in process. So many times in the local areas have I seen mature trees destroyed for the sake of convenience in the construction phase, and a 'replanting' scheme employed afterwards.

I trust you will take my concerns into account when considering this development.

Yours sincerely

Emily Engel



Dear Ms Rankin,

**OBJECTION TO PROPOSED RETIREMENT VILLAGE, 13 FERNBOURNE ROAD, WELLINGTON POINT
APPLICATION REF. NO. MC008532**

I am writing to object to the above application. This development will have a negative impact on the Whepstead/Fernbourne Precincts, causing - an increase in population and traffic; a loss of visual amenity; and an affect on local wildlife, environment, streetscape, residential and heritage values. We are submitting an objection to the above proposal for the following reasons.

1. Cultural Heritage of Whepstead and Fernbourne Precincts.

RSC requires that multiple dwelling developments, "compliment heritage and character items and their settings in the surrounding neighbourhood. The design and materials of the buildings do not reflect the character of the surrounding neighbourhood and in particular heritage homes, Fernbourne House and Casuarina Cottage. Recent multiple dwellings, new homes and relocated houses have added to the 'Queensland design' appeal of the area.

2. Protection of Wildlife in the proposed area.

- a) It is an incompatible development with Koala Conservation as per State Planning Policy 1/97. The southeast Queensland koala population is recognised as regionally vulnerable and requiring protection under the Queensland Nature Conservation Act. There is significant koala activity on the edges of the development.
- b) The proposed development is adjacent to Moreton Bay Marine Park and an internationally listed RAMSAR wetland site and will impact on the high diversity of bird species in this area.
- c) Hilliards Creek is an important wildlife corridor and home to a wide range of aquatic plants. This development will impact on the creek which already has a "D" health rating through increased human activity and stormwater drainage.

3. Traffic

- a) Increased traffic will affect the noise and safety levels of the surrounding streets. An increase of an extra 300 car trips per day from this development and additional car trips from the Turf Farm development (if approved) is an unacceptable level of increase in a short time frame.
- b) Construction Traffic will affect the safety of pedestrians in the area, increase noise levels dramatically and damage the trees overhanging Station Street. There is concern that the site works will pollute Hilliards Creek. Redland Shire Council, "ensures site works are consistent with the site's characteristics and do not adversely impact on adjoining properties or the environment." (Design Element 11) We believe the construction phase will adversely impact on this residential area.

4. Contraventions of the Redland Shire Planning Requirements.

- a) A considerable number of units are to be built beyond the Q100 flood line and on land designated as drainage problem. (Lot 1, Lot 10) This is not considered appropriate under the Town Planning scheme for the Shire of Redland. (P33)
- b) Rural Non Urban Land (Lots 6, 7 & 8) Town Planning Scheme (p37) states that this land should not be used for multiple dwellings yet this development incorporates this.

- c) Special Protection Area (Lot 1) The Caretaker's residence, visitor/respite accommodation and caravan/boat storage area extend into this Special Protection Area. Also there would be a negative impact on the Casuarina Forest and wetland area. This use would be contrary to the primary intent of conserving and enhancing a Special Protection Area.
- d) Special Planning Intent No. 2. (Lots 6,7,8,9 and a significant proportion of Lot 10). Under the Strategic Plan, it is "considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component." Quite clearly, the proposed development does not include a limited residential component (87 units), with buildings and car parking extending beyond the limits of the Specific Planning Intent No 2 designation and into the Special Protection Area designation.
- e) It is clear that there are problems with this land and that the development density of the buildings are being pushed onto higher land and thus compromising the normal urban density allowable for that specific site. Lots 3 & 4 have a combined area of 0.2683ha and a population density of 192 people per hectare, that is, 92 people greater than the zoning density allowable of 100 persons per hectare on Res B. land.
- f) To add 87 units into a quiet suburban area is contrary to the visual and privacy amenities of existing residents.
- g) It is important to retain the character of the streetscape, however buildings with a length of 50 – 60 metres in length and 2/3 storeys high do not enhance the street at all. In the Residential Code for Multiple Dwelling Development it states that "multiple dwelling units have a maximum articulated building length inclusive of roof of 25 metres along side and rear boundaries." The design of the units on Lots 3 & 4 does not comply.

5. Open Space

- a) This is the last remaining open space corridor of land in Wellington Point. It allows a unique opportunity to reinstate the natural bushland and creek environment that has been destroyed through farming. To have a wildlife haven where creatures can live and breed without human intervention would be of long term benefit to the Shire and future generations. It would provide long term protection for the RAMSAR site and feeding grounds of the Dugong. From this ecologically sustainable area, wildlife could then spread into the surrounding suburbs.

Yours sincerely,

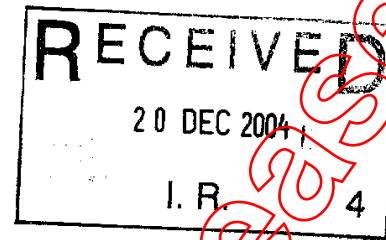


Emily Engel

30 Fernbourne Road
Wellington Point 4160

14 December 15, 2004

Assessment Officer
Redland Shire Council
Cleveland 4163



Objection to proposed retirement village, 13-17 Fernbourne Road, Wellington Point
Application Ref No: MC008532

Dear Sir/Madam,

I believe the proposed development as above will have a very detrimental effect on the surrounding neighbourhood and existing local wildlife. This is a unique opportunity for Council to preserve a large open space bordering Hilliards Creek which is already home to koalas, frogs, and supports a large population of wading birds. I am submitting an objection for the following reasons:

1. Wildlife in the proposed development area

- a) This is an incompatible development with Koala Conservation as per State Planning Policy 1/97. The southeast Qld koala population is recognized as regionally vulnerable and requiring protection under the Old Nature Conservation Act. There is significant koala activity around the development area and I am concerned about the fragmentation of koala movement. Such an increase in human activity will impact severely on the koala population.
- b) The proposed development is adjacent to Moreton Bay Marine Park and an internationally listed RAMSAR wetland site and will curtail the high diversity of bird species in this area.
- c) Hilliards Creek is an important wildlife corridor, home to a wide range of vegetation and aquatic plants. This development would impact badly on the creek which already has a D health rating.

2. Fernbourne Road Area Cultural Heritage

Redland Shire Council requires multiple dwelling development to "compliment heritage and character items and their settings in the surrounding neighbourhood." Design and materials of buildings do not reflect the character of the surrounding neighbourhood, particularly heritage homes Fernbourne House and Casuarina Cottage. More recently built homes, relocated houses and multiple dwellings have added to the area's 'Queensland design' ambiance.

3. Traffic

- a) Increased traffic will affect the noise and safety levels of the surrounding streets. An increase of an extra 300 car trips per day from this development and additional car trips from the Turf Farm development (if approved) is an unacceptable level of increase in a short time frame.
- b) Construction Traffic will affect the safety of pedestrians in the area, increase noise levels dramatically and damage the trees overhanging Station Street. There is concern that the site works will pollute Hilliards Creek. Redland Shire Council, "ensures site works are consistent with the site's characteristics and do not adversely impact on adjoining properties or the environment." (Design Element 11) We believe the construction phase will adversely impact on this residential area.

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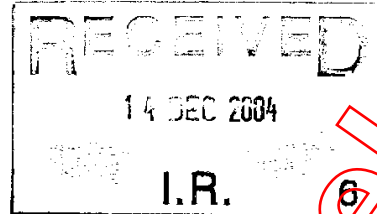
In conclusion I believe that in the current state, the development is not suitable for the area and trust that you take my concerns into consideration when assessing the application.

Yours sincerely

Gail Engel

20 Station Street
Wellington Point Qld 4160
10 December 2004

Mrs Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland Qld 4163



copy: Alan Barker

Dear Mrs Rankin

re: Development application for land situated at Fernbourne Road, Station Street and Bligh Street, Wellington Point.

No doubt you are aware that there is orchestrated opposition to this application. I have received anonymous material, which I enclose for your information. I do not give credence to anonymous material, but I think it is worth writing to express an alternate view.

I attended a meeting with the representatives of the developers and I have spoken with some neighbours. I have not detected any strong opposition from people I have spoken to in Station Street and Fernbourne Road. I have walked over the property and agree that it is degraded and desperately in need of rehabilitation; koala and bird life on the property is virtually non-existent. Rehabilitation can only enhance the prospects for fauna and flora in the area. I believe that the representatives at the meeting answered adequately the questions put to them, and I believe that the project should go ahead.

I am concerned at the prospect of increased traffic in Station Street, especially during development and construction. We already have a problem with speeding in our usually quiet street and would like to see some traffic calming initiative (e.g. speed bumps), ~~although I must admit that I do not anticipate a large "hoon" element in the population~~ of the new development. An exit to Fernbourne Road could provide residents with an alternative access route, minimising the local impact in Station Street.

The anonymous "concerned residents" do not represent all residents, and do not, I believe, represent the majority view in the local area.

Yours faithfully

Martin G Fleming

Mr Mrs Ms

Paula Ford

61 Valley Road

Wellington Point

Post Code

4160

Date

15-12-04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

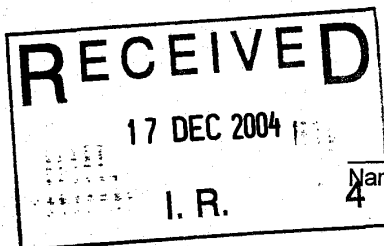
The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

[Redacted Signature]

Signature



Name

Paula Ford.

Additional Concerns

The increase in traffic is of great concern not only to the people living on Station Street but also to all the surrounding areas. Just the volume of traffic that will be around for the three years or so during construction will make it unsafe of my children to be out in the area.

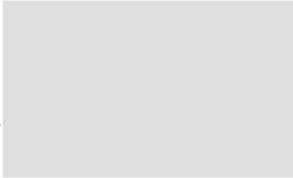
Also if there is a plan to re-open Valley Road to help alleviate the problem we would find this most distressing as we only moved to this property as it was blocked and would be safer.

This will allow "Hoons" easier access down to Bligh Street, where they like speed around at all hours in their cars.

I feel not enough has been done to look for other points of access, e.g building a new road and another bridge over the rail line in conjunction with the other proposed development near Hilliard's Creek. This would certainly help with the worst of the traffic issues.

The streetscape of Fernbourne Road is also of major concern. Any change to this without enough consideration to the heritage homes or the general street appeal would be tragic.

In conclusion I feel that this proposal will unfairly impact on the residents, wildlife and the environment and should not go ahead.



Mr / Mrs / Ms

Janice GERSBACH

22 Station St

Wellington Point

Post Code 4160

15 DEC 2004

Date

13-12-04

I.R.

11

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

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Conservation of remnant native bushland

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Additional Comments over the page →

Sincerely,

Si

Name

Jan GERSBACH

* Station Street - increased traffic, safety.

We already have increased traffic from Harris, Herbert, Fernbourne, Valley Rd and the Railway parking station. They use the roundabout at the corner of Station & Main Rd, to make an easy exit. Station St is also used as a by-pass between Main Rd, and Duncan St, and a lot of these cars speed along Station St.

Right to Information

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Post Code.....

Date

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 P4171) -
Council File Reference MC8532**

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

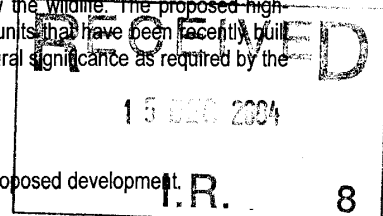
Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name MRS. VAL HARTLEY



14 Roberts St
Wellington N.Z. 4160.

13-12-04.

Redland Shire Council,

Dear Sir,

As a resident in the Shire for 30 years, I strongly object to the development of a "village" near Fernbourne Rd. Apart from the demise of the habitat, if it goes ahead, either the mosquitos or the high king tide will overtake the place. It's a very bad idea.

Yours sincerely



CHRIS IRONS
22 MUSGRAVE ST
WELLINGTON POINT Post Code 4160
Date 15/12/04

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
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Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

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- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
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- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

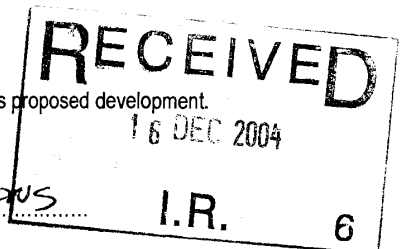
Signature

Name

CHRIS IRONS

I.R.

6

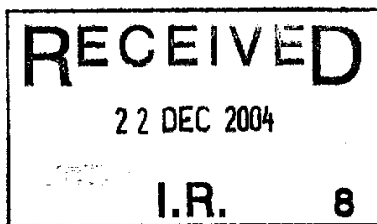


MY MAJOR CONCERN, EVEN THOUGH THIS AREA HAS BEEN DEGRADED, IS THAT THERE IS VERY LITTLE NATURAL BUSH & SCRUBLAND TO SUPPORT BIRD LIFE. ALSO INCREASED TRAFFIC WILL CAUSE ~~HAVING~~ UNTOUCH DAMAGE TO WHAT'S LEFT OF THE KODIA POPULATION.

HILLIARD CREEK IS ALREADY AN ENVIRONMENTAL DISASTER, WHAT WILL IT BE LIKE WITH MORE DEVELOPMENT

I AM SURE THAT IF A LARGE PORTION OF THIS, BASICALLY WETLAND, WAS PRESERVED & UPGRADED, MANY WOULD BE MORE POSITIVE.

Right to Information



1

Rowena & Colin James
8 Discovery Place
Wellington Point 4160

17 December 2004

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Re: Material change of use to land at 13 – 17 & 37 – 53 Fernbourne Road and 37 – 63 Station Street, Wellington Point (lot 3, RP216889, lots 4 & 8 RP908452, lots 6,7,9 & 10 RP14171); Council File Reference MC8532

Dear Sir/Madam,

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Environmental Concerns – The proposed development is adjacent to the Hilliards Creek environmental corridor which hosts many aquatic species, birds and marsupials. The high density scale of this development can only be detrimental to such species. In particular, the koalas that currently inhabit the area will be further isolated into limited areas. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

The significant increase in population the proposed development will bring is likely to have an impact on the water quality due to increased urban activities. The waterways are part of Moreton Bay which is an internationally recognized RAMSAR site and home to the famous Moreton Bay dugongs as well as turtles and other marine life that rely on the fragile sea-grass beds for food. The size of the proposed development calls into question whether further urbanization adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

The development will also increase traffic in the area which will impose a risk to all wildlife in the area; koals, possums, birds, lizards, snakes etc... It has been well proven in the shire that traffic causes a major risk to koalas especially.

1

As a resident outside the proposed area of development I am concerned that the traffic around the surrounding area will increase significantly and place more of a risk around the already hazardous Wellington Point State School where I drop my son off each morning on my way to work, and the Wellington Point Day/Child Care Centre on the corner of Valley Rd and Herbert Street where I drop my daughter off each morning. As I work at Ormiston College the increased traffic along Duncan Street and Buckland Street would also have an impact on my day to day life.

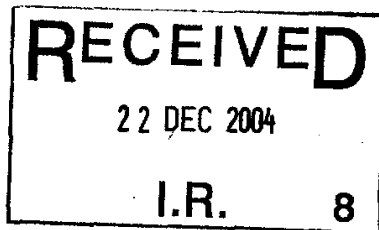
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Since I moved into the Redlands in 1988 I have seen a marked reduction in the visual appearance of wildlife, especially koalas. The area in question is one place where this decrease in wildlife activity has not been significant. I know residents at three different addresses along Fernbourne Road and frequently visit the area. On each visit my family and I see something new and wonderful to marvel whether it be a Koala with her baby on board safely sauntering across the road at her leisure or birds nesting in the abundant trees or even frogs in the nearby waterways which are a constant fascination to my son and daughter. I would truly regret the destruction and subsequent reduction of sightings such as these.

I agree with residents of the area that the proposed development with its beach style aesthetics contradicts the 'theme' of residences that are there at present. The predominant use of timber for construction purposes has so far given the area a traditional and environmentally friendly appeal. I strongly urge Council to put a stop to this development and to celebrate and promote the richness in heritage and unique environmental aspects of life in the area instead.

Yours sincerely,

Rowena James



1

Rowena & Colin James
8 Discovery Place
Wellington Point 4160

17 December 2004

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

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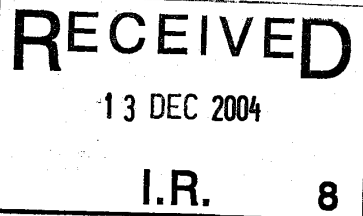
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Yours sincerely,


Colin James



17 Fernbourne St
Wellington Pt Post Code 4160
Date 10.12.04

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street
Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 P14171) -
Council File Reference MC8532**

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- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

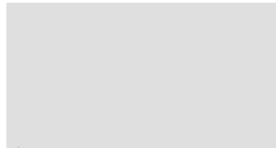
Patricia Jones

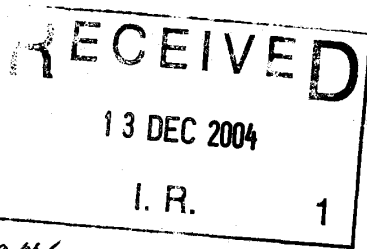
See over
please

I am particularly concerned
with the density of population
envisaged.

This is a very quiet area with
a large variety of wildlife and
one of the very few places left
in the Redlands where you can
see koalas regularly.

The large amount of humans with
extra traffic will certainly cause
the wildlife stress and a quick
demise.





Ref: MC8532

Assessment Manager
Redland Shire Council

Sandra and David Joseph
14 Buckland St
Wellington Pt Qld 4160

December 8, 2004

RE: Proposed retirement village, Station St, Wellington Pt

Dear Sir,

We are writing this submission based on our concern about the effect this development will have on where we live, namely the Whepsted precinct bounded by Station St, Buckland St, Duncan St, and Main Rd.

We have lived here happily for the past 12 years. We love the character houses, the narrow, unkerbed streets, the trees – we regularly hear koalas nearby - and the strong sense of community. Recently, a number of the older homes have been demolished, taken away or moved sideways to make way for more prestigious houses. This loss of the history of the area saddens us a lot, but we understand the democratic right of homeowners to do this to their land and have not complained.

This latest proposal, however, is a different matter. While we don't object to the development itself, the **traffic** generated by around 100 dwellings would be intolerable. Through my work at The Courier-Mail I know Tim Guymer and Ralph Bailey and I know they are accomplished architects with a good reputation among their peers. We trust them enough not to object to the development as long as there is a commitment by the developer to the long-term maintenance of the land and the eco-system.

But the traffic situation worries us greatly. If every dwelling has two cars, as permitted, that's another 200-odd vehicles doing an average 4-6 trips a day, not to mention visitors and people using the planned public facilities. They would use Buckland St as their main access to Cleveland. We have listened to the traffic engineer who tells us that this number of vehicles is acceptable for a suburban street, but he doesn't live here. Buckland St and others in this precinct are narrow streets and that's the way we like them. We have written to the Council previously asking that these streets never be widened or kerbed.

We love this area so much we have just had plans drawn up for a major renovation to our home but if our street becomes a thoroughfare, we will have to move. Our children have friends in the adjoining streets and there are always

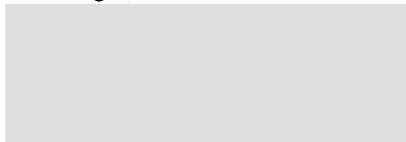
kids running across the roads with a dog or two in tow – this is the way friendly suburban streets should be. We don't want to be constantly worried about their safety, nor do we want to lose this special part of the Redlands.

We have attended the recent meetings and while some people who are less familiar with Guymer Bailey Architect's work have concerns about the project itself, the uniting issue for everyone is traffic. The people in Valley Rd are concerned that their street may be opened up to allow the traffic to flow that way and all the residents in our precinct fear the impact on our streets.

If the development is to go ahead, please close off Buckland and Burnett Streets at the Station St end. Successful new developments are built with the cul-de-sac model in mind, so why not employ the same principle here. It ensures safety, fosters a happy community and generally makes lives more livable.

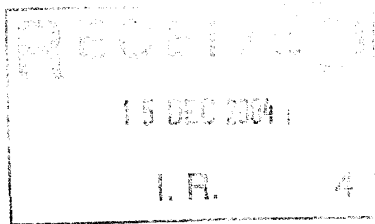
Finally, we would like to commend the Council for the recent street planting along Station and Duncan Streets. Such initiatives are greatly appreciated.

Kind regards



Sandra and David Joseph





M / Mrs / Ms E.M. Kerrison
25 Fernbourne Road
Wellington Point, Queensland
Post Code 4169
Date 14/12/04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature

ELSPETH MILN KERRISON
Name

My submission is an extension of the points already made of the effect the proposed new development will have on wildlife, but in particular, of birds.

Featherbusch Road (and the surrounding area including Hellman's Creek and the farmland under question) is very rich in birdlife, both native and introduced species. It is of course true that many of these will disappear with the onset of construction for the proposed retirement village, and with the advent of increased population, noise and traffic, they will not return.

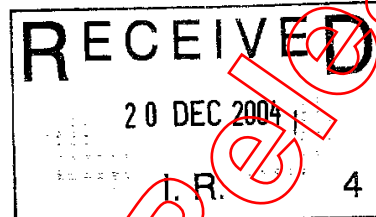
There has been a great deal of building construction in this small corner of Redlands in the past few years and the diminished habitat for birds and smaller items of wildlife is to be greatly regretted. Please leave the inhabitants of this area (both human and wild) a little space to enjoy some greenery, and some space to enjoy what's left of Wellington Point.

The Assessment Manager
Ref MC 8532.
Redland Shore Council
Box 21 Cleveland 4163.

Tracey Kerrison
25 Fernbourne Road
WELLINGTON POINT QLD 4160

15 December 2004

The Assessment Manager
Redland Shire Council
PO Box 21
QLD 4163



RE: PROPOSED PRE-RETIREMENT VILLAGE
COUNCIL FILE REFERENE No. MC8532
13-17 & 37-53 Fernbourne Rd & 37-63 Station St, Wellington Point
(lot 3, RP216889, lots 4 & 8 RP908452, lots 6,7,9 & 10 RP14166,
lot 1 P14171).

Dear Sir/Madam

I have viewed the application and plans for the above mentioned site and I am concerned about the following:

We moved to the Redlands and to Fernbourne Road approx. 6 years ago. I was astounded then and I still am by the quantity and variation of wildlife, in-fact it kept me awake all night for the first week. Birds singing at night, koalas grunting, frogs, lizards, bandicoots, snakes, and dozens of other things I had only ever seen in books. It is obvious that this is a special place.

I have concerns about the impact that this development will have on the local environment and wildlife, both during the construction phase and once completed. The increase in human activity in this sensitive area will undoubtedly effect wildlife movement and cause some species to disappear altogether.

Koalas regularly visit our backyard, the proposed development will cause fragmentation of their habitat. They will have to cross roads, fences, boardwalks, and areas open to the public to gain access to the areas that are presently in their home range. As stated in the attached letter sent by the developer in section g) **PICNIC AREAS** *"A small gravel area where cars can park under the trees will allow some residents to bring their families down for picnics to the small lawn areas under the koala eucalypt trees. The gates to this area will be locked at dusk..."*. Gravel, cars, picnics, people and locked gates! Nice for people by surely not appropriate koala conservation.

Please also see section a) of the attached letter under the heading KOALAS: *"There will be no large dogs allowed..."*. Small dogs harass and attack wildlife too.

The proposed development is adjacent to Hilliards Creek, there may be strict pollution control while under construction, but the number of residences being proposed is likely to impact Hilliards Creek and Moreton Bay through normal urban activities.

2.

In addition to the environmental impact Fernbourne Road has a unique streetscape, and is know in Wellington Point and other neighbourhoods for it's tranquil atmosphere, certainly this is why we moved here.

