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IPART
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Submission for objection to the proposed Waste Water Treatment Plant @ 425 Piggabeen Rd Cobaki Lakes

My Family moved to the Piggabeen Valley 14 years ago as we wanted to raise our children in a rural setting. We raised poultry of many varieties, horses and guinea pigs, the list goes on. We grew a vegetable patch and planted trees around the property to compliment the rural setting and give the children a true sense of rural life. Both [REDACTED] and myself where born and raised in this area and both of us have grass roots of a rural upbringing in the Tweed Region and knew the value of an appreciation for rural life. We chose Piggabeen due to the peaceful rural life it offered close to the coast because we also wanted our children to have an appreciation for the ocean setting and spend a lot of time enjoying the pristine waters of the Tweed and Gold Coasts surfing, snorkelling and fishing.

As a child my family would regularly take weekend drives to Piggabeen and would visit the property where the restaurant is now situated. It was a beautiful place for locals to visit as it still is today attracting many local residents and tourists to spend time in the open space of our rural setting. Locals and visitors come to Piggabben /Cobaki valleys simply for a drive to see nature and the scenic rural environment as well as to come and play golf, ride a bike, take a walk or a jog, or have a meal or a function at The Abbey or shop at the local markets. In fact many of my childhood friends have chosen this location for their wedding and photo shoots here at Piggabeen and it holds a great sentiment for many of us from the past.

It is nothing less than irresponsible to allow a Waste Water Treatment Plant (WWTP) to be developed on this site for the reasons listed below. To approve such a development through a process of a paper application form is nothing less than irresponsible without a full study into the sensitive nature of the location. Environmental, indigenous, rural, business and individual issues would be greatly affected by this type of development and it is beyond comprehension that this process can be passed by people located in an office one thousand kilometres away.

1.Lack of Information-

Very little information about the WWTP has been available to local residents and the fact that the Cobaki Development has purchased land within our rural area to place their WWTP has come as a complete shock to the local community. A small notice in the "Tweed Link" was uninformative and most residents in the local area are unaware of the proposed development and the implications it may have on their lives.

2. Flooding-

Living in Piggabeen presents many challenges and flooding is a common event often occurring multiple times throughout the year. Residents are completely cut off from accessing or leaving their properties when this occurs. No one from outside the valleys can come and see what is taking place. Flooding often occurs when nowhere else in the Tweed is experiencing flooding and therefore this regular occurrence of flooding in Piggabeen would not necessarily be recorded for the purpose of understanding the impact it would have on this type of development. Due to the type of catchment in the area, and the tidal creek that winds up the valley, flooding can occur with a heavy storm in combination with a high tide especially around a full moon when the tides are the largest. This type of flood water rises extremely fast leaving residents little time to prepare and the flood waters would rage down the valley with a ferocity that can only be understood if you had experienced it personally. Most time floods would occur at night which would make matters even worse for damage control. Floodwaters rise so quickly and properties in the valley bear the sudden increase of water in the creek which rages and breaks, cutting through the entire front 3 acres of our property as well as rising at the back of our property on the creeks edge, leaving only our house pad above the raging torrents of water. The swift damage and destruction it causes washes away everything in its wake. An occasional daytime flood reveals the true nature of the flood with neighbours items swiftly floating past along with huge logs and clumps of pyrus grass tearing out fences and lifting out fence posts as they wash past. The water is dangerous and fast moving and waters surrounding our property and those around us are dangerous, destructive and impassable. In an event of an emergency during a flood a development such as a WWTP would be inaccessible to prevent a disaster and the environmental damage would be irreversible. All emergency plans are obsolete due to the fact that the site is unable to be reached. The situation of the site being located close to the creek also makes the site entirely unsuitable because any leaks, spills or disasters go straight into the water system and effects the watercycle and the environments that rely on the water for survival and recreation.





|This flooding is only a short distance upstream from the site. This is some of the water which is heading for the site. The flood height above is the level experienced in most floods. In extreme floods the water level reaches the top rail on the timber fence above. This is not the piggabeen creek, [REDACTED]
[REDACTED] It can also be seen in these photos that the water is rapid and fast moving which is very destructive.

3. Environmental-

The Piggabeen Valley is home to many sensitive wildlife habitats and species. Wedge tail eagles, goss hawks, tawney frog mouths, pheasants, black swans just to name a few of the many native birds and along with many varieties of water fowl. I have also spotted echidnas, turtles, green and brown frogs, many snakes, kangaroos and wallabies and sighted koalas on the road side. On many occasions bird watching clubs would come to our valley to experience the abundant wildlife Piggabeen has to offer. We are also home to many endangered plants and the Tuckaroo tree is just one in particular that has begun to replenish itself due to careful efforts of locals to preserve these plants in their sensitive environments. Many residents have taken advantage of the council's initiatives to restore the waterways with planting and monitoring of the tidal creek. The creek is tidal and although our property is located 6km up the Piggabeen Valley it is full of salt water schools of fish and we regularly swim and explore its waters. Further downstream many locals set crab pots and local families bring their children to fish in the Piggabeen Creek. It is in the interests of the entire community to maintain and preserve the waterways of this area and preserve the way of life for both native wildlife, vegetation, and people both here and now and also for future generations

