



Scotts Head Community Group Inc.

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Mr Chris Thompson  
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Dear Mr Thompson

## **RE: OBJECTION AND SUBMISSION TO DA 233/2022 - 11 OCEAN RIDGE, WAY WAY**

I write on behalf of the Scotts Head Community Group (SHCG) to object to the above development application (DA) for a Residential Lifestyle Community (Caravan Park).

The grounds for our objection are set out in the attached submission. Our submission has been informed by a combination of local knowledge, community opinion and the views of professional, independent experts in the areas of planning, ecology, transport and bushfire. The expert reports are attached in full as appendices to the submission.

As you will see, the submission has undertaken a comprehensive analysis of the DA and identified numerous inadequacies, and unjustified and unacceptable impacts. The SHCG is of the clear view that the DA should be **refused consent**.

While the attached submission should be considered in full to understand the depth of the deficiencies with the proposal, I highlight the following matters as significant examples, all of which are valid reasons to consider the refusal of development consent:

- the proposal is **incorrectly characterised** as a “caravan park” and has therefore been assessed by the applicant according to the wrong statutory rules;
- the proposal is **inconsistent with the North Coast Regional Plan**, which commits to a strategic investigation of the land south of Scotts Head Road **before** any decision is taken to make it available for development;
- the proposal fails to either adequately address or achieve consistency with the requirements of relevant **state environmental planning policies** (SEPPs), including some aspects that require the consent authority to be “satisfied” as to certain matters;
- in relation to the **Nambucca Local Environmental Plan (LEP)**, the proposal:
  - is not permissible in the RU1 zone and does not provide adequate justification for the proposal to use the flexible ‘near zone boundary’ provisions of clause 5.3

- is inconsistent with objectives of the RU1 and RU2 zones that apply to the land
  - does not satisfy the requirements of clauses 5.21 and 7.7 related to public safety and evacuation in flood events
  - does not satisfy the requirements of clause 7.4 to demonstrate the adequacy of public utility infrastructure provision
  - is inconsistent with the adopted resolution of Council to amend the LEP to prohibit caravan parks in the RU2 zone;
- in relation to the **Nambucca Local Strategic Planning Statement** and **Nambucca Development Control Plan (DCP)**, the proposal is inconsistent with the existing and desired future character statements for Scotts Head, that recognise the need to protect the unique, small-scale, coastal village character of this place;
  - the proposal will deliver a rapid increase in the permanent population of Scotts Head by up to 62.4%, resulting in a “**very high social impact**” of “**transformational magnitude**” (Social Impact Assessment, page 45), with clear consequences for critical services such as **medical care**, and with no genuine commitment to mitigation;
  - the Aboriginal Due Diligence Assessment that accompanies the DA has assessed the **incorrect development footprint**, meaning it is fatally flawed, and was undertaken without engagement with the local Aboriginal community;
  - in relation to biodiversity, the proposal:
    - will unacceptably impact **threatened species and ecological communities**
    - has **failed to meet requirements to avoid and minimise impacts to biodiversity** that are a statutory precondition for the grant of consent
    - requires **independent review** to assess the accuracy and conclusions of the Biodiversity Development Assessment Report;
  - the proposal will expose up to **561 over-55 residents**, and their guests and visitors, to significant **risks arising from bushfires and flood affected road access** without demonstrating that evacuation is feasible, and unnecessarily place local community emergency services volunteers in harm’s way;
  - the proposal fails to accurately assess hydrological impacts or to recognise and assess the **potential risks to downstream water quality** in Warrell Creek, including to protected coastal wetlands;
  - the proposal will accommodate **641 vehicles**, which is **more than the number of houses that currently exist in Scotts Head**, and lead to significant traffic increases, yet the Traffic Impact Assessment takes no account of the very poor condition of local roads nor does it consider the impacts of extra vehicles to traffic, parking and pedestrian safety in Scotts Head Village and at popular local beaches, nor the costs of any necessary road upgrades;
  - the proposal does not commit to preferred solutions for the provision of **water and sewer services** to the site, nor does it adequately assess the **full impacts and costs** of service provision (including any required upgrades to the existing sewage treatment plant), instead leaving matters these to be resolved at a later stage;
  - the proposal does **nothing to support the delivery of affordable housing** and entrenches the lack of opportunity for young families, essential workers under 55, and those over-55s on low incomes;

- the proposal will **distort the demographic mix** of the area, create an **isolated, car-dependent enclave** of over-55s and affect **community cohesion** and resilience;
- the proposal will require significant upfront and ongoing infrastructure investment but **without an equitable contribution towards costs** from the applicant or future residents of the site, meaning the existing community of Nambucca Valley (via the Council) will have to pay; and
- the proposal will **diminish the very values** that attract tourists and visitors to Scotts Head, impacting market attractiveness and local tourism-reliant businesses.

All of the above matters, together with others identified in the SHCG submission, support a conclusion that the location of the proposal is not suitable for this type or scale of development, and that the granting of development consent would be inconsistent with the public interest.

Included as appendices to the submission are the results of an April 2022 community survey - which shows that **81.5%** of the 238 respondents **oppose the project** - and a petition with **272 signatories** also opposing the development.

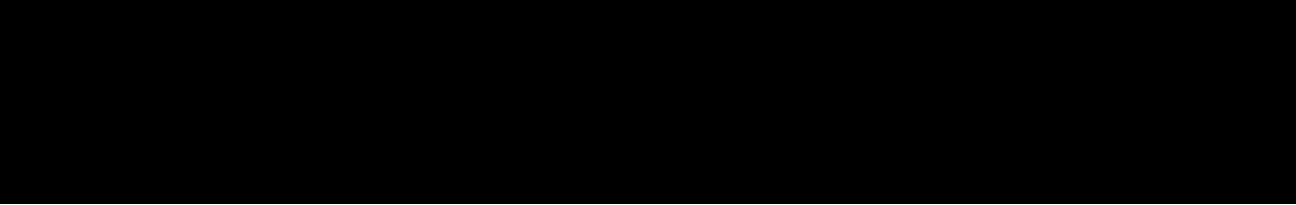
I commend the submission to you and trust that you will give it the full consideration it warrants. Contact details for SHCG representatives are provided below, should the Council wish to discuss the submission or obtain further information.

#### **Consideration by Northern Regional Planning Panel**

The SHCG understands that Council will prepare an assessment of DA 233/2022 and submissions received, to assist the Northern Regional Planning Panel to make a decision on whether to grant development consent.

The SHCG wishes to have the opportunity to appear at any relevant meeting of the Panel.

I would therefore ask that you provide information to the SHCG representatives below about the date, timing and process for attendance at the relevant meeting(s) of the Panel. I would also ask that Council **not make these contact details public** and that you **remove and redact the names and contact details** from this letter if it is intended to be made available as part of any public reporting on the submissions process.



Two hard copies of the SHCG submission are enclosed, together with electronic copies on a USB stick. The SHCG submission has also been lodged via Council's email.

Yours sincerely



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