

**Submission
No 260**

**INQUIRY INTO PLANNING PROCESS IN NEWCASTLE
AND THE BROADER HUNTER REGION**

Name: Name suppressed

Date received: 24/10/2014

Partially Confidential

19 April 2014

RE: Submission in Opposition to Development Application No: 2013/1042

Property: LOT: 44 DP: 883141
29 ARTHUR STREET MAYFILED

Dear Sir/Madam

I own a home owner living in Crebert Street directly above the site of the proposed development.

When viewing the amended proposal I was disappointed to see that nothing much had been changed and that there was no substantial reduction to the density of the development. I am still opposed to this development in its current form, for the following reasons:

Zoning & Density

I consider the proposed development to be too dense with too little recreation area to fit comfortably with the zoning and adjoining neighbourhood and while the proposal may meet the technical definition of a caravan park it doesn't meet the objectives of the current zone, which the proposal states is RE2 - Private Recreation.

Objectives of zone

- To enable land to be used for private **open space or recreational purposes**.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

Purpose & Demand

The purpose of the estate is undefined, is it going to be seniors living as quoted by the developer in the media or will it be open to anybody?

I question the demand and need for this particular manufactured home estate with so many other well established and proposed manufactured home estates with much better facilities in the area; including those in; Fern Bay, Williamtown, Heatherbrae, Port Stephens and Lake Macquarie.

I have concerns about the lifestyle offered by this MHE; as there is none. Many of these MHE's offer facilities like pools, bowling greens, tennis courts BBQ are and even wood and metal workshops. What will this MHE offer to entice people to buy?

Other concerns I still have about this development on this site are:

- **1.2 Site Description** – in the site description it is noted that Industrial Drive is well serviced by public buses, but to get to that bus stop by the most direct route there are no safe footpaths.
- **2.3 Management** – The DA doesn't state who will manage the estate and if they have a good track record with managing these estates. I am also concerned that there will be no onsite management, thus making this estate a residential development on land that it isn't zoned for residential.
- **2.4 Community Facility** – I feel that the Community Hall is very poorly positioned, being pushed to the corner of the estate bordering Arthur Street and McNeill Close where noise from activities in the hall could impact residents on both these streets. The Community Hall should be positioned in the centre of the estate, the centre of the 'Community' it should also include open space and car parking adjacent to the hall.
- **2.5 Alternative Options** – States that the preferred option provides 101 lots with a significant contribution of open space.

Not counting the retention basin I don't believe that there is significant open space in the proposal. Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 states that 'at least 10 per cent must be reserved for recreation or other communal activities'. The open space only measures approx 6 per cent of the site and it will be mostly covered by trees and car parks. There are also no recreational resources like BBQ areas, play ground or walking tracks included.

- **2.7 Staging** – If the development is to go ahead in its current form there should be no more than two to three stages to reduce disruption to the surrounding residents, I feel that for such a small Manufactured Home Estate five stages are too many.
- **2.8 Manufactured Dwellings** – Dwellings must comply with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 but seeing as there are no dimensions provided in the DA how can we confirm that this will be so?

- **3.2.1 SEPP 36** – I strongly urge council to consider whether the DA can fully comply with SEPP No 36, especially the sections below:

Section 2, Aims & Strategies

(c) to encourage the provision of affordable housing in well-designed estates

(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services and;

Section 9, Matters to be considered by Council

Part 1 (a) that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and

Part 2 (a) the cumulative impact of the proposed development and other manufactured home estates in the locality.

- **3.3 Strategic Planning Considerations** - In section 3.3.2 it is stated that the planning proposal is consistent with the objectives and land use of the Newcastle Urban Strategy (NUS) but I note that Mayfield is considered as a 'Limited Growth Precinct' in the NUS and that the subject site was either 'Not zoned &/or outside the study area'.
- **3.4 Local Planning Considerations** - I get the impression that the developer is trying to pass this DA through a loophole in the zoning regulations as a Caravan Park. 3.4.1 The Newcastle LEP 2012 says caravan parks permitted with consent under the RE2 zone, but the RE2 zone does not mention Manufactured Home Estates.

This estate will not be a caravan park. With no onsite management it will in reality be a residential estate. These manufactured buildings once installed and attached to footings are permanent dwellings with long-term residents for which the land isn't zoned for.

- **3.5 Other Legislation and Strategic Considerations** – In point 23 of Appendix F it is noted that the proposal complies with the visitor parking regulation but I feel that the parking is in the wrong locations and there should be sufficient visitor parking provided adjacent to the community hall.

- **4.4 Noise** – even though some lots were moved away from industrial drive I feel that noise could still be an issue to many residents of the proposed development. A lot of traffic noise from Industrial Drive and the Industry on the other side of Industrial Drive will still be heard and I am concerned that the constant traffic noise could impact the health and wellbeing of residents (especially if they don't work during the day and spend majority of their time in their dwelling).