I am concerned that the unit site next to Fernbourne House and the boat and caravan storage area next to Casuarina Cottage are not sympathetic to the existing buildings. Both will dramatically impact on the privacy and visual outlook of these properties. The density of the units next to Fernbourne House appears to be out of keeping with existing development in the area. At present Casuarina Cottage faces onto a natural wetland, replacing this with bitumen speaks for itself.

In conclusion I would like to say that this land adjoins conservation areas of State, National and International importance, it is an important wildlife corridor, water collects on this land for lengthy periods, a large portion is below the Q100, and it has a known biting insect problem.

Please take into consideration the above when reviewing this development application, thankyou.

Yours sincerely

TRACEY KERRISON

End.

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Leanne Kouvaras
10 Camborne PI
Post Code 4069
Date 16/12/04

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 P14171) - Council File Reference MC8532

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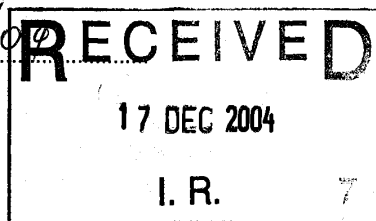
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

16/12/04



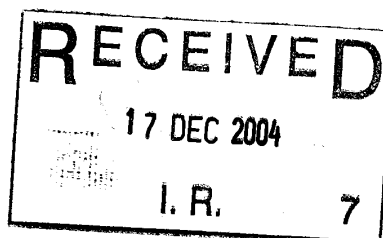
Leome Kouvaras
10 Lamborne Pt
Chapel Hill

Assessment Manager
Redland Shire Council
P.O. Box 21
Cleveland.

- I am a frequent visitor to Fernbourne House and enjoy the tranquility and natural environs of the area. I often see Koalas in the area and when I'm visiting, often walk along Fernbourne Road and enjoy the visual serenity and also enjoy the historical features of Fernbourne House. I am not encouraged with development especially encroaching on wildlife habitat of the area.

Yours sincerely

16/12/04



8 Day Court
Wellington Point Qld 4160

17th December 2004

The Manager
Development Assessment Services
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

Dear Sir,

Re: Proposed Development on Land situated at Fernbourne Road, Station Street and
Bligh Street, Wellington Point – Pretirement Villages Pty Ltd

We refer to our previous submission dated 21st November 2004 and wish to comment further as a result of our attending the community meeting held by the applicant's architects and designers on 30th November to discuss this matter. At the conclusion of the meeting we also spoke at length with these people.

Prior to the meeting in the Church Hall, we and other community members met and walked through part of the actual site proposed for this development. It was very obvious from this inspection that the land has become severely degraded and environmentally unsound over many years, resulting in heavy weed infestation and silting problems must be affecting the health of Hilliards Creek.

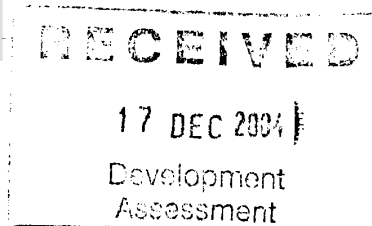
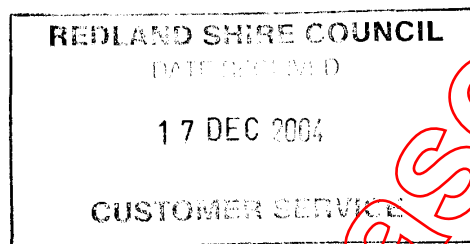
We believe that the proposed development would actually have environmental benefits for the land and Hilliards Creek. This proposed development seems to be a vast improvement to other existing developments at Wellington Point.

Our concern is traffic impact on Station Road and Buckland Street and we believe Council needs to consider this with regard to any development application.

We understand that no cats and only small dogs would be permitted. Perhaps extending a covenant to include solar hot water systems, rainwater tanks and excluding wood heaters which can cause pollution and harm the health of residents (please refer enclosure) would be in keeping with the environmental concepts of the proposed development.

Yours faithfully

Diane and Graham McGill



THE AUSTRALIAN LUNG FOUNDATION

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Woodsmoke and your Health: The Burning Issues

Wood-burning heaters are often admired for the ambience they add. However, smoke from woodheaters can be a major source of air pollution in many parts of Australia, and is a real and significant health hazard. There are a number of different pollutants in woodsmoke including particles of differing sizes, and chemicals such as dioxins and volatile organic compounds - many of which are potentially toxic and have unknown long-term effects. Many of these compounds are common with those seen in tobacco smoke or car exhausts.

Studies from many regions around the globe have identified short-term increases in death rates and hospital admissions related to increased concentrations of woodsmoke in the air. The particles in woodsmoke can penetrate deeply into the lungs and irritate the airways, thus causing existing problems such as COPD (emphysema/chronic bronchitis) or asthma to worsen.

Dr James Markos, Respiratory Physician and Chairman of the Tasmanian Branch of The Australian Lung Foundation, feels strongly about the particles that are released into the atmosphere with woodsmoke. *"There is no safe level of exposure to particle pollution. Over many years, exposure has similar long-term consequences to environmental tobacco smoke, including the risk of lung cancer and heart disease,"* he said.

There are growing numbers of people concerned about the health effects of woodsmoke, and about deficiencies in the design of woodheaters. Most woodheaters tested do not meet Australian standards in investigations performed by the (Federal) Department of Environment and Heritage, leading to concerns even about new woodheaters.

The Australian Lung Foundation recommends:

Using alternative methods for climate control:

- insulation and other measures to improve the energy efficiency of the home;
- heaters fired by natural gas or electric heaters;
- energy efficient house design (e.g. windows that allow the winter sun in).

Where consumers continue to use woodheaters, to:

- use correctly stored dry, seasoned wood;
- properly maintain the heater and chimneys such as cleaning the creosote from the flue yearly;
- replace the "chinaman's cap" with a parallel rain excluder;

http://www.lungnet.com.au/woodsmoke_issues.html

17/07/2004

- apply techniques to minimize smoke such as loading the wood with adequate space around the logs, and putting on a quick burn after lighting or reloading (according to Prof John Todd of Tasmania, poor use of woodheaters can increase the amount of smoke from a woodheater by 100 times);
- seek woodheaters that meet AS/NZS (Australian/New Zealand Standard) 4013 for particle emissions or consider up-grading existing woodheater to a less polluting model.

Publications and Activities

from Dr James Markos and The Australian Lung Foundation

Order form for DVD/Video/CD – The Australian Lung Foundation with generous assistance from the National Heritage Trust has contributed to the production of a short DVD on the problem of woodsmoke ("Woodsmoke – a Burning Health Issue"), available for the cost of postage and handling.

The 7.30 Report: Audit finds woodburning heaters failing to meet pollution standards - On 9 June 2004, the 7.30 Report broadcast on the ABC a story on woodheaters, including an interview with Dr James Markos.

Health impacts of woodsmoke

A summary written by Dr James Markos for a presentation at the *Clearing the Air* conference in May 2004.

Media Release "Recall faulty wood heaters now! (PDF format)

Woodsmoke, air pollution and your health – a brochure written by Dr James Markos for The Australian Lung Foundation on this problem.

Outdoor Air Pollution & your Health – a brochure produced by The Australian Lung Foundation detailing some of the issues relating to air pollution.

Indoor Environment and Lung Disease – a brochure produced by The Australian Lung Foundation explaining some of the issues of allergens and household chemicals.

Reference pages

Department of Environment and Heritage National Woodheater Audit – The federal Department of Environment and Heritage has commissioned an audit of woodheaters which reveals that most tested (new) heaters fail to meet national standards, and has linked certain organic pollutants to woodheater use.

Department of Environment and Heritage air quality page – a collection of pages from the Department of Environment and Heritage on various issues relating to Air Quality, such as a report on the state of the air. Connected to this page is published a plan of action to seek certification of newly manufactured heaters to deal with the problem of woodheaters that fail to properly meet the national standards.

Department of Environment and Heritage woodsmoke pages – an extensive collection of pages from the Department of Environment and Heritage with tips on how best to use a woodheater, analysis of the problem in the Tamar Valley in Tasmania, notes on the woodheater exchange programme in Launceston, and wide-ranging notes on the woodsmoke problem in general.

Aurora Air Quality index page – An energy company in Tasmania has a helpful page relating to the various aspects of the woodsmoke issue. It has been recorded that

Hobart's air quality is as bad as Sydney's despite a much smaller population, and this has been directly attributed to woodsmoke.

Clean Air Revival – An American based website, loaded with information on many aspects of the woodsmoke issue.

"Air Quality and Human Health" – A pdf file of a discussion paper written for the Department of the Environment in 1997 by Professor Peach on the relationship between the quality of air and its impact on health. A little dated, but solid review of some of the literature.

Testimony Regarding the Significance of Airborne Pollution to Health – Testimony by Dr Joel Schwartz of Harvard Medical School to the House Committee on Science in the USA about the significance of airborne pollution as a threat to health. A well-referenced but technical discussion.

Clean Air Society of Australia and New Zealand – An organization with an interest in many different issues relating to the state of the atmosphere and the effects of pollutants, with interesting links to the National Pollutant Inventory and to issues relating to industrial pollution.

Links to some groups responding the woodsmoke problem as a local issue

Armidale Air Quality Group – Armidale, in the New England region of northern NSW suffers from exceptionally poor air quality in winter causing an estimated 4 - 19 premature deaths per year in that community. The University of New England has been active in monitoring the effects of woodsmoke on the local population.

Launceston Air Quality – Woodsmoke is a very significant problem in Launceston , Tasmania to the extent that there is a funded woodheater replacement programme.

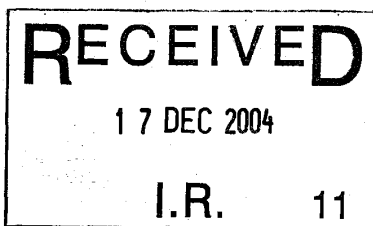
Canberra Air Quality Group – A site designed by an active community within Canberra affected by the burning of wood for heat.

CABRA – This group (*raising Community Awareness about the health effects of Burning wood in Residential Areas*) is based in South-East Queensland and relates some of the direct personal experiences of people who have had problems with woodsmoke.

Clean Air Now – a small chat group based out of New York state in the US .

Environment Canterbury – Air quality in the Christchurch , New Zealand has also been a huge issue, with financial assistance being offered to replace older, less efficient woodheaters. There is a ban on purchasing new woodheaters if the home does not already have one.

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Mr/Mrs/Ms Lisa McLoughlin
19 Rye St
Wellington Point
Post Code 4160
Date 13.12.04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature

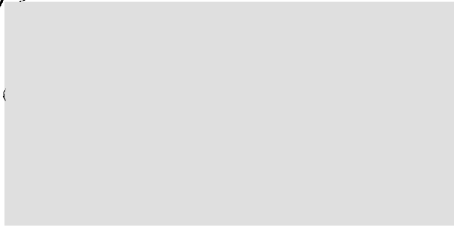
Lisa McLoughlin
Name

In Rye Street, koalas come to the gum trees across the road from our home. This is one special aspect of living in Wellington Point.

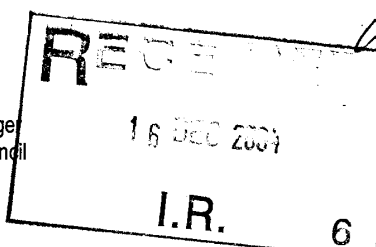
I believe quality of Wellington Point living is threatened by the proposed development. Already the traffic intensity has increased with recent developments, both around town and on the drive into the city.

The special aspects of Wellington Point should be preserved. The waterways and bushland are what we all value and wish to keep.

Yours Sincerely,



Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



34 Musgrave Street
Wellington Point Post Code 4160
Date 14-12-04

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 RP 14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

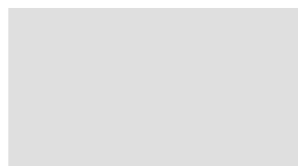
Name

JEFFREY HAROLD MICK

This document I have signed again shows my feelings on the development on these wetlands to a letter sent to council 23 October 2000 Council file MC 5565.

This will be the start of an environmental disaster to the total area along the Hallard Creek water way if not stopped. I doubt anyone knows the mouth of the creek is about completely sealed at low tide due to the silt build up caused by the final dredging for coral by O.C.L. some years ago, this in turn has caused the entire creek to silt up. Wild life is also being driven out of the environment never to be replaced. Black-swamph Cleveland perfect example destroy natural water-way build canal estate make millions, then spend multi-millions to fix a simple problem. Manage development don't let development manage council

Regard



RECEIVED

13 DEC 2004

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

I. R.

1

7 Station Street
Wellington Point Post Code 4160
Date 11th Dec 2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 P14171) - Council File Reference MC8532

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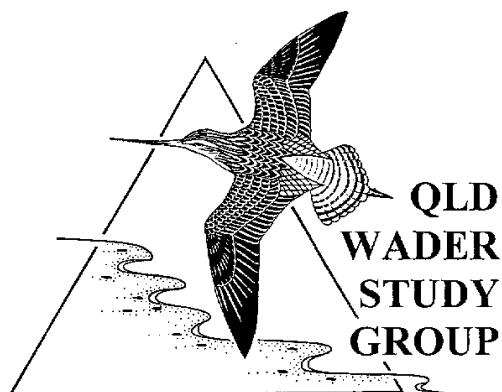
Signature

Name

Mr. Daphne Nick

I object to the proposed plan if the only exit from the Village is along Station Street, as the traffic is already ^{heavy} along here, because of the going to and from the station ^{can park} plus other heavy transport! As it is, I have very little parking space outside my home for any visitors who come by car, therefore I have left my drive-way open, for their cars only! I have been a resident of this area for almost 60 years (56 of them in Arthur Street Wellington Point) so I am also aware of the danger to the wild-life etc, it will cause if the plan goes ahead.

Right to Information



Queensland Wader Study Group
(A special interest group of Birds Queensland)

Dr David Milton
Chairperson, QWSG
336 Prout Road
Burbank QLD 4156
Ph (07) 3390 2179 (h)
E-mail pitta@gil.com.au

Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

15 December 2004

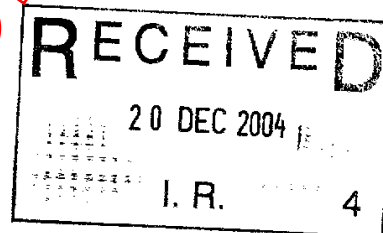
Dear Madam

Re: Proposed retirement village on land situated at Lot 1 RP14171, Lot 3 RP216889, Lot 4 RP 908452 and Lot 8 on RP14166, Wellington Point

The Queensland Wader Study Group (QWSG) is concerned about the environmental impact of the proposed retirement village on the wader habitat of Moreton Bay.

The QWSG, with a current membership of 200, is a special interest group of the Queensland Ornithological Society Incorporated (Birds Queensland), an organisation with more than 500 members. The QWSG was formed to further research on both migratory and resident waders¹ (shorebirds) in Queensland, and to work for their conservation. Moreton Bay supports 41,074 waders (Driscoll 1997) of more than 43 species and in particular significant populations of Eastern Curlew. Under the *Nature Conservation Act 1992* (Queensland), Eastern Curlew is listed as Rare.

¹ Waders are a special group of birds that live on the shores of lakes, rivers and the sea. In the Australian winter, most species of wader migrate to arctic regions of Asia and North America to breed. At low tide, waders feed on exposed mudflats, but at high tide, they congregate at specific locations, called roost sites, to rest.



In conclusion, the QWSG considers that the site contributes to the conservation of wader habitat and that the subject land should be largely maintained as a buffer to the Moreton Bay wetland. We look forward to your reply.

Yours sincerely


Dr David Milton
Chairperson, Queensland Wader Study Group

Reference

Driscoll, P.V. (1997). *The distribution of waders along the Queensland coastline*. In: Shorebird Conversation in the Asia-Pacific Region, pp. 80-122. P. Straw (ed.).

Return Address

Mr/Mrs/MS MA & HK Mitchell

36 Valley Road

Wellington Point

Post Code Q 4160

Date: 14/12/04

The Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND Q. 4163

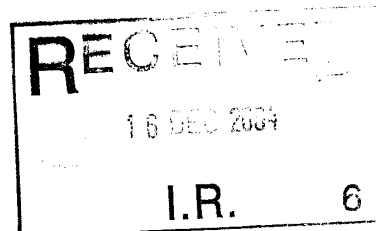
Attention: Ms Susan Rankin

Dear Ms Rankin,

**OBJECTION TO PROPOSED RETIREMENT VILLAGE, 13 FERNBOURNE ROAD, WELLINGTON POINT
APPLICATION REF. NO. MC008532**

I am writing to object to the above application. This development will have a negative impact on the Whepstead/Fernbourne Precincts, causing - an increase in population and traffic; a loss of visual amenity; and an affect on local wildlife, environment, streetscape, residential and heritage values. We are submitting an objection to the above proposal for the following reasons:

1. Cultural Heritage of Whepstead and Fernbourne Precincts.
RSC requires multiple dwelling developments to, "compliment heritage and character items and their settings in the surrounding neighbourhood." Design and materials of buildings do not reflect the character of the surrounding neighbourhood and in particular heritage homes, Fernbourne House and Casuarina Cottage. Recent multiple dwellings, new homes and relocated houses have added to the areas 'Queensland design' appeal.
2. Protection of Wildlife in the proposed area.
 - a) It is an incompatible development with Koala Conservation as per State Planning Policy 1/97. The southeast Queensland koala population is recognised as regionally vulnerable and requiring protection under the Queensland Nature Conservation Act. There is significant koala activity on the edges of the development and we are concerned about the fragmentation of koala movement.
 - b) The proposed development is adjacent to Moreton Bay Marine Park and an internationally listed RAMSAR wetland site and will impact on the high diversity of bird species in this area.
 - c) Hilliards Creek is an important wildlife corridor, home to a wide range of vegetation and aquatic plants. This development will impact on the creek which already has a "D" health rating through increased human activity and stormwater drainage.
3. Traffic
 - a) Increased traffic will affect the noise and safety levels of the surrounding streets. An increase of an extra 300 car trips per day from this development and additional car trips from the Turf Farm development (if approved) is an unacceptable level of increase in a short time frame.
 - b) Construction Traffic will affect the safety of pedestrians in the area, increase noise levels dramatically and damage the trees overhanging Station Street. There is concern that the site works will pollute Hilliards Creek. Redland Shire Council, "ensures site works are consistent with the site's characteristics and do not adversely impact on adjoining properties or the environment." (Design Element 11) We believe the construction phase will adversely impact on this residential area.
4. Contraventions of the Redland Shire Planning Requirements.
 - a) A considerable number of units are to be built beyond the Q100 flood line and on land designated as drainage problem. (Lot 1, Lot 10) This is not considered appropriate under the Town Planning scheme for the Shire of Redland. (P33)
 - b) Rural Non Urban Land (Lots 6,7 &8) Town Planning Scheme (p37) states that this land should not be used for multiple dwellings yet this development incorporates this.
 - c) Special Protection Area (Lot 1) The Caretaker's residence, visitor/respice accommodation and caravan/boat storage area extend into this Special Protection Area. Also there would be a negative impact on the Casuarina Forest and wetland area. This use would be contrary to the primary intent of conserving and enhancing a Special Protection Area.



- d) Special Planning Intent No. 2. (Lots 6,7,8,9 and a significant proportion of Lot 10). Under the Strategic Plan, it is "considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component." Quite clearly, the proposed development does not include a limited residential component (105 units), with buildings and car parking extending beyond the limits of the Specific Planning Intent No 2 designation and into the Special Protection Area designation.
- e) It is clear that there are problems with this land and that the development density of the buildings are being pushed onto higher land and thus compromising the normal urban density allowable for that specific site. Lots 3 & 4 have a combined area of 0.2683ha and a population density of 192 people per hectare, that is, 92 people greater than the zoning density allowable of 100 persons per hectare on Res B. land.
- f) To add 105 units (25 unit blocks, 26 two-bedroom villas, 50 single bedroom villas, 2 respite bungalows, 1 manager residence, 1 caretaker residence) into a quiet suburban area is contrary to the visual and privacy amenities of existing residents. The proposed development on Duncan Street (Turf Farm) and further unit development will also increase the population dramatically and thus this development should not be considered in isolation.
- g) It is important to retain the character of the streetscape, however buildings with a length of 50 - 60 metres in length and 2/3 storeys high do not enhance the street at all. In the Residential Code for Multiple Dwelling Development it states that "multiple dwelling units have a maximum articulated building length inclusive of roof of 25 metres along side and rear boundaries." The design of the units on Lots 3 & 4 does not comply.

5. Open Space

- a) This is the last remaining open space corridor of land in Wellington Point. It allows a unique opportunity to reinstate the natural bushland and creek environment that has been destroyed through farming. To have a wildlife haven where creatures can live and breed without human intervention would be of long term benefit to the Shire and future generations. It would provide long term protection for the RAMSAR site and feeding grounds of the Dugong. From this ecologically sustainable area, wildlife could then spread into the surrounding suburbs.

My personal views about this development are:

- Living in Valley Road - a lovely quiet little cul de sac at present we are told this might be bulldozed thru in order to make a thoroughfare ... this would be completely devastating for us as we have a young family who play in the safe cul-de-sac & this was one of the main reasons for choosing to buy this house. If this house had been on a thru - road when we bought it we would have chosen not to buy for being in a cul de sac esp with young children is a major consideration for us.

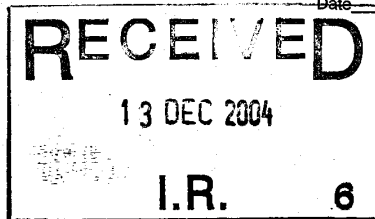
In conclusion, we believe that in the current state, the development is not suitable for this area and trust that you take our concerns into consideration when you respond to the application.

Yours sincerely,

[Redacted Signature]

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:



Mr / Mrs / Ms David & Jodie Mortimer
2A Station St
Wellington Pt 4160
Post Code
Date 12.12.04.

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

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The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,


Signature

Jodie & David Mortimer
Name

Increased traffic in residential areas, increased risk to children and wildlife from traffic and loss of unique community identity as this development is not in keeping with the surrounding area.

We moved our children here to be away from a busy road!

THE ASSESSMENT MANAGER
Redland Shire Council,
P.O.BOX. 21
CLEVELAND 4163

28 Station Street,
Wellington Point
4160

10th December 2004

Application Ref. No. MC008532.

Submission for Proposed Retirement Village 13 Fernbourne Road. Wellington Point.

I am writing to object to the proposed development on planning, wildlife, amenity, traffic, heritage grounds.

Contravenes Redland Shire Planning Requirements

1. Proposed building below the Q 100 flood line, in a drainage problem area is inappropriate.

The Q 100 line shown on developers plan is different to line shown in:
""Hilliard Creek Flood Study""

Rafts and Mike 11 Model
Development

March 2004.

In particular any development north of Lot 139.

2. Special protection area (Lot 1) Development extends into this area which is below the Q 100 line. A storage facility of boats and caravans in an area next to existing residences (Historic Casuarina Cottage) is totally unacceptable. This use is against the aim of conserving and protecting in this area.

3. Lot 6, 7, & 8 are rural non urban and should not be used for multiple dwellings. Lot 6 contains old clay pits which have been partially filled by ? over the years.

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14 DEC 2004
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4. Special planning intent No. 2 which included Lot 6, 7, 8, & 9, and most of lot 10 is suitable for a variety of possible uses but not over development and encroachment beyond these limits.

5. Lots 3, & 4 proposed development of two blocks of units contravenes Councils Residential code for multiple dwelling development.

- a) Density of Res. B, 100 heads per hectare has virtually doubled in this development
- b) Street scape amenity as far as
 - intergration with surrounding neighbourhood e.g. Fernbourne House.
 - varying appearances of multiple dwellings.
 - ensuring attractive elevational treatment.
- c) Building size and bulk.
 - the barrack style three storey development is inappropriate to this area.
 - design does not take advantage of site, such as orientation.
 - roof pitch does not reflect surrounding neighbourhood.
- d) Earth works.
 - A large cut is required with retaining walls at east end to gain access to underground car park. Levels shown on plans do not correlate.
- e) Set backs.
 - Side boundary set back do not seem to correlate to building set backs as required by Council. Overlooking adjoining property is also an important issue of concern.

