

Submission Type

I am making a personal submission

Title

Mr

First Name

Sam

Family name

Stockwell

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

samueljamesstockwell@gmail.com

Suburb/ Town

Balgowlah

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Hi,

I would like to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or "Lizard Rock" (PP-2022-3802), as a member of the northern beaches community and as a person who has spent a significant amount of time in some of these special bushland spots this development is looking to bulldoze.

I have personally had many experiences with local flora and fauna on these sites, and experienced first hand the magic in the rocky escarpments and wetland gullies the Oxford falls valley has. To me, this area is just as incredible as all the nearby national park, with all the same plants and animals. I cannot understand why this area should be up for development and not turned to a national park.

This proposal must be refused for the following reasons:

It returns no real benefit to the community, it only serves to destroy bushland people cherish. There are no gains, only more traffic and less outdoor spaces.

It's a huge loss of habitat and will impact the Narrabeen lagoon catchment - because we all know developers don't really keep their runoff clean

It is already opposed by local council and RFS and Emergency services for a wide range of reasons - from being a fire risk to lack of transport.

Please reconsider this application and instead look to recommend turning this area into a national park or part of the Garigal, as it deserves to be preserved in its full extent as it is now - before it is lost forever.

Yours sincerely,

Sam

Submission Type

I am making a personal submission

Title

Mrs

First Name

Catherine

Family name

Manu

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

sparkle_on@hotmail.com

Suburb/ Town

Dee Why

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Council Planners, The idea of destroying this bushland is a great loss to the local community for oxygenating air and nature for all to be shared. The ecosystem & diverse habitat for native animals will breakdown if land clearings infringe from many zones. It seems as though 'sacred' land is not so sacred! The scale of this proposal is outrageous & has no consideration for inevitable environmental impacts. This will set a precedent for the decimation of our Sydney biodiversity!

Submission Type

I am making a personal submission

Title

Mr

First Name

Bruce

Family name

Coombs

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

coombsbh@gmail.com.au

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒ I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or “Lizard Rock” (PP-2022-3802). I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

This proposal must be refused for the following reasons:

- Loss of habitat for iconic species of flora and fauna such as swamp wallabies. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is irreplaceable.
- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll , and on marine animals that live in the lagoon.
- Loss of Sydney's Green lungs as trees are renown for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.
- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.
- Traffic and urban sprawl – this proposal will create problems with urban sprawl, as more houses are built away from urban centres, and so the residents will be reliant on cars, rather than being within a short walk or bus ride to places. This will contribute towards local traffic congestion on Forest Way, Wakehurst Parkway, and Warringah Road.
- Broader Strategic planning implications - the proposed housing is happening in isolation to the broader strategic planning being done by Northern Beaches Council to meet housing needs and plan for issues such as traffic and services in a holistic way across the entire Northern Beaches.
- Negative precedent in the deferred lands – The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an

evidence based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning. Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

Thank you for your consideration

Sincerely,

Bruce Coombs

coombsbh@gmail.com

Submission Type

I am making a personal submission

Title

Mrs

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Allambie Heights

I have made a reportable political donation

No



I agree to the Privacy statement

submission

I would like to write in support of the Northern Beaches Council objection to this development on the grounds laid out by the Council including in reference to the bushfire risks, inconsistency with planning strategies, inconsistency with conservation zones and enormous loss of biodiversity habitat.

This last point is the most significant. I understand that more housing is needed across not just the Northern Beaches area, but across the entire state. However, must this constantly mean the loss of acres of precious bush land? And given the points put forward by Northern Beaches Council, this particular application does not seem to have been thoroughly considered. The impact to the fauna and flora in the area is going to be immense and I cannot fathom how such a development can honestly take place. The Northern Beaches also lacks the infrastructure to support such an enormous development and influx of people. There are not enough schools, roads and transport options for the current population, let alone another 450 dwellings.

These are more important issues that need to be fixed before such a development should take place and I think more consideration needs to be given to minimising the impact on the environment.

Submission Type

I am making a personal submission

Title**First Name**

Geoff

Family name

Newlyn

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

paisleydog@bigpond.com

Suburb/ Town

North Narrabeen

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I object to the patyegarang planning proposal. As a local who uses the bush for mountain biking and bushwalking there is already tremendous demand to recreate in the limited area of remaining Bushland on the northern beaches. I am also fundamentally opposed to the aboriginal land council being custodian of this natural resource to be able to sell it off to developers when the land was given based on its cultural significance. The hypocrisy is overwhelming.

Submission Type

I am making a personal submission

Title**First Name****Family name**☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

michele.eaton@live.com.au

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I object to the clearing of natural flora and fauna in this area. There are other alternatives to reach housing targets without destroying precious bush land. There are enough heat islands being created due to housing estates which do not properly address the importance of natural cooling I.e mature trees and native tree canopies. Other electorates have empty city buildings which can be converted for mixed use/ residential housing and should be the FIRST priority. Also dual occupancy should be encouraged on existing sites!! Young professionals should be encouraged to live in the city with access to clubs pubs museums concerts theatre etc allowing pet ownership and access to work or WFH!!! Look at these obvious solutions instead of fouling up the environment. Cheers!!

Submission Type

I am making a personal submission

Title

Mr

First Name

Zac

Family name

Schmidt

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

zac.schmidt@hotmail.com

Suburb/ Town

Collaroy

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Don't ruin our our bushland for the facade of cheaper housing

Submission Type

I am making a personal submission

Title

Ms

First Name

jane

Family name

robinson

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

jane_robinsonx@hotmail.com

Suburb/ Town

Curl curl

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I do not support this proposal. It goes against all common sense. Destroying this important natural area to install low density housing is a further slap in the face. The NB needs high density affordable housing for our critical workers. But not at the cost of this area with so many important flora and fauna features. Please reconsider. And listen to the people. Thanks.

Submission Type

I am making a personal submission

Title

Mr

First Name

Zac

Family name

Schmidt

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Admin@glasslifters.com.au

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Please don't let the surrounding bushland be destroyed for financial gain of a few individuals, and safety, ecological loss for many.

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒ I agree to the Privacy statement

submission

It's obvious they renamed it after the backlash in an attempt to disguise the area with a less known name. If it was for cultural significance they would have named it that to begin with.

Submission Type

I am making a personal submission

Title**First Name**

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Manly

I have made a reportable political donation

No



I agree to the Privacy statement

submission

As a Northern beaches resident and NSW RFS volunteer firefighter I strongly object to rezone land at Patyegarang, fondly know as Lizard Rock by the local and broader community.

It beggars' belief that this proposal has progressed to this stage despite strong objections from Northern Beaches council.

I spent my childhood exploring the bushland around Lizard Rock and cannot see how this proposal has been allowed to progress when the Aboriginal Land council do not own the unmade public crown roads.

The dubious way Dept of Planning staff have pushed this proposal despite serious probity and transparency issues warrants a referral to NSW ICAC.

If crown lands determine to sell the unmade crown roads to MLALC to support this development and despite community objections, then ICAC will have another Government dept requiring investigation.