- **4.5 Traffic** – I am still concerned about the extra traffic any development (but especially this one being so dense and only having a single access point) on this site will have on Arthur Street and the surrounding road network. It doesn't appear that the developers have changed anything to relieve concerns about this major issue?
 - When you have cars parked on both sides of the Arthur Street you often have to wait for other cars to pass before safely proceeding
 - Pedestrian safety is also an issue as there are no footpaths along Arthur Street
 - Exiting and entering Arthur Street to and from Crebert Street can be difficult due to the steepness of Arthur Street, an increase in traffic has the possibility increase the chance of accidents at this intersection

- **4.7 Ecology** – In Section 2 Part 1 Aims and Strategies of SEPP No 36 – Manufactured Home Estates it is stated: (f) to protect the environment surrounding manufactures home estates.

While I am aware that the amended proposal has moved the green space to protect additional trees I feel the size of the development should be reduced to retain more of the existing 'good' trees as mature trees form a crucial part of the carbon cycle and also support the birdlife on the site.

In Appendix K - Arborist Report of the DA acknowledged that the extensive tree planting as part of the landscape proposal would only **assist** in mitigating the loss of these trees.

- **4.9 Visual** – I have noted that the amended proposal has included more tree planting along the Arthur Street side of the site to enhance the visual amenity of the streetscape but I feel that if the development goes ahead in its current form, thought also needs to be given to the visual amenity of the streetscape of McNeill Close as well, which overlooks the site.

- **6 Social and Economic Considerations** – Section 6.1 Social Considerations, states that that the site is a relatively minor development, minor to whom? I don't consider a development that house 100 to 200 persons or more to be minor.

Appendix M Social Impact Assessment, section 4.3 Newcastle Urban Strategy identifies the need to revitalise Mayfield and increase the amenity of residential areas. I feel that in the future this type of estate has the potential to become an eyesore on the doorstep to a reviving Newcastle. Which would decrease amenity and devitalise Mayfield.

Appendix M, Section 7.2 Provision of Housing states; The housing type responds to the social profile of Mayfield. Mayfield is identified as a socioeconomically disadvantaged area. And the development will benefit groups such as lower-income households or first home buyers looking to enter the housing market.

I wish to argue those statements, first the statistics in the assessment are out of date (2011) and don't reflect the current feeling of the Mayfield community who was offended by this statement. Second; lower-income households or first home buyers will find finance hard to get for this type of property as many institutions will not lend unless there is other security, because 'owners' will not actually own the land.

Devaluation of surrounding properties is another concern I have. I have spoken with several real estate agents and there seems to be a consensus that this type of development in this location will have the potential to devalue surrounding property and that Mayfield doesn't need this sort of undefined development. They have also noted these homes often depreciate in value and can be hard to sell

- **7 Infrastructure and Services** – in regards to sewerage I note that Hunter Water Corporation states that there is only some capacity within the existing system at Crebert/Ingall Street for the proposed development of approximately 50 ET (Equivalent Tenement).and that augmentation will be required.

With sewerage issues already affecting dwellings in the lower section of Arthur Street and McNeill Close and with the added pressure on the system once the 24 new dwellings (being built by Catholic Care) are occupied it may be sensible to consider a reduction to the number of dwellings in the estate.

In conclusion I question the use of the term 'Affordable Housing' which is used liberally throughout the DA, from my research, including (Affordable Housing Strategy, dated February 2005, © 2005 Newcastle City Council) it is my understanding that 'true affordable housing' is housing for low to moderate income earners that is priced at such a level that allows them enough income after paying housing costs to meet other basic needs such as food, clothing, transport, medical care and education. And that cheaper housing is generally a false economy as it usually costs more to maintain and to run, e.g. heating and cooling systems. It also has a shorter life expectancy. Also that affordable housing is mostly provided as rental housing and involves large amounts of funding from the State Government to establish the project.

I ask, will the developer be pricing these homes below market levels or providing capped rent in order to provide 'affordable housing'?

Appendix M, 4.1 states It is identified that *State Environmental Planning Policy – Affordable Rental Housing* does not apply to the proposal, however, it is noted that in the context of this assessment that the proposed dwellings are likely to be affordable for a range of low-moderate income earners and therefore the proposal is considered to be providing affordable housing stock.

But low-moderate income earners will be locked out of this type of housing by their lending institutions because they will not own the land. And that the people who need affordable housing are usually unable to afford to purchase and need to rent but this type of housing estate is unattractive to investors because they also won't own the land.

The only part of the market that will be able to purchase within this type of estate will be retirees who already own their home which they can sell to finance this purchase. I therefore ask that if the DA is to be approved in its current form that a condition of approval should be that the development is required to comply to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. And that it becomes an over 55's estate. I would also ask that the density of the estate be reduced by fifty per cent.

I am aware that it is unlikely the land will be kept as open green space no matter how much we need it, I am not against a well-planned and appropriate development.

Another option I would prefer to see - especially if it included a public park as well - (with community consultation while addressing the above issues) would be:

- The land rezoned and subdivided as R2 – Low Density Residential (individual housing lots), keeping in line with the adjacent streets

I feel that this proposal is for a poorly designed estate offering no lifestyle stimulus and is an inappropriate development for this location, there has been no consideration given to the neighbouring residents or even to the future residents of this development and the wider Mayfield community.

I would ask the council to strongly consider rejecting this development application in its current form in favour of a form of development more consistent with the surrounding area.

Thanks for your time and consideration

Regards,