Site Analysis Plan

A Site analysis plan showing on site vegetation such as Location of existing trees and vegetation (including, species, condition, height, and spread evergreen or deciduous) and trees proposed to be removed and retained as required by Council for DA application.

The prepared plan does not fully show all this information, which is necessary before any architectural drawing is done as this governs the ultimate design of any site in regard positioning of buildings around the existing treescape.

Wild Life Protection

This developement will effectively cut the Koala population in half if it goes through in its current format. The proposed buildings of units below the Q100 line, is within a couple of metres of an existing salt marsh, this will prevent the movement from north to south of the Koala population and also the colonies of quail that frequent this area.

Development is adjacent to a listed RAMSAR site and will impact on bird and animal life during and after construction - pollution, lighting noise.

Will Council be imposing a pet restriction (eg. no cats and dogs) on this development and adjoining proposed turf farm development to protect wildlife?

Traffic

The increase in traffic during and after construction will have a negative affect with noise and safety levels in surrounding neighbourhood. The approaches to development at the railway bridge in Station St. as far as safety is concerned is very dubious. Planting of trees right on the bend on left side of Station St. is totally illogical even for the current traffic.

The bridge also has deteriorated significantly of late due to the increase in heavy traffic from another development.

In conclusion we believe the proposed development contravenes many issues. An over development and intrusion into special areas.

In considering this development and future development we hope you consider the impact and feelings of rate payers.

Yours Faithfully,)

Kenneth .W. Murie

36 Fernbourne Road
WELLINGTON POINT Q 4160

17 December 2004

Assessment Manager
Redland Shire Council
PO Box 21
CLEVELAND Q 4163

Re: MC532

Development Application for Retirement Village, Environmental Park & Recreational
Facilities

Dear Sir

As a resident and property owner of Fernbourne Road I take this opportunity to lodge
this submission.

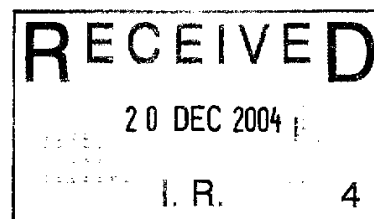
I am concerned at the possible setting of precedent should dwellings be approved in
the area below Q100. I am also concerned with the proposed location of other
structures and buildings below Q100.

This area provides significant habitat for the koala and other fauna. Any
development would need to ensure free movement of animals together with
substantial buffering between existing dwellings and the village dwellings.
The fencing proposed would prevent such free movement of the koala to the
vegetation on the western side of Fernbourne Road.

The area designated for trailer boat storage, car parks, access road and guest and
caretaker's residence impacts heavily on the amenity of an historic dwelling,
Casuarina Cottage, one of the earliest surviving cottages in Wellington Point. Any
development on this site should ensure minimum impact on the cottage as well as the
significant Poinciana tree which is protected by Council Vegetation Protection Order.

I am concerned in relation to the increased traffic which will be experienced in the
surrounding area should both the Retirement Village and turf farm development to the
south be approved with proposed number of dwellings. One has only to drive in the
vicinity of Station Street, Valley Road and Main Road around school times to see that
there is currently serious congestion. The railway bridge eastern end of Station Street
is already showing signs of stress from the present light traffic movement.

Although the application indicates continuing maintenance of the open space and
facilities by a Body Corporate, I question whether this can be guaranteed.



Fernbourne Road continues to provide a haven for the many residents who walk, ride bikes and horses. The grass swales and street trees add to the ambience. Those trees, Jacarandas, were planted by residents in 1988 as a bicentennial project. Over the years residents have met with Council and agreed to retain the grass swales for stormwater management. This continues to be our view.

With resolution of the above concerns, that is the scale of the development, traffic and environmental as well as recognition of the heritage value of both Fernbourne House Casuarina Cottage and significant sites, I feel that this has the potential to be a landmark development. Council should encourage the applicants to install rain water tanks, solar power and hot water systems as well as the grass swales which give Fernbourne Road its distinctive form and assists in the treatment of stormwater.

As well, a review of street design of the surrounding areas will be required to plan for the increase in traffic.

Regards



Keith Newton

1 Fernbourne Road
WELLINGTON POINT Q 4160

16 December, 2004

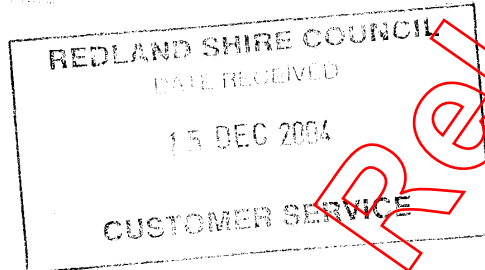
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15 DEC 2004

FROM C.S.O.

Assessment Manager
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

Council file ref: MC8532



Re : Application for development of a retirement village, environmental park and recreation facilities on land at 13-17 and 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (Lot 3, RP216889, Lots 4&8 RP 908452, Lots 6, 7, 9 and 10 RP14166, Lot 1 P14171).

Dear Sir,

We actually **support** the proposed development in principle (with some reservations detailed below), provided something can be done to **share equitably** the increase in traffic that will be generated, and the safety concerns due to the narrowness of part of Station Street.

We are concerned with the proposed **sole access** to the above development, which appears to be the eastern end of Station Street.

Safety of proposed road access

The section of road concerned is approached by making a right-hand turn immediately after crossing over the railway-line. It is a sharp, blind turn, with vision being blocked by the colour-bond safety fence over the railway line. Because of the steep hill, it is also difficult to see if a vehicle is coming up the hill and there is a sharp curve at the bottom of the hill which further conceals traffic from view. The road is very narrow - one side adjoins a steep embankment with an almost sheer drop and no footpath, and no room for a footpath, the other side adjoins Qld Rail property - also with no footpath, or room for one.

The current usage of this road is extremely low. It is shared by cars and pedestrians but the low traffic volume keeps the danger to an acceptable level. Current usage is:

- the current occupants of the turf farm (1 family)
- ourselves (1 family)
- the occasional Railway service vehicle
- occasional lost vehicles who do not notice the "no-through road" sign
- the occasional off-road vehicle

- pedestrians: ourselves walking to and from the Railway Station, dog-walkers, wild-life viewers and bush-walkers.

Increasing the road traffic and pedestrian volume to that which would come from

- large numbers of heavy vehicles during the development stage,
- the occupants of the 100 or so retirement houses,
- the occupants of the 50 plus homes planned for the old turf farm and the extra traffic generated by the proposed equestrian centre (horse floats etc).
- visitors to the residents and community facilities, and
- the proposed caravan site

will create an extremely dangerous situation - a car may end up rolling over the embankment trying to avoid collision with either a pedestrian or a vehicle going in the opposite direction, or a pedestrian may be killed or injured as **there is no safe area to escape a vehicle.**

Besides traffic from the proposed development there is peak-hour use of Fernbourne Road with cars picking up passengers from the Railway Station. This traffic passes the dangerous blind intersection of Station Street of concern in this letter. The people living in Station Street that we have spoken to are extremely unhappy at the increase in traffic that will be generated from the use of Station Street as sole access to the proposed development.

As well as the safety concerns described above, the excess use of the narrows part of Station Street (i.e. immediately east of Fernbourne Rd.) could cause degradation to the embankments both sides of Station Street. A slippage of the southern side of Station Street near Fernbourne Road would collapse onto the Railway Line.

We suggest:

- The problem area of Station Street described above should be made one-way, going up hill (east to west) - this would halve the possible traffic volume and could have the effect of deterring speeding.
- This should be shared with a safe pedestrian walk-way.
- The land at 13-17 Fernbourne Road should be used for the main entry into the proposed retirement village and a road which would complete the one-way circuit. This land had been kept aside for this purpose by the original owner of the land and it is inappropriate for dwellings to be built on it if it can be used to solve the problem of access to the development.
- We see no reason for Valley Road to be closed to through traffic. If the development is to go ahead, all streets should take a share of the traffic, and opening Valley Road would give an additional access. It would make more sense for Valley Road to be made a through road and lead to access to the Retirement Village rather than using the winding, unsafe trail that is the end of Station St. This would help to draw traffic away from the entry to the Kindergarten on the corner of Valley Road and Herbert Street.

Inappropriateness of small cluster-style units

The cluster of 13 small units proposed for the vacant land at Nos 13 and 17 Fernbourne Road do not fit in with the rest of the homes in Fernbourne Road. They

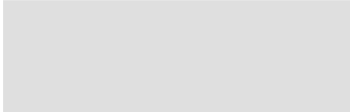
have no regard for the style of historic Fernbourne house, or the styles of any of the other houses in Fernbourne Road. We suggest that land would be better used to provide an access to the estate by way of a road entrance from Fernbourne Road, complete with safe access for pedestrians.

Protection of major tree and other trees

At the end of Station Street, just before the bitumen runs out, on the right hand side of the road (travelling east) is a huge eucalypt. This tree is a major food source for koalas and a habitat for nesting birds and other wildlife. We would appreciate it if the Council could ensure that this tree is not harmed by the development.

We would also appreciate it if the Council could ensure that no trees are harmed on the Station Street embankment adjoining our property. These trees are responsible for holding the soil together on the embankment and anything which would harm them may degrade the safety of the embankment.

Yours sincerely,



Ray and Alice O'Neil

cc: Councillor Alan Barker

RECEIVED

11 DEC 2004

Monday December 13, 2004

The Assessment Manager
Redland Shire Council
PO Box 21
CLEVELAND Q 4163

Reference MC 8532

As a new resident of Wellington Point, I wish to submit my concerns over a proposed retirement development on land bordering Fernbourne Road, Station Street and Bligh Street.

I viewed the plans for the proposal along with hundreds of other concerned residents at a recent public meeting. I applaud representatives of the developer for attending the meeting that was heated at times, but people have a right to be passionate about what goes on where they live; it is their quality of life that is being threatened.

I accept that the land is degraded and needs rehabilitation. Plans outlined to bring the site back to a fit environmental state sound good, too good to be true. I find it hard to believe that a developer is going to spend so much time and money repairing land suffering due to years of neglect unless there is something in it for them. Intentions to open up some of the site to the public i.e. a boardwalk and bike path make me even more suspicious. I really would like to believe them but can't help be just a bit cynical in this world ruled by the almighty dollar.

I am deeply concerned about our small koala population. Pledges to keep designated koala trees and plant more koala food trees are welcome but what worries me is the safety of koalas during construction. With increased activity and traffic comes the risk of accidents. Once the development is complete there will be more people, increasing the volume of cars, domestic pets and more pressure on our fledging koalas. There could be the situation where trees planted with all the best intentions in the world, will feed koalas that don't exist any more!

On a personal level I am not happy that the peace and quiet my family and I currently enjoy is possibly about to come to an end. We have only been here a few months and if we were aware of this plan we may have reconsidered our purchase. But on the other hand I am a realist and not totally anti-development if it means better use for everyone of a degraded site. I appeal to the relevant government bodies that legislation to protect the environment is strictly adhered to. Promises given to residents that everything will be done to protect the environment need to be honoured. The responsibility rests with our elected representatives to remind the developer of this.

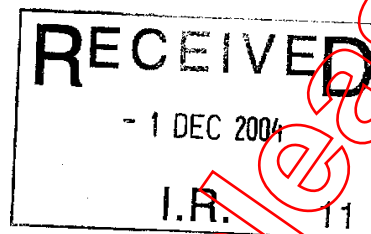
Thank you for reading my submission. I have never done anything like this before but feel so strongly I have to act. Now that I am a parent I think it is our duty to look after the world for our children and future generations.

Yours truly,

CAROLYN PALMER
21 Galena Street
WELLINGTON POINT Q 4160

Monday 29th November 2004

The Assessment Manager (Ref MC8532)
Redland Shire Council
PO Box 21
Cleveland
Qld 4163




Dear Sir/Madam

After having viewed the application for the development of a 'Retirement Village' at Station Street, Wellington Point (your ref MC8532), I wish to bring to your attention my concerns in regard to such a development.

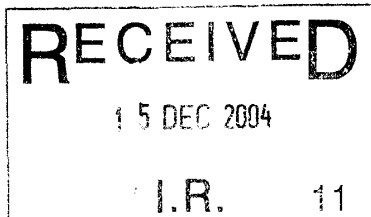
1. **Hilliards Creek.** I am concerned about the impact that such a development may have on Hilliards Creek, and the flora and fauna that depend on that creek. The current rating of 'poor' for Hilliards Creek issued by the joint EPA/QPWS healthy waterways project is the second worst rating possible (The worst being 'Fail'). I feel it would be wrong if we allowed any further deterioration of the creek.
In particular, I am concerned about:
 - (a) The possibility of any potential acid sulphate soil (PASS) being disturbed and becoming actual acid sulphate soil (AASS);
 - (b) The treatment of water runoff flowing from this site, during and after construction of any development, without being properly treated;
 - (c) The effect that any increase in silting will have on the mangrove trees along the banks of the creek, the seagrass beds at the mouth of the creek and the fish and crustaceans in the creek.
2. **Traffic.** I am concerned that the construction of up to 105 dwellings (as listed on the developers application) will create excessive traffic movements along Station, Harris and Buckland Streets. The amenity of this precinct would be greatly affected by both the physical movement of vehicles and also the noise associated with the increase in traffic.
Further, Main Road is already congested, particularly during 8:30-9:30am and 2:30-3:30pm of each school day. A development of this size can only add to this traffic congestion.
3. **Corner of Station Street and Fernbourne Road.** I feel that this corner will become dangerous at the curve in Station Street as it crosses the train line. Vehicles frequently travel at excessive speeds around that corner. The vision of a driver travelling from Station Street into Fernbourne Road is limited. I feel this lack of vision at the corner may place at risk those wishing to turn right at the intersection into the 'lower' section of Station Street. Having stated this, I would not propose that the entrance to any development be via Fernbourne Road but perhaps via Bligh Street.

4. **Proposed units on Lots 3 and 4.** I have seen the drawings of the proposed 25 units on lots 3 and 4. Their size and exterior makes them look 'industrial' and certainly not in keeping with the streetscape of Fernbourne Road. I would ask that the Council ask the developer to reduce the overall size of the 2 buildings and to re-design the exterior to be more in keeping with surrounding dwellings.

Yours sincerely



Mr William Patrick
28 Matilda Street
Wellington Point
Qld 4160



Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

Mr / Mrs / Ms B. POWER
26 FREDERICK ST
WELLINGTON PT
Post Code 4160
Date 11.12.04

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,


Signature

Name

Betty Power

P.T.O

In regard to the land that Council intends to be developed, given the right weather conditions, is flooded. (Rain and King Tides). Any development along Hubbard's Creek should never be considered.



Right to Information Release

17th December, 2004

23 Fernbourne Road
WELLINGTON POINT Q. 4160

The Chief Executive Officer
Redland Shire Council
PO Box 21
CLEVELAND Q. 4163

Attention: Ms Susan Rankin

Dear Ms Rankin,

**OBJECTION TO PROPOSED RETIREMENT VILLAGE, FERNBOURNE
ROAD AND STATION STREET, WELLINGTON POINT.**

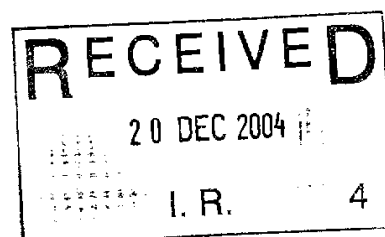
We have major concerns regarding the application (Ref. No. MC008532) to develop a Pre-Retirement Village Environmental Park and Recreation Facilities; Site Description: Lot 3 RP216889, Lots 4 & 8 RP908452, Lots 6, 7, 9 & 10 RP14166, Lot 1 RP14171; Site Location: 13 Fernbourne Road, Wellington Point.

We have examined the application and plans submitted to Council, and the accompanying explanatory notes. Our concerns fall into the following categories for which detailed explanations follow:

1. Opening Statement
2. Effect on the environment and local wildlife
3. Contraventions of the Redland Shire Planning Requirements
4. Closing Statement and Alternative
5. Appendix – List of Birds for Fernbourne Rd environs and Geoff Skinner Reserve

1. Opening Statement

The Redlands is a beautiful part of SE Queensland to live in and visit. Its beauty, charm and character is in part due to its semi-rural nature and scenic outlooks – farms, parks, woodlands, wetlands, mudflats, mangroves and beaches. Ironically because of its attractiveness there is increasing pressure to develop



these areas into housing estates and thereby lose the very amity that attracted residents and visitors in the first place. Past Councils and Councillors have recognised this dilemma to varying degrees, by trying to control growth and protect unique and sensitive areas, habitats and wildlife that give the Redlands its character and appeal. The proposed Pre-Retirement Village Environmental Park and Recreation Facilities [hereafter referred to as the "Retirement Village"] is but the most recent example. Over the years the council has received and **rejected** a number of proposals to develop this location based on sound town-planning (density and amenity), hydrographic (tidal inundation and flooding) and environmental (sensitive habitat and fauna) grounds.

In our opinion those reasons are still valid and nothing in the new proposal eliminates the reasons for previous Council decisions and the concerns of local residents. Furthermore, there is an opportunity to correct earlier abuse and neglect of this unique part of the Redlands. The Council has guidelines for protection, enhancement, and rehabilitation of habitat areas and wildlife corridors and has set precedents in the vicinity by resuming land, developing an artificial wetland and an artificial high-tide wader roost to help ameliorate, conserve and educate. The RSC could develop the entire Hilliards Creek Wildlife Corridor, not for housing of a few, but as an asset, a showpiece of town planning and conservation, for all of SE Queensland to enjoy.

2. The effect on the environment and local wildlife

The proposed development is: within the Hilliards Creek Wildlife Corridor and the Koala Conservation Area (SP1/97); adjacent to Hilliards Creek and Moreton Bay Marine Park which is a designated Ramsar Site (a wetland of international importance); and just upstream from the Geoff Skinner Reserve an important high-tide roost for migratory waders. The habitat is diverse including: mudflats, salt marsh and mangroves; freshwater lakes and wetlands; mixed woodlands; and grasslands. Indicative of this unique mixture of habitats within such a small area local residents have sighted almost 120 species of birds in the upland habitats and an additional 35 species in the Geoff Skinner Reserve (see Appendix). The Geoff Skinner Reserve is comprised of extensive mudflats, salt marsh and adjacent mangroves, salt marsh and grassland which is used by waders during the non-breeding part of their global migratory life history and is therefore protected by the Ramsar Convention and other international treaties to which Australia is a signatory. This high biodiversity (155 species) is probably unique in the Redlands, because of the high diversity of habitats in a relatively undisturbed state.

The proposed development, while acknowledging, indeed exploiting, these unique attributes, will **not** enhance them. On the contrary the disturbances during construction; the alteration of habitat; the scale and density of additional residences with lights, traffic and noise; as well as runoff from roofs, gardens and boat yard will all be detrimental to the immediate and downstream environment and its flora and fauna. Hilliards Creek recently received a 'D' rating (near bottom) by the Healthy Waterways Report Card; clearly the creek needs remedial action not additional pressure from development. All these activities clearly contravene the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of sensitive and unique environments.

Of particular concern is the harm to the significant koala population that currently resides adjacent to this site. Construction noise, tree removal and further partitioning of their limited habitat can only have detrimental effects. While the proposal talks about enhancing koala habitat by planting trees they would not be able to support feeding koalas for 5 to 10 years and the other detrimental effects of disturbance, traffic, pets etc. would not be outweighed. In addition the Retirement Village is adjacent to the proposed Turf Farm development on Duncan Rd. This potential double blow would be an unsustainable reduction and partitioning of an already reduced environment. Further these proposed developments contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

3. Contraventions of the Redland Shire Planning Requirements

Inundation and flooding

Significant numbers of the unit dwellings are to be built below the Q100 flood line. This would be the first dwellings to be allowed in the Redland Shire below this flood level. Is the council going to allow a precedent to be set by these dwellings that will have far reaching consequences for low lying areas in the shire? Several lots within the development also fall within areas zoned as Drainage Problem land.

Rural Non Urban Land

Lots 6, 7 and 8 are zoned Rural Non Urban. Under the Town Planning Scheme for the Shire of Redland (1998) P37, it states "Column V. Purposes for which buildings or other structures may not be erected or used or for which used land may not be ... Multiple dwellings". Clearly the proposal contravenes the Town Planning scheme

Special Protection Area

Under the Strategic Plan for Redland Shire (1998) this "indicates the location of areas within the main urban parts of the Shire which have been identified as possessing natural environmental qualities worthy of conservation. These include many areas of remnant vegetation which provide important habitat, corridor and visual landscape values. The environmental issues raised earlier are clear examples of how the development does not comply with the intent of Strategic Plan and previous recognition of the special nature of this part of the Redland Shire by Council.

In addition, buffer areas between the villas and the Special Protection Area are not adequate, especially at the northern end of the site and thus do not comply with the development constraint imposed by the Special Area designation.

Traffic and Safety Issues

There is a projected number of an extra 300 vehicle passages per day in the surrounding neighbourhood streets. We believe that the extra traffic and associated noise and pollution from this will severely impact on the environment and wildlife. Further, children and pedestrians that use the area for recreation and walking to and from the train station will be at increased risk. This issue has been raised earlier with Council through correspondence and community meetings. Again the double impact of the proposed Duncan Street (Turf Farm) Development must be considered. Thus the impact of the Retirement Village cannot be taken in isolation with regard to the surrounding area.

Visual Amenities

The Fernbourne Road precinct is a quiet area of historic importance with a particular visual characteristic of old homes and modern houses built to fit into the streetscape for the most part. Modern high density units do not take this into account and will spoil the visual amenity of this area.

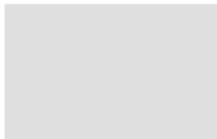
4. Closing Statement and Alternative

As local residents we feel the proposed development is totally unsuited to the local environment on the grounds of town planning regulations, hydrographic and environmental considerations. The Redland Shire has rejected previous proposals on the same grounds. While elaborately packaged the current Retirement Village proposal, could only benefit a few at the expense of the unique habitat within the Hilliards Creek Wildlife Corridor and the fauna and

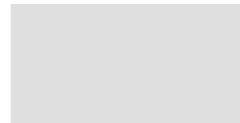
flora therein. In fact, the proposed development is more likely to destroy not only the amenity they are trying to sell, but that of the surrounding neighbourhood and environment.

The Redland Shire Council has an opportunity to lead the way for other local governments to rehabilitate and conserve a special part of the Shire with its unique ecological and historical values. This doesn't mean lock it away for a few birdwatchers, but engage the variety of public interest groups that are already active in the area (fauna groups, habitat groups, heritage groups) to restore the area for public access, enjoyment and education. The Council has already resumed blocks in the area and has invested in an artificial wetland nearby. It has set aside the Geoff Skinner Reserve. It could continue its good work and tie all this patchwork together in a significant Reserve of enormous local and regional value. Monies for such works have been set aside by the Council and could be matched by State and Federal funds. This would provide lasting and far-reaching benefits for the many, not short-term, questionable benefits for the few.