The planning panel who supported NSW Planning Dept should be removed due to their incompetence and inability to understand the issues.

Volunteers dedicate their time and risk lives to protect properties across the Northern beaches and elsewhere in NSW. The disregard to NSW RFS volunteers by even considering this proposal is appalling.

It would appear planning Dept staff, the Minister and Planning office have no understanding of hazard reduction management of bushland in this area. Massive resources are required.

The process to date raises serious probity issues surrounding the transparency and integrity. The Dept of Planning has been holding dual roles in this matter acting as a facilitator and an approver.

Directors or CEO of GYDE consulting were previous employee of the Dept of Planning and have been assisted with open arms and advice from Dept staff. Dodgy to say the least and would not be available to other consultants and raises serious concerns.

The GYDE report indicates that MLALC have a 20-year-old approval from members and have never taken this back to members to seek approval despite a recommendation from the NSWALC.

I have no confidence in the processes of any parties involved in pushing this development.

The environmental cultural devastation and risk to human lives demonstrates this proposal is not in the public interest and therefore should be rejected.

Submission Type

I am making a personal submission

Title

Mr

First Name

Phillip

Family name

Quirk

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

poq@lizzy.com.au

Suburb/ Town

French's Forest

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I object to the development because:

- the biodiversity (fauna and flora) needs to be protected as climate change and population growth are already resulting excessive destructive pressure.

Already large swaths of bushland, biodiversity corridors has / will be impacted on as a result of "essential projects " ie- road widenings. - Mona Vale Rd, Wakehurst Parkway, Warriingah Rd, Northern Beaches Hospital -

- the bushland area in question forms part of character that makes the Northern Beaches special
- The land in question.
- provides a unique space for bush recreation - bush walking, mountain bike riding, horse riding which the community highly values and will provide into the future
- visual amenity - the proposed development areas can be seen from afar eg driving down Wakehurst parkway, from Narrabeen.

All further developments should only be undertaken on existing developed land in order to avoid he excessive biodiversity loss.

Enough is Enough!

Submission Type

I am making a personal submission

Title

Ms

First Name

Christina

Family name

Silk

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

info@christinasilk.com.au

Suburb/ Town

Waverton

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or “Lizard Rock” (PP-2022-3802). I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

This land has been given to the aboriginal people to be custodians of the land.

It is ironic that instead they propose to clear such an enormous amount of pristine bushland that is unique on the Northern Beaches of Sydney. It is inconceivable that this development could even be considered.

Australia is one of the top deforestation nations of the world. This has to stop. Australia also has mass fauna and flora extinction rates. This also contributes to Climate change.

The priority should be to preserve the bushland ecosystem. It is a once in a life time opportunity. Please preserve the bushland ecosystem and refuse this proposal.

This proposal must be refused for the following reasons:

- Loss of habitat for iconic species of flora and fauna such as swamp wallabies., the Eastern Pigmy Possum and Powerful Owl. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is irreplaceable.
- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll , and on marine animals that live in the lagoon.
- Loss of Sydney's Green Lungs as trees are renown for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.
- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.

- Traffic and urban sprawl – this proposal will create problems with urban sprawl, as more houses are built away from urban centres, and so the residents will be reliant on cars, rather than being within a short walk or bus ride to places. This will contribute towards local traffic congestion on Forest Way, Wakehurst Parkway, and Warringah Road.
- Broader Strategic planning implications - the proposed housing is happening in isolation to the broader strategic planning being done by Northern Beaches Council to meet housing needs and plan for issues such as traffic and services in a holistic way across the entire Northern Beaches.
- Negative precedent in the deferred lands – The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an evidence based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning. Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

Thank you for your consideration

Sincerely,
Christina Silk

Submission Type

I am making a personal submission

Title

First Name

jackie

Family name

Haworth

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

jacqueline.haworth@bigpond.com

Suburb/ Town

NORTH Narrabeen

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Please re think the value of this land and its fauna and flora.

Submission Type

I am making a personal submission

Title

Mr

First Name

Brandon

Family name

Dick

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

brandon.john.dick@gmail.com

Suburb/ Town

Oxford falls

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I object very strongly to the Patyegarang, Morgan Road belrose development due to the loss of flora and fauna, loss of green areas around Sydney and the increased global warming impact. Destroying one of the last remaining beautiful part of Sydney left for senseless development, why can't you swap the land with farm land already cleared and zoned for development for example areas around Bingara gorge, box hill etc

Also the extra traffic on a two lane 50km road will be gridlock with the proposed extra dwellings.

There are lots of wallabies and wildlife along that road that will be killed with the extra traffic.

I feel the loss of biodiversity will be devastating and something that can't ever be replaced.

I strongly disagree with Patyegarang any large scale development along Morgan road. We should turn this into a national park and save the green space for future generations to enjoy and created a greener Sydney.

Thanks

Brandon Dick

0411429813

Submission Type

I am making a personal submission

Title

Ms

First Name

Julie

Family name

Coleman Craford

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

rmcjcc@icloud.com

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

My family and I have been local residents on the Northern Beaches for over 35 years. I am writing to vehemently oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or "Lizard Rock" (PP-2022-3802).

I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment. I also write on behalf of family, friends and neighbours who are also vehemently against this proposal but who have been unable to write a submission.

This proposal must be refused for the following reasons:

LOSS OF HABITAT

When it is gone it is gone. It is irreplaceable! There will be a loss of habitat for iconic species of flora and fauna such as swamp wallabies. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is 'irreplaceable'.

IMPACTS ON NARRABEEN LAGOON CATCHMENT

Storm water from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and the endangered spotted-tail quoll, and on marine animals that live in the lagoon.

LOSS OF SYDNEY'S GREEN LUNGS

How many trees will be removed???!! Trees are renowned for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.

SIGNIFICANT RISK OF BUSHFIRE EVENTS

I have family from Maui, Hawaii and there has just been a catastrophic fire event with many cars trying to evacuate at the same time but were stuck in traffic at bottlenecks. There was significant loss of life. They were lucky that the ocean was on one side or the lives lost would have been far greater! Were this to occur in the proposed area, people trying to evacuate would be surrounded by bushland in traffic congestion as people rush to escape the flames. I am horrified and confused why approval could ever be given to building houses in places we know that people may not be safe from fire in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of "Very High – Extreme risk". The report also identified concerns about the safety and viability of evacuation. There must be a duty of care. Should there be a catastrophic fire like Lahaina, Maui with significant loss of life and property, there will be a public demand to know why the reports were ignored. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.

TRAFFIC AND URBAN SPRAWL

This proposal will exacerbate traffic congestion on Forestway, Wakehurst Parkway, Warringah Road and Mona Vale Road. In Frenchs Forest, Belrose, Davidson and some surrounding areas, we do not have a B-Line bus or a train line so are reliant on cars and buses travelling in undedicated bus lanes. It will also create numerous infrastructure problems associated with urban sprawl and will require substantial amounts of money to alleviate pressures.

BROADER STRATEGIC PLANNING IMPLICATIONS

All rules and regulations must be applied the same!! This proposed housing is happening in 'isolation' to the broader strategic planning being done by Northern Beaches Council to meet housing needs and plan for issues such as traffic and services in a holistic way across the entire Northern Beaches.