4. Exclusive use-

There are many reason to be strongly opposed to Leda developments proposed WWTP in the Piggabeen Valley and even more reason to be opposed to this development considering that this facility is for the exclusive use by residents in the Cobaki urban housing development nearby. This development is impacting a rural community that receives no benefit from the development at all yet are expected to accept all the negative impacts of this development . This proposed WWTP is dealing with waste from an outside community. As a resident of this area I believe it is totally irresponsible to even consider placing such a development within a rural community which in no way benefits that community and expect them to live with someone else's waste. The purpose of NSW Environmental Planning Policy Clause 106 is to facilitate the development of and facilitate the orderly use of such developments and provide suitable outcomes for the purpose of the public.

The proposed WWTP site located at 425 Piggabeen Road is zoned RU2 pursuant to the Tweed Shire Council Local Environment Plan (LEP) 2014. As such, Clause 106 of the State Environmental Planning Policy (Infrastructure) is applicable and states that development for the purpose of a Sewerage Treatment Plant and or the Recycled Water & Sewerage Reticulation Systems do not require consent, if carried out by an entity licensed under the Water Industry Competition Act (2006) NSW and on land within a prescribed zone. In this regard, the RU2 zone is a prescribed zone.

The clause was not written with the purpose of allowing urban development an avenue to be able to dump their waste in rural areas where the community has no or little ability to fight the big developers in their actions. This action is purely taking the clause out of context of its true purpose. Instead of placing the WWTP in their own development as originally approved, Leda developments are using this land within the Cobaki development that was set aside for the purpose of treating their waste for another purpose that will give them economical advantage and then dump the waste in the backyard of a small rural community with no voice and also place it in a much more sensitive environmental location closer to the tidal creek. Even if a WWTP was needed for the local rural residents this site would not be a suitable location due to the sensitive location of the site within the natural environment as well as the visibility of the development and the effect it would have on the local business next door which overlooks it. Each rule, regulation and clause is written with a purpose and should be read within the context of its purpose and that includes clause 106 of the Environmental Planning Policy. The NSW government has such a clause in place to allow such a development to be placed within a rural zoning with the purpose of providing such a resource for those residents that reside within that zoning. At no point was this clause written with the intension

of using a piece of rural land set within a rural zoning being used to accommodate someone else sewerage waste. This waste should be processed within the boundaries of the development itself and not be allowed to spill and spread into the surrounding rural zoning. The NSW Environmental Policy has the

"responsibility to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State."

The appropriateness of this development does not fit with the social surrounds especially when considering the restaurant and wedding venue which people come to soak up the quiet rural views and sounds and that people have previously been able to use public land in this area to engage in outdoor activities. This development provides no valuable contribution to the public or community outside of those living within the Leda Cobaki Development and therefore should be placed within the space of the Cobaki Development Estate itself as previously approved. This proposed site for the WWTP should be designated for rural use that is able to be enjoyed by all residents of the Tweed and their visitors to benefit the people and children and provide a setting close to Tweed Heads that can be enjoyed by all. Not just fence it off the dispose of a small portion of Tweed Residents sewerage waste. It is imperative this land remain as open space for all people to enjoy now and in the future.

5. Water Systems and Flooding-

The ground water in the valley could be contaminated by such a development and the possible implications of this would need to be closely studied before allowing such a development to be considered. Tidal movements within the creek need to be carefully studied in order to survey the impacts that treating waste water would have on the ecosystems. The development application has not addressed the sensitive nature of the waterways in this area and in the event of flooding there has been no practical solution to address the problems that would occur when the access of the site is not accessible by service vehicles in an emergency as this site is particularly isolated and the emergency plans outlined will not be able to take effect. The site is inadequate and unsuitable for a WWTP because of the ground instability and drainage being located so close to the creek allowing pollutants to enter our waterways. In light of the recent flooding experienced in the Tweed Region 2017, Public safety cannot be assured even with an emergency works plan in place.

Therefore the development proposes a risk to pollute waters of the local creeks, Terranora inlet and coastal beaches. This would affect local businesses such as fishing and sea food restaurants, Catch-a-Crab cruise boat tourism and contaminate waters affecting fish, sea life, mangroves and wildlife that is part of this ecosystem. Also it could present a health risk to many people who use the waterways in this area.

Therefore a simple means of approving such a development through simply filing paperwork is inadequate and considering the bulk and scale of the development and the negative effects it is likely to have on the existing and surrounding land uses a site capability study would reveal that it is an entirely unsuitable site and needs to be placed within the Cobaki Urban Development itself and within the community in which it is designed to serve not dumped in the back yard of a small voiceless, rural community.

