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RE: DA2020/0393 - 28 Lockwood Avenue BELROSE NSW 2085

Planning Proposal at 28 Lockwood Avenue, Belrose
Ref: DA2020/0393,
Also: DA 2019/1427, PEX2017/1427

The following relates to points made in the amended planning proposal ("proposal") for 28 Lockwood Avenue, Belrose, and the subsequent appeal lodged with the Sydney North Planning Panel.

As homeowners in close proximity to the planned development, we would appreciate consideration of a number of concerns we have related to the request from the Developer for amendments to existing zoning in order to increase the scale of the proposed development.

Proposed Amendments

As per points we submitted previously with respect to the Developer's Concept Master Plan, we would suggest that the proposal does not provide sufficient context to the surrounding area. Specifically:

We regretfully accept council's decision to progress the amended planning proposal to allow 'residential flat building' and 'multi-dwelling housing' on that part of the land fronting Lockwood Avenue on the basis that it significantly increases the dwelling number and Floor Space Ratio. Furthermore we vigorously support the council's decision to prohibit granting of development consent for a residential flat building and multi-dwelling housing land unless a 0.5:1 Floor Space Ratio is maintained. The previous proposed amendment to increase the number of dwellings to 63 was virtually double the original intention of a "shop top" and was not in keeping with any other development within the existing environs. We position that the current development submission for 49 dwellings, which is a significant increase on the originally agreed planning proposal, will introduce unacceptable housing density and adversely impact local traffic.

Further to the above, we would like to present relevant points from our previous submission which we consider have not been addressed through the Developer's intent to challenge the agreed proposal.

Zoning

The original amended proposal sought amendment of current zoning from B2 Local Centre under the Warringah Local Environment Plan 20111 (WLEP 2011). Current zoning prohibits all residential accommodation and only allows "shop top" housing to a maximum building height of 8.5 metres. By seeking to challenge Council's approved planning, the Developer is requesting a major shift in planning policy, and by requesting a maximum building height of 15 metres is proposing a structure which goes far beyond acceptable limits for the surrounding residential area. We object to the proposal on a number of grounds as listed in this document.

WLEP 2011 has stated objectives for B2 Local Centre zoning:

To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.

To encourage employment opportunities in accessible locations.

To maximise public transport patronage and encourage walking and cycling.

To provide an environment for pedestrians that is safe, comfortable and interesting.

To create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment.

To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land use.

We would strongly refute that the proposed amendment aligns with the original objectives of the B2 Local Area zoning through seeking to substantially increase the number, density and height of the residential units on the basis that the amended proposal/request for rezoning:

Focuses on high density residential use and does not support diversified use (point 1)

Does not minimise conflict between land uses in the zone and adjoining zones and ensures the amenity of any adjoining or nearby residential land use - the planned development abuts the residence at 1 Ashworth Avenue (point 6) and the planned height (4/3 levels) and footprint is not in keeping with surrounding properties and is of a scale which has not been approved anywhere else in the Belrose community.

Amendment Rationale

The original proposal claimed to provide support for the "intended outcome" for the development based on the following:

Consistent with the vision and objectives of relevant strategic plans, including the State Government's "A Plan for Growing Sydney".

Our view is that the use of a document describing a high level and broad vision to justify very specific amendments to zoning, significantly increased dwelling numbers and high density housing, is primarily driven by profitability goals and is both erroneous and contrary to the intent of the strategy. The residents of Ashworth Avenue, ourselves included, have operated within zoning restrictions when submitting building proposals. We do so in good faith and with a view towards the environment, our neighbours and the Belrose community. While we are supportive of increasing housing density aligned with Sydney's growing population we are of the opinion that the developer's proposal is a poor precedent, and are of the belief that the original intent of the developer was purely a "foot in the door" to allow an expanded proposal, with little actual concern for the environment or local residents.

The site is in close proximity to public transport and local retail and commercial services

We do not dispute this however feel that the scale of the re-proposed development will add to traffic congestion and increase risk for motor, cycle and pedestrian traffic.

It results in minimal and appropriate environmental impacts and allows a more appropriate residential/commercial interface.

We cannot understand how the proposal can use this as a supporting argument. We accepted the original proposal as the inevitable impact of ongoing change. Adding a large number of extra dwellings will NOT result in "minimal and appropriate environment impacts". These terms in themselves are subjective and in our view the 4/3 level proposal is not a good precedent to set for the Belrose area. Should high rise apartment living be the intended direction of Belrose, then this should be planned by experts, and in consultation with the local community, and not by opportunistic developers who have purchased the site and now look towards increasing dwelling density (and profitability) by seeking exemption to long standing zoning.

It provides more housing choices in an accessible location.

As per previous comments, we do not object to increased housing density in Belrose, however

the proposed scale of the development is out of context with the local environs and the community. The developer's original argument used the nearby development of Glenrose Shopping Centre and the new Library as context and justification for the re-proposed scale of the development. In our view this is erroneous and misleading and shows no concern or empathy with abutting existing residential properties and residents of our own street, all of who have and are all complying with existing zoning and building regulations. By seeking further exemption to build parts of the site to 15 metres height, we believe that our previous rationale stands.

It provides the opportunity to retain existing vegetation and pedestrian links through the site. The existing library site encompasses a number of mature trees, distributed in small stands. It is difficult to envisage that these trees can or will be retained given the size and footprint of the re-proposal. We assume that any planning permission will include a requirement to replan, however it is doubtful whether the size and placement of existing vegetation will be supported, and we consider the wording of the statement in the proposal, and the artist's impression, to be misleading. We support the Council's position that 0.5:1 Floor Space Ratio should be maintained.

