
Sent: 31/05/2021 10:28:21 AM
Subject: RE: DA2020/1597 at 67 Pacific Parade

Submission re DA2020/1587
67 Pacific Parade

As per several other people offering submissions, I received notification of the revised plans with only three days to respond. I was away at the time, and my submission is late, with apologies, but I hope not too late to be taken into account.

NOISE & OPEN SPACE

Besides, a revised acoustic report has not yet been submitted to take into account the significant changes to the open areas. I raised at the Land and Environment site meeting that the current report ONLY signs off the development as acceptable in terms of noise IF a maximum of 5 people are allowed outside if the doors are open, and 9 if they are closed.

If this is accepted, this would require (and the management plan should specify):

- That the manager is to be **constantly present** to police numbers in the outdoor area after
- That the vast majority of residents will therefore have NO access to an outdoor area after

The Affordable Rental SEPP here:

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2009-0364#sec.29>

indicates that for private open space

(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,

Which implies ALL lodgers, not only five or nine of them. Council might therefore consider if **the open space is below the required level for the majority of residents.**

Of course the more likely scenario is that there will be no effective permanent policing of numbers, in which case **the development fails to fulfil noise requirements.**

ALSO on open space, the SEPP indicates

(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,

I can't see this on the plans, and if missing, then the manager should be moved to one of the few boarding rooms which have outdoor areas of a suitable size, or again Council might therefore consider **the open space is below the required level for the on-site manager.**

(e) parking

There is an oddity in the SEPP. The developer's parking submission notes the odd clause that

(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,

The developer has interpreted “not more than one” as meaning zero is permissible.
But this contradicts the excerpt below:

Parking requirements – Proponents other than Social Housing Providers:

- 0.5 car spaces per boarding room in all locations
- At least one parking space provided for each person employed in connection with the development and who is resident on the site.

** Excerpt from NSW Govt Flyer- “Supporting New Generation Boarding Houses – June 2018*

It would seem that the SEPP clause in question has been poorly phrased in its final form, and Council might seek clarity from the NSW Govt, since if there should indeed be a management parking space required, then the current parking arrangements become inadequate, and 14 spaces will be required, not 13. (This is still woefully inadequate for 26 units, of course, but I understand you have to follow the recommendations.)

My thanks for your kind attention,

Jeremy Ford

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