NEGATIVE PRECEDENT IN THE DEFERRED LANDS

It is of the utmost importance that a precedent not be set in the proposed area. The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an evidence-based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning. Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

It is my hope that the proposed rezoning of the land at Patyegarang, Morgan Road, Belrose, or "Lizard Rock" (PP-2022-3802) is not approved for the above reasons.

Thank you for your consideration

Sincerely

Julie

Email: rmcjcc@icloud.com

Submission Type

I am making a personal submission

Title

Mrs

First Name

Marcia

Family name

Garvan

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

marcigar@hotmail.com

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I object to this proposal on the following grounds -

The major one is access in case of an emergency, typically a bushfire. How are all those people, cars, animals going to evacuate - and the emergency services try to get in-on the one road in and out in total smoke and chaos?

The loss of the native wildlife, and the beautiful trees and bushland that give our suburb its character and shade and keep our area cool. More paving, more roofs makes for a hotter area.

The extra traffic and noise with more cars, delivery trucks, tradies vans, even cranes in the years to build houses, garbage services, even boats and clogging the narrow roads.

A fair way from public transport which encourages people to have cars.

Possibly not enough room in local kindergartens and schools

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Mosman

I have made a reportable political donation

No



I agree to the Privacy statement

submission

I would like to formally lodge my SUPPORT for this submission and absolute disgust in the typical NIMBYism that our political and bureaucratic system has enabled for this to take as long as it has.

Housing affordability for younger Australians and moreso that for our indigenous community seems only to be palatable and appropriate in regional locations far away from the elites in inner Sydney looking to pull the ladder up behind them. Whilst I am sure they are able to sleep at night with whatever guilt plagues them by hoisting 'Vote Yes' signs in front of their McMansions for 6 weeks, this proposal represents an actually outcome that would genuinely assist our indigenous members of the community which in itself represents a significant public benefit for the wider community.

Community sentiment has now managed to move away from the greedy developer rhetoric to talk about how they are plagued by the loss of green space/national park, a fact which is simply untrue when you look at the proportion of the proposal against the wider backdrop of national park within proximity.

Furthermore the simple fact that it's designation as crown land not being used as it is zoned for under the EPA act has enabled this to be transferred by the courts into the Land Council's ownership and therefore an objection cannot be hidden as an environmental basis, the idea that the North Shore is anywhere near capacity in terms of infrastructure is also laughable. I suggest the minister writes to all objectors of this proposal offering them to donate their land to the crown to create a national NIMBY park. It may also assist with their concerns of congestions.

It is also important to note that this has been circulating around community Facebook groups with fear mongering around this being 'snuck in' whilst other members asking what basis should they object to this development. It is high time the NSW Planning System wakes up to this utopian ideal that community consultation is anything but the opportunity for a bunch of old

disgruntled residents to provide their ill founded concerns based on a thought process that they 'own' their neighbourhood.

The accessibility of this parcel of land to create homes so close to our metropolitan city and other surrounding strategic centres enables this to be a perfect location for housing for our wider community as much as it does for the indigenous community.

Finally for the avoidance of doubt I have absolutely no affiliation with this development proposal or the proponent. Just a local sick of seeing all these old people get in the way!!

Submission Type

I am making a personal submission

Title

Miss

First Name

Liz

Family name

Coombs

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

studio@barkitdesign.com.au

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or “Lizard Rock” (PP-2022-3802). I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

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- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll, and on marine animals that live in the lagoon.
- Loss of Sydney's Green lungs as trees are renowned for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.
- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.
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Thank you for your consideration

Sincerely,

Liz Coombs

studio@barkitdesign.com.au

Submission Type

I am making a personal submission

Title

Mr

First Name

Bruce

Family name

Coombs

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

coombsbh@gmail.com.au

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or “Lizard Rock” (PP-2022-3802). I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

This proposal must be refused for the following reasons:

- Loss of habitat for iconic species of flora and fauna such as swamp wallabies. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is irreplaceable.
- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll , and on marine animals that live in the lagoon.
- Loss of Sydney's Green lungs as trees are renown for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.
- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.
- Traffic and urban sprawl – this proposal will create problems with urban sprawl, as more houses are built away from urban centres, and so the residents will be reliant on cars, rather than being within a short walk or bus ride to places. This will contribute towards local traffic congestion on Forest Way, Wakehurst Parkway, and Warringah Road.
- Broader Strategic planning implications - the proposed housing is happening in isolation to the broader strategic planning being done by Northern Beaches Council to meet housing needs and plan for issues such as traffic and services in a holistic way across the entire Northern Beaches.
- Negative precedent in the deferred lands – The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an

evidence based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning. Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

Thank you for your consideration

Sincerely,

Bruce Coombs

Submission Type

I am making a personal submission

Title

Ms

First Name

Family name

☒ Name withheld

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Email

[REDACTED]

Suburb/ Town

2099

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submission

I was initially torn on this matter, between wanting self-determination for Aboriginal people and the environment as well as sensible development. The last thing I want to do is tell Aboriginal groups and people's how to use their compensatory funds, lands and those they have been given (back/given as compensation).

The fact that due to the ill effects of colonisation, there are disputes about who is descendant of whom in our Aboriginal community saddens me because it weighs in into some debates about who wishes what for the land, in terms of what Aboriginal people want, however it also is to be recognised that unfortunately for many Aboriginal people, Australian governments are the ones who apportion Land Council ownerships, and much "widely recognised or legal" ownerships of other lands. It is sad that whatever the outcome of this decision to develop or not develop Patyagarang, will upset differing individuals and groups.

I do not wish to tell Aboriginal people how to use their land, their compensation, the land that was that of other Aboriginal peoples that has been "given" to them via governments of Australia.

After much thought and consultation I have decided that it is important as a community that we continue to progress forward toward ways that we sustain nature and sensible development practices, moving into climate change and as the detest continent on earth, with a growing population who we need to house, whilst ensuring biodiversity, and a land that sustains us, with beautiful spaces also for urban communities to read h out to and seek nurturance from.

My understanding of the trends for development in Sydney and Australia more broadly are that we are moving away from clearing large tracts of natural land and trees for housing, and we are moving towards building "up" somewhat, and "filling in", by developing via creating multiple dwellings on single urban housing sites and looking to house more people, yet not sprawling Sydney farther outward into wider bushland.

I would be in favour of other developments such as a National Park or other parkland that keeps the natural beauty of the area, or a tract of land used for keeping bushland in Australia such

as those organisations who keep land simply to ensure there'll remain plenty of enough natural tracts of land for other species to live on and to ensure nature is not lost for ever and our country's natural healing, cooling and carbon sink systems are kept, with shelter for humans and species, and enough nature intact to ensure we sustain our environment. There may be any number of other ways that the Northern Metropolitan Land Council may consider in using this land. And may I personally speculate that under climate change large, natural healthy, naturally self-resourcing and resourcing tracts of land will hold the MOST value to us in the future. I would like that idea to be a kernel kept in consideration by the current land owners under our government rulings.

