

- (1) The the proposed boarding house at 74 Willandra Rd, Narraweena should be refused for many reasons:
- It is not new-detached style housing and it exceeds, considerably, the housing density standard of 1 dwg per 20 ha.
 - It is neither a low intensity nor a low impact use.
 - It is inconsistent with many other aspects of the DFC statement and
 - It is also inconsistent with numerous General Principles of Development Control of the WLEP 2000. Not the least of which is the detrimental impact the development would have on the surrounding bushland, waterways and biodiversity.
- (2) Firstly, I note that the site of the proposed boarding house is within the Oxford Falls Valley Locality and so the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP) does not apply to this development.
- (3) Importantly, because the ARHSEPP doesn't apply, the proposal must only be considered under local planning controls without the benefit of provisions in the affordable housing SEPP.
- (4) This is consistent with the Land and Environment Court decision in *Katerinis v Canterbury-Bankstown Council* [2017] NSWLEC 1479.

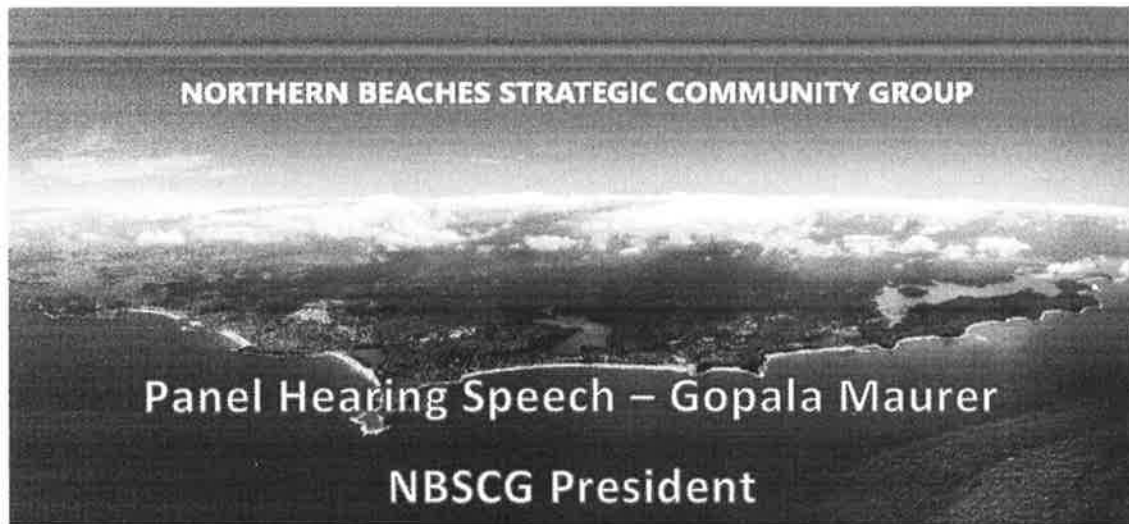
[3]... Whether the SEPP ARH applies is determinative of what planning controls apply to the development application. If it applies, the applicable standard for floor space ratio ("FSR") is varied to allow the proposal additional floor space in accordance with the calculation contained in cl 13, and a number of standards that would otherwise apply cannot be used to refuse consent (see cl 14). If the SEPP ARH does not apply, the proposal must be considered under the planning controls of the Canterbury Local Environmental Plan 2012 ("CLEP 2012") and the Canterbury Development Control Plan 2012 ("CDCP 2012") without the benefit of those provisions.

[26] ...those benefits only arise if the division applies, and the division applies only in limited circumstances

[28]...unless a site is able to meet certain criteria, the division simply does not apply.

- (12) It is also important that NSW Planning & Environment recognizes two distinct types of boarding houses: “**traditional**” and “**new-generation**”.
- (13) Traditional boarding houses are low-density, Class 1b buildings; they are typically single or secondary dwellings.
- (14) But new-generation boarding houses are apartment-style; Class 3 buildings. They are high-density developments.
- (15) Importantly, it was recently established in the Land and Environment Court that new-generation boarding houses must be considered as a form of multi-dwelling housing – any boarding room capable of being self-contained is deemed to be a separate dwelling.
- (16) I note Preston’s comments at [63] – [66] in *SHMH Properties Australia Pty Ltd v City of Sydney Council* [2018] NSWLEC 66.
Any boarding room with its own bathroom and kitchenette (with space for a fridge and plugin electrical cooking devices eg. Microwave) is deemed capable of being occupied or used as a separate domicile.
- (17) The Oxford Falls DFC states:
“Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses.”
- (18) The 29-room new-generation boarding house proposed on Willandra Road is clearly not new-detached style housing; it is a high-density, high intensity studio-apartment-style development – it most definitely does not conform to the density standard of 1 dwelling per 20 hectares.
- (19) Furthermore, this development would have a high detrimental impact on the surrounding environment.
- (20) I note, because this boarding house has the potential for 29 self-contained rooms (29 dwellings), in order to conform to the housing density standard; it would need to sit alone on an allotment of at least 580 hectares!

