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**18 December 2024**

Dear Sir/Madam,

**Subject: Objection to Development Application for Material Change of Use**  
**(Extractive Industry) - Lot 1 on RP893855, Bonnie Doon Road, Killaloe**

**Council Application Number MCUI 2024\_5682/1**

### **Grounds for Objection**

The proposed development for sand extraction is inconsistent with the **Landscape Values Overlay Code** of the Douglas Shire Planning Scheme 2018 Version 1.0. Specific inconsistencies include:

**1. Contradiction with High Landscape Value Protection (PO1(g))** The Landscape Values Overlay Code explicitly states that "extractive industry operations are avoided" in High Landscape Value areas.

The proposal site is identified to contain High Landscape Values, particularly in its eastern portion. This fundamental prohibition has not been addressed or overridden in the planning application, making the proposed use inherently incompatible with the overlay code.

**2. Detrimental Impact on Visual Amenity (PO1(a), (b), (c))** Performance Outcome PO1 requires that development:

- Avoid detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, and coastal foreshores.

- Be effectively screened from public views by natural landforms or native vegetation.
- Retain and enhance existing vegetation to soften the visual impact.

The application acknowledges that the site includes sand ridges visible from the surrounding areas, but does not demonstrate compliance with these visual impact mitigation requirements. The claim that the development will "blend into rural activities" lacks supporting evidence or a detailed **Visual Impact Assessment**, as required under Planning Scheme Policy SC6.6.

**3. Non-Compliance with Retention of Vegetation (AO1.6)** Acceptable Outcome AO1.6 specifies that "no clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%)". The report admits that vegetation in the site's southern portion, including high-value regrowth, may be affected. The lack of specific commitments to prevent vegetation clearing in sensitive areas contradicts this requirement.

**4. Scale and Visual Intrusion (PO1(d), (e))** The code mandates that development:

- Be of a scale and design compatible with landscape values.
- Avoid excessive changes to natural landforms.

The proposed extraction of 30,000 tonnes and up to potentially 100,000 tonnes of sand annually, is not aligned with the small-scale, visually unobtrusive extractive operations envisioned in the Strategic Framework. Additionally, the proposed sand extraction across the site represents a significant alteration to the existing natural landform.

**5. Failure to Maintain Views and Landscape Character (PO1(h), (g))** The code emphasizes that:

- Development must not diminish views toward High Landscape Value areas and the Coral Sea.
- Development must maintain the prevailing landscape character and avoid visual dominance.

The proposal acknowledges that haul vehicle activity and the creation of sediment retention areas will visibly alter the site but does not provide assurances or designs to mitigate these impacts.

#### **Additional Concerns**

- Road is very dangerous. There has been crashes between trucks and cars on Bonnie Doon Rd this crushing season.
- Devaluation of my property due to being in proximity and overlooking a sand quarry.
- The proposed development is inconsistent with the intent for the area as expressed in the relevant planning instruments

## **Conclusion**

The proposed Material Change of Use fails to meet key provisions of the **Landscape Values Overlay Code** and is incompatible with the Douglas Shire's planning framework for preserving its unique landscape character. The development poses significant risks to scenic amenity, natural vegetation, and the overarching landscape values of the region.

Furthermore, I am writing to formally object to the proposed sand extraction activity at Lot 1 on RP893855, Bonnie Doon Road, Killaloe, on the grounds of non-compliance with the Transport Network Overlay Code outlined in the Douglas Shire Planning Scheme 2018 Version 1.0. The contradictions and inadequacies in the RPS report regarding transport infrastructure and safety standards warrant further scrutiny.