I am no expert but although the area is at high fire danger risk, I wonder also if the area could be training ground and source of training around and for indigenous fire prevention strategies and case studies to be shared and conducted, which in the coming years could be a lucrative idea if it were deemed sufficiently safe. I do not like to make suggestions to Aboriginal people about how they may decide to use land but I am also trying to make my submission be of support and benefit to all sides and would hope that my ideas be taken lightly and with that intent in mind.

I submit to Parliament that the land at the future Patyagarang not be cleared and not developed into large swathes of land clearing and residential housing. I submit that the natural relatively as yet untouched natural historical bushland be preserved as a matter of beauty and safety, for the area and Sydney as a whole, biodiversity protection, and to ensure we do not overdevelop our bushland and forest areas. Whilst housing affordability and sufficiency is certainly something that we currently need, and whilst I am pro Aboriginal self-determination, I also hear the opinions of local Aboriginal residents, some of whom are prominent activists and spokespeople in support of Aboriginal agency, and those Aboriginal people who are descendant of people who once inhabited these lands. Those are the opinions that also need to be listened to and I believe that we should support their viewpoints that Country should be preserved and not harmed and/or that this kind of development is not suitable.

I am against the proposed development of Patyagarang and any other natural large land clearing around the Sydney basin.

Thank you.

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Gordon

I have made a reportable political donation

No



I agree to the Privacy statement

submission

To whom it may concern,

I am a local resident of the Ku-ring-ai area and am writing to voice my opposition to the Patyegarang Planning Proposal.

I appreciate much of the work the METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL does for/in the community but think their planning proposal seems to only serve the benefits of a select group and not the wider social, environmental, cultural and historical groups concerned.

Their targeting of this area of land, after many years of vocal environmental protection, shows a terrible double standard when an opportunity to make money becomes available.

Please do not destroy this special area of bush.

Submission Type

I am making a personal submission

Title

Mrs

First Name

Pip

Family name

Bradhurst

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

pipbradhurst@yahoo.com.au

Suburb/ Town

Avalon Beach

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No

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I agree to the Privacy statement

submission

I strongly oppose the proposed development at Patyegarang, Morgan Road, Belrose. I am extremely concerned that severe habitat loss and loss of biodiversity will be the result of such over development and that this issue has not been fully addressed by the planning application. In this era of climate change any such loss is of extreme concern to both myself, my children and future generations. I am also extremely concerned that the traffic congestion that will result from this proposal has not been fully addressed in this planning application. Already crowded roads will only become more difficult to travel along, especially with a lack of access to decent public transport.

Please in the interest of our and future generations do not allow this development to proceed.

Kind regards

Pip Bradhurst

Submission Type

I am making a personal submission

Title

Ms

First Name

Michele

Family name

Morgan

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

silvercedar@gmail.com

Suburb/ Town

Avalon

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

In regards to the planned destruction of Patyegarang/Lizard Rock: I have lived on Sydney's Northern Beaches for all of my 63 years, which has allowed me the opportunity to experience, explore, and appreciate the amazing natural environment and the flora and fauna it contains. We share this country with the native flora and fauna which live here permanently, and have nowhere else to go; this bushland contains a rare orchid species, endangered koalas, and a multitude of other irreplaceable wildlife, including: echidnas, powerful owls which are now heading towards endangered, rare quolls, red crown toadlets, swamp wallabies, yellow tailed black cockatoos, goannas, a variety of other reptiles, Im told there are even wombats which Ive not seen; calyi grevilleas, Dianella berries, Waratahs, flannel flowers, Christmas bells, and angophora trees - with the angophora's on the ridgeline comprising part of an indigenous cemetery.

We should be valuing the small remaining pockets of Sydney bushland that remain, and we should also respect that the wildlife which live here have no other home to go to. This area should long ago have been amalgamated into the quite small Garigal National Park; however, it is not too late to do this now; as such, what lives within its borders would then be carefully maintained; but also be available for all interested Australians and overseas visitors to learn about what is contained within our unique natural environment. Our native animals and plants are irreplaceable, and their value immeasurable: once bulldozed they are all gone forever.

Scientific scenarios undertaken by environmental bodies have advised the Northern Beaches Council of the high potential of runoff damage into Narrabeen Lagoon and the northern beaches being potentially significant. This would have a huge impact on endangering the safety of those living downstream and on the beaches nearby, and would potentially also impact high income from tourist dollars.

Apart from the plant and animal species that call Patyegarang/Lizard Rock home, if this area were to be bulldozed for homes, the following considerations need to also be recognised:

- The bushfire danger which is becoming more extreme throughout all of Australia (and the world) each year.

- The lengthy portion of single lane roadway which is the only entry-exit for everyone within this area, which has seen many major road accidents in the last six weeks alone, including fatalities, several of which accidents have resulted in complete blockage of the carriageway in both directions for exceedingly lengthy periods of time. If a bushfire were to bring down one single tree across this road: Mona Vale Road, then all the people moving into homes within this area would be in danger of perishing with the only entry exit blocked; the same would be the case for access for emergency services in the very likely event of a major bushfire, medical emergency, or major traffic accident - which accidents have been occurring recently at a rate of more than one every week.

- The installation expenses for the complete lack of infrastructure within this area would far exceed any financial gain from anyone taking on the destruction and then building process of this valuable natural environment, as there is no nearby infrastructure that could supply: roads, electricity, gas, water, sewerage, drainage, telecommunications, internet, street lighting, public transport. In the event of a bushfire, all telecommunications would be amongst the first installations destroyed.

- There are no Medical, food supply, or educational facilities in this area; and no public transport to any facilities of this kind that are located distant from this planned housing enclave.

Our governments at all levels, federal, state and local, all state their commitment to investing to combat climate change, such as adopting more solar power, and promoting use of electric cars to protect our ailing planet, yet this plan completely disregards the significant need to retain green areas and protect our local ecosystems as a vital component of tackling climate change.

We need our government, at all levels, to do more than make speeches; we need our government to lead the way by taking responsibility to safeguard the little natural habitat that remains of our country which is overly dry and tending towards desert, as well as what remains of its natural inhabitants, including ensuring safety and opportunity for nature immersion for our human population. Our local councils recognise this, and have also voiced their extreme concerns; yet they, too, are being ignored.

I request that our government seriously consider the damage they are planning to inflict on both the natural environment, its diverse, valuable and irreplaceable wild inhabitants and flora; support the local council findings that this area needs to be retained, and reject this proposal. Further, this land should be a vital addition to Garigal National Park.

Michele Morgan
Avalon

Submission Type

I am making a personal submission

Title

Ms

First Name

Helen

Family name

Smith

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

helenmarysmith@live.com.au

Suburb/ Town

FRENCHS FOREST

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I wish to voice my objection to the proposed redevelopment of Lizard Rock on behalf of My son Andrew Smith and myself.

Our objection is as laid out in the flier sent out by Micheal Regan MP.

We are residents of Northern Beaches council and object most strongly to the proposed redevelopment.