(I also note that even a single dwelling boarding house on the subject site would still exceed the housing density standard 10-fold – ie. by 1000%).
- (21) As Council rightly points out in the Final Assessment Report, housing up to 58 adults means the density of occupation is very high – it is a high intensity use.



4 December 2019

Attention Carly Sawyer
Northern Beaches Council
Northern Beaches Local Planning Panel

RE: **DA2018/1692 (Portion 810/ Willandra Road Narraweena**

The core aims of the Warringah LEP and DCP (upon which this land resides) are to protect, maintain and enhance the ecology and biodiversity of our waterways and riparian lands. The Council encourages development to be located outside waterways and riparian land. This is because development can permanently destroy native flora, fauna, land stability and downstream waterways and their fragile ecosystems.

A riparian zone is an interface between land and a river or stream. This is the proper nomenclature for one of the terrestrial biomes of our earth. In Australia there are three major biomes, being tropical rainforests, Savanna woodlands and desert. Our biomes on the northern beaches are predominantly tropical rainforests. Plants on this earth are characterized by hydrophilic plants. These plants are critical to soil conservation, habitat biodiversity and the influence this has on aquatic ecosystems.

(NSW Riparian vegetation includes blackwood, ovens wattle, red stem wattle, blackthorn, crimson & river bottlebrush, river she-oak, apple box, river red gum, yellow box, manna gum, buran, river tea-tree and swamp paperbark). These plants provide a natural means for aquatic ecosystem protection and filtration. They provide food for our marsupials (ie: koalas, possums, platypus, flying foxes and lyre birds).

Our Koala population is under increasing threat of extinction within our lifetime. The extensive bushland and marsupials we have just lost; and still are losing from the many burning fires across our country right now, is only making matters worse. Koalas need gum trees to survive, they are

Protection of the Environment

We need to protect the natural and built environment from the impacts of climate change and population pressures. We have an opportunity to work collaboratively with the community and key partners to reduce risks and address predicted long term effects of climate change, including frequencies of extreme weather patterns, bushfires, storm surges and floods.

Environmental Sustainability

We have the opportunity to show real leadership in environmental sustainability – encouraging and motivating a culture of environmental awareness and leading by example. As a large Council, we have the scale and capacity to invest in cleaner technologies and actively promote sustainability.

Furthermore, this DA must be quashed to prevent a ripple effect on the surrounding blocks.... On housing generally this does not align to Council's plans. The development does not create a sense of community and belonging as it is not centres based. There are no services. It will increase isolation and mental health issues amongst its transitory occupants. This does NOT enhance our community.

Let's call it what it is, a stealth spot rezone attempt focused on financial gain by one party to the detriment of all others. Panel Members I implore you say NO to this application, standup for nature, standby the Council whose teams are working very hard to protect our environment. Saying NO enables Council to focus on delivering growth in appropriate locations while reducing impacts to our beautiful Northern Beaches fragile ecosystems.