Respectfully submitted,



Dr Peter C Rothlisberg PhD



Dr Michele A Burford PhD

cc:

Councillor Alan Barker

Honourable Desley Boyle - Minister for Environment, Local Government,
Planning and Women

Honourable Terry Mackenroth - Deputy Premier, Office of Urban Development

5. Appendix – List of Birds for Fernbourne Road environs and Geoff Skinner Reserve

Fernbourne Road

Common Name	Scientific Name
Australasian grebe	<i>Trachybaptus novaehollandiae</i>
Pelican	<i>Pelecanus conspicillatus</i>
Darter	<i>Anhinga melanogaster</i>
Pied Cormorant	<i>Phalacrocorax varius</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
White-faced Heron	<i>Ardea novaehollandiae</i>
Little Egret	<i>Ardea garzetta</i>
Intermediate Egret	<i>Ardea intermedia</i>
Great Egret	<i>Ardea alba</i>
Cattle Egret	<i>Ardeola ibis</i>
Mangrove Heron	<i>Butorides striatus</i>
Black Bittern	<i>Ixobrychus sinensis</i>
Nankeen Night Heron	<i>Nycticorax calendonicus</i>
Sacred Ibis	<i>Threskiornis aethiopica</i>
Straw-necked Ibis	<i>Threskiornis spinicollis</i>
Royal Spoonbill	<i>Platalea regia</i>
Magpie Goose	<i>Anseranas semipalmata</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Hardhead (White-eyed duck)	<i>Aythya australis</i>
Maned (Wood) Duck	<i>Chenonetta jubata</i>
Osprey	<i>Pandion haliaetus</i>
Black-Shouldered Kite	<i>Elanus notatus</i>
Pacific Baza (Crested Hawk)	<i>Aviceda subcristata</i>
Brahminy Kite	<i>Haliastur indus</i>
Whistling Kite	<i>Haliastur sphenurus</i>
Collared Sparrowhawk	<i>Accipiter cirrhoneophalus</i>

Common Name	Scientific Name
Brown Goshawk	<i>Accipiter fasciatus</i>
Grey (White) Goshawk	<i>Accipiter novaehollandiae</i>
White Bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>
Brown Quail	<i>Coturnix australis</i>
Chukar*	<i>Alectoris chukar</i>
California Quail*	<i>Lophortyx californicus</i>
Lewin's Rail	<i>Rallus pectoralis</i>
Buff-banded Rail	<i>Gallirallus philippensis</i>
Purple Swamphen	<i>Porphyrio porphyrio</i>
Dusky Moorhen	<i>Gallinula tenebrosa</i>
Eurasian Coot	<i>Fulica atra</i>
Masked Plover	<i>Vanellus miles</i>
Rose-crowned Fruit Dove	<i>Ptilinopus regina</i>
Spotted Turtle-Dove*	<i>Streptopelia chinensis</i>
Peaceful Dove	<i>Geopelia placida</i>
Bar-shouldered Dove	<i>Geopelia humeralis</i>
Crested Pigeon	<i>Ocyphaps lophotes</i>
Galah	<i>Cacatua roseicapilla</i>
Little Corella	<i>Cacatua sanguinea</i>
Long-billed Corella	<i>Cacatua tenuirostris</i>
Australian King Parrott	<i>Alisterus scapularis</i>
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
Scaly-breasted Lorikeet	<i>Trichoglossus chlorolepidotus</i>
Crimson Rosella	<i>Platycercus elegans</i>
Pale-Headed Rosella	<i>Platycercus adscitus</i>
Fan-Tailed Cuckoo	<i>Cuculus pyrrhophanus</i>
Shining (Golden) Cuckoo	<i>Chrysococcyx lucidus</i>
Common Koel	<i>Eudynamys scolopacea</i>
Channel-billed Cuckoo	<i>Scythrops novaehollandiae</i>
Pheasant Coucal	<i>Centropus phasianinus</i>

Common Name	Scientific Name
Southern Boobook (Mopoke)	<i>Ninox novaeseelandiae</i>
Tawny Frogmouth	<i>Podargus strigoides</i>
White-rumped Swiftlet	<i>Aerodramus spodiopygia</i>
White-throated Needletail	<i>Hirundapus caudacutus</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Azure Kingfisher	<i>Ceyx azurea</i>
Forest Kingfisher	<i>Halcyon macleayii</i>
Sacred Kingfisher	<i>Halcyon sancta</i>
Collared (Mangrove) Kingfisher	<i>Todirhamphus (Halcyon) chloris</i>
Rainbow Bee-Eater	<i>Merops ornatus</i>
Dollarbird	<i>Eurystomus orientalis</i>
Welcome Swallow	<i>Hirundo neoxena</i>
Fairy Martin	<i>Hirundo ariel</i>
Richard's pipit	<i>Anthus novaseelandiae</i>
Black-Faced Cuckoo-Shrike	<i>Coracina novaehollandiae</i>
Varied Triller	<i>Lalage leucomela</i>
Eastern Yellow Robin	<i>Eopsaltria australis</i>
Golden Whistler	<i>Pachycephala pectoralis</i>
Rufous Whistler	<i>Pachycephala rufiventris</i>
Grey Shrike-thrush	<i>Colluricincla harmonica</i>
Little Shrike-thrush	<i>Colluricincla megarhyncha</i>
Spectacled Monarch	<i>Monarcha trivirgatus</i>
Leaden Flycatcher	<i>Myiagra rubecula</i>
Satin Flycatcher	<i>Myiagra cyanoleuca</i>
Grey Fantail	<i>Rhipidura fuliginosa</i>
Willie Wagtail	<i>Rhipidura leucophrys</i>
Tawny Grassbird	<i>Megalurus timoriensis</i>
Golden-headed Cisticola	<i>Cisticola exilis</i>
Variegated Fairy Wren	<i>Malurus lamberti</i>
Red-backed Fairy Wren	<i>Malurus melanocephalus</i>
White-browed Scrubwren	<i>Sericornis frontalis</i>

Common Name	Scientific Name
Speckled Warbler (Scrubwren)	<i>Sericornis sagittatus</i>
Mangrove Gerygone	<i>Gerygone laevigaster</i>
White-throated Gerygone	<i>Gerygone olivacea</i>
Yellow-rumped Thornbill	<i>Acanthiza chrysorrhoa</i>
Brown Tree Creeper	<i>Climacteris picumnus</i>
Noisy Friarbird	<i>Philemon corniculatus</i>
Little Friarbird	<i>Philemon citreogularis</i>
Blue-faced Honeyeater	<i>Entomyzon cyanotis</i>
White-throated Honeyeater	<i>Melithreptus albigularis</i>
Noisy Miner	<i>Manorina melanocephala</i>
Lewin's Honeyeater	<i>Meliphaga lewinii</i>
Yellow-faced Honeyeater	<i>Lichenostomus chrysops</i>
Brown Honeyeater	<i>Lichmera indistincta</i>
Scarlet Honeyeater	<i>Myzomela sanduiculus</i>
Varied Honeyeater	<i>Lichenostomus versicolor</i>
Mistletoe Bird	<i>Dicaeum hirundinaceum</i>
Striated Pardalote	<i>Pardalopus striatus</i>
Silvereye	<i>Zosterops lateralis</i>
Double-Barred Finch	<i>Poephila ichenovii</i>
Spangled Drongo	<i>Dicrurus hottentottus</i>
Figbird	<i>Sphacotherep viridis</i>
Common Mynah*	<i>Acridotheres tristis</i>
Australian Magpie-lark (Heewee)	<i>Grallina cyanoleuca</i>
White-breasted Woodswallow	<i>Artamus leucorhynchus</i>
Grey Butcherbird	<i>Cracticus torquatus</i>
Pied Butcherbird	<i>Cracticus nigrogularis</i>
Australian Magpie	<i>Gymnorhina tibicen</i>
Torresian Crow	<i>Corvus orru</i>

* denotes introduced species/escapee.

Geoff Skinner Reserve	
Common Name	Maximum count
Australian Darter	1
Australian Pelican	5
Australian White Ibis	84
Bar-tailed Godwit	2510
Black-fronted Dotterel	5
Black-shouldered Kite	1
Black-tailed Godwit	3
Black-winged Stilt	14
Brahminy Kite	2
Caspian Tern	32
Chestnut Teal	23
Common Sandpiper	3
Crested Tern	7
Curlew Sandpiper	38
Double-banded Plover	182
Eastern Curlew	753
Great Egret	10
Great Knot	62
Greater Sand Plover	7
Greenshank	67
Grey Plover	9
Grey Teal	8
Grey-tailed Tattler	10
Gull-billed Tern	38
Intermediate Egret	4
Japanese Snipe	1
Lesser Sand Plover	970
Little Black Cormorant	90
Little Curlew	12
Little Egret	1

Geoff Skinner Reserve*	
Little Pied Cormorant	1
Maned Duck	3
Masked Lapwing	14
Osprey	2
Pacific Black Duck	2
Pacific Golden Plover	87
Pectoral Sandpiper	1
Pied Cormorant	7
Pied Oystercatcher	80
Red Knot	18
Red-capped Plover	380
Red-necked Stint	649
Royal Spoonbill	36
Ruddy Turnstone	7
Sharp-tailed Sandpiper	34
Silver Gull	17
Sooty Oystercatcher	3
Straw-necked Ibis	17
Striated Heron	2
Unidentified Wader	50
Whimbrel	135
Whistling Kite	5
White-bellied Sea-Eagle	2
White-faced Heron	58

*Data courtesy of the Queensland Wader Study Group

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15 DEC 2004

I.R. 11

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Beryl Scott

16 Alice St Post Code 4160
Wellington Pt
Date 14-12-04

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

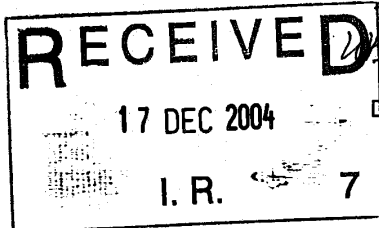
Name Beryl Scott

cont.

The views expressed on the other side of this submission pretty well sums up my objections to this planned development in Fernbourne Rd. Traffic along Station Road is growing and has been for a while, the additional traffic caused by this development will only increase a future problem.

Right to Information Released

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) -
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- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

MRS M. O. SHAW

Mrs. M.O. SHAW
26 Musgrave Street
Wellington Point
QLD 4160

15 12 - 04

Assessment Manager
Redlands Shire Council
P O Box 21
Cleveland.

Dear Sir,

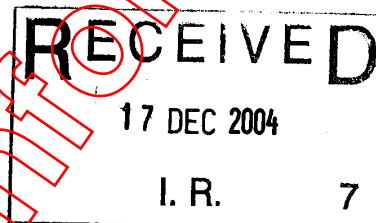
I am writing to object to the proposed development at Fernbourne Road / Station Street Wellington Point. Although this proposed development will not affect me personally I object because I feel this piece of land is not suitable for this type of development, it is too low and after rain such as we had recently it has water laying in many parts.

Another reason I object is if this development is allowed to go ahead there is nothing to stop council allowing similar types of land to also be developed and soon we would have no bushlands in the Redlands which is why many of us came here to live in the first place

Please leave leave our bushland especially the low lying parts to the birds & animals.

Yours faithfully

(Mrs) Marge Shaw



Assessment Manager
Redland Shire council
Po box 21
Cleveland Qld 4160

R.L. & S.K. Smith
63 Valley Rd
Wellington Point Qld 4160
17th December 2004

Dear Sir,

Development proposal MC 8532 ; Development for Retirement Village,
Environmental Park & Recreational Facilities @ Wellington Point

We wish to advise that we object to the above-proposed development on the following grounds;

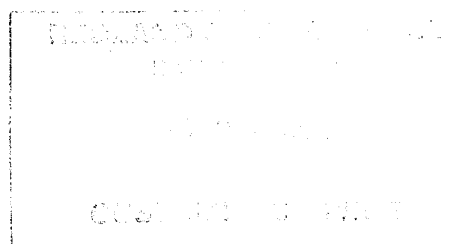
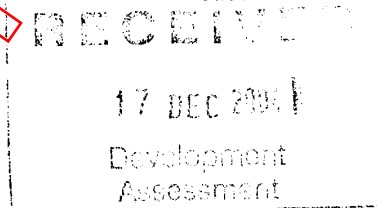
. The size of the development would appear to be larger than would be appropriate given that the surrounding residences are single dwellings on large blocks and populations currently are relatively small. This conflicts with the with planning intent no. 2 which indicates that lots 6,7,8,9 and 10 are for limited residential component.

. A number of the dwellings will be built below the Q100, which we believe would be a first for the Redlands and could be a dangerous precedent leaving Council with few options to reject future proposals for such developments. Some of the issues this raises include;

- . Closer impact of people and their associated noise, activity and lighting on sensitive native areas.
- . Difficulty to maintain and control the water quality of runoff waters.
- . The area floods regularly and would be an unhealthy environment to live in.

. The mosquito problem in this area is significant with many residents including myself having contracted Ross River Fever. During the recent drought the Mossies have been bearable, however the recent rains have brought back the clouds of mosquitos, which have plagued this area for many years. I question the proposition to bring a large and aging population into such an area and what responsibilities the Developer, management of the residences and council have in advising people of the mosquito and disease problems. The developer says the mosquito problem will be addressed but doesn't specify how. We believe this to be a major issue.

. The increase in traffic is a large issue given that this development is one of two development proposals before Council with an exit onto Station Street. Some of this traffic will no doubt travel down Harris St. and into valley Rd. that is not able to cope with traffic now exiting onto main road. Station Street has a roundabout onto Main Road and it is also very busy. Other Streets such as Buckland will also be greatly affected. It would be more appropriate to install an exit for these developments, which did not unnecessarily increase the traffic around the Whepstead precinct. Perhaps crossing the railway line in an area that may become part of the proposed road from Quarry to nth Arterial Roads.



. Although the development proposes to restore the native habitat of the area and plant large numbers of trees to support the wildlife, including the Koala population, we feel that the building works of the development will adversely affect the existing wildlife given that total works could take 3 years.

. Being an employee of Council in the gardening crew I am often handed gardens to maintain which are in a very poor state. These gardens are established by developers and maintained by them for one year after which time they are taken over by council. Without exception all of the gardens handed to me to date are overgrown with weeds and full of dead, diseased and dying plants. I have reservations about the quality of planting and maintenance of indigenous species within the habitat area surrounding the proposed development and the expertise of the residents who will participate in the maintenance of the area. We believe that the revegetation needs close scrutiny at all stages of the development and any inadequacies quickly rectified. The developer I believe is responsible for the native revegetation near Chermiside St., which is frankly a disgrace however, it is also typical.

. The development proposed adversely impacts on the look of the Fernbourne road area which has a very pleasant country feel with a narrow road and established road side trees. To kerb and channel this road would totally destroy the feel of the area, which residents have struggled for many years to maintain. Visitors always comment on how peaceful the area is. This feel should not be impacted upon.

The proposal does have its merits and we believe that by addressing many of the concerns of existing residents including the wildlife something better could be achieved for all.

R.L. & S.K. Smith
63 Valley Rd. Wellington Point

Fabian Sweeney

23 Burnett Street, Wellington Point Q 4160 Australia

Email: fsweeney50@hotmail.com

14th December 2004

The Assessment Manager
Redland Shire Council,
P.O. Box 21
Cleveland 4163



Ladies and Gentlemen,

Re: Objection to Application Ref. MC 008532

Development for a Proposed Retirement Village at 13 Fernbourne Road & Station Street Extension

I object to the proposed development at Fernbourne Road and Station Street Extension, Wellington Point in Application MC 008532 and request that you amend the plans significantly or refuse development on the following grounds:

1. Traffic

1. The Development Traffic Plan in Fernbourne Precinct is flawed. It ignores predicted increases in vehicular traffic use, and the compounding problems and erosion of amenity for traffic diverted through Whepstead Precincts local streets. The Traffic Plan invariably assumes low traffic use numbers. It did not consider the Redland Shire traffic count collected in Whepstead Precinct in Oct 2003. The percentage population increase applied is too low.
2. The 2004 Draft SEQ Regional Plan (DSEQRP) projects traffic increases around *Transit Oriented Developments* (TODs) p. 39, "increase residential densities... in the range of 40-80 dwellings per hectare." That is four to eight times population and traffic increases added to present use.
3. Projected activities for TODs will more than treble external vehicle traffic - preferably away from Whepstead Precinct. If added traffic is diverted from the north side Fernbourne Precinct to the southern side of the railway line, it will diminish amenity for Whepstead Precinct residents and reduce family life style. It will negate the TODs "provide a pedestrian friendly, walkable catchment, centred around the public transport node or corridor", explained in DSEQRP, p39, col.1
4. The Fernbourne Development Traffic Plan discharges its traffic into Station St. Extension but the Report does not address the added effect of the 54 residences "Turf-farm Development" in Station St. Extension. Turf-farm residents must obtain access through an intersection of Station St. Extension into Fernbourne Rd.
5. Access to Fernbourne Road for Fernbourne Development residents and visitors should be through the Developments Lots 3 or 4. Well-designed street scaping through these lots will preserve the character of the State Heritage listed *Fernbourne House*. The community anticipates the Council will not repeat the error of having a crass "convict barracks" jammed next to the magnificent State Heritage listed *Whepstead House*.
6. The Traffic Plan does not address the safety and amenity degradation that will occur to families in Whepstead Precinct if that traffic is diverted south into Station, Buckland and Burnett Streets as these new Fernbourne Precinct development residents then 'rat-run' through the 1860s design grid-pattern local streets.
7. The 1860s horse-and-buggy-traffic designed grid of Whepstead Precinct is the oldest residential development apart from Cleveland Pt. in Redlands and now requires lateral thinking, not access through-roads. Please Cul de sac the residential Burnett and Buckland local streets like all of the adjacent Precincts developed in the last 30 years.
8. The amenity of Whepstead Precinct family's will be seriously reduced if another 105 + 54 residences @ five vehicles per day, that is another 795 vehicles per day, are permitted access via Station Street and its Extension, then diverted through the 1860s Whepstead grid.
9. Buckland Street residents already experience high traffic volumes and excessive speeds and it carried over 500 vehicles per day in the 2003 Redland Shire traffic count. Add another 795 vehicles per day as the assumed fastest 'rat-running' way to Cleveland or Brisbane City from Station Street Bridge and it is well over acceptable traffic limits for this local street. Main Rd. is the arterial road and through traffic should be kept to it as efficiently as possible rather than have commuter through traffic parasitize local communities.

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10. The northern end of Frederick Street was closed in 1984 near the Station Street curved-bridge, to prevent it from being unsafe as an access. It was the equivalent hazard to that for the Fernbourne Developments proposed Station Street Extension access immediately north of the curved-bridge.
11. A preferred solution is to prevent all vehicle access from Station Street into Buckland and Burnett Streets at their northern ends but improve pedestrian and bicycle access. That is cul de sac them because they are local streets not access roads. This will prevent unacceptable 'rat running'. A southern area railway drop-off in Main Rd and in Station Street occurs now but a turn-around at the intersection of Burnett and Station Streets for easy vehicle return to the Main arterial Road and a blocked off Burnett Street is required now.
12. The curved-bridge over the railway line at the eastern end of Station Street has high sides and dangerous sightlines for vehicles travelling north and south especially from vehicles exiting and entering the close-by-the-corner, curved Station Street Extension. That is where up to 795 vehicles per day will exit under present proposals. The bridge does not have a pedestrian access on the eastern side and does not have bicycle lanes. Does it *provide a pedestrian (or bicycle) friendly, walkable catchment,* "c.f. DSEQRP?
13. A safety solution is to reduce dangerous access for motor vehicles by making the Station Street curved-bridge into a one-way north and provide access to the proposed Fernbourne Development through their own land on Fernbourne Road then through Valley Road to Main Road. That is their nearest access road outlet to the major arterial, Main Road.
14. Valley Road should be unblocked. The logical access and shortest distance from Fernbourne Precinct to the major arterial road, Main Road is through Valley Road, which has and un-gazetted tree block closure, planted after 1974 air photos, and these prevent most vehicle use at present. Valley Road was surveyed and designed as an access to Main Road from the Fernbourne Precinct. There is access road significance in the original use of the term Road by the Surveyors 150 years ago for these three: Fernbourne, Valley and Main Roads. The remainder are streets.
15. The Whepstead Precinct Community Group lodged a petition about volume and traffic speeding in Station Street with Redland Shire Council in 2002 because there was excessive traffic and speed then. The enclosed RSC 2002 Air-photo shows the curved-bridge problem area and two trucks at the random time this photo was exposed in 2002.
16. The Traffic Plan does not address Fernbourne Developments proposed share and design of street scaping, or friendly walking and bicycling tracks, or design for Community Bus routes to the Railway Station from the Fernbourne Development for residents and visitors who need to access the Railway Station. The main access to the Railway Station, QR Car Park, and local Bus access is from the northern side too..
17. An urgent requirement is a traffic roundabout at the end of Valley Road and Main Road (or transfer of the present Traffic Lights from Roberts Street and Main Rd). This will reduce driver frustrations and allow for safer and easier access for Railway Station Car Park commuters and Community buses as well as from the Developments in Fernbourne Precinct.
18. A Valley Road – Main Road roundabout will help solve some of the present problems with Wellington Point State School traffic jams as well as ease present access problems from the Courtice Street Precinct and Redlands College plus Wellington Point Primary and State High School student drop-off places near the school pathways at the end of Courtice St and Mindarie Crescent.

2. Health

1. The Council requested a Report on Mosquitoes and Midges in the original brief. The Development Application to Council did not provide a Midges and Mosquito Report and was not available when requested by me 15/11/2004.
2. On the above grounds, I recommend Council refuse permission for Development until a satisfactory report shows safety and comfort from midge or mosquito attack and disease transmission may be effectively controlled over tidal and tidal surge areas. I would appreciate a copy of the Developers Report on Mosquitoes and Midges as soon as possible.
3. There is a duty of care foremost for Shire Council Assessors on behalf of would-be-residents sold gilded messages by skilled marketers. These new comers will reside over tidal flat and tidal surge areas in this Development. Those areas are heavily infested with pest biting midges and mosquitoes.
4. Specifically pest biting midges, *Ceratopogonidae*, heavily infest the littoral, neap tidal area, general wetland and adjacent area to a distance of 500 metres. Midges, particularly *Culicoides subimmaculatus* and the *C. longior* type suck blood from humans and birds. Midges cannot be controlled in the short or long term with present knowledge without major structural changes to the neap tidal zone and that requires removal of the symbiotic crab breeding and *C. subimmaculatus* egg laying sites.

5. Until 2004 the stated Redland Shire Councils policy was to refuse development of human habitation on health and community comfort grounds if there was an acknowledged uncontrollable severe biting midge and mosquito attack problem especially where disease transmission is probable. Migratory birds from Asia using this littoral zone annually exacerbate disease transmission.

3. Heritage

1. This particular Development site is in a Historic Precinct and, "is considered significant because of the evidence of the tramway and wharf associated with the sawmill which existed from about 1880 until the middle of the 1890s." Mary Howells, in "A History of Fernboume Precinct Wellington Point" University of Queensland Diploma in Arts (History) 1997, p.1.
2. "A Report to Council in 1995-96 in the Redlands Heritage Study conducted by Marie Holland "recommended further analysis of the area and ultimately the preparation of a conservation plan." Howells, M (1997).
3. That advice was forgotten or ignored. I request Community consultation, discussion and enlightenment organized by Council Historians and including State Government Heritage specialists as well as the Developers Heritage Advisers.
4. The specific issue is double story high density Development proposed in that part of the Development Plan next to Fernboume House. I recommend this planned barracks-style residential construction, proposed next to Fernboume House, be refused. A Heritage sensitive, street -scaped road to be constructed for access to the Development through their own Fernboume Road allotments should be constructed through Lots 3 or 4, instead. (C.f. 1.5 above.)

Yours sincerely



Fabian Sweeney
B.Agr.Sc.,(MAIAS, AAAC Retd)

Warning

The information contained in this communication from Fabian Sweeney, or given by him in another way, is given in good faith but the recipient may not rely on such information in making a decision on any of the matters that the information is about.

If the recipient decides to take any steps consistent with the information, the recipient agrees to indemnify Fabian Sweeney against any claim any party makes on him over any consequences of such a decision made by the recipient.

Attachment: Airphoto of the site and bridge joining Station Street to Fernboume Road, taken in 2002.



Mr. Ernest A. Tickner
Mrs / Mrs Pamela E Tickner
48 Station St.
Wellington Point
Post Code 4160
Date

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature

E. A. TICKNER
Pamela E. Tickner
Name

With reference to the proposed development we wish to show concern over the following points.