It allows an appropriate redevelopment of a significant land parcel that integrates the site with the local centre and surrounding residential areas.

Yes, it is a significant land parcel. No, it is NOT an "appropriate" redevelopment as the proposal needs a major departure from existing zoning in order to progress. Moving from a "prohibited residential zoning" to a major high level residential development is not justifiable in our opinion, and the connection with other recent commercial developments is tenuous in the extreme.

The integration of the original "shop top" design could be considered at the extreme of appropriateness, however it is difficult to understand how the amended proposal, which is primarily based around increased height and high density residential development, has a correlation with the local centre. Additionally, we would question how a 4/3 level development (of part 15m height) can be seen as integrating in any way with surrounding low rise residential areas, including our own street, Ashworth Avenue. In our view linking a proposal for high rise development with a single (above ground level) shopping centre (of which we believe the design was rightfully limited to conform to the local environs) is purely opportunistic, commercially driven, and should NOT be allowed to progress.

Proposed retention of "significant" vegetation in the south west corner of the site is welcomed. This is in keeping with the stand of trees at the end of the Ashworth Avenue cul-de-sac which is an essential buffer for noise from the shopping centre and carpark entry. The statement however is in conflict with other statements in the proposal which talk to "minimal and appropriate environmental impact" and "retaining existing vegetation", notwithstanding the intention for "supplementary landscaping". We have concerns that the scale of vegetation cannot be replaced and that the buffer between the proposed 4/3 level development and Ashworth Avenue will be significantly diminished. This would be accentuated should any exemption to the 0.5:1 Floor Space Ratio is approved.

With regards to "maintaining residential amenity of existing properties immediately surrounding the site" we believe that the height and footprint of the proposed structure will NOT ensure "residential amenity" in any way and that this statement has no basis in truth. Current zoning prohibits residential development and the developer should not have purchased the site with an expectation of forcing a major departure from long standing zoning requirements.

(Proposal) Conclusion

The original proposal concluded:

The Planning Proposal achieves an appropriate build form and scale having regard to the size, topography and surrounding context of the site.

We strongly disagree. Even with the reduced scale of approved development, we feel the proposal is attempting to "reverse engineer" the size of the site to force a proposed re-zoning; i.e. the size of the site should not be driving an exemption to existing zoning for the purposes of commercial profitability.

The site presents an opportunity to provide a higher density residential outcome to support the Glen Street Theatre revitalisation and the Glenrose Shopping Centre.

We strongly disagree. The success or otherwise of both the theatre and shopping centre developments cannot and should not have been predicated on future higher density housing on the old library site. Both amenities are designed to service the entire community. In our view the proposed difference in dwelling numbers stated in the proposal provides a very "local" impact for Ashworth Avenue and Lockwood Avenue residents but cannot claim to support any revitalisation. We assume that the ongoing success of both the shopping centre and the theatre sites will be due to the support of the entire Belrose community and not any proposed additional units.

The project will result in a net community benefit. It will provide a high quality mixed-use environment that makes a valuable contribution to the diversity and quality of housing and commercial tenancies available within the community.

We are not objecting to redevelopment of the library site. However, we believe that the proposal which requires re-zoning to support additional dwellings will be detrimental to the local environs, including our street (Ashworth Avenue) and also that it is an opportunistic attempt to amend established zoning to create increased profit for the developer. We reiterate that we (and many of our neighbours) have never objected to a smaller "shop top" development, which we believe was the public perception provided originally by the developer.

The site is within walking and cycling distance of recreation and shops in addition to proximity to education, community and public transport facilities.

We agree; however, this is not in our view a reason to increase dwelling numbers, height and footprint over originally portrayed intentions, or a reason to bypass community planning for a specific and unprecedented development.

Platinum Property Investors

Given the objection does not mention any change of developer, we would like to reposition our original concerns around the developer's intentions. According to their own website, the Platinum Property Investors proposal has a stated aim of "property trading primarily focused on the Greater Sydney Area with the intention of adding value & reselling." Through its web site it offers guaranteed returns on investment and re-sell.

Figure above: <https://www.platinumpropertyadvisors.com.au/invest.html>

Invest - Platinum Property Group

Platinum Property Advisors is an Investment company in property trading primarily focused on the Greater Sydney Area with the intention of investing in building, adding value & reselling.

www.platinumpropertyadvisors.com.au

We would question both whether this model and the claims in the proposal, which are portrayed as altruistic and community-focused, are the appropriate and truthful motivators for the re-zoning request.

While we don't see commercial profitability and community focus as mutually exclusive, we

would question the proposal's use of a broad alignment with overall higher density housing for the Sydney region. The difference between the original "shop top" proposal and the dwelling re-proposal through its 4/3 level design and heavy footprint would have adverse impacts on the local environs. We welcome increased housing for all Sydney, including opportunities for our own children to live locally should they choose, however as per the developers own stated aim (see figure above) to offer investor an opportunity to "redeem and collect", it appears that the increased proposal is directed towards short term gain and NOT designed to assist with the future of "a plan for growing Sydney" as stated by the developer.

Finally, we would like to reiterate, we are not opposed to development, we just do not support the rationale for an exemption to long term planning and existing zoning.

Thank you for considering our concerns.

Regards

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Belrose