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**Sent:** 25/08/2024 3:53:18 PM

**Subject:** Planning Proposal 29-31 Moore Rd

**Attachments:** HarbordHotel Planning Proposal application\_ObjectionSubmission\_Aug2024.pdf;

Please find attached submission relating to the above planning proposal.

Melinda & Allan King

24 August, 2024

Rebecca Sio  
Planner  
Northern Beaches Council  
725 Pittwater Rd  
Dee Why NSW 2099

Dear Rebecca

**RE: PLANNING PROPOSAL SUBMISSION TO THE 29-31 MOORE STREET, FRESHWATER  
PEX2024/0005.**

Thank you for your notification relating to the planning proposal for 29-31 Moore Rd & 64 Undercliff Rd, Freshwater.

Firstly, I would like to raise my disappointment regarding the limited notification area and exhibition period of this planning proposal. I recognise that this proposal is intended to progress through the NSW Gateway Process, however consideration of the previous DAs and opposition should have been considered, and therefore a longer exhibition period warranted. It does not appear to have been sent to the wider catchment of surrounding residents nor the people who have submitted objections to the previous development applications since 2020. This is not in the interest of local residents and ratepayers of the Council.

The owners have not consulted with the local community as advised by Council.

We as adjacent neighbours only received notification on Monday 12 August by mail (though we have lodged email correspondence on this in the past). I travelled overseas on 14 August, meaning I have had to review this during my holidays given the limited notification and exhibition period.

**As per our previous submissions to the development applications for the hotel we object to this Planning Proposal to revise the Warringah LEP 2011 at 29-31 Moore Road and 64 Undercliff Road, Freshwater to further develop the Harbord Hotel (the Hotel) site.**

The existing use and renovations have already increased the impact to nearby residences, including ourselves who are immediately adjacent to the bottle-shop on the eastern side of the site. This is without the completion of the upgrade to level 1 (previously accommodation rooms) and subsequent increase in capacity numbers assume will be operating by Summer.

We therefore submit our objection to the proposal on the following grounds:

- Over-intensification of a highly constrained site in a low-rise residential zone;
- Further amenity impacts to nearby residences and streetscape beyond what is already being experienced as a result of the development;
- Further traffic and transport impacts;
- Impacts on privacy at our residence east and south of the site, and other nearby residences that will be overlooked by the proposed new accommodation buildings behind the Hotel;
- Degradation of local character; and

- Importantly, the degradation of the heritage value of the locally-listed Harbord Hotel.

### **Re-zoning proposal**

We object to the proposed amendment to the land use zone on the basis that it is not consistent with the intent of a low-density residential zone and what this should protect, and the precedent that this sets for future development of the area.

The Hotel has been operating in this zone due to a historic exemption (as a corner friendly family pub). We cannot see how a three-level hotel block on a small footprint in a narrow residential street is in harmony with the surrounding context, streetscape and significant heritage building on the site.

Altering zoning in this area and re-zoning sets precedent for the surrounding area, risking loss of the local character, amenity, environment and community feel of the Freshwater Beach village and allow for other developers to purchase multiple blocks for use other than low-rise residential.

We note that this rezoning proposal was discussed with Council in minutes noted in 2020. It therefore seems quite intentional that this development is being progressed and approach through the planning process in a piecemeal manner, ensuring that both Council and the community cannot fully consider the development and its impacts as a whole.

### **Over-intensification of a highly constrained site**

As an adjacent landowner, we are already experiencing the negative impacts of the over intensification of the use of the Hotel within a residential zone. This is before the opening of the already approved renovations of the upper floors (previously accommodation). The site is highly constrained, with limited access and egress onto already congested streets and limited parking and transport for existing residents and visitors to the area.

The latest development of the Hotel is utilising what was the previous accommodation rooms at the hotel and converting this to a live entertainment venue, far from the exemption of the hotel trading in a residential zone as a friendly corner pub. The proposed addition of a new accommodation building (significantly more than was in the original hotel site) would further impact noise, traffic, delivery of goods and the amenity of the local area. Accommodation could have been maintained within the heritage building in line with the historic use of the Hotel building.