A. Development below the Q100 line — does this establish a precedent for other similar situations

B. The entry/exit from Station Street is dangerous in its present state. A further 300 plus car movements per day — not to mention the possible doubling of this number from the Slanika (Turf Farm) development should it go ahead — This is a serious concern

Right to Information

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

RECEIVED

G+D. VALVARINS, 14 DACRE ST

TOOWONG Q Post Code 4066

Date 13.12.2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 RP14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

G. VALVARINS

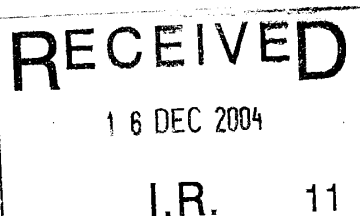
D. VALVARINS

On our last visit to Fernbourne House we were horrified to see & learn of the proposed developments next door, hence the objection.

Everything seems to be only Dollar Driven these days and little thought is given to future generations, heritage, biodiversity & environment.

How can a 21st Century Shire Council allow this to happen?

Right to Information



17 Galena St
Wellington Pt Post Code 4160
Date 11-12-04

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 RP 14171) - Council File Reference MC8532

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- **Further comments overleaf ->** ✓

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name 11-12-04

My husband & I moved from the inner city area with the sole purpose of finding a wildlife friendly, quiet area near clean waterways. Wellington Point is all of these things and more. However with the proposed development these very important things are set to change in a negative way.

Please consider these issues very seriously - we are hoping that you reject the development application not only for the people & community but for all the animal species that don't have a voice.

Thank you.



35 Fernbourne Road
Wellington Point
QLD
4160

14 December 2004

The Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland
QLD 4163

Attention: Ms **Susan Rankin**

Dear Ms Rankin

**SUBMISSION WITH RESPECT TO PROPOSED PRETIREMENT VILLAGE
DEVELOPMENT, FERNBOURNE ROAD AND STATION STREET,
WELLINGTON POINT - Ref MC8532**

We are extremely concerned to learn of the application for development of a Pretirement Village on the land adjoining Fernbourne Road and Station Street in Wellington Point. As very concerned residents, we have examined the plans submitted to Council, and the accompanying explanatory notes to the application. We have a number of submissions which are detailed below, which can be categorised into the main issues. Some of the items are repetitive, but due to the fact that they cover more than one policy or consideration.

- (a) Effect on the local wildlife (Environmental)
- (b) Contraventions of Redland Shire Planning requirements (Zoning and Cultural)
- (c) Cultural, Heritage and Residential Issues

REDLAND SHIRE COUNCIL

DATE RECEIVED

17 DEC 2004

CUSTOMER SERVICE

(a). Effect on Local Wildlife

General effect of development on wildlife

State Planning Policy SPP 1/97 shows the proposed development lies within Other Major Habitat and clearly recognises the wildlife corridor aspects of Hilliards Creek.

One of the major problems for populations of native animals after development is the difficulty in maintaining viable populations in fragmented habitat. The generally accepted minimum viable population of most animals is about 500 if a species is to maintain genetic vigour (Hartl 1988). Hence it is essential for small populations of non-flying animals to have access to other populations via corridors. The subject land provides an essential vegetated corridor and buffer along the Hilliards Creek wildlife corridor. This corridor extends from Wellington Point to Sheldon through urban, rural and bushland environments. The subject land also provides a significant buffer between the urban environment, and components of the subject land have a land use designation of **Special Protection Area** under the Redland Shire Council Strategic Plan.

The Redland Shire Council has recognised the importance of Hilliards Creek as a wildlife corridor and has acquired, for conservation purposes, many blocks of land along Hilliards Creek with an intention to maintain and protect them as part of the wildlife corridor and buffer to the same. Adjacent urban development represents a major threat to the viability of the corridor.

Effect of development on koalas

The development is inconsistent with the SPP 1/97 and compromises the Redland Shire Koala Conservation and Management Policy and Strategy (Aug 2002). It promotes development recognized as incompatible with Koala Conservation. The Koala in SE Queensland is recognised as regionally vulnerable. The proposed development is inconsistent with meeting the objectives of SPP 1/97 and the management intent for vulnerable species as enunciated under the QLD Nature Conservation Act.

The proposed development on Fernbourne Rd is on one of the few remaining areas of high koala density in the established urban areas of the Redland Shire. Over the last ten years koalas have been sighted or heard on the street at a daily to weekly frequency. Proof of the density of koalas in this area can be obtained from the koala ambulance which regularly treats sick koalas from this area. Fernbourne Rd is part of the Hilliards Creek corridor, an area which still has the density of native vegetation required to provide food sources for the high numbers of koalas and a safe corridor free of dogs and cars for animals to move and breed. The limited number of koalas still present in the more developed areas of the Redland Shire are generally in a stressed condition and fragmented, making breeding very difficult and will ultimately lead to the loss of koalas from most of the shire. Given the iconic value of this species and the unique qualities of the Redlands that allows such a high natural density of animals, the finger will be pointed directly at the council for allowing this to happen.

The proposed development would have the following negative impacts on koalas:

- Impeding the current koala corridor behind the existing houses on Fernbourne Rd by building many fences (including security fences), and introducing dogs (one of the highest factors resulting in koala deaths). During the construction phase, this would act as an even greater deterrent to koala movement. (Consultants to the developers have advised that only large dogs would be permitted by the Body Corporate. Small and medium sized dogs would be allowed.)
- While the developers propose to plant koala food trees and replace destroyed koala trees, these trees would not become large enough to support koalas for at least 5 years. In the meantime, there will be a reduced food and refuge source. Additionally it is not clear whether this vegetation will be maintained until it is fully established and whether revegetation will occur when building commences rather than after the development is completed.

Birdlife

We believe the proposed development will impact upon matters of national and international interest, namely listed bird species and protected waders as protected under the Environment Protection & Biodiversity Conservation Act (EPBC Act) and RAMSAR convention.

Hilliards Creek and Geoff Skinner Reserve at the mouth of Hilliards Creek are internationally recognised areas for shorebirds and water birds. Monthly surveys of shorebirds over the last 10 years have shown that during summer months the area supports on average 200-300 Eastern Curlew, 200 Red necked Stint as well as Whimbrel, and a wide range of plover and sandpiper species. Over the years increasing human activity as a result of new housing developments has been observed. Australia is a signatory to the international RAMSAR convention and the proximity of the development to Hilliards Creek and Geoff Skinner Reserve is of particular concern with respect to safeguarding these habitats for birds. Human and dog activity are key factors which impact negatively on shorebirds and water birds, and result in a contravention of our international obligations. Additionally, disturbing these birds can result in fines from Queensland Parks and Wildlife. The Redland Shire Council therefore has an obligation to ensure that developments do not exacerbate this problem. The building of paths, jetties etc will all have negative impacts on birds, as will the establishment of non-native vegetation such as lawns. Allowing development in such areas also runs contrary to initiatives by the council to protect shorebirds and water birds in the Redlands, e.g. Wellington Pt artificial wetlands, Empire Point High Tide roost site.

An extensive and diverse range of birds (over 120 species have been observed by local residents) exist on and around the proposed development site due to the range of habitat. Several of these species are protected and have their habitat protected by international bird migration agreements. Many other birds would be severely affected by the increased human and pet disturbances associated with urban development, particularly the ground feeding birds (including the speckled warbler, rarely seen in the Redlands). The construction phase of the development is likely to have a huge, possibly irreversible, impact on grassland species.

Trees in relation to site:

On the boundary of the proposed site are several environmentally protected trees. Cypress pines in the region of 60 years old line the proposed unit site. Next to Casuarina Cottage (35 Fernbourne Rd) is a very large Poinciana Tree which is also recorded in the Tree Protection Register. Placing buildings, roads, earthworks, paths or gardens in close proximity to these trees will endanger their lives. They cannot be replaced in our lifetime.

At the entrance to the section of Station Street that would provide access to the site there are several eucalyptus trees that encroach on the dirt road. In particular there is a very large gum that is, disregarding anything else, a magnificent tree. Heavy traffic and large machinery would damage these trees. Any widening of the road would also cause damage to this vegetation. While the architects assured verbally that the tree would not be impacted upon, given that a widening of the road is necessary, this position appears very difficult to justify.

On the northern end of the site, near the beginning of the gravel section of Fernbourne Road is a stand of Casuarina Trees. It is a swamp area and fed from a run off/small waterway from the western side. In the initial plan, this area was designated as a storage area for caravans and boats. While the current application now has the boat and caravan storage further to the south, the protection of this swamp area fundamental, being home to so many diverse creatures. Lots 1 and 10 are subject to a Tree Protection order, and we would expect that this be upheld.

①

No matter how much due care is exercised in a boat storage facility, there will always be fuel and oil spills, and these pollutants will have the impact into an external area, in this case being the ecological Casuarina swamp.

We also understand the concept of the 'edge affect' which means that distances between 10 and 30 metres from any developments are always affected. We would trust that any development adjacent to areas such as the Casuarina swamp were given a berth of at least 15 m, should Council override its own policy.

We understand that the Rem Veg 99 Survey found that less than 10% of original vegetation today survives, and Casuarina trees such as located in the swamp are within this category.

① SEE ATTACHED PHOTOGRAPH

Contraventions of Redland Shire Planning

The land to the immediate north (Lot 1 on RP14171) is included within the Drainage Problem zone, as is land to the west along Hilliards Creek (Lot 10 on RP 14166). Lot 9 on RP 14166 to the immediate west is, however included within the Rural Non Urban zone.

We have reviewed the Town Planning Scheme for the Shire of Redland (*the Planning Scheme*) and make the following observations:

1) Intent of the Drainage Problem Zone

The Drainage Problem Zone comprises:

“land which is subject to drainage problems or which would appear to be subject to drainage problems. The development of such land is in most cases not envisaged, however detailed investigations might reveal that certain parts of the zone are suitable for development and are capable of being filled without any adverse effect on other land.”

2) Intent of the Rural Non Urban Zone

The Rural Non Urban zone comprises:

“predominantly agricultural land but also includes non-urban land areas of the Shire not presently used for, and not necessarily suitable for, agriculture or other rural production. Included in the zone is land which is expected to be required for urban development, following rezoning, during the life of the town planning scheme ...”

We notice that only Lots 6, 7, 8 & 9 possess a Rural Non Urban zoning, and therefore there is no expectation that the other 1 and 10 will be rezoned for urban development during the life of the town planning scheme.

3) Development Control Plan 1 (Local Development)

The purpose of Development Control Plan 1 is to control development in each of the twelve (12) mainland districts of the Shire. It designates preferred dominant land uses for different parts of each district. It is noted that:

“Nothing in the Development Control Plan 1 should be constructed to confer any rights to land use for any particular purposes. Such rights remain vested in the town planning schedule.”

As is correctly stated in the Planning Report accompanying the application, the preferred dominant land use designations under Development Control Plan 1 correspond to the

zoning except for lots 6, 7, 8 & 9 which are designated Residential B, and not Rural/Non Urban.

Accordingly, there is no reasonable expectation from Development Control Plan 1 that Lots 1 & 10 will be developed for urban purposes. The use rights remain assigned to the town planning schedule, which expressly prohibits Accommodation Units in the Drainage Problem Zone. As such the proposed buildings within the Drainage Problem Zone represent 'non preferred' development under the scheme.

4) Preferred Dominant Land Uses under the 1998 Strategic Plan

The 1998 Strategic Plan introduces a level of planning detail similar to that shown on the Development Control Plan 1. It re-designates Lots 6, 7, 8 & 9 as Specific Planning Intent No 2, along with a significant proportion of Lot 10. The creek corridor within Lot 10 is allocated as Special Protection Area as is Lot 1, which is entirely included as Special Protection Area. The Special Protection Area designation is an "Open Space Orientated" Preferred Dominant Land Use under the Strategic Plan.

Under the Strategic Plan, Specific Planning Intent No 2 is:

"considered to be potentially suitable for a range of outdoor recreation uses including some limited residential component. Any future development would however need to address a range of considerations relevant to the site including ecological values, flooding and drainage, soil conditions including acid sulphate potential, hydraulic services, access and traffic, biting insect issues and public control of the foreshore."

It is Council's preference that privately owned land in this designation be developed in a single, co-ordinated project so as to optimise both the opportunities for environmental protection and enhancement and the potential for appropriate development within the environment, planning and infrastructure constraints of the area.

Council will continue to manage land it controls in this area primarily for conservation purposes and will promote the management of other publicly owned land for conservation purposes with the relevant Government agencies such as Queensland Rail."

Quite clearly, the proposed development does not include a limited residential component, with buildings and car parking extending beyond the limits of the Specific Planning Intent No 2 designation into the Special Protection Area designation.

Under the Strategic Plan, the Special Protection Area designation, amongst other things:

"indicates the location of areas within the main urban parts of the Shire which have been identified as possessing natural environmental qualities worthy of conservation. These include many areas of remnant vegetation which provide important habitat, corridor and visual landscape values."

The purpose of the inclusion of these lands in this designation is to retain their natural values. This may be achieved while land is in private ownership through suitable environmentally sensitive use of the land itself or balance areas of the land.

The conservation of the environmental values of land in this designation is an essential pre-requisite to Council's preparedness to consider development within or adjoining this designation. This designation therefore represents a constraint to the development of adjoining land and the manner in which it is able to be developed in terms design of roads, services and drainage so as not to impact on land in this designation, and in the purposes in which it may be used."

Not only do the caretaker's residence, the visitor/respice accommodation, and the caravan/boat storage area extend into the Special Protection Area, they also will impact on the casuarina forest and wetland area on this part of the site. It is therefore considered that proposed use is contrary to the primary intent of conserving and enhancing environmental values and is therefore contrary to the Strategic Plan designation.

Additionally, the proposed built structures and car parking area is not in the spirit of the 'Open Space Orientated' preferred dominant land use classification of the Special Protection Area.

Furthermore the villas are not adequately setback from the Special Protection Area, particularly at the northern end of the site, in order to comply with the development constraint introduced to adjoining designations by the Special Area designation on Lot 1.

5) Greenspace under the 1998 Strategic Plan

It is clear from examining the Greenspace Map that accompanies the Strategic Plan that Lot 1 on RP 14171 is designated as Marine Vegetation, while the balance Rural/Non Urban and Drainage Problem zoned lots are included as part of the Greenspace Habitat, with Other Major Habitat identified along parts of the Hilliard's Creek frontage.

Neither the Planning Report nor the Environmental Report that accompany the application appear to recognise the Marine Vegetation designation over Lot 1. The Marine Vegetation designation is not documented to any extent within the chapter on Greenspace in the Strategic Plan, perhaps as it is not envisaged that such Marine Vegetation areas would be subject to development proposals such as the one proposed.

The proposed development in Lot 1 certainly does not "*maintain, protect or enhance environmental values*" in this part of the Special Protection Area (Section 5.2.1c).

Over the balance area, which is included as Greenspace Habitat and other Major Habitat, it is not a sufficient argument to suggest that past poor land use management practices on the land justify development over an extensive part of the site. Indeed there is merit in the proposed rehabilitation techniques suggested in the report. However, rehabilitation does

not justify the extent of development being proposed, which is not a limited residential component as envisaged under the Specific Planning Intent No 2 statement.

6) Filling & Drainage / Minimum Development Levels

Division 5 Clauses 16 and 17 within the Planning Scheme refer to filling of land within flood plains and minimum development levels. It appears to be clear that it was never intended that filling (other than of a minor nature) occur within flood plains and that buildings are to be kept out of areas subject to flooding.

The site is subject to flooding and an extensive area of buildings is proposed into the area below RL2.4. Such development of land is therefore not in accord with the intent of Division 5 Clauses 16 and 17 in the Planning Scheme.

7) Policy Document - Residential Code for Multiple Dwelling Development (Redland Shire Council)

This document has been reviewed, and below we detail the policies contained therein, and how we assess this in terms of the proposed development.

1.0 "adopt a compact urban form which does not intrude on sensitive environmental areas"

We certainly see the development as having a significant impact on environmental areas in it's current form. In this submission we have addressed our concerns on the impact on the koala and koala movements, birdlife, waders and the Hilliards Creek and RAMSAR sites.

1.0 "Multiple dwelling developments will play an increasingly important role in satisfying these changing demands. For this reason, the siting and quality of design of such housing is paramount"

The density of the unit complex and the villas does not enhance the existing amenity of the surrounding area. In particular the density of the unit complex is circa 190 persons per hectare, almost double the 100 persons per hectare. Furthermore the style and building design is in contrast to the existing residences, in particular Casuarina Cottage and Fernbourne Manor, both historic homes.

2.0 "The intent of the Code is to provide consistency in the high quality design of multiple dwelling developments within the Shire, and to demonstrate how this form of living can provide a functional and attractive residential environment while ensuring community expectations for neighbourhood amenity are achieved." "...reasonable standards of privacy, ...", "ensure the streetscape amenity of existing residential areas is enhanced and protected"

Privacy of Fernbourne Manor is compromised with so many north facing units facing onto the home and into private bedrooms. The existing streetscape is compromised facing the multiple unit complex from Fernbourne Road, as the architect impression does not portray a realistic view.

"The Site Analysis Plan shall....include the following..."

4.2 (c) analysis and determination of heritage values (if any) in accordance with a Heritage Design Code adopted by Council"

No mention appears to be made to the historic nature of the area in general (Whepstead precinct), Fernbourne Manor and Casuarina Cottage.

4.2 (d) On-site vegetation: location of existing trees and vegetation..... and trees proposed to be removed or retained"

No mention or detail drawings appear to identify the existence of the large Poinciana tree located on the northern boundary of Casuarina Cottage, which is listed on the Tree Protection register. The tree, canopy and root system extend into the Special Protection Area in Lot 1.

4.2 (e) Adjoining Property Conditions:

location, height and land use of neighbouring buildings and outbuildings that abut the site

location of facing doors, windows and private open space with 6 m of the site boundary the built form and character adjacent and nearby development and public open space, including characteristic fencing and garden styles any special features (such as swimming pools and large trees) or the heritage significance of surrounding buildings and landscape"

It appears that details of Fernbourne Manor and Casuarina Cottage have not been supplied in the application. In fact, in certain maps, the actual Casuarina Cottage building is omitted as existing on the lot. Again, historic details and the Poinciana tree appear to have not been identified.

4.2 (f) Views:

preferred views and site viewpoints

protection of visually significant areas...

views and solar access enjoyed by adjacent residents

No mention is made of the fact that a caravan and boat storage facility, not to mention a car park and roadway proposed, has a severe impact on the view from Casuarina Cottage. Casuarina Cottage and the northern Special Protection Area on Lot 1 is a visually significant area, not only to the existing residents, but to people often walking and sightseeing down the northern end of Fernbourne Road.

A Development Summary shall be submitted providing the following information:

....vegetation protection areas

No mention made of the Special Protection Area.

Street Character and Context Analysis

The intent of this analysis is to provide documentation that illustrates the existing streetscape character and demonstrates how the proposed development recognises and complements this character. The analysis should include:....details of the dominant building types in the locality...

This does not appear to have been complied with.

Design Element 1 - Streetscape Amenity

(P = Performance Criteria, A = Acceptable Solutions)

P4 Multiple dwelling developments complement and enhance the significance of heritage and character items on-site or neighbouring properties.

A4.2 Where multiple dwelling development adjoins or is in the vicinity of a heritage place, the design of the multiple dwelling development complements the heritage place
Our argument is that the development detracts from the character of the surrounding properties. The design and construction type is vastly different. Roof design, verandah and materials.

Design Element 2 - Building Size & Bulk

P1 The bulk, size and height of a multiple dwelling is consistent with the density and character of the surrounding neighbourhood ...

A1.1 Multiple dwelling units have a difference in building height between the development and existing buildings of not more than one story when viewed from a public street or a minimum of 10 m from the property boundary.

The unit blocks consist of two stories plus an 'underground' parking basement. The architects acknowledged verbally that not all of the 'underground' basement would be underground, due to the gradient of the property. This essentially converts the northern side of the unit complex to three stories, while Fernbourne Manor is a single storey home. In this case, the unit block should be a minimum of 10 m from the northern boundary.

P4 Roof pitches and roof lines reflect the predominant roof form of the surrounding neighbourhood and complement the character of the area

The existing roofs of surrounding houses are triangular pitches, which differs to the proposed curved roof. It is however noted that the architects have attempted to reduce the visual size of the villas and have designed the unit complex in keeping with the villas).

P5 Building form and design does not substantially affect views (including vista of heritage places and dominant landmarks) and allows for view sharing where possible.

The caretaker cottage, respite bungalows, caravan storage, boat storage, car park and access road substantially affects the existing view of Casuarina Cottage. To have a residential neighbour is acceptable. To have a commercial storage facility is not. Potential lighting in this area will have a substantial affect on the existing vista.

Design element 3 - Building Setbacks & Site Coverage

A2.1 Maximum site coverage is 30% for Res B where there are 2 or more storeys

The drawing available appear to suggest that the unit complexes occupy more than 30 % of the individual sites on which they are located

Design Element 5 - Car Parking & Site Access

P2 Car parking facilities are designed and located to: reduce visual dominance of carparking areas, garages and accessways

A2.5 Verge widths are a minimum of 1.5 m where no constructed footpath is required and 2.5 m where a footpath is required

The caretaker cottage, respite bungalows, caravan storage, boat storage, car park and access road substantially affects the existing view of Casuarina Cottage.

The access road is shown to 'squeeze' between the north eastern corner of 35 Fernbourne Road and the existing trunk sewer access. Given that verges of at least 3m (1.5m x 2) are required, this limits the road itself to a mere 2m width, given the gap that exists. The access roadway also is directly on top of the trunk sewer route. Our understanding is that no construction can occur over trunk sewers.

Furthermore there are a number of well established trees directly on the north eastern corner of 35 Fernbourne Road, and the root system of these trees needs to be protected. While investigations are still continuing, we believe that the construction of a roadway directly adjacent to a private property (35 Fernbourne Road) is potentially a contravention of traffic road law.

Design element 6 - Landscaping & Open Space

P1 note: Council has in force Vegetation Protection Local Laws. The removal of trees on undeveloped land designated for residential development requires the approval of Council.

Although the application is not specific in this regard, we take it that Council will enforce the necessary approvals being obtained. We are specifically concerned at the well being of the large gum tree situated in Station Street, near the intended complex entrance. Due care needs to be exercised during the construction phase.

Design Element 9 - Security

P2 Appropriate external lighting is provided to the multiple dwelling development and facilities and surrounding public access areas.

Note: Lighting design shall ensure the level of illumination and light spillage does not prejudice the amenity of adjoining dwelling units. External lighting is to comply with the provisions of AS4282 Control of the obtrusive effects of outdoor lighting.

We are very concerned that light spillage from such a development will detract from the existing amenity. The area is currently very dark at night time, and this promotes movement and existence of nocturnal creatures, specifically Koalas. Added to this, any lighting in the current Special Protection Area (intended caravan and boat storage) would significantly detract from the vista of Casuarina Cottage.

Design Element 10 - Earthworks & Site Drainage

A7.1 If preliminary investigationsindicate the presence of acid sulphate soils, an Environmental Management Plan shall be submitted....detailing management, and if necessary, treatment of these soils.

The application infers that acid sulphate soils were not found on the site, however further testing has identified that such soils do exist. It is of extreme importance that these sulphates do not find their way into the Hilliard Creek system.

8) Trunk Sewer

A trunk sewer exists on the northern end of the property. As we understand it, nothing can be built 3 m either side of a trunk sewer. We wish to further point out that approximately two years ago, the contractor Cleanaway needed to access Lot 1 north of 35 Fernbourne Road, the Special Protection Area, with large tankers, and continued to pump from the sewers for a continuous period of 24 hours. We expect that such tankers may well be called upon in the future to perform the same function, and the site on Lot 1 would need to be able to accommodate these large vehicles, and their required manoeuvrability on the site.