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

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Email

[REDACTED]

Suburb/ Town

Belrose

I have made a reportable political donation

No



I agree to the Privacy statement

submission

Refer attached letter.

6 November 2023

NSW Department of Planning and Environment

Via submission portal

RE: Submission in response to Patyegarang Planning Proposal (PP-2022-3802)

To whom it may concern,

As residents of the Northern Beaches for most of our lives and the owner of 954 Morgan Rd Belrose in the Oxford Falls Valley area since 2016 we are acutely aware of the special environmental & cultural elements surrounding this unique part of the Sydney basin. We note that our property at 954 Morgan Rd Belrose is adjacent to the Patyegarang Planning Proposal (PP) site, sharing two boundaries of around 200m and 120m respectively. As such we have unique insight into the Metropolitan Local Aboriginal Land Council's (MLALC) proposed site and surrounding land.

Based on a detailed review of the PP, including all associated reports and studies, we offer our full support of the Patyegarang PP. We are encouraged by the aspiration of the MLALC to transform this currently unmanaged and poorly understood area into an asset for current and future residents of Sydney. We further acknowledge the benefits highlighted in the Patyegarang PP this project would bring to the Northern Beaches and this culturally significant area.

We understand there is some local objection to the Patyegarang PP however much of this objection seems to be for reasons that relate to the current state of the site and surrounding infrastructure, which we believe the Patyegarang PP addresses. We offer our full support to the project based on specific observation & experience in living in the surrounds of the subject site. Some of these observations, as associated with important issues and impacts, are as follows:

1. Bushfire

Whilst the Rural Fire Service (RFS) is acutely aware of the bushfire risk to existing residents of Belrose and surrounding suburbs associated with the Oxford Falls Valley generally we don't believe that they have the resources or access needed to support defence of these areas with existing fire trails and risk management strategies. By way of example in contacting the RFS recently to assist with hazard reduction on our property while they did initially offer support they conceded that they would not be able to assist this year due to competing priorities. The most significant bushfire threat to the northern beaches is the lack of management of the growing bush fuel loads on private, council, and crown land, including that owned by the MLALC, with difficult access. The RFS and community would be able to more readily address bush fire risk with improved road / trail access and the expected asset protection zones that would be conditioned as part of any development associated with the Patyegarang PP.

2. Hydrology / stormwater management

Oxford Falls Valley ultimately drains to Narrabeen Lagoon, an important biodiversity precinct and popular recreational area for the northern beaches. Currently there is little to no

[illegible]

3. Ecology

The subject site includes a diverse community of flora and fauna that needs management and protection. The capacity for the MLALC, as private owners of this land, to manage such a large and dense site is limited. As a consequence native species of plants and wildlife are currently being adversely impacted with observed indigenous communities on the decline as foreign animals (i.e. rabbits and foxes) plus foreign plant species (i.e. lantana & Panas grass) continue to consume the native landscape.

4. Cultural sites

The project includes at its heart a new cultural centre that will highlight the significance of the site. We understand that this cultural centre intends to connect with the stories and history that brought about the area's cultural significance. No government agency has previously demonstrated interest in the protection of these cultural sites until the Patyegarang PP was introduced. We are encouraged that the NSW Government appears to be supporting the preservation of these sites, by way of supporting this proposal. We note that the proposal will enable public access to these culturally significant sites that will help encourage the ongoing education of our First Nations history.

5. Public amenity

Adjacent to the Patyegarang PP site is the Garigal National Park. This park is an extraordinary public asset, however currently there is limited public access. While many within the community already use this national park, many do not realise that on most occasions they are trespassing on private property, being the MLALC's land, for access. The Patyegarang PP offers extensive walking and bike trails that will both enhance the existing trails and provide proper public access and connection for safer use.

We reiterate our support and agreement with

Kind Regards,

[illegible]

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

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Email

[REDACTED]

Suburb/ Town

Belrose

I have made a reportable political donation

No



I agree to the Privacy statement

submission

Refer attached letter

6 November 2023

NSW Department of Planning and Environment

Via submission portal

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2. Hydrology / stormwater management

Oxford Falls Valley ultimately drains to Narrabeen Lagoon, an important biodiversity precinct and popular recreational area for the northern beaches. Currently there is little to no

management of water run off from water originating from Forestway and surrounding streets / residential areas. We would expect that any development associated with the Patyegarang PP would require water management and water quality infrastructure to ensure the appropriate treatment of water. The product of which would be an improved outcome (as opposed to the currently unmanaged flows) to Narrabeen lagoon.

3. Ecology

The subject site includes a diverse community of flora and fauna that needs management and protection. The capacity for the MLALC, as private owners of this land, to manage such a large and dense site is limited. As a consequence native species of plants and wildlife are currently being adversely impacted with observed indigenous communities on the decline as foreign animals (i.e. rabbits and foxes) plus foreign plant species (i.e. lantana & Panas grass) continue to consume the native landscape.

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We reiterate our support and agreement with the Patyegarang Planning Proposal.

Kind Regards,

[Redacted Signature]

Submission Type

I am making a personal submission

Title

Dr

First Name

Veronica Harris

Family name

Harris

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

harrisdv@optusnet.com.au

Suburb/ Town

Terrey hills

I have made a reportable political donation

No

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I agree to the Privacy statement

submission

The area proposed for development is very high risk for fires, due to its proximity to an isolated pocket of bushland and limited evacuation corridors along already stressed roads, placing future residents and emergency services at unreasonable risk. Also, access will rely primarily on cars making traffic heavier. No current public transport. It sets a precedent for setting bushland on private land and will impact the health of the city with reduction in bushland (oxygenation). Also a diverse habitat will be impacted and loss of biodiversity will result. Traffic congestion will increase in an already very congested area of road networks. This is in excess of allocated housing by 300+ homes. The impact on the locals and local area is significant and detrimental. Please reject this proposal.

Submission Type

I am submitting on behalf of my organisation

Title

Ms

First Name

Yvette

Family name

Fuser

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

yvette@maglianeratours.com

Suburb/ Town

Frreshwater

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I am against the Patyegarang Planning Proposal.

The bushland on which these 450 dwellings are proposed for construction is vital to maintaining quality of life for residents in the immediate and extended local areas, and must be preserved.

It offers a barrier from the chaos of overdeveloped suburbs in the form factor of a green lung, cleaning and oxygenating our city's air. The bush provides a home already to the many flora and fauna we pride our city in housing. And it offers a recreational space for numerous members of our community, in a way we find is disappearing alarmingly fast!

Our native green spaces are sacred to a great many people for countless reasons, both practical and sentimental. The consideration of furthering overdevelopment despite our community's cries makes abundantly clear that our governing bodies do not always have our best interests at heart, nor clearly mind.

If approved, these 450 properties will in time become a gateway to further development and destruction. Our road networks will be forced to expand to accommodate the influx of residents, and in the meantime our already-failing arterial networks will suffer.

This development proposal must be ceased. SAVE LIZARD ROCK and the surrounding area. Or else development will kill the last corner of a true green Sydney.

