

Good evening Mayor Graham and Councillors of Wyong Shire.  
My name is Anne Rowland. I am here representing my community, your constituents, of The Entrance Peninsula.

You have before you a report, prepared by Council officers, for DA NO308/2011: 35 - 41 Wilfred Barrett Drive, North Entrance: 6 residential flat buildings consisting of 42 units for SEPP Affordable Rental Housing. This report will be submitted to the JRPP for their consideration.

We have concerns with some of the conclusions in Council's report and the developer's social impact assessment, and encourage Councillors to read these reports/assessments thoroughly and carefully.

I wish to draw to your immediate attention the following concerns:

- Overdevelopment on the lake foreshore
- Flooding
- Employment
- Lack of services
- Local demographic

### **Overdevelopment of the site**

- The proposed development will be the largest and densest development on the lake foreshore with 6 residential flat buildings containing a total of 42 units and associated works.
- The proposal is defined under WLEP1991 as comprising 6 residential flat buildings, which is listed as a prohibited land use within this 2(a) zone, but the application has been made under the provisions of SEPP(ARH) 2009.
- Would a development of this size this close to the lakefront be approved following Council's planning guidelines? I suggest no given Council's rejection of a previous DA for 8 residential blocks lodged in 2009.
- It is completely out of character with the low density, high quality homes with landscaped grounds, in the local area.
- The adjoining 23 lot residential development at Terilbah Place (25 residences) is double the land area of the proposed site, which plans to have 42 units

## **Flooding**

The report states that... *the proposed development is considered satisfactory in terms of flooding.* (p30) These comments by Council staff are in conflict with Council's planning policies.

- The proposed site is located within the Council designated 2050 inundation zone.
- The Water Management Act 2000 states that in relation to floodplain management the existing and future risk to human life and property arising from occupation of floodplains must be minimised. **This is a high hazard risk area.** The Tuggerah Lakes Floodplain Risk Management Study states: *"In the 100 year ARI and greater events the road (Wilfred Barrett Drive) protecting The Entrance North will be overtopped and the area will require evacuation. Once the levee is overtopped the rapid influx of floodwaters will significantly increase the flood hazard."* It goes on to state, *There should be no increase in the density of residential development unless there is flood free access to suitable high ground in the 100 year ARI event plus a 0.9m sea level rise.*
- There is restricted flood free access.
- The underground car park is a flood hazard. It is far larger than the maximum size of 50m<sup>2</sup> (the size of a double garage + small storage area) for garages in high hazard areas, set by WSC. The cumulative impact of garages larger than this in the floodplain is considered high.
- Failure of the sewage system during flooding, to properties both inundated and not inundated, as happened during the June 2007 floods, represents a potential life threatening hazard to human life when the sewage pumps need to be turned off.

## **Employment**

- Affordable Rental Housing (SEPP 2009) states: .... *transport requirements ... are intended to provide opportunities for the residents of new dwellings to have access to jobs and services (p 21)* However, despite this development meeting the stated transport requirements, the isolation of this location is likely to be a major disincentive to work, in terms of travel distances, times, and costs, either by car or public transport.

The reality is there are very few job opportunities in the area so residents will need to commute. Higher transport costs would likely negate the advantage of lower rental accommodation.

- In 2007 40K people commuted for work or study out of the CC region
- 2007 WSC demographic data:
  - people who used public transport to travel to/from TE/NE .... 3.9%
  - people who travelled to work by car from TE / NE **64%**
- Bus services to Tuggerah from Nth Entrance are intermittent and take approx 38 minutes. This, combined with a 1hour 22 min express train trip to Central, means a daily round trip at the very least of upwards of 4 hours. Added to this is the cost of bus and rail tickets.

## **Services**

The report states *the proposed development is considered to have good access to a wide range of retail, commercial, community, recreation and medical services at The Entrance and Bay Village Shopping Centre at Bateau Bay.*

The reality is....

- There are no services, apart from a small corner store and facilities associated with the caravan park in the immediate area
- Residents must travel at least 3 kms to The Entrance for a doctor, dentist, chemist, supermarket, fuel, school (3.6kms), emergency services
- Doctors and dentists in the Peninsula area have waiting lists
- The Commonwealth Department of Health recommends a ratio of doctors (fulltime equivalent) to residents is 1:1200. In Wyong Shire the ratio is 1: 1573
- Closest hospital is Wyong hospital, 17.2km, a 22 minute car trip or anything from 37 minutes to 1hr 48 minutes by bus.
- As indicated in the report there are areas of public space for recreation, but none for the popular sports of soccer, rugby, Oz tag, basketball, netball, tennis, learn-to-swim
- In addition to the local surf club (situated across the CC highway), the closest social club is the Greens Bowling Club 3.7 kms away and Diggers 4.3 kms away

## **Demographic**

The report indicates that, *the proposed development will provide housing choice and an affordable rental housing option to suit the existing demographic characteristics* (p31)

- The demographic analysis is outdated, based on 2006 data... 6 years ago. Have you visited North Entrance in the past 4 years? Look at the developments... small holiday cabins are being replaced by substantially larger residences.
- The North Entrance location for the proposed development is in an area with properties valued between \$500,000 to \$1.2mill + - hardly an affordable locality for low and medium income tenants.

## **Conclusion**

It needs to be emphasised that the community has expressed their strong objection to this development under the SEPP (Affordable Rental Housing) policy as it overrides Council's LEP and is totally incompatible with the local area. Indeed we argue that this development does not meet the criteria for the 'local character' test that applies to all infill housing under the SEPP(ARH). We are aware of three recent cases where similar assessments have been rejected... 2 by planning assessment panels and 1 by the Land and Environment court.

We believe that this development is not about providing affordable housing. It is about a developer taking advantage of the now discredited SEPP (ARH) legislation, by proposing an overdevelopment of 42 units on a relatively small parcel of land next to the Tuggerah Lake foreshore... a site that was previously rejected for an 8 block residential subdivision, but approved for a 3 lot subdivision.

The **recommendations** of The Entrance Peninsula Community Precinct Committee are that:

- Councillors investigate the recent refusal of affordable infill housing projects, by the Land and Environment Court and the JRPP by applying the 'local character' test provisions in the amended legislation, as these decisions suggest that the 'local character' test will continue to be a crucial test in determination of affordable housing projects, regardless of when the DA's were lodged.
- Councillors submit a report to the JRPP, raising its objections to the DA (SEPP Affordable Rental Housing) given:
  - the location is zoned 2(a) single residential, with the proposed development being the largest and densest development on the lake foreshore
  - the location is on floodprone land,
  - the location is isolated from employment and essential services,
  - the location is incompatible with the local area