Right to Information

(c.) Cultural, Heritage and Residential Issues

Of extreme concern is the proposed caravan, boat storage, respite bungalows and vehicle parking bay to the north of 35 Fernbourne Road, being on Lot 1. Albeit already identified as being a Special Protection Area, the proposal has no regard for the existing amenity of Casuarina Cottage, a historical home dating back to 1860. The home is north facing with the entrance and verandah's facing Lot 1, only metres away. The proposal to have a commercial boat and caravan storage facility directly on the boundary, only metres from the front door and vista, is incredulous.

The proposal also includes a roadway which runs adjacent to the property, without any buffer whatsoever.

The architects have made reference to a 15 m buffer between existing residents and the development. This 'so-called' buffer conveniently disappears when moving from the eastern boundaries of the existing residential properties, to that of the northern boundary of 35 Fernbourne Road. We do believe that the 15 m buffer originally proposed on the Eastern boundary of the residents should be densely populated with koala food trees and other natives, in order to preserve the existing koala corridor.

Existing Character of Buildings:

There has been a strong effort to maintain a theme of buildings throughout the street, based on the historic influence of Fernbourne House (No. 19) and Casuarina Cottage (No. 35). Most new houses have been built in timber in a style that blends in with the natural surrounds and set back from the road with gardens making a buffer zone also retaining the natural landscape.

The residents of this street moved here because of the special nature of the surroundings. We believe we deserve to keep this intact as much as possible, having invested substantially in the properties before such time as the proposed development was initiated.

The style of the buildings in any proposed development should not have an impact of Fernbourne Road, and should be in keeping with the existing architecture. We do not believe that the multiple dwellings of units achieve this. It is our understanding that the units will be constructed of brick and corrugated iron which is contrary to most of the houses and in particular Fernbourne House and Casuarina Cottage on the southern side of the unit development. (The height of the buildings also needs to be taken into consideration in relation to the adjoining properties.)

Unless there is adequate vegetation and distance between Fernbourne House and the units it will encroach on the visual nature of the house. An effort has been made in the past to retain space around the house to enhance its architectural and cultural heritage. Originally, none of the houses existed when it was first built.

On the northern perimeter, the planned development includes a caretakers residence, two motel units (respite bungalows) and boat and caravan storage on the very small parcel of land (Special Protection Area), directly in front of Casuarina Cottage. We consider it highly inconsiderate to place a storage facility for boats and caravans directly in front of (and only metres away) from the front of Casuarina Cottage. In the event that Council ignores it's own planning criteria, one would expect that at a minimum a substantial buffer zone is created, with partially developed trees instead of saplings which will take years to develop and become effective. The need to also have respite bungalows is questioned, given that there is existing accommodation available in nearby Wellington Point and Cleveland.

Pollution:

It is understood that, due to the nature and size of the development that a significant amount of time (maybe several years) would be required to complete the project. There would be continuing noise, dust and visual pollution that would impact upon the every day lives of the residents of the area. The residents moved here because we enjoy the peace and tranquillity of this street. Noise of this magnitude will undoubtedly chase a significant element of the wildlife away.

Fernbourne Road Streetscape:

Fernbourne Road is one of the last remaining unchanged streets in Wellington Point. It is bitumen, edged by grass, bordered by Jacarandas and planted gardens. The road leads down to Hilliards Creek and changes to a gravel/dirt road at the end of the residential strip. To have retained a dirt road in a suburban area is very rare and maintains the heritage precinct of Whepstead Manor.

In 1995, the Redland Shire Council decided that it was not appropriate to curb and channel a section of Fernbourne Road, outside Fernbourne House. At the time, the residents in the street indicated that they wanted to sustain the undeveloped nature of the street and more specifically, the Jacarandas that line each side.

One of the recommendations by the Council in their report responding to the development application states that the full length of Fernbourne Road would require to be curbed and channelled. The positioning of the development means that most of the buildings would not be adjacent to Fernbourne Road. With the entrance to the development in Station Street and only a walkway joining the unit development to Fernbourne Road, it would appear that there would not be any significant increase in storm water run-off or transport along the road. Curbing and channelling would destroy most of the Jacarandas as they are very close to the edge of the bitumen. If there was a requirement for increased drainage support, we believe a more sensitive form of construction should be undertaken to avoid destroying the streetscape.

Many people use Fernbourne Road as a walking pathway. Children living in the street often ride their bikes and cross the road to visit each other. Wildlife uses the road to access all surrounding areas. The Jacaranda trees form an arch over the road in many places. While we understand that all vehicular access to the proposed site, during construction and thereafter, will be via Station Street, we feel that we must support that no Fernbourne Road access be granted at any stage. Any heavy traffic, heavy equipment such as cranes and earthmoving equipment would endanger the lives of the pedestrians and the children. This traffic would also damage the branches of the trees. It is a well known fact that when Jacarandas are pruned, the regrowth tends to shoot vertically and spoil the natural form of the tree. (Burkes Backyard Magazine, November 2004) This would visually destroy the street permanently.

(Unfortunately earlier this year, many of the protected Cypress Pines were lost in a severe storm. Others have been seriously damaged by pruning by Energex. It is extremely important to maintain the remaining trees in the area).

Heritage Value:

This area is part of a significant cultural heritage area that was established when Louis Hope built Ormiston House and began the sugar industry in Australia. He employed Gilbert Burnett as his engineer/overseer. In the mid 1890's Burnett built Whepstead Manor and thus began the industries that built Wellington Point. Around 1890 he moved from Whepstead into Fernbourne House. The tract of land to be developed is the last remaining farmland that belonged to Burnett and one of the last open pieces of land in Wellington Point. Casuarina Cottage was built as a fireman's residence as part of the sawmill complex. There are several other historic sites on the land which are noted in the application as being significant enough to save, we believe that the whole area is significant enough to save. Burnett made an important contribution to Queensland and more specifically the Wellington Point area and the heritage value of this area should not be underestimated.

By building too close and in a manner that is not sympathetic to Fernbourne House and Casuarina Cottage the visual and heritage nature of these residences will be compromised.

Light Pollution

The proposed development is likely to have significant sources of light pollution which will affect the surrounding community. We are concerned that the developers have failed to address this important amenity for the surrounding population. The sources of light pollution include:

- roadway lighting,
- community hall entryway and facade lighting,
- boat storage, (security lighting, if any, of this area has the potential to significantly affect the property at 35 Fernbourne Road).

- lawn bowls area lighting,
- carpark lighting,
- swimming pool lighting,
- spill lighting from the 2/3 story units (the 2/3 story units have the potential to significantly affect the property at 19 Fernbourne Road).

We would expect that a responsible development would address the appropriate and relevant Australian Standards in any planning process. We are aware that the Australian Standard AS4282 (Control of the obtrusive effects of outdoor lighting) is utilised by many of Australia's leading municipal bodies when determining the suitability of proposed developments.

The failure to address this key amenity for the surrounding residents, by the lack of a professional and appropriate obtrusive lighting study, is a serious deficiency in the planning process for this development.

Conclusion:

We are aware that the 'Turf Farm' area south of the proposed development is itself subject to a further development application. Whilst we have addressed issues above in isolation, clearly the overall impact on the Shire needs to be considered by Council, if not only by current development applications in aggregate, but by future ones as well.

The media have for months been running articles which bring to our attention every week, the impact that development is having on our Shire, it's environmental inhabitants and it's residents. The message is surely very specific - the residents of the Redland Shire value their lifestyle, and we are relying on our Council to understand this and support us, the ratepayers.

We are both mindful of the desire for others to live in the Redlands, and the initiatives by State Government to promote denser living closer to transport hubs such as the Wellington Point station. We are not totally opposed to the development, but as described above, have serious concerns to many of the proposals. We would supportive of an application that:

1. Has no development at all in Special Protection Areas
2. Is of a lesser density, to the extent that the 100 persons per hectare restriction applies to all parts of the site, not as a site average
3. The structure of which is more in keeping with the amenity of Fernbourne Road and existing residences
4. Has a greater buffer zone between the existing Fernbourne Road residents and the development, and this buffer zone be densely populated with Koala food trees. This includes the boundary between Fernbourne Manner at 19 Fernbourne Road and the multiple unit complex, as well as Casuarina Cottage at 35 Fernbourne Road.

5. Site access continues to be via Station Street, but roundabouts are created at the Station Street/Fernbourne Road juncture and also at the Harris/ Fernbourne Road juncture
6. Lighting throughout the complex and villas are downlights of low wattage and which contain light to the immediate area.
7. Construction is completed within an 18 month period
8. Construction is conducted in a manner that addresses acid sulphate soil emissions
9. Public vehicle parking is restricted in such a manner than hoon activity can be eradicated entirely
10. Fernbourne Road as it exists remains unchanged saved for the aforementioned roundabouts

Yours faithfully 

Michael Bailey

Shane Wynter-Bailey

Fernbourne Road Birds

Common Name	Scientific Name
Australasian grebe	<i>Trachybaptus novaehollandiae</i>
Pelican	<i>Pelecanus conspicillatus</i>
Darter	<i>Anhinga melanogaster</i>
Pied Cormorant	<i>Phalacrocorax varius</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
White-faced Heron	<i>Ardea novaehollandiae</i>
Little Egret	<i>Ardea garzetta</i>
Intermediate Egret	<i>Ardea intermedia</i>
Great Egret	<i>Ardea alba</i>
Cattle Egret	<i>Ardeola ibis</i>
Mangrove Heron	<i>Butorides striatus</i>
Black Bittern	<i>Ixobrychus sinensis</i>
Nankeen Night Heron	<i>Nycticorax calendonicus</i>
Sacred Ibis	<i>Threskiornis aethiopica</i>
Straw-necked Ibis	<i>Threskiornis spinicollis</i>
Royal Spoonbill	<i>Platalea regia</i>
Magpie Goose	<i>Anseranas semipalmata</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Hardhead (White-eyed duck)	<i>Aythya australis</i>
Maned (Wood) Duck	<i>Chenonetta jubata</i>
Osprey	<i>Pandion haliaetus</i>
Black-Shouldered Kite	<i>Elanus notatus</i>
Pacific Baza (Crested Hawk)	<i>Aviceda subcristata</i>
Brahminy Kite	<i>Haliastur indus</i>
Whistling Kite	<i>Haliastur sphenurus</i>
Collared Sparrowhawk	<i>Accipiter cirrhocephalus</i>
Brown Goshawk	<i>Accipiter fasciatus</i>
Grey (White) Goshawk	<i>Accipiter novaehollandiae</i>
White Bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>

Common Name	Scientific Name
Brown Quail	<i>Coturnix australis</i>
Chukar*	<i>Alectoris chukar</i>
California Quail*	<i>Lophortyx californicus</i>
Lewin's Rail	<i>Rallus pectoralis</i>
Buff-banded Rail	<i>Gallirallus philippensis</i>
Purple Swampphen	<i>Porphyrio porphyrio</i>
Dusky Moorhen	<i>Gallinula tenebrosa</i>
Eurasian Coot	<i>Fulica atra</i>
Masked Plover	<i>Vanellus miles</i>
Rose-crowned Fruit Dove	<i>Ptilinopus regina</i>
Spotted Turtle-Dove*	<i>Streptopelia chinensis</i>
Peaceful Dove	<i>Geopelia placida</i>
Bar-shouldered Dove	<i>Geopelia humeralis</i>
Crested Pigeon	<i>Ocyphaps lophotes</i>
Galah	<i>Cacatua roseicapilla</i>
Little Corella	<i>Cacatua sanguinea</i>
Long-billed Corella	<i>Cacatua tenuirostris</i>
Australian King Parrott	<i>Alisterus scapularis</i>
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
Scaly-breasted Lorikeet	<i>Trichoglossus chlorolepidotus</i>
Crimson Rosella	<i>Platycercus elegans</i>
Pale-Headed Rosella	<i>Platycercus adscitus</i>
Fan-Tailed Cuckoo	<i>Cuculus pyrrhophanus</i>
Shining (Golden) Cuckoo	<i>Chrysococcyx lucidus</i>
Common Koel	<i>Eudynamys scolopacea</i>
Channel-billed Cuckoo	<i>Scythrops novaehollandiae</i>
Pheasant Coucal	<i>Centropus phasianinus</i>
Southern Boobook (Mopoke)	<i>Ninox novaeseelandiae</i>
Tawny Frogmouth	<i>Podargus strigoides</i>
White-rumped Swiftlet	<i>Aerodramus spodiopygia</i>
White-throated Needletail	<i>Hirundapus caudacutus</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Azure Kingfisher	<i>Ceyx azurea</i>

Common Name	Scientific Name
Forest Kingfisher	<i>Halcyon macleayii</i>
Sacred Kingfisher	<i>Halcyon sancta</i>
Collared (Mangrove) Kingfisher	<i>Todirhampus (Halcyon) chloris</i>
Rainbow Bee-Eater	<i>Merops ornatus</i>
Dollarbird	<i>Eurystomus orientalis</i>
Welcome Swallow	<i>Hirundo neoxena</i>
Fairy Martin	<i>Hirundo ariel</i>
Richard's pipit	<i>Anthus novaseelandiae</i>
Black-Faced Cuckoo-Shrike	<i>Coracina novaehollandiae</i>
Varied Triller	<i>Lalage leucomela</i>
Eastern Yellow Robin	<i>Eopsaltria australis</i>
Golden Whistler	<i>Pachycephala pectoralis</i>
Rufous Whistler	<i>Pachycephala rufiventris</i>
Grey Shrike-thrush	<i>Colluricincla harmonica</i>
Little Shrike-thrush	<i>Colluricincla megarrhyncha</i>
Spectacled Monarch	<i>Monarcha trivirgatus</i>
Leaden Flycatcher	<i>Myiagra rubecula</i>
Satin Flycatcher	<i>Myiagra cyanopectus</i>
Grey Fantail	<i>Rhipidura fuliginosa</i>
Willie Wagtail	<i>Rhipidura leucophrys</i>
Tawny Grassbird	<i>Megalurus timoriensis</i>
Golden-headed Cisticola	<i>Cisticola exilis</i>
Variegated Fairy Wren	<i>Malurus lamberti</i>
Red-backed Fairy Wren	<i>Malurus melanocephalus</i>
White-browed Scrubwren	<i>Sericornis frontalis</i>
Speckled Warbler (Scrubwren)	<i>Sericornis sagittatus</i>
Mangrove Gerygone	<i>Gerygone laevigaster</i>
White-throated Gerygone	<i>Gerygone olivacea</i>
Yellow-rumped Thornbill	<i>Acanthiza chrysorrhoa</i>
Brown Tree Creeper	<i>Climacteris picumnus</i>
Noisy Friarbird	<i>Philemon corniculatus</i>
Little Friarbird	<i>Philemon citreogularis</i>
Blue-faced Honeyeater	<i>Entomyzon cyanotis</i>
White-throated Honeyeater	<i>Melithreptus albigularis</i>

Common Name	Scientific Name
Noisy Miner	<i>Manorina melanocephala</i>
Lewin's Honeyeater	<i>Melaphaga lewinii</i>
Yellow-faced Honeyeater	<i>Lichenostomus chrysops</i>
Brown Honeyeater	<i>Lichmera indistincta</i>
Scarlet Honeyeater	<i>Myzomela sanduolenta</i>
Varied Honeyeater	<i>Lichenostomus versicolor</i>
Mistletoe Bird	<i>Dicaeum hirundinaceum</i>
Striated Pardalote	<i>Pardalotus striatus</i>
Silvereye	<i>Zosterops lateralis</i>
Double-Barred Finch	<i>Poephila ichenovii</i>
Spangled Drongo	<i>Dicrurus hottentottus</i>
Figbird	<i>Sphecotheres viridis</i>
Common Mynah*	<i>Acridotheres tristis</i>
Australian Magpie-lark (Peewee)	<i>Grallina cyanoleuca</i>
White-breasted Woodswallow	<i>Artamus leucorhynchus</i>
Grey Butcherbird	<i>Cracticus torquatus</i>
Pied Butcherbird	<i>Cracticus nigrogularis</i>
Australian Magpie	<i>Gymnorhina tibicen</i>
Torresian Crow	<i>Corvus orru</i>

* denotes introduced species/escapee.

Geoff Skinner Reserve	
Common Name	Maximum count
Australian Darter	1
Australian Pelican	5
Australian White Ibis	84
Bar-tailed Godwit	2510
Black-fronted Dotterel	5
Black-shouldered Kite	1
Black-tailed Godwit	3
Black-winged Stilt	14
Brahminy Kite	2
Caspian Tern	32
Chestnut Teal	23
Common Sandpiper	3
Crested Tern	7
Curlew Sandpiper	38
Double-banded Plover	182
Eastern Curlew	753
Great Egret	10
Great Knot	62
Greater Sand Plover	7
Greenshank	67
Grey Plover	9
Grey Teal	8
Grey-tailed Tattler	10
Gull-billed Tern	38
Intermediate Egret	4
Japanese Snipe	1
Lesser Sand Plover	970
Little Black Cormorant	90
Little Curlew	12
Little Egret	1
Little Pied Cormorant	1
Maned Duck	3
Masked Lapwing	14
Osprey	2
Pacific Black Duck	2
Pacific Golden Plover	87
Pectoral Sandpiper	1
Pied Cormorant	7
Pied Oystercatcher	80
Red Knot	18
Red-capped Plover	380
Red-necked Stint	649
Royal Spoonbill	36

Geoff Skinner Reserve*	
Ruddy Turnstone	7
Sharp-tailed Sandpiper	34
Silver Gull	17
Sooty Oystercatcher	3
Straw-necked Ibis	17
Striated Heron	2
Unidentified Wader	50
Whimbrel	135
Whistling Kite	5
White-bellied Sea-Eagle	2
White-faced Heron	58

*Data courtesy of the Queensland Wader Study Group

Right to Information Release



View from Fernbourne Street (looking south east)

ACROSS LOT 1 ROAD:
TOWARDS
35 FERNBOURNE



View from house to North East - Note flooding of land

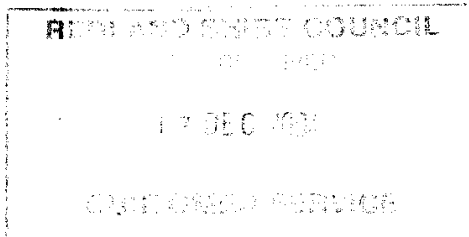


View from house from North West through to North

FERNBOURNE STR TO
THE LEFT, CASUARINA SWAMP
AHEAD & TO THE RIGHT.

Casuarina Cottage 1860-2004 35 FERNBOURNE

35 FERNBOURNE STR



31 Fernbourne Road
Wellington Point Q 4160
17th December 2004

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland Q4160

Re: MC 8532

Development Application for Retirement Village, Environmental Park & Recreational Facilities

Dear Sir

As an adjoining property owner to the above proposal I wish to lodge the following submission.

The above development must comply with Federal, State and Redland Shire Councils legislation, policies and regulations and the following issues are the basis for my concerns about the development proposal.

1. Inappropriate siting of structures and infrastructure

The proposal conflicts with the

- ***Redland Shire Council Transitional Planning Scheme-Filling & Drainage and Minimum Development Levels and***
- ***State Planning Policy 1/03-Mitigating the Adverse Impacts of Flood, Bushfire and Landslide***

The proposed locations of structures and infrastructure are situated in areas below Q100 flood levels, Highest Astronomical Tide (HAT) level and 2.4m AHD (storm surge) levels for the existing site. Recent flood studies in the area further define these boundaries and limits on development in areas below Q100 was determined in the outcomes of the Planning & Environmental Court BD4007 of 2003 Collin Park v. Redland Shire Council & Anor.

Specifically:

The impacts of buildings in this area will have detrimental impacts on

- Flowpaths
- Maintenance of physiological and biological processes, storm surge and flooding inundation
- Riparian characteristics
- Loss of buffer distances for neighbouring amenity and water quality improvement processes
- Water quality in particular filtering of sediments and the control of erosion and siltation, and ecological function of land close to adjoining Hillards Creek
- Environmental issues (noise, lighting, visual amenity) and
- Urban wildlife on adjoining private land

2. The proposal conflicts with Specific Planning Intent No2

The preferred land use for Lots 6,7,8,9 and 10 on RP14166 is for development with a 'limited residential component'.

The definition of 'limited' was tested in the recent Planning and Environment Court 1325 of 2001 Stariha vs Redland Shire Council & Anor. The proposal is within the Specific Planning Intent 2 which has set a clear intent for environmental protection, outdoor recreation, the promotion of private land for conservation purposes with a limited residential component. It was determined by the P & E Court in the analysis of the word 'limited' is to have a quantity measurably less than normal urban development and within the context of other matters such as outdoor recreation, ecological values, flooding & drainage, access, traffic and biting midges.

The Masterplan and the Landscape Concept Plan by Guymer Bailey does not demonstrate compliance with the above definition. The building densities and setbacks, site layout, lack of private open space so not demonstrate a 'limited residential component'.

3. The proposal conflicts with the Redland Shire Council Strategic Plan – Greenspace.

Lot 10 on RP14166 and Lot 1 on RP 14171 are within the Greenspace mapping with an incompatible form of development intruding into the area. The objectives of Greenspace are to exclude urban development from major areas which have environmental, landscape and visual significance.

Whilst the site planning by Guymer Bailey has allowed some areas for revegetation and enhancement of the riparian corridor to Hilliard's Creek, the siting of tennis courts, community building, interpretative centre, detached housing and infrastructure within these areas is incompatible with the Strategic Plan- Greenspace.

4. Habitat Diversity and appropriate species selection

The proposal is located within the Habitat Consolidation Area as mapped in the Vegetation Enhancement Strategy 2004 (VES). The nomination of *Eucalyptus tereticornis* as the prime habitat tree to be used on the site (as stated by Lynn Roberts at the public Community Meeting of 30th November 2004) is in direct conflict with the intent of the VES. This document was revised by Council in 2004 to act as a guide for the management of this tree species on public and private land, and any development approved through the Integrated Development Assessment System (IDAS). The strategy also promotes diversity in species selection.

Whilst the *Eucalyptus tereticornis* species is relevant in the riparian edges these trees have to be planted away from buildings with a set-back distance of at least two-thirds the mature height and planted outside the canopy drip lines. Trees in these urban areas can be removed with an application to Council under the provisions of Local Law 6 – Protection of Vegetation. This is often the scenario as trees mature in an urban environment and residents are concerned about the tree's proximity to property.

Existing *Eucalyptus tereticornis* species in the area have matured to a canopy spread of at least 25 metres and 20 metres high. To ensure diversity for existing koalas and for further habitat enhancement a variety of species is to be used in the planting design. This includes *Eucalyptus seeana* in area where there is the potential for conflict with buildings and infrastructure, and more specie diversity where space permits. Relevant tree species are to be selected from VES Koala Habitat/Food Trees (page 29). *Melaleuca quinquinervia* and *Lophostemon* species are also existing koala resting trees in the area.

5. Existing wildlife linkages and habitat ignored in the site planning.

The Vegetation Management Plan by Lynn Roberts and the Landscape Concept Plans by Guymer Bailey have not acknowledged existing habitat and fauna linkages with adjoining parcels of land in private ownership or explored the potential for further enhancement of the adjoining proposed buffer area (see attached *Habitat Linkage Map*).

Owners of lots 134, 137, 138, 139 on RP 141513, Lots 1 and 3 on RP884906, Lot 140 and 156 on RP14647 have restored the former farming land with extensive native planting to provide valued habitat. The area supports a variety of fauna, both aquatic and terrestrial with specific trees for koala habitat. The scope of this urban wildlife and habitat will take a longer period to map than the developer has demonstrated in the environmental reports.

The area supports koalas from season to season and they migrate through these properties without hindrance, rarely using public land because there is limited habitat in the road reserves. Several properties support the Wildlife Release Program which allows for the release of wildlife after being sick or injured.