Submission Type

I am making a personal submission

Title

Miss

First Name

Taylah

Family name

Portelli

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

taylahportelli@gmail.com

Suburb/ Town

Dee why

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

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Submission Type

I am making a personal submission

Title

Mrs

First Name

Janine

Family name

Portelli

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

fusabox@gmail.com

Suburb/ Town

See why

I have made a reportable political donation

No

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submission

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Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

North Narrabeen

I have made a reportable political donation

No



I agree to the Privacy statement

submission

The development proposal of Patyergarang (formerly Lizard Rock) is a proposal not in the best interest of the Northern Beaches.

The area is in prone areas to bushfires, a factor which evidently has not been taken into account. And with summers becoming hotter, the risk of bushfires increase.

Another issue is the lack of infrastructure in the area. The major road connection in the area is Wakehurst Parkway, a road which is congested on a good day and flooded on a bad day.

For these reasons, I strongly suggest that the Patyergarang proposal does not proceed.

Submission Type

I am making a personal submission

Title

Ms

First Name

Yvette

Family name

Fuser

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

yvette@imtheblacksheep.com

Suburb/ Town

Dee why

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

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This development proposal must be ceased. SAVE LIZARD ROCK and the surrounding area. Or else development will kill the last corner of a true green Sydne

Submission Type

I am making a personal submission

Title

Mr

First Name**Family name**

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Mosman

I have made a reportable political donation

No



I agree to the Privacy statement

submission

Hi,

Im a 24 year old local who grew up in and works on the northern beaches. I still live near by and I don't understand why people would want to destroy bush land for a tiny amount of housing, which I'm sure will be not be social or affordable. Why anyone would allow this to go ahead to me seems ridiculous. This area already benefits the community with access to nature and sacred first nations sites. Destroying this area and polluting its surrounds seems to me a terrible idea. I hope this development is knocked back and many more people can enjoy the area as it now is.

Submission Type

I am making a personal submission

Title

Miss

First Name

Annabella

Family name

Newbold

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

a.newbold@hotmail.com

Suburb/ Town

North narrabeen

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches (north narrabeen) and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or "Lizard Rock" (PP-2022-3802).

I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

This proposal must be refused for the following reasons:

- Loss of habitat for iconic species of flora and fauna such as swamp wallabies. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is irreplaceable.
- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll, and on marine animals that live in the lagoon.
- Loss of Sydney's Green lungs as trees are renown for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.

- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.
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- Negative precedent in the deferred lands – The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an evidence based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning.

Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

Thank you for your consideration

Sincerely,

Name: Annabella Newbold

Signed: ANEBOLD

Email: a.newbold@hotmail.com

Submission Type

I am making a personal submission

Title

Mrs

First Name

Deborah

Family name

Harris

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

debsharris18@gmail.com

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

I strongly oppose the planning proposal to rezone Patyegarang/Lizard rock . There are so many reasons why this proposal should not proceed:

- The environmental impacts of clearing bushland are irreversible. We are seeing the consequences of climate change on a daily basis and removing 51 hectares of carbon capturing flora will exacerbate this problem (It-s-called-frenchs-forest-for-a-reason-and-why-it-is-important) and, therefore, should not be allowed.
- The biodiversity of the area concerned is precious and irreplaceable. It is the habitat for many threatened & vulnerable species, and provides a valuable wildlife corridor. Biodiversity credits can not adequately compensate for what would be lost.
- I am a resident of Morgan Road and public transport is not, and will not be, easily accessible. The topography of the area and the distance to Forest Way means that most residents rely on cars to get around. Although, the proposal implies that new paths will make walking to bus stops feasible, the terrain means that the majority will not be able to or will choose not to select this option. The result will be a car dependant community which will negatively impact the environment and cause further traffic congestion.
- The site is rated as being at high risk of bushfire. Although there are details in the proposal of improved bushfire protection, it is not sufficient. The zoning and lot sizes proposed are inappropriate for an area at high risk of bushfire. Also, the impact on the aged care and child care centres in the event of an evacuation has not been considered.
- The zoning (R2) and lot sizes proposed are not in keeping with the area and will lead to further development applications by other landowners once the precedent has been set. If any rezoning is allowed it should be a conservation zone to preserve the environmental value and character of the area.
- The modelling of future vehicle movements out of the site is groundless and contradictory. It predicts that the main route used by the new residents to exit the site will be a left turn onto Forest Way (50%) as opposed to turning right onto Forest Way (20%) or using the Wakehurst Parkway junction (30%). This modelling assumes that a significant number of people are travelling to the City or the Chatswood area which contradicts the statement on page 9 "the majority of work related trips to the area surrounding the site originate from the Northern Beaches area". The modelling predicts that the increase in traffic will not lead to any unacceptable delays at the exit junctions in peak hours. This modelling is unreliable and doubtful.
- The transport assessment states that traffic will be provided "with a good quality travel route east towards the Wakehurst Parkway" with average wait times at the Wakehurst Parkway

junction of between 2 and 4 seconds. As a regular user of this junction currently, I dispute these wait times. Users frequently have to wait over a minute and often up to five minutes at peak hours at present, without any additional traffic. This junction is not wide enough to allow traffic turning right to queue separately from traffic turning left resulting in long queues at peak hours. The transport assessment does not address these issues at all.

- Flooding risk will inevitably increase due to the removal of greenery and the introduction of hard surfaces especially with the lot sizes proposed. It is understood that measures will be taken to attempt to prevent increased runoff but it is unlikely that the absorption and evaporation processes of nature can be replicated. Oxford Falls Road and the Wakehurst Parkway have flooded regularly in recent years resulting in their closures. The proposal makes no mention of any measures to be taken to ease the significant traffic disruption these closures cause.
- Morgan Road is a rural style road with many corners, inclines and declines. Exiting residences in a car is difficult currently without further traffic and junctions. The proposal does not address this safety concern.
- The majority of Morgan Road is not furnished with storm water drains or footpaths. The proposal does not mention providing these features or any other required upgrades.
- Another aspect of Morgan Road, sadly, is wildlife roadkill. As a resident I routinely check wallabies killed by cars for joeys in their pouch, and transport injured wildlife to vets for treatment. This development would inevitably increase the roadkill numbers. The proposal does not contain any measures to attempt to minimise this problem.

Finally, I am concerned that there is a lack of independence in the process of assessing the merits of this proposal and deciding if it should proceed. It appears to me that the NSW Department of Planning are assisting MLALC with their proposal and that the same department is receiving and assessing submissions about the proposal. I ask that an Independent Authority be appointed to assess the public submissions on this proposal.

Thank you for your consideration.

Submission Type

I am making a personal submission

Title**First Name**

Marc

Family name

Taylor

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

marcw.taylor@gmail.com

Suburb/ Town

North narrabeen

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

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Thank you for your consideration
Sincerely,

Name: Marc Taylor

Signed: MTAYLOR

Email: marcw.taylor@gmail.com

Submission Type

I am making a personal submission

Title

Mrs

First Name

Deborah

Family name

Stracey

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

stracey40@gmail.com

Suburb/ Town

Frenchs Forest

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No

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I agree to the Privacy statement

submission

I strongly object to the planned development near LizRd Rock. I have lived in the area for 30 years and often bush walk around the proposed development. The loss of mature trees and bush will be devastating for the many native animals in the area. It is a gross overdevelopment.