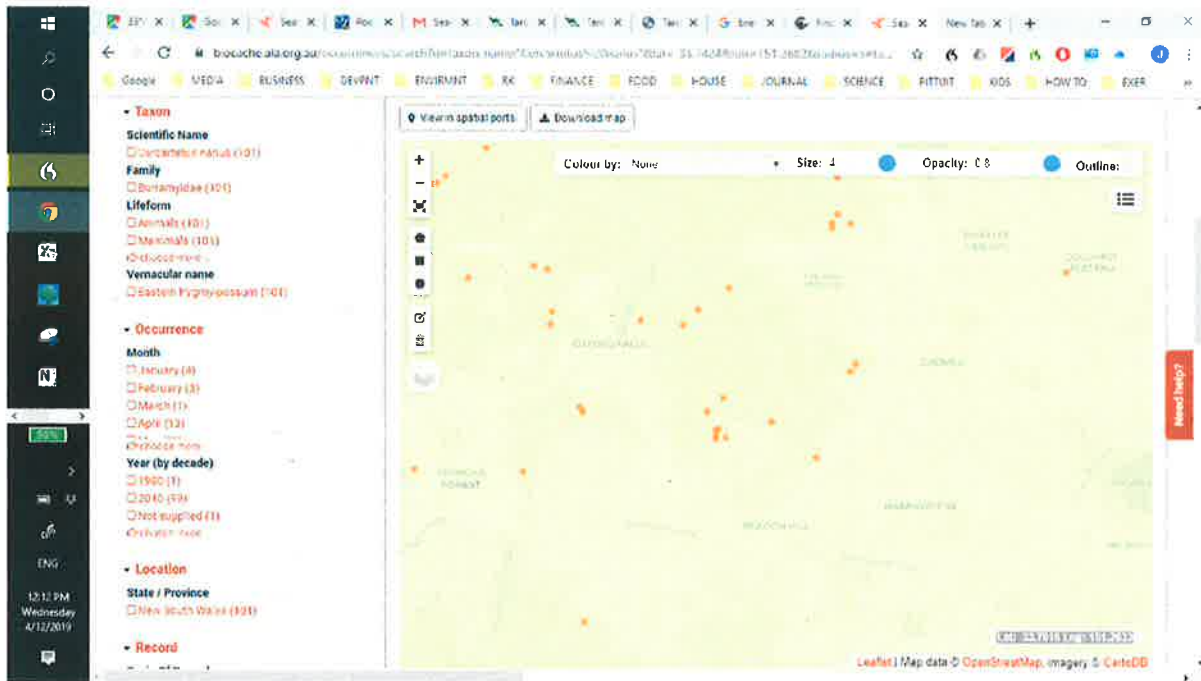
We are the green lungs of Sydney. As a gentle reminder, we just lost hundreds of trees and birds to the cyclone last week right there on our Northern Beaches. Extreme weather events in the form of cyclones, bushfire and dust storms are on the rise. Three trees fell on my own property last week and 2 birds died in my pool with many others found dead across our Peninsular. Climate impacts are real. We don't need any more trees to be lost. Please I implore you stand by our community, our wildlife, our flora, fauna, tree canopy and our aquatic ecosystems. Vote NO, this DA is just not acceptable. You have the power to do the right thing here, and I pray that you do.

Thank you for your time.

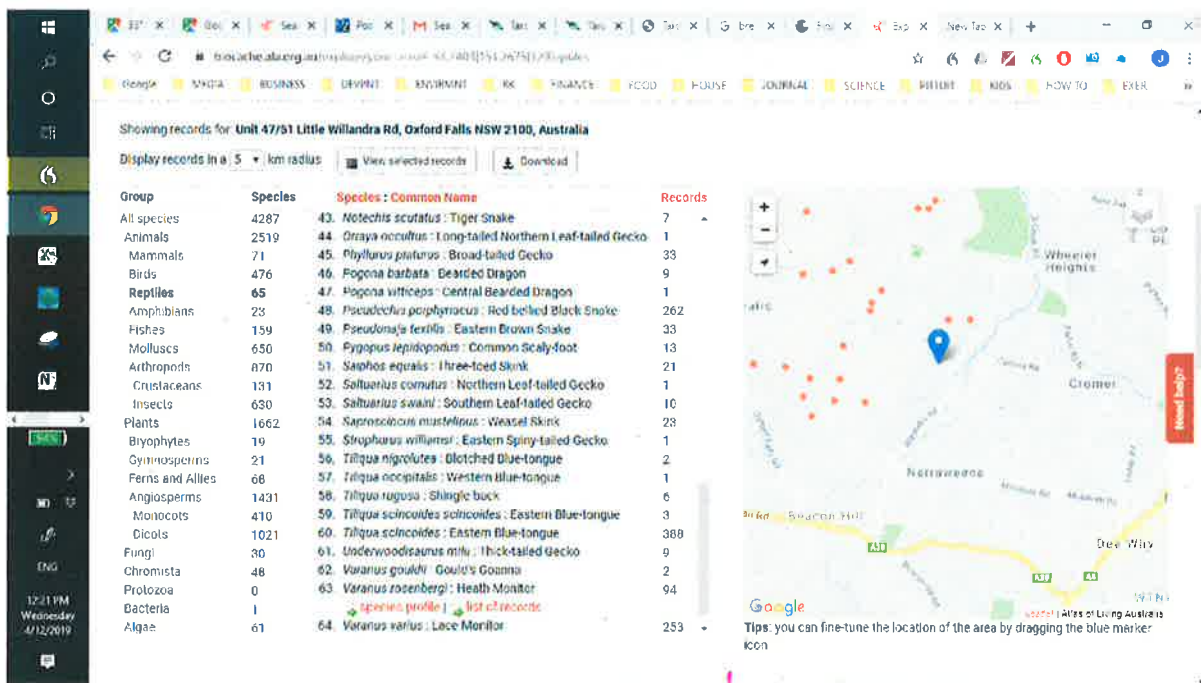
A handwritten signature in dark ink, appearing to be 'Gopala Maurer', written in a cursive style.

Gopala Maurer
President
Northern Beaches Strategic Community Group

Threatened species in the vicinity of Willandra Road Cromer



Eastern pygmy possum



Rosenberg's goanna