The existing habitat and connectivity is mapped on the attached *Habitat Linkage Map*.

The Masterplan of March 2004 (received by Council Nov 2004) provides 8 metres width eastward from the existing residential to the visitor's car parks and permaculture gardens, and 3 metres northward from Casuarina Cottage to the access road to the caretaker's residence and visitors bungalows. These distances are not sufficient width for a sustainable ecological corridor and buffer planting.

Any revised layout submitted after the public notification and advertising period closure (17th Dec 2004) is to provide for appropriate buffering to Hilliards Creek and existing residential uses. The buffer to existing residences is to be at least 15 metres before any new building structures and infrastructure intrudes. It is desirable that the buffer width be increased to 20 metres to the residential interface to ensure sustainability for an ecological corridor.

This buffering is to ensure existing habitat on adjoining residential uses is enhanced by providing

- A green belt
- A refuge for urban wildlife
- Connectivity to adjoining residential habitat values and fresh water billabong (see *attached Habitat Linkage Map*).

6. Tree Protection Ordinances for existing trees.

The Poinciana on Lot 1 RP 14171 and Lot 139 RP14151 is protected by a Redland Shire Council Vegetation Protection Order that acknowledges the trees contribution to the cultural values and historic setting for Casuarina Cottage, one of the oldest remaining workers cottages in the Shire.

The cultural significance of the above cottage and its setting is embedded in an understanding of the fabric and relationship of both the built and natural form. In particular this Poinciana is a magnificent example of the Shire's signature tree, providing scale and context to the cottage. It is a valuable cultural marker linking the past to the present and is a valued asset for local scenic amenity.

The siting of boat storage, car parks, and access road intrudes into the tree root zone and canopy spread. No arborists report has been submitted to demonstrate how these uses can be achieved. However the siting of these uses and construction will have a detrimental effect on the trees viability and will certainly lead to the trees demise.

Poincianas have a buttressing root system, which are close to the surface and often exposed. They are a deciduous tree with a spectacular showy exotic form, which is valued by visitors, tourists and residents in the Shire. However the regular dispersal of spent fine-leaved foliage, branches and spent blooms is problematic unless properly managed with a sympathetic under story planting. The siting of boat storage, car parks, and access road is not compatible.

Similarly the pines that line the eastern side of Fernbourne Road have VPO's to ensure their protection. Although some of the less healthy specimens were lost in this year's January storms, the impact of basement car park construction and building intrusion into the tree root zone will certainly impact on the trees viability.

The area under the canopies and tree root zones is to be exclusive of any modification. This includes the siting of car parks at ground level or basement, boat storage, and access roads. Replanting is to occur with compatible species. No site materials are to be stored or vehicular access is to occur under the canopy drip line during construction stage.

7. Fences

The Landscape Concept Plan shows proposed 1800mm high vertical batten-timber fence to the adjoining residential properties property boundaries. Several adjoining residential properties have fauna-friendly fencing, which allows permeability for both habitat movement and prevailing breezes. These fence designs and styles range from post and rail to single

strand wire and therefore support unimpeded habitat movement. Any new fencing should be determined with these adjoining owners through appropriate consultation. 1800mm high vertical-timber batten fencing imposed on these edges is not appropriate and will impede wildlife movement, restrain prevailing breezes and detract from existing visual amenity.

Any fencing adjacent to Fernbourne House is to match in design, construction, height and materials so as not to detract or conflict with the heritage form.

8. Vehicular and Pedestrian Access

The future vehicular access to the Fernbourne retirement village proposal from Fernbourne Road and Station Street and the proposed subdivision of the land to the south will have additional traffic loads placed on the precinct.

Vehicular traffic is to access these two proposals from Fernbourne Road and Station Street (as shown on the Masterplan) as opposed to any other option so as not to place additional impacts on the majority of the residents of Fernbourne Road.

Safe access for pedestrians and vehicles is to occur through appropriate traffic calming measures and dedicated safe pedestrian pathways.

9. Kerbing and Channelling

Fernbourne Road has grassed swales and significant street trees that contribute to a distinctive streetscape that is unique to the Shire. The jacarandas provide a showy display for visitors and residents and were planted by residents in 1988 as a bicentennial project. The trees were donated by Council and the community came together to plant the street trees and shrubs to each driveway crossover. The street is a haven for people who walk, ride their bikes or horses, and enjoy the sense of place that the streetscape provides.

In the past 18 years whenever the issue of formalising the streetscape with hard engineering solutions arose, meetings were held with relevant Council officers and the local Councillor to resolve the issues and adopt a soft approach to stormwater management and to the sealing of the road surface. Previous Councillors have supported the residents concerns and the swales were retained. As a result the street has a minimum width asphalt seal with grass verges and swales which work to achieve the dispersal of stormwater.

The notion of formalised kerb and channelling to the street is out of context and in discord with the residents wishes and Councils past support. The construction of formal kerbing and channelling will certainly impact on the viability of the street trees with direct impact to the tree root zone. It is a contrast to the urban form and visual amenity that the streetscape provides.

10. Gated Community

It is not clear whether the proposed infrastructure will become Council assets. Specifically the use of the internal roads and pathways/ boardwalks by others than the retirement village community may be subject to scrutiny and censorship. Gated communities are social enclaves which create the perceptions of isolation and class distinctions. The access from Station Street and pathways throughout the natural areas are not to become an exclusive use for the retirement village community.

11. Maintenance of Natural Areas

It was indicated at the Community meeting that the natural areas of Hilliards Creek corridor are not to be dedicated to Council for conservation purposes. The ongoing maintenance and management of this valued space will require a sound environmental management plan which should be enforced through a covenant on the land. Other management options such as a Community Management Plan will not have the rigour or accountability as a covenant which is applied to the land title. A covenant remains with the land as opposed to any other management plan which is subject to change at the whim of the owners.

Retirevest were the developers for the subdivision off Chernside Street Wellington Point and are still attempting to provide an enhancement and buffer corridor between Jacob Street and Fernbourne Road. Revegetation is still not successful after almost two years despite Councils conditions of development approval. The area has extensive nut grass cover, trees are exhibiting poor form, weed invasion and the area is constantly littered with builder's debris from adjoining construction sites.

It is dubious that all the rhetoric and promises from the same developer can be achieved after this poor record.

Council is to apply stringent and relevant conditions to achieve sustainable outcomes for the enhancement and revegetation program for the site. The process should be monitored at regular intervals (at least monthly) with performance securities applied to guarantee the success. The monitoring period by Council in conjunction with the developer should be over two years so that healthy seasonal growth can be scrutinised, and any losses through vandalism, theft and plant failure can be replace with new plants.

12. Staging of works

At the Community Meeting the development team were unable to give any indication of how the construction works and revegetation was to be staged. Some assurances should be given to the residents that construction works do not impact on lifestyle and are completed in a timely manner. Reasonable time frames are to be applied so that construction does not continue ad hoc.

13. Private open space

The site planning for the detached housing and units does not show appropriate private open space. The Landscape Concept Plan does not show utility areas for clothes drying, bin storage and private open space adjoining living areas with solar access. Setbacks between the detached dwellings are too close to allow appropriate buffer screening to protect amenity for users.

The private open space areas are to be located adjacent living areas and be a useable space for new residents.

There is little delineation between private and communal open space. No internal fencing has been indicated to show how these areas can function as separate and distinct residential dwellings.

Jan Haughton

Right to Information Release

-----Original Message-----

From: baltais [mailto:baltais@bigpond.net.au]

Posted At: Wednesday, 15 December 2004 9:34 PM

Posted To: Corporate MailBox

Conversation: objection to the proposed residential style development at Fernbourne Road

Subject: objection to the proposed residential style development at Fernbourne Road

Wednesday, 15 December 2004

Chief Executive Officer
Redland Shire Council

Dear Madam

We wish to advise you of further matters to be included into our objection to the proposed residential style development at Fernbourne Road, Wellington Point on land situated at Lot 1 RP14171, Lot 3 RP216889, Lot 4 RP908452 & Lot 8 RP14166. Ref: The Pretirement Group. The grounds for our objection are as follows.

1. We note the subject land is within a high risk mosquito breeding area as clearly shown in the Redland Shire Council *Mosquito and Biting Midge Management Strategy, June 1995*. We note the proposed development does not comply with the recommendations made by this Strategy.
2. It is highly likely that the proposed purchasers will have vehicles and traffic will be a major issue.
3. We note one or more of the consultants (through their family or family business) for the applicant are possible investors in this development and therefore we question their objectivity. The applicant should disclose such interests.

Yours sincerely

Simon Baltais

Secretary

Right to Information Release

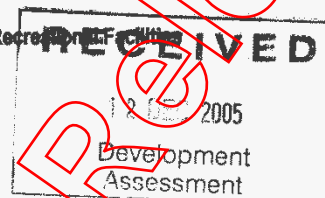
Assessment Manager
Redland Shire Council
PO Box 21
Cleveland Q4160



33 Fernbourne Road
Wellington Point Q 4160
11 December 2005

Re: MC 8532
Development Application for Retirement Village, Environmental Park & Recreation Facilities

Attention: Neil Wilson
Senior Planner



Dear Sir

As adjoining property owners to the above proposal we wish to present our concerns regarding the progression of the application and the changes to the Masterplan and associated plans and images.

It is understood that the application has received a Preliminary Development Permit and the applicant is working through the associated issues emphasised in Councils conditions.

However we are concerned that the original documentation lodged for the Application for Material Change of Use has significantly altered and continues to be altered as the applicant 'adjusts' the site layout to comply. We believe those changes to the Masterplan as publicly advertised a year ago, are now significant enough to affect the submissions that were lodged last year and may indeed attract further submissions.

Indeed the Integrated Planning Act 1997 3.2.10 (c) says that

" The notification stage does not apply to a changed application if the assessment manager is satisfied the change to the application, if the notification stage were to apply to the change, would not be likely to attract a submission objecting to the thing comprising the change".

In particular

- The reduction in the corridor width of the eastern buffer to existing residential is now reduced so that the existing significant trees on private land are now in direct conflict with the proposed buildings and car parks. These trees are existing habitat for koalas and native wildlife. Councils Vegetation Enhancement Strategy supports appropriate building setbacks to koala trees so that the potential for impacts on people and property are removed; and
- The building elevations of the proposed multiple dwelling units to Fernbourne House are significantly changed.

Although we do not wish to appear vexatious we believe the application in its latest form now warrants further public notification. This will give the public especially local residents to opportunity to make comments especially in regard to impacts on their amenity.

Yours Sincerely

14 December 2004

The Assessment Manager (Ref:MC8532)
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

**RE: PROPOSED DEVELOPMENT AT STATION ST AND FERNBOURNE
ROAD, WELLINGTON POINT**

Dear Sir/ Madam

In respect of the development application submitted to Council, I would like to express my approval and support of this development going ahead.

As far as I can see and having given the Developers comments a lot of thought, I can see that this new Retirement Village would actually benefit this area in a lot of different ways.

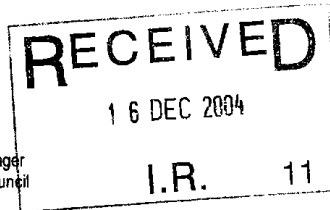
Of course there are environmental issues that are detrimental for now and the future , but the developer as far as I am concerned has a very strong concern for this too, and I am actually really excited to think that they may actually make something of this dead land and improve this area for all of us to benefit from.

Also, we have parents that need to be close to us for various reasons and are very keen to make further enquiries into this new village if and when the time is right.

Yours faithfully

Wellington Point

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



11 COULDER ST.
BARDON Post Code 4065
Date 14.12.2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 11 RP14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

- Dwellings should not be built in this residential area.**
I know the area well as my son and his family live there. The multiple dwellings should not be built in this residential area.

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

ALFS KAMOUS FRAIA

Assessment Manager,
Redland Shire Council,
P.O. Box 21,
Cleveland. 4163.

15-12-04
12 Wallace St.
Wellington Pt.
4160

RE: Material change of use to land at 13-17 & 37-53 Fernbourne Rd and
37-63 Station St. Wellington Pt.
Reference MC8532

Dear Sir,

I wish to make an objection to the above proposal. My concern is the large amount of mosquitos & sand flys that inhabit the area.

Seven year ago, I was wanting to purchase land in Fernbourne St., but changed our mind when we were covered in bites from mosquitos & sandflys if we were at the land early in the morning or at dusk.

As we were keen to purchase the land, we sought advice about the problem from 2 doctors. They both suggested buying land elsewhere, as mosquitos were disease carrying (malaina, dengue & Ross River fever) & the number of Ross River fever cases in the Redlands had increased significantly.

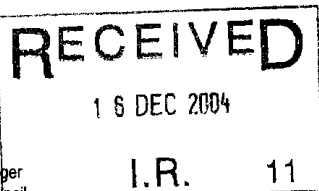
It was revealed from conversations with residents in Fernbourne St. that fly screens were not effective in keeping out some of the small mosquitos & sandflys that inhabit that area.

It would be wrong to build housing for our elderly community in an area with potential health risks.

Visit the area at dawn or dusk & you will experience what I am objecting too.

Regards

Fran Andersen.



Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

11 Couldery St.
Bardon Post Code 4065
Date 14.12.2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 (P14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatic, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Dunsan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern "beach" style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

I often visit the area and Fernbourne House and it would be very wrong for big multiple dwellings to be built in the area especially when the balconies would overlook the bedroom of Fernbourne House.

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name *Asira Kamels*

Joe and Dymphna Ayres
63 Zahel St
Carina
4152
[REDACTED]

To whom it may concern

Being referred to as the grey brigade, those of us in our late 50's to early 60's, we are semi retired and travel around Australia periodically throughout the year. Last year we spent 10 months on the road and on our return spent 6 months at our daughters house whilst our home was rented out.

We have seen the proposed plans for the pretirement village at Wellington point and see it as a remarkable development for the area, having resided in Wellington Point for the past 6 months we see it as an area we would greatly like to live , as it is close to our daughter and grandchildren, but this sort of development gives us greater flexibility to us when we travel, as it gives us the added security of our home being looked after or a place to leave the motor home when we are home.

This development has all the facilities we require of people our age , while still having the beautiful natural bushland and wildlife to enjoy being right on our back door, it is close to all public transport and the local shops and sports facilities that something of this Caliber would be a great asset to the community

We sincerely hope that this is approved for the greater benefit to the community.

Yours sincerely
Joe and Dymphna Ayres
[REDACTED]

16th December 2004

67 Valley Road
Wellington Point
Qld 4160

The Assessment Manager

Reference MC8532

Redland Shire Council
P O Box 21
Cleveland Q 4163

Dear Sir/Madam

We are writing to object to the proposed development (Ref as above) off Station and Fernbourne Roads, Wellington Point.

We believe that the land has severe constraints, they are:

- Approximately 75% of proposed site is considered to have a drainage problem as it is low-lying, flat land.
- As there has been no re-adjustment from council regarding regulations resulting from the potential of rising sea-levels due to global warming, we consider that no approval should be given for development below Q100 floodline
- We consider that the placement of dwellings on stumps in order to get floor level above the Q100 floodline is not a responsible solution to cope with land liable to flood
- Structural integrity of stumps when inundated is major concern

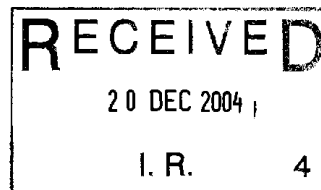
There are severe visual and historic impacts as follows:

- Six of the thirteen homes in closest proximity to proposed unit site fronting Fernbourne Road, are of 'timber and tin' construction and have 45 degree pitch roofs. None of these aspects have been taken into consideration in design of units
- Two of the oldest homes in Wellington Point (1880's) ie Fernbourne House and Casuarina Cottage (both in Fernbourne Road) are part of the original Fernbourne estate. Some new homes and many removal homes brought in to area are of similar colonial style. Proposed development will detract considerably from area's character

We trust that Council will take all due consideration to the objections hereby raised

Yours sincerely

Eleanor and Graham Carter



17th December 2004

69 Valley Road
Wellington Point
Qld 4160

The Assessment Manager
Redland Shire Council
P O Box 21
Cleveland Q 4163

Dear Sir/Madam

I am writing to express concern about a proposed material change of use and development, Reference MC8532

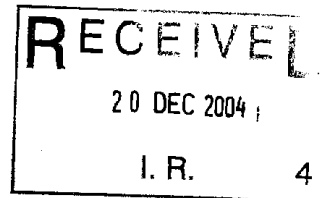
My concerns are as follows:

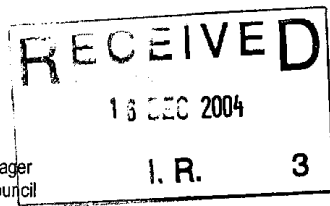
1. I understand that the application proposes to build beneath the Q100 floodline and that, quite sensibly there are no existing precedents for this in shire. Furthermore, in order to get floor level above minimum height, dwellings are to be placed on stumps and this not an acceptable solution
2. Moreover, 75% of land area has drainage problems and is low-lying flat land
3. Residents in area have shown that they attach great importance to maintaining the unique character of existing streetscape. Proposal for both villas and units does not give impression that these visual, historic aspects and design has taken this into account
4. It would appear that developer has chosen design of the 25 units to maximise density with no consideration given to its surroundings in Fernbourne Road which is comprised of single dwellings on large blocks
5. Development site is itself an important environmental buffer between urban areas and Hilliards Creek and also borders onto significant ecological areas to its north and south. Proposed density, with around 160 people and related infrastructure will have excessive impact on these areas

We ask that consideration be given to the above concerns

Yours sincerely

Gillian Carter





Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

19 Cherryside St
Wellington Point Post Code 4160
Date Dec 15, 04

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) -
Council File Reference MC8532**

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

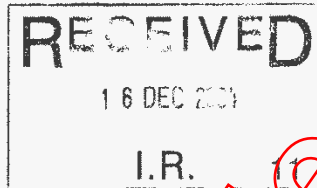
Signature

Name

Palmaia Cherry

14 December 2004

The Assessment Manager (Ref. MC8532)
Redland Shire Council
P.O. Box 21
Cleveland 4163.



RE PROPOSED DEVELOPMENT ; STATION ST. FERNBOURNE
RD. WELLINGTONPOINT.

I lived in Wellington Point for twenty years but have been associated with the point since 1940. One of the features lacking in the area is access to recreation areas close to the foreshore.

I attended the meeting at Station Street Church and listened to the architects and planners and was very impressed that such a huge area is to be restored for the benefit of native wildlife as well as the general public.

I live at Melaleuca Grove, a retirement village constructed by the Retirement Group and it is a credit to the developer in that not only is it a very good place to live but the environment is admired by everyone who see it. The abundant wildlife living here is testimony to the developer's commitment to enhance the surrounding parkland.

One outstanding feature is that the village is freehold title and as this is the proposal for the new development I believe it will be welcomed by prospective retiree's as there is very little of this type of development available.

Residents in this age group are keenly interested in their surroundings and willingly join in any working bee that we have had restoring trees in the surrounding parkland. They also take great interest in keeping the area tidy. I believe that the people to inhabit this new development would be just as enthusiastic in maintaining this new area of parkland.

Once all environmental concerns have been addressed this development should be approved as it will be an asset not only to the people living there but to the public as well as the flora and fauna. These Architects have won awards for their previous developments and I see no reason that this project will not be in the same category.

I look forward to a successful outcome to this application.

Regards,

Mrs J.R. Conaty
18/12 Melaleuca Grove Garden Villas
Capalaba 4157

8 Day Court
Wellington Point Qld 4160

21st November 2004

The Manager
Development Assessment Services
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

Dear Sir,

Re: Proposed Development on Land situated at Fernbourne Road, Station Street and
Bligh Street, Wellington Point – Pretirement Villages Pty Ltd

We have viewed the plans for the above development and wish to comment and raise our concerns as follows.

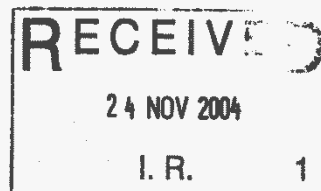
We personally feel that a retirement village with substantial numbers of koala food trees acting as a wild-life corridor and buffer between existing residential properties is preferable to a sea of tiled roofs and bitumen with minimal foliage, as occurs in most developments within this Shire.

The intersection of Station Road and Fernbourne Road is already dangerous because of poor visibility and seems inappropriate for an increase in traffic entering and exiting the proposed development. Also, construction time will be lengthy and necessitate numerous heavy vehicle trips to and from the development, adding to the danger. A substantial alteration/improvement is required, or perhaps bringing the village traffic out at a different area (near Harris Street?).

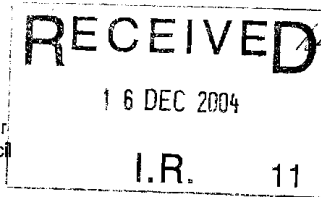
The applicant is proposing to develop below the Q100 line. We feel that if Council allows this to proceed, then Council will set an undesirable precedent. Developing below the Q100 line has grave environmental issues concerning stormwater, flooding and pollution run-off into the Moreton Bay Marine Park. We feel units should only be built above the Q100. To reduce costs and reduce nutrients going into the Bay, perhaps the applicant could cancel proposed areas such as the Croquet lawn, Putting green, etc.

Yours faithfully,

Diane and Graham McGill



Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14174) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

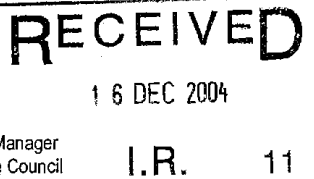
- **Further comments overleaf** -> ✓

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

DAN FLETCHER



Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

.....22.....
.....
.....Post Code.....
Date 15th December 2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14174) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

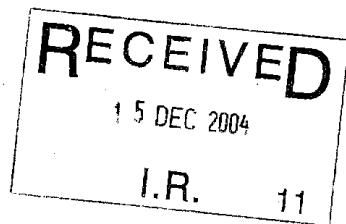
Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
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- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name..... Janet Goodall.....



Mr / Mrs / Ms

JOHN HAWKINS
STELLA HAWKINS

Post Code 4160

Date

14.12.04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redland's Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Signature

STELLA HAWKINS

JOHN HAWKINS

Name

Robyn Hicks
3 Felix Court WELLINGTON POINT
Post Code 4160

Date 13/12/04

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) -
Council File Reference MC8532**

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

- **Further comments overleaf** - The area is already populated enough.
- I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

Robyn Hicks

RECEIVED

16 DEC 2004

80 Allan Day Drive
Wellington Point Qld 4160

Development Assessment Manager
Redland Shire Council
PO Box 21
CLEVELAND QLD 4163

December 17, 2004

To whom it may concern:

**RE: PROPOSED DEVELOPMENT AT FERNBOURNE ROAD,
WELLINGTON POINT – 'PRERETIREMENT' VILLAGE** (Council Ref. MC5532)

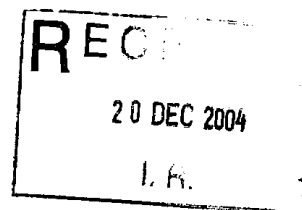
I wish to object to the above development, on the following important grounds:

- 1. The development, in its present form, would clash with the current character of the area.** The proposed development is adjacent to historic Fernbourne House, a drawcard to the area and significant landmark. Other houses on this street are of similar style, namely Queenslander homes with a fair amount of greenery and vegetation in the properties. The extensive 'preretirement' village that is proposed would be in stark contrast with surrounding buildings and would be an eyesore in such a quaint street. Any such development would directly contradict the RSC Corporate Plan's second goal: "*Preserve a balance with rural, bushland, village and coastal character of the Redlands by managing urban growth.*" This development would not represent a balance; instead, it would upset the "character" of the area and would certainly not be "*consistent with individual community identity*" (Corporate Plan Objective 2.2).
- 2. Negative impact of proposed development on koala population and other wildlife.** The area in which the development is proposed frequently has koalas living in and moving between the trees, with koala sightings every week. The development would see the removal of a significant number of trees, which would unnecessarily affect the koala population. In the Corporate Plan, Council lists as a strategic priority the need to "*ensure the enhancement of koala and wildlife habitat*", and Objective 1.2 aims to "*Ensure the sustainability of the Shire's koala population*". Removing trees for a development such as this, in an area where koalas live and frequent, comes into conflict with Council's Corporate Plan.