Traffic in the area is already very heavy and this will make it much worse particularly since the upgrade to Mona Vale Road has been discontinued.

I object strongly to this development.

Deborah Stracey

Please acknowledge receipt of this objection.

Submission Type

I am making a personal submission

Title

Ms

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Collaroy

I have made a reportable political donation

No



I agree to the Privacy statement

submission

Save lizard rock - once it starts, how much more bush land will we lose.

Submission Type

I am making a personal submission

Title

Mrs

First Name

Erica

Family name

Nash

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

nashj_e@bigpond.com

Suburb/ Town

Kenthurst

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Dear Sir

Please see the attached submission regarding the Patyegarang Planning Proposal.

Kind regards,

Erica Nash

Mrs Erica Nash
137 Pitt Town Road
Kenthurst NSW 2156

November 7, 2023

The Chair,
Sydney North Planning Panel
Lock Bag 5022
Parramatta NSW 2124

Re: PP-2022-3802- The Patyegarang (formerly Lizard Rock) Planning Proposal

Dear Sir,

Although I do not live in the Northern Beaches Council area, I have spent the best part of 60 years driving through Belrose on my way to visit extended family members living in Narrabeen and Allambie Heights and one of the best parts about the drive is being able to see all the native trees and shrubs lining the road including the distant vistas of native bushland.

Therefore it came as a surprise to learn of the Patyegarang subdivision proposed by the Metropolitan Local Aboriginal Land Council (MLALC) involving 71 Hectares of bushland situated off Morgan Road in Belrose in order to provide low cost housing including a cultural centre.

I read that one of the original plans for the area proposed by the MLALC in 2013 was to make this parcel of land a National Park which would have been managed by First Nations People as a way of providing employment opportunities as well as protecting the rich biodiversity and the significant aboriginal history and cultural heritage within its boundaries (Scamps cited by Smart in the Manly Observer December 2022). This idea had merit and could have been extended by providing cycle and walking paths together with properly constructed mountain bike tracks which would avoid causing further damage to sensitive areas. In addition, guided walks offered by First Nations People as part of an indigenous National Park Ranger program would have provided a better understanding about their link to country.

In the current development proposal, it was noted that there are plans to build a Cultural Centre where perhaps the local aboriginal history can be displayed and shared with visitors and First Nations people alike and as a meeting /yarning place. The location of this structure is not far from nearby rock engravings which are spread around the site together with a traditional yarning circle and this would afford protection to these sites. Overall, this part of the plan is a positive step towards healing, reclaiming a place of spiritual importance and providing reconnection to country.

Although the need to raise funds by the MLALC through the building of homes to fund future projects is understandable, the proposed urban development at Patyegarang is inappropriate for the following reasons:

Firstly, much of the surrounding terrain at the proposed site is undulating, comprising Hawkesbury sandstone ridgelines with extensive rock shelves and outcrops and in some sections the terrain is characterised by steep slopes plunging into the heavily forested valley below. In one of these gullies sits Snake Creek which receives its input from many ephemeral streams that drain from the ridges. Snake Creek forms part of the Narrabeen Lagoon catchment and this habitat supports a variety of threatened species such as the [red-crowned toadlet](#) and [spotted-tail quoll](#). (Department of

Primary Industry and Environment). Also found in the catchment are other vulnerable species such as *Grevillea caleyi*, *Tetratheca glandulosa*, Eastern Bentwing bat, Southern Brown Bandicoot, Heath Monitor, Powerful Owl, Osprey, and the Black Bittern (Friends of Narrabeen Lagoon Catchment).

The concern here is that if development is allowed to proceed, Snake Creek could be impacted by increased stormwater runoff carrying undesirable pollutants which will impact the habitats of both aquatic and terrestrial species including native vegetation, not only in the upper parts of the Narrabeen Lagoon catchment but also manage to reach the lagoon itself. Already it was reported by Hayes Environmental (P.19) that along some sections of the Creek's riparian zone there is infestations of Lantana, Crofton Weed, Privet and other weeds, seeds of which have either been washed down from further up in the creek's catchment or brought in via shoes and bike tread. Following the development of the site, this aspect could possibly deteriorate from human activities close to the proposed conservation zones.

Whilst there has been an injection of funds recently to commence flood mitigation works downstream where Oxford Creek crosses Wakehurst Parkway, what of the fate of Snake Creek and the upper reaches of Oxford Creek in times of heavy rain events. Increased runoff from an extra 450 homes involving rooves, paths, roads, and driveways, will only add to a deterioration along the creek's riparian zones resulting in erosion and perhaps minor flooding through the conservation area and possible effects on the upper reaches of Oxford Creek. I note the comments in the stormwater assessments that culverts will be constructed and a new bridge is to be built at the intersection of Morgan Road and Oxford Falls Road.

Secondly, it is disheartening to read that 47 hectares of native vegetation consisting of coastal sandstone gully forest, Sydney North exposed sandstone woodland and coastal sandstone heath- mallee described as in "a good condition and intact" by ecologists who surveyed the site (Travers Bushfire and Ecology, July 2023; Hayes Environmental 2023) will be razed to make way for 450 homes and associated infrastructure to facilitate movement through and around the area. Approximately 19.8 hectares will be designated as a conservation zone across the south and east of the development together with an additional 6.9 Ha of native vegetation in reserves and corridors, however the safety of the latter is questionable due to impacts associated with the development process (Hayes Environmental – Summary piii 2023). However, as Hayes Environmental points out, their Biodiversity Development Assessment is a preliminary report and that further assessments are required particularly in the areas of the site where there is steep terrain.

Further biodiversity assessment is important to undertake because often there are species, both plant and animal, which may not have been seen for many years and are thought to be either locally extinct or extinct and there can be some species which have never been formally identified.

What of the wildlife? Where are they to go? The bushland as it stands today within the boundaries of Morgan Road and Forest Way provides a natural corridor to East Garigal National Park (NP), then onto Ku-ring-gai Chase NP. Wildlife could then access

Muogammarra Nature Reserve and Marra Marra NP to the northwest. To the south of Garigal lies Lane Cove NP. Without access to these tracts of bushland to protect large macropods, wombats, birds and bandicoots, and smaller vertebrates such as skinks and invertebrates such as beetles, leaves our unique fauna exposed to increasing predation by dogs and cats and impacts from vehicular strike. In addition, land clearing, destroys large old trees which provide hollows for cockatoos, possums, gliders and bats as well as food sources for a variety of birds and other wildlife. The fact is that woodlands and forests need wildlife and birds, just as much as our unique fauna and flora needs these vegetation types to survive. The more bush is cleared for urban development, results in wildlife being forced into small, isolated pockets to the point where life is unsustainable.

To this end, should the sub division progress, every attempt should be made by the developers to provide wildlife bridges, tunnels and elevated rope crossings, the latter to enable possums and gliders safe passage to bush on the other side of widened roads.