### **Further amenity and traffic impacts**

Further objections to the proposed development relating to the alteration of the use of the bottle shop building. We would like to highlight that this building was built on the boundary with our lot, therefore increasing the amenity impact to our property. Any further changes to structure and/or use of this site would not be compliant with setback rules and building code. We object to any changes to use of the building due to the sensitivity of its close location to our residence.

The Harbord Hotel site 29-31 Moore Rd, is not equipped or set up to sufficiently support the current patron capacity, with constant issues of patrons queuing up the street, waiting for ubers/taxi on our driveway as they have nowhere else to park or be dropped off. Noise disturbances relating to this at closing time, disturbing our sleep. Again, this is before the already approved renovations increase the patronage of the Hotel which will further increase noise impacts experienced at our residence.

The proposal will enable further increase in traffic, parking and transport impacts in an already busy area with limited street access to the site, beach and residents and visitors.

The current hotel and new development of level 1 overlook our premises and already have an impact on our privacy and noise disturbances, use of driveway and front easement. The alteration of 64 Undercliff Rd and addition of hotel accommodation would further impact our privacy with views over and into our residence including bedrooms, backyard and terrace areas.

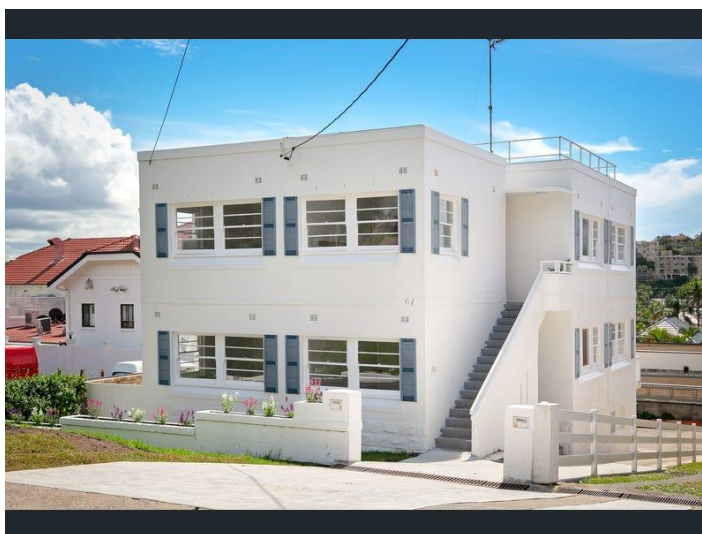
### **Degradation of heritage values and local character**

This Planning proposal PEX2024/0005 does not factor in the integrity of the surrounding community's residential amenity and well-being. The proposal to alter residential property to incorporate into hotel accommodation is not consistent with the character of the area and doesn't comply with this area is zoned residential R2. As stated earlier the current licence for the hotel is a historic exemption of this zoning. This Planning Proposal would amend the LEP in a way that would alter the local character not just at this site, but set precedent for further developments of this nature and open up the development of the residential village of Freshwater.

Importantly, the proposal will allow for the degradation of the heritage value of the locally-listed Harbord Hotel. The report by the town planner Greg Boston states that hotel accommodation cannot be provided on the site without adversely impacting upon the local heritage significance of the existing building or the amenity of surrounding and nearby properties in this Low-Density Residential Zone. The site cannot support hotel accommodation on the property and the proposed amendment to WLEP 2011 is inappropriate to include hotel accommodation in a Low Density Residential zone.

The proposal to alter residential property to incorporate into hotel accommodation isn't consistent with the character of the area and doesn't comply with this area is zoned residential R2. As stated earlier the current licence for the hotel is a historic exemption of this zoning. I disagree with the description of 64 Undercliff Rd as a 3-level building, the lower ground storage and one bedroom unit is lower ground level due to the slope of the block as you can see from this image. It also highlights how a development adjacent to this site behind the current hotel would overpower and detract from the current heritage significance of the Hotel building.

64 Undercliff Rd:



Alternative sites for hotel accommodation should be reviewed in respect of the zoning in place and factor in availability of transport, traffic flow and parking.

We hope Council will enable additional public exhibition and debate relating to this Planning Proposal in the interest of existing residents, the local community, and the licence of the hotel to provide a service as a friendly family local pub that enhances and contributes to the amenity of the local neighbourhood.

Regards

Melinda & Allan King  
2/33 Moore Rd  
Freshwater