### **Key Contradictions with the Transport Network Overlay Code**

#### **1. Performance Outcome PO1 – Compatibility with Road Hierarchy**

- The Transport Network Overlay Code (8.2.10.3) requires developments to align with the road hierarchy, ensuring compatibility with the intended role and function of transport networks. The RPS report identifies Bonnie Doon Road as a collector road but fails to demonstrate how the proposed daily haulage of 20-tonne trucks, 5 trips per day which equates to 10 truck movements daily ( 5 trucks into site, 5 trucks out of site) will maintain the safety and efficiency of this collector road. Furthermore, if the quarry operations increase to the 100,000 tonne limit applied for in their EA annually that would be around 16 trips per day. This would be 32 truck movements daily (16 trucks in to site, 16 trucks out of site), or 192 truck movements weekly (32 daily truck movements x 6 days per week)

#### **2. Performance Outcome PO2 – Timely Infrastructure Provision**

- The RPS report does not adequately address the need for infrastructure improvements to accommodate increased heavy vehicle traffic. Acceptable Outcome AO2 requires development to provide necessary infrastructure improvements, yet the report fails to specify upgrades to Bonnie Doon Road or the unnamed access road to ensure they are suitable for heavy vehicle operations.

#### **3. Performance Outcome PO4 – Safety and Efficiency of Major Transport Corridors**

- The RPS report does not include a comprehensive Traffic Impact Assessment, which is essential to demonstrate compliance with PO4 and ensure the proposed access layout adheres to safety and efficiency standards.

#### **4. Performance Outcome PO5 – Retention of Vegetation for Screening**

- PO5 mandates retaining and enhancing vegetation to mitigate dust and noise impacts from transport operations. The proposal's haul route across a farm drain and unnamed road lacks adequate measures to protect the surrounding rural and residential environment from dust, noise, and visual intrusion caused by haulage activities.

#### **Additional Concerns**

- The lack of a detailed Traffic Impact Assessment contravenes the requirements outlined in the Douglas Shire Planning Scheme Policy SC6.10 (Parking and Access). This omission raises concerns about road wear, increased maintenance costs, and public safety risks due to heavy vehicle operations on roads not designed for such use.
- The proposal's reliance on temporary solutions for road infrastructure improvements without permanent upgrades undermines the long-term safety and efficiency of the local transport network.
- The proposed bridge over the moderate waterway will have a damming effect on Bonnie Doon Road, isolating the rest of the community during flood events.
- Who will pay for the upkeep of Bonnie Doon Road and the un-named road as both are under the Douglas Shire's control?
- The un-named road onto Bonnie Doon Road is dangerous as there is no turn off lane because of the box culverts and drains either side of Bonnie Doon Road.
- Following all extraction, we will be left with a big hole in the ground. The freshwater will flood to the ocean and kill the mangroves.
- There is fish and other species including saltwater crocodiles in the flowing tidal drain between the Nagan property and Lot 1. It is not a stagnant drain with only Singapore daisies as it's best attribute. Because it is tidal there are 4 movements a day.
- Air brakes on a 20-tonne truck moving along Bonnie Doon Road daily – six days per week will mean we have to put up with excessive noise from the braking system.

#### **WH&S, Community and International Tourist Destination Health Concern**

Sand mining creates significant silica in air pollution from the mining, handling, transport and processing of the sand.

Breathing in silica dust can lead to silicosis and other diseases such as lung cancer, chronic obstructive pulmonary disease, rheumatoid arthritis, chronic kidney disease and other autoimmune conditions such as scleroderma.

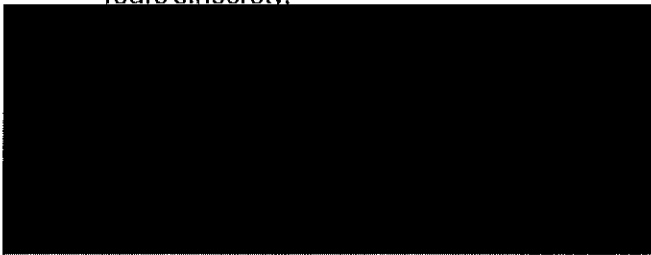
Sand mining poses a danger to operators, nearby communities and international tourists visiting the area.

**Request for Action**

Given these discrepancies, I urge the Council to - Reject the development application.

Thank you for considering this submission. I trust that the Council will carefully evaluate the concerns raised and ensure that development in the region adheres to the Douglas Shire Planning Scheme and prioritizes community and visitor safety and well-being.

Yours sincerely,



18/12 / 2024