Our family lives at Wellington Point and is particularly concerned about this development. As residents of the Redland Shire, we want the koala population to be looked after and believe development should be consistent with the style and character of surrounding areas. I implore Redland Shire Council to reject the proposed application, unless the above issues are seriously and properly addressed.

Sincerely,

Conchita Hurst



Assessment Manager,
Redland Shire Council,
P.O. Box 21,
Cleveland, 4160

10 Galena Street,
Wellington Pt. 4160 ...

13/12/04

Re :Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3 RP216889, Lots 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 RP14171).
Council File Reference MC 8532.

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street, and Bligh Street, Wellington Point, and wish to bring notice of my concerns in the following areas of this development.

Environmental

On Lot 1 RP14171 and Lot 10 RP14166 I agree with having low impact pathways and the planting of native vegetation suitable to this area, especially the planting of koala and other wildlife food trees, thereby creating a corridor between Station Street Community Bush Care site, and Bligh Street. The developers have been informed about the protected koala trees in Station Street, and agreed that they would not be touched.

I do not agree with the provision of sporting facilities and car parking areas as this would have significant negative impacts on this ecosystem, namely the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. I feel that I must point out that Hilliards Creek is part of the waterways running into Moreton Bay, an internationally recognised RAMSAR site.

Traffic

Re traffic flow from the proposed development and increased traffic from proposed development at Duncan Street (Turf Farm) I agree that it must exit at the intersection of Station Street East and Fernbourne Rd.

I do not agree with the idea that a lower speed limit is all that is required to make this intersection safe. Due to the site problems on this intersection, being on a curve with limited vision from Station Street railway side, street calming should be integrated with the intersection, forcing traffic to slow down to a safe speed.

Planning Regulations

The proposed development has maximised the available space for residential development, as in Council's Specific Planning Intent No. 2, but I object to the fact that no consideration was given to the Q100 line. It concerns me that the villas on piers over the Q100 line, if allowed in this development, will set a precedent for future developments placed before Council.

If this development is allowed, I insist that Council must ensure that low impact earth disruption is adhered to, on and below the Q100 line.

Streetscape and Amenity

I object to the proposed buildings on Lot 4 RP 908452 and Lot 3 RP 16889. These buildings would be out of character with the existing residences on Fernbourne Road, and other high density units built in the area. They also do not fit in with the concept of the rest of the proposed development.

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature.....

Name.....

JANICE ELIZABETH SMITH

The Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

17 Frederick St.
Wellington Point
4160
11 December 2004

Dear Sir / Madam

I am writing as a long term resident of this area , as well as one of the original members of the Station St. Bushcare group. As such, I believe that I can make valid commentry regarding the proposed development site which borders our bushcare area.

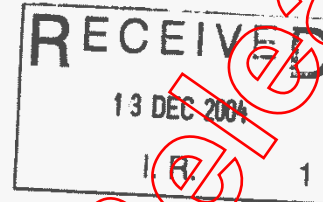
I have no objection to any development above the 2.4 metre height line, and applaud any proposal to repair the extremly degraded though once pristine flood plain to the east of the site.

However , I do have serious doubts as to the wisdom of allowing any form of construction below this level. In the past 30 years there have been 3 major floods over most the area shown on the development plan. Admittedly ,during these floods much of the land in question was well below this height but was subsequently filled despite both local residents and the then Councils objections.

With the increasingly severe weather patterns we have been experiencing it would be fair to assume that similar or even more severe flooding could occur in the future. With this in mind I feel that a dangerous precedent would be set if construction of any type was allowed below this 2.4 metre line. It could open up the possibility of further development of other low lying adjacent areas both locally and other parts of the shire, particularly the Bay Islands .

Yours faithfully

Barry J Johns.



RECEIVED

17 DEC 2004

I.R.

11

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

REGINALD COONEY
3 ROSS ST. COOCHIEMUDLO ISLAND Post Code 4184
Date 15-12-04

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) - Council File Reference MC8532

Dear Sir/Madam,

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- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

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- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other new units that have been built nearby. The proposed units are not "complementary or sympathetic" to these areas of cultural significance as required by the Redland Shire Strategic Plan.

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

REGINALD COONEY

Mr / Mrs / Ms FAITH McNULTY
29 Chermade St
Wellington Park
Post Code 4160
Date 14 December 2004

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

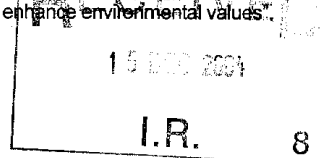
Conservation of remnant native bushland

The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature



FAITH K. McNULTY
Name

THE ASSESSMENT MANAGER

Dear Sir

**Being a resident of the Redland's for over 20 years ,
I find it a pleasant change to have these
"Eco Friendly" developments happening in the shire**

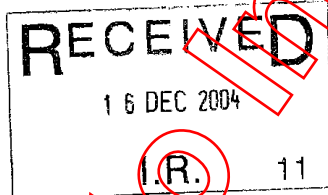
**This project in particular as my mother has been
searching for some time to find for a new home
with these type of amenities and still be surrounded
with native bush life**

**The views of this developer in regards to revegation
and wild life protection should be applauded**

I whole heartily support this development

Regards

**Mike O'Brien
34 PALANA DRIVE
ALEXANDRA HILLS 4161**



Eleni Peace
42 Princess Street
Camp Hill. 4152

15th December 2004

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Sir/Madam,

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road
and 37-63 Station Street Wellington Point (lot 3, RP216889, Lots 4&8 RP 908452,
Lots 6,7,9&10 RP 14166 Lot 1 P14171). Council File Reference MC 8532

I wish to make an objection to this proposed development.

I do not understand why the council would approve a development such as this. It will have huge implications as far as fauna and flora destruction, not to mention the impact it will have on the water quality of Moreton Bay.

Why would a development of this size be approved in this location; it appears that it is not sympathetic to the area; it will not maintain the integrity of the area, it will not have the same streetscape as the neighbouring properties.

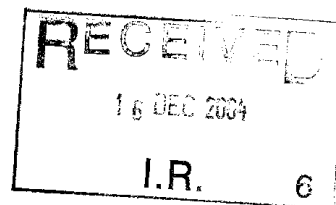
Another concern with a development such as this is infrastructure. Whilst some issues may be solved within the building and development of this land, other issues will become on going concerns for the residents and visitors to this area. One such problem will be the increased traffic flow and parking

This development will have such an impact of the quality of life in this area. I understand that this may be one of the reasons for this site to be chosen. Perhaps council needs to review the proposed development and ask for changes that will not be invasive to the current residents and the integrity of the area, so that this very liveable and very pleasant part of the bay area will continue to be that for the whole community.

Yours faithfully,

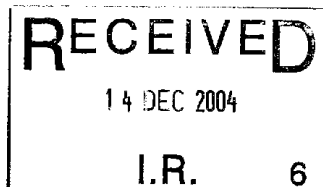
[Redacted Signature]

Eleni Peace.



13 December 2004

The Assessment Manager (Ref MC8532)
Redland Shire Council
P.O. Box 21
Cleveland 4163



Re: Proposed Development: Station St / Fernbourne Road
Wellington Point

In respect of the development application submitted to Council, I wish to give this development my support.

I do realise that there are environmental issues to take into account for any development within the Redlands, but I am sure all of these concerns have already been raised with the developers. I have attended one of the meetings and from what I heard I believe that the developers will be making this particular area into a somewhat improved acreage from what it is at the moment. The local residents will also benefit by having the use of the parkland which from the plans handed out at this meeting shows some significant re-planting with numerous native trees and bushes plus koala eucalypt. I am sure that all the concerns for koalas and environmental issues will be handled well.

I also have an interest in this being allowed to go ahead, as my parents live within the Redlands and do not wish to move from the area so therefore a retirement village close to railway and shops would be a blessing, as they no longer are able to drive and we have been looking for somewhere for them to move.

I will be interested to hear of the outcome of the said application.

Regards,

(Mrs) G. Preece
7 Gemma Cr
Capalaba 4157

Assessment Manager,
Redland Shire Council,
P.O. Box 21,
Cleveland, 4160

10 Galena Street,
Wellington Pt. 4160

13/12/04

Re :Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3 RP216889, Lots 4 & 8 RP 908452, Lots 6,7,9 & 10 RP 14166, Lot 1 RP14171.
Council File Reference MC 8532.

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street, and Bligh Street, Wellington Point, and wish to bring notice of my concerns in the following areas of this development.

Environmental.

On Lot 1 RP14171 and Lot 10RP14166 I **agree** with having low impact pathways and the planting of native vegetation suitable to this area, especially the planting of koala and other wildlife food trees, thereby creating a corridor between Station Street Community Bush Care site, and Bligh Street. The developers have been informed about the protected koala trees in Station Street, and agreed that they would not be touched.

I **do not agree** with the provision of sporting facilities and car parking areas as this would have significant negative impacts on this ecosystem, namely the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. I feel that I must point out that Hilliards Creek is part of the waterways running into Moreton Bay, an internationally recognised RAMSAR site.

Traffic.

Re traffic flow from the proposed development and increased traffic from proposed development at Duncan Street (Turf Farm) I **agree** that it must exit at the intersection of Station Street East and Fernbourne Rd.

I **do not agree** with the idea that a lower speed limit is all that is required to make this intersection safe. Due to the site problems on this intersection, being on a curve with limited vision from Station Street railway side, street calming should be integrated with the intersection, forcing traffic to slow down to a safe speed.

Planning Regulations.

The proposed development has maximised the available space for residential development, as in Council's Specific Planning Intent No. 2, but I **object** to the fact that no consideration was given to the Q100 line. It concerns me that the villas on piers over the Q100 line, if allowed in this development, will set a precedent for future developments placed before Council.

If this development is allowed, I **insist** that Council must ensure that low impact earth disruption is adhered to, on land below the Q100 line.

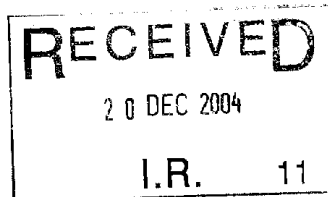
Streetscape and Amenity.

I **object** to the proposed buildings on Lot 4 RP 908452 and Lot 3 RP 16889. These buildings would be out of character with the existing residences on Fernbourne Road, and other high density units built in the area. They also do not fit in with the concept of the rest of the proposed development.

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature.....

Name. RODNEY ERIC SMITH



(Mr/Mrs) Ms Jane M RAYNER
10 BURNETT ST
WELLINGTON POINT
Post Code 4160
Date 13/12/04

Ms Susan Rankin
Chief Executive Officer
Redland Shire Council
PO Box 21
Cleveland 4163

Dear Mrs Rankin:

**OBJECTION TO DEVELOPMENT PERMIT (MATERIAL CHANGES OF USE) ON LAND SITUATED AT
FERNBOURNE ROAD, STATION STREET AND BLIGH STREET, WELLINGTON POINT**

I write to you as a concerned resident of Redland Shire regarding a proposed development, which I believe to have to potential for significant environmental issues. The area comprises LOT 3 on RP216889, LOT 4 and part of LOT 8 on RP908452, LOTS 6, 7, 9 and 10 on RP14166, and LOT 1 on RP 14166. The proposal is for an over-fifties retirement village, environmental park and an area for public recreation.

The protection of the subject land is important for a number of reasons. Redland Shire has been strongly developed with the natural environment altered by man leaving only remnant habitats, which need to be protected for ourselves and our children.

In particular my concerns centre on the following:

Effect on the Koalas and subsequent impact on population growth

The land is situated within the boundaries of the Koala Coast and is therefore subject to the State Planning Policy 1/97. Koalas have recently been listed as a vulnerable species and as such it is all the more important that any detrimental impact on this important habitat is seriously addressed.

Moreton Bay and Hilliards Creek Waterway

Additional development in this area has strong potential to have adverse impact on the water quality and ecological function of Hilliards creek. Further degradation of Hilliards Creek will impact on significant Dugong feeding grounds found in the vicinity. This is in contravention of the Redland Shire Environment Protection Strategy.

Biting Insects

Permitting a high density development adjacent to an ecologically important waterway close to mosquito breeding areas will put pressure on the shire to bear the cost of providing additional mosquito eradication programs. This will negatively impact the local flora and fauna with pollution from pesticides.

Conservation of remnant native bushland

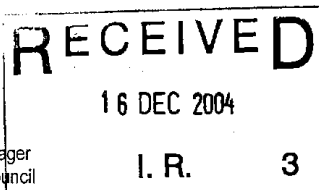
The land adjacent to Fernbourne Road and Bligh street (Lot 1 on RP14171) is under the Special Protection Area of the Redlands Strategic Plan. This indicates that it has been identified as possessing high environmental and conservation value important to the character of the Shire and as such worthy of conservation. Any development on such land will compromise Greenspace by not adhering to the edict to "maintain, protect or enhance environmental values".

Additional Comments over the page →

Sincerely,

Signature

J M RAYNER
Name



Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163

2 Ronald Court
Wellington Point Post Code 4160
Date Dec 14 2004

**Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street,
Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171)
Council File Reference MC8532**

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aqeties, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
- **Planning Regulations** - The current preferred land use for the majority of the site is Specific Planning Intent No.2, which calls for only a "limited residential component". It is clear that the proposed development has maximised the available space for residential development - indeed development over the Q100 line appears to treat this line as a mere inconvenience to the further expansion of the urban footprint. It is clear to local residents that the proposed development does not comply with the land use intentions of the Redland Shire's Strategic Plan.
- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

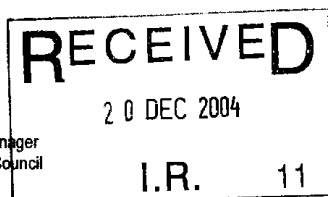
- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name..... GREG SUTTON

Assessment Manager
Redland Shire Council
PO Box 21
Cleveland 4163



PO Box 233
Palmwoods Post Code 4555
Date 17/11/2004

Re: Material change of use to land at 13-17 & 37-53 Fernbourne Road and 37-63 Station Street, Wellington Point (lot 3, RP216889, Lot 4 & 8 RP 908452, Lots 6, 7, 9 & 10 RP 14166, Lot 1 P14171) - Council File Reference MC8532

Dear Sir/Madam,

I have viewed the plans for the proposed development (material change of use) on the land bordered by Fernbourne Road, Station Street and Bligh Street, Wellington Point and wish to make an objection to the proposal. The objection is based on the following areas of concern:

- **Environmental** - The proposed development is adjacent to the Hilliards Creek environmental corridor, which plays host to important aquatics, birds and marsupials. Whilst many of the environmental values have been recognised in the proposed development, the scale and density of the proposal could have significant negative impacts to this ecosystem. In particular, koalas that currently reside adjacent to this site are further isolated into limited areas of habitat. This appears to contradict State koala policy (SPP 1/97) that specifically requires the protection and enhancement of koala habitat.

Secondly, the number of additional residences being proposed is likely to have an impact on the water quality due to further runoff from urban activities. The waterways are part of Moreton Bay, which is an internationally recognised RAMSAR site and the mouth of Hilliards creek is an area well known to support turtles and dugongs which rely on the fragile sea-grass beds for food. Whilst the developers have made attempts to address water quality issues, the sheer size of the proposed development calls into question whether further urbanisation adjacent to this waterway is meeting obligations under the Environment Protection and Biodiversity Conservation Act (EPBC Act) that calls for the protection of waterways.

Finally, the proposed development provides a significant level of public access to the site. Whilst this may encourage public knowledge and respect for this important environment, it is also likely to cause significant disturbance to nesting birds and other timid wildlife. The frequency and degree of disturbance is directly related to the scale and density of the proposed development.

- **Traffic** - The proposed development is likely to bring to the site approximately 200 permanent residents as well as many public visitors and staff. The traffic to be generated along Station Street and Burnett Street is likely to increase significantly. The development application only addresses traffic management for the core development and does not take into account further traffic increase from proposed development at Duncan Street (Turf Farm) or the future intentions to develop further units at the southern end of Fernbourne Road. It is clear that these developments cannot be addressed in isolation and that a co-ordinated approach must be taken to ensure that surrounding streets are not swamped due to isolated planning.
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- **Streetscape and Amenity** - The area currently attracts many residents due to its proximity to bushland and waterways and its traditional character that is highlighted by the predominance of traditionally built timber and tin housing. Many residents walk down Fernbourne Road and along Bligh Street to relax in the natural environment and view the wildlife. The proposed high-density units built in a modern 'beach' style clearly do not fit within this context, unlike other units that have been recently built nearby. The proposed units are not "complementary or sympathetic" to adjacent areas of cultural significance as required by the Redland Shire Strategic Plan.

- **Further comments overleaf ->**

I hope that you will take these matters into consideration when considering your response to this proposed development.

Signature

Name

Nail Wylshing

BRETT AND SONJA MEAD
24 VALLEY RD
WELLINGTON POINT
4160
32073484

To whom it may concern,

Having inspected the plans for the proposed pretirement village in Fernbourne Rd at Wellington Point, I can see major benefits for the community and the area as a whole.

The current area is highly degraded farmland, and looking at the overall plan for lakes, native trees, walk and bikeways, it would certainly improve and enhance the area greatly, by also encouraging the wildlife to return to the area.

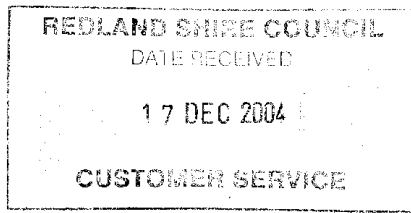
As the population of S.E. QLD is set to expand, it would be ludicrous to think that a development of this caliber be turned down. The planting and expansion of natural bushland, of over 40 acres, is not over development of the land, if anything its very low scale, over the area it is set to cover.

The ageing population is to be a consideration also, we must cater for the elderly via more nursing home facilities and retirement villages, but also for a greater number of those who are semi retired, the family has left home and houses are to big for them, so are seeking something in between, where they can still travel, belong to a community of like minded people and not have the hassles of a big home to worry about while they are away. Unfortunately this type of development is sadly lacking in the Redlands. This development would set the benchmark for future developments in the area and we hope council will approve this on the merits it deserves.

Thanking you
Brett and Sonja Mead

(17-12-04)

(20 Valley Rd)



7 Galena Street
WELLINGTON POINT

16 December 2004

TO: The Assessment Manager
Redland Shire Council

FILE : MC 8532

Dear Sir,

I have viewed plans of the development proposed by the Pretirement Group Pty Ltd in Station Street/Fernbourne Road and as a resident in the area, I advise that it has my full approval. I feel that it will be a tremendous asset to the area.

Yours faithfully,


Luke Bentley

17/12/04

MC 8532



D.J.T Potten

T.G.

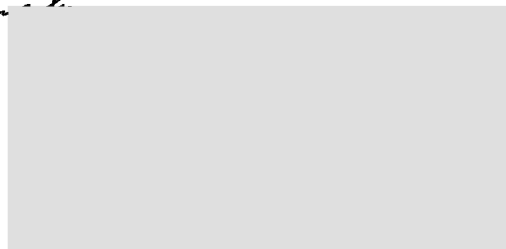
13 Chemside St

Wellington

The assessment manager
Redland Shire Council.

Re Fernbourne Rd. development.

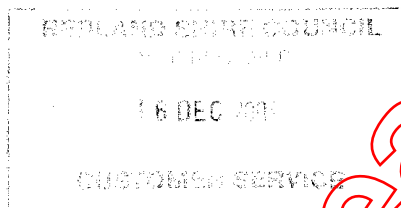
The proposed development on Fernbourne
and station streets Wellington, in my
opinion, would bring more positives than
negatives to the local community. The
conservation area is a huge plus to local
residents, and the growth of eucalypts for
koala habitat can only benefit us all.
The proposed development will house
approximately 200 retirees, and I feel that
this will not overly tax existing
local infrastructure. In fact it will only
provide more jobs in the local community.
Yours sincerely,



Right to Information

15/12/04

The Assessment Manager Reference MC 8532
Redland Shire Council
PO Box 21
Cleveland 4163



Dear Sir/Madam,

After having lived in Alexandra Hills for 24 years, we recently moved to Wellington Point. One of the major reasons for that move was that the traffic flow in our street was becoming intolerable, while Buckland St provided a quiet and rustic environment.

We are very concerned that the proposed development in Fernbourne Rd will impact significantly on this area, particularly with the increase in traffic generated. Clearly, Station and Buckland Streets will bear the brunt of this traffic increase. Just as clearly, Buckland St will be used as a bypass for vehicles travelling south, while the street is not designed for such use.

If the development proceeds, we suggest that one or more of the following recommendations be implemented.

1. One way traffic in Station St in conjunction with a street north of the railway line (eg Harris St/Valley Rd).
2. Sign Buckland St "Local Traffic Only" and install speed bumps/traffic calmers to discourage other users.
3. As further development has been mooted south of Fernbourne Rd, building another access road on the eastern side of the railway line to link in with Ormiston.

Yours faithfully,

Des Conway and Sally Conway

18 Buckland St
Wellington Pt Q 4160

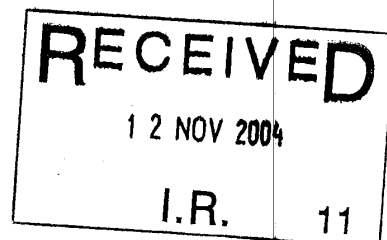
9th November 2004

Don Seccombe
Mayor of Redlands Shire Council
PO Box 21,
Cleveland
QLD 4163

Dear Don,

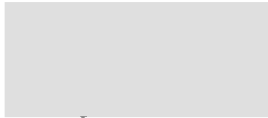
I'm writing to you on behalf of a group of concerned local residents about proposed residential developments adjacent to Fernbourne Road, Wellington Point. The two developments: one a residential development and equestrian centre; the other a pre-retirement village are in apparent contravention of a number of current planning regulations including:

- The proposed developments are inconsistent with the Redland Shire Strategic Plan for the following reasons: they impact negatively upon the landscape amenity; the urbanisation is contrary to the obligations enunciated under SPI No. 2; significant parts of the landscape will be destroyed or negatively impacted; the proposals result in over-development of the land; they undermine the local and Shire's unique character; they compromise Green Space values; the developments breach and conflict with a variety of federal and state legislative obligations such as EPBC Act and SPP 1/97; they compromise the Redland Shire Corporate Plan; and they compromise the Redland Shire Koala Conservation and Management Policy and Strategy (Aug 2002).
- The proposed developments are adjacent to a corridor important for both wildlife and aquatic plants and animals; in particular, Hilliards Creek. Several nearby parcels of land have already been resumed by the RSC for their conservation value.
- The area has a high koala population and the proposed developments are inconsistent with the State Planning Policy 1/97 because they promote development which is incompatible with koala conservation and protection under the Queensland Nature Conservation Act.
- We believe the proposed applications result in an over development of the land and therefore contravene the Integrated Planning Act.
- The proposed developments are adjacent to Moreton Bay Marine Park and an internationally listed Ramsar wetland site and will impact on the high diversity of bird species, including migratory waders, in this area.



We would like to invite you to visit and speak with local residents in order to get an informed view about the area, gain information on the possible harmful environmental effects and speak to the residents about alternatives to the development. To arrange a visit please contact me by phone or e-mail.

Yours sincerely,



Paul Gilders
33 Fernbourne Rd
Wellington Point Qld 4160
pgilders@powerup.com.au

On behalf of:
Shane Wynter-Bailey and Mike Bailey, Michele Burford, Ellie and Graham Carter, Gillian Cooney, Peter and Mary Kamols, Cris and Tracey Kemson, Peter Rothlisberg.