6. Nature -

This proposed development is not sustainable because it is situated in close proximity to the Piggabeen Creek which is tidal and intricately intertwined within the sensitive local ecosystem. Any small disaster could lead to irreparable damage to the local ecosystem and eventually affect the entire Tweed waters and fishing industry in which so many Tweed residents take for granted for recreation and business purposes. The development proposal does not address the likelihood of the adverse impact it may have on the endangered plants and animals that reside in our area. Not only is the site unsuitable aesthetically but places our sensitive eco system in danger where irreparable damage could occur affecting both present and future generations.

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7. Traffic-

Piggabeen Rd is a small windy road which was never intended to service so many vehicles. It is already very dangerous to both native wildlife and the people who use it. Just this morning on my drive out of the valley I saw a dead echidna, possum and a Hawk all hit by vehicles travelling along the road. I regularly see dead water hens, ducks, kookaburras, tawny frog mouths and sulphur crested cockatoos as well as wallabies and kangaroos. The road is a safety issue already without the increased traffic with extra service vehicles accessing the site. Piggabeen Road is regularly covered by a large amount of water at times due to tidal movement of water. There are newly erected signs saying not to cross this water due to the danger posed by such water which rises with the tide. The road is inadequate to cope with large amounts of traffic and inexperienced people regularly put themselves and others in danger driving through water to enter the Piggabeen and Cobaki Valleys. Piggabeen rd also experiences severe flooding at times and the road is cut by flood waters preventing access in and out of Piggabeen and Cobaki. See pictures below of the native road kill that was killed on Piggabeen rd on the 23rd May 2017.



Road Kill along Piggabeen Road



8.Visually-

This development will be unsightly no matter how much they try to conceal it and therefore will have a negative visual effect on both locals and visitors as it will be located in the gateway of the Piggabeen Valley. This development is conflicting with the environment around it and will be built on a site that is zoned rural and the properties surrounding the development are rural. The development does not visually fit in to the environment that is proposed to be set within and will be visually unattractive for the residents and public from the road. There are also elevated properties who will have the added negative experience of having to look down upon it including the local restaurant and wedding venue.

The local way of life will be entirely compromised with the development of a WWTP and has no respect for the density of the surrounding area. I strongly protest as a resident of the local area because this development does not respect the character of the surrounding area in both appearance and nature of development and the use of land contradicts with its intended zoning. This development robs the local area of a site that is intended to be available for the enjoyment of local residents and visitors and yet this development is not intended for use by local residents but for residents from another development elsewhere nearby. This development adversely affects the amenities of the existing residential properties both surrounding the development and further up and down the valley. This development proposal would harm the residents through sight, smell, noise of the operation of the plant and increased traffic through maintenance vehicles etc. It is being placed in a rural setting amongst rural properties and entirely conflicts with the environment around it. Furthermore this development proposal does not result in a benefit in any way to the environmental landscape and should be placed within the existing built up area in which it is being designed to service to avoid a spread of the nearby development into the rural surroundings.

This space as previously been used as open space for visitors and locals in the form of a golf driving range and should remain that way. The proposal plan and design of the development is not well integrated with and does not compliment the neighbouring properties in terms of scale, layout, position, access and is a total contradiction and unsuitable to the area considering the wedding venue, restaurant, hobby farms and open space around it. My own daughter has always dreamed of her wedding taking place at "The Abbey" but wouldn't consider using the venue if a WWTP was placed next door. This would have a huge impact on their business and also rob us of a beautiful function centre that provides an escape from the hustle and bustle of life. The setting of this restaurant would have originally been selected due to the rural environment and rural views. With a WWTP next door for visitors to look down upon it could only mean loss of business and value of their property and a loss to the local community as a whole

9.Efficient use of land-

The design and layout does not make efficient and effective use of the land because it is spread out of the Cobaki development rather than being efficiently contained within the development greatly affecting those residents that are not part of the development. I request that efficient use of land must take place and the WWTP must be kept within the Leda Cobaki Urban Development estate in

which it is intended to service and not be allowed to spread and not placed within an outside rural community to live with the negative impact on their lives and all residents of the Tweed shire.

This proposed development does not positively contribute to making the area a better place for either public or residents and in fact it bears a very negative contribution to our area. It is inappropriate in its context and fails to take opportunities available for improving the character and quality of the area and the way this area functions. For these reasons this proposed development should not be accepted considering the nature and setting and the negative affect it will bring with it. At no time would clause 106, in which Leda developments are relying on for approval, have been written with the purpose of allowing such a development to be built in a rural zoning of this nature for the purpose of a select group of residence outside this proposed site for their sole use, especially when their own development site could contain the development and keep it within the confined development as it has no need to spread into other communities.

It is obvious that the application does not address or manage the type of complexity and the level of risk associated with the activity that is applying to be licensed. The issues and impacts associated with the activity and the process required to manage these issues and impacts are insufficient given the sensitive nature of the proposed location beside a tidal creek that is subjected to regular flooding.

[REDACTED]

Residents of Piggabeen Valley NSW