Thirdly, save for the southern section of the proposed development, the remainder of the site is located on the urban bush interface and on bushfire prone land. Both Garigal West NP and Garigal East have a history of bushfires within the reserves. The last largest fire in Garigal East NP occurred in 1994 when virtually the entire park (1006Ha) was burnt (Garigal NP Fire Management Strategy) Although there has not been significant wildfire activity since then in this section of the Park, the more development which occurs close to Park boundaries the more likely fires will start due to human activities. Under the influence of climate change, SE Australia will experience more frequent episodes of drought conditions, followed by periods of intense rain resulting in ground fuel build up from trees shedding bark and leaves. Even though the plan is to remove 44.7 hectares of bushland at this site, a fire starting in the nearby National Park, under the right conditions in terms of temperature/ humidity levels and the degree of dryness in the landscape, pushed by a strong northerly or north westerly wind will move quickly with embers falling well ahead of the fire front and Patyegarang could be impacted. Allowing people to live on the urban- bush interface on sloping ground will place them at a greater risk, as fire moves more quickly up steep slopes regardless of how much vegetation is present around people's homes and it can even move very quickly across mown grass producing a flame height in the vicinity of 30cm. Then there is the added complication of evacuating people to a refuge via the safest route.

In summary, for the reasons previously stated, the chief concerns regarding the proposed subdivision and as to why it should not proceed, centre around the proximity of the development to Garigal National Park in terms of Bushfire impact and the provision of wildlife corridors , stormwater runoff and its effect on the different vegetation communities together with the impact on Snake Creek and all biodiversity which depends on this habitat and last but not least the destruction of so much bushland, which currently provides habitat for a myriad of invertebrates, birds, flora and fauna.

Thank you for the opportunity to comment.

Kind regards,

Erica Nash

References:

- Craig and Rhodes- Flood Impact and Risk Assessment Report for the Morgan Road Development.
- Department of Primary Industry and Environment (NSW) threatened species information.
- Friends of Narrabeen Lagoon Catchment February 2020 Newsletter.
- Garigal National Park Fire Management Strategy- Department of Environment and Conservation National Parks and Wildlife Service. Sydney North Region.
- Smart, Alec citing Dr. Sophie Scamps MP for Mackellar in the Manly Observer December 2022
- The Sydney Morning Herald October 22, 2023- "Lizard Rock housing development renamed, still fails to win over locals. Article written by Mary Ward.
- Travers Bushfire and Ecology- Bushfire Protection Assessment. Planning proposal for the Patyegarang Project July 28, 2023
- Preliminary Biodiversity Report Development Report. Proposed zoning of deferred lands, Patyegarang Project. Prepared by Rebecca Hogan July 2023 for Hayes Environmental group.

Submission Type

I am making a personal submission

Title

Mrs

First Name

[REDACTED]

Family name

[REDACTED]

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Frenchs Forest

I have made a reportable political donation

No

☒ I agree to the Privacy statement

submission

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Thank you for your consideration

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Submission Type

I am making a personal submission

Title

Mrs

First Name

[REDACTED]

Family name

[REDACTED]

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Frenchs Forest

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Submission Type

I am making a personal submission

Title

Ms

First Name

[REDACTED]

Family name

[REDACTED]

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Frenchs Forest

I have made a reportable political donation

No

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Thank you for your consideration

Sincerely,

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Submission Type

I am making a personal submission

Title

Mr

First Name

Glenn

Family name

Duncan

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Glennduncan10@optusnet.com.au

Suburb/ Town

Mona Vale

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Regarding PP-2022-3802 (Lizard Rock at Belrose).

We are not opposed to this area of land being handed back to the Metropolitan Land Council but strongly oppose it's intended resale and subsequent to that being broken up and sold through sub-division as individual housing lots.

This whole aea at Belrose drains down to Oxford Creek, and from there through Deep Creek into Narrabeen Lagoon. Unfortunately, through decades of over development already in the Belrose, Terry Hills and Ingleside areas, Narrabeen Lagoon and it's feed in creek systems are already highly silted and through this, significant flooding of these areas is a result with an on flow into the Lagoon that is now so silted up in the Western Basin end as to be almost impossible to even paddle a canoe where once, in the late 70's and early 80's, speed boats used to run around the area unhindered. With having lived in Elanora Heights overlooking Deep Creek for over 30 years, we also know full well the propensity for bush fires throughout the whole of the Narrabeen Lagoon catchment area, of which Lizard Rock at Belrose is a major part. This area also forms one of the last of the remnant bushland on the Eastern side of Belrose with the down slope to Narrabeen Lagoon and as such should never be developed or interfered with in any way as is irreplaceable. I strongly urge the Planning Panel to disallow any subdivision or on sale of this area and that it stay with the Land Council in an untouched form for their care and maintenance as was originally intended and implied with the initial Native Title grant. Thank you.

Submission Type

I am submitting on behalf of my organisation

Title**First Name**

Kate

Family name

Eccles OAM

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

mosman.parks@gmail.com

Suburb/ Town

Mosman

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

The Mosman Parks & Bushland Association profoundly regrets the loss of biodiversity and bushland that the development of Patyegarang requires.

The Cultural Centre is supported.

If the development is inevitable Mosman Parks & Bushland respectfully requests that consideration be given to reducing the development area and increasing the Environmental Conservation Area.

MPBA would also like to recommend that vegetation around the development area should be native species that are indigenous to the area.

The Cultural Centre could contain a natural history section to complement the Aboriginal culture.



Mosman Parks & Bushland Association

November 7, 2023

Department of Planning and Environment

<https://pp.planningportal.nsw.gov.au/ppr/under-exhibition/patyegarang-morgan-road-belrose>

Northern Beaches Aboriginal Land

PATYEGARANG PLANNING PROPOSAL

The Mosman Parks & Bushland Association (MPBA) was formed in 1964 to protest against bushland being bulldozed on Bradleys Head. Among its founding members were the Bradley sisters who developed the system of bush regeneration now known as the Bradley method. The book by Joan Bradley, "Bringing Back the Bush" is a handbook still used by bush regenerators hoping to return bushland to the condition we assume it was in at the time of colonisation. Our members continue to promote and apply the Bradley method in the spirit of caring for country.

It grieves us therefore, to see the loss of so much bushland in the Patyegarang Planning Proposal.

Aboriginal heritage should be respected, protected and conserved. We applaud the proposal for a cultural centre near Lizard Rock and public open spaces focusing on Aboriginal heritage and Aboriginal cultural awareness. We note that there has been damage to archaeological engravings within the development site including those on Lizard Rock.

Natural heritage should also be conserved. The current development proposal is for 450 or 500 or 423 dwellings and leaves only 19.8 hectares (28% of the total site), as bushland zoned C2 Environmental Conservation. The area proposed for development is observably rich in native species. Loss of habitat is a key threatening process in the loss of biodiversity.

Offsets. Our understanding from the Preliminary Biodiversity Development Assessment (PBDA) Report is that the effect on several threatened fauna and flora species will require biodiversity offsets. This Association does not have great faith in the ability of offsets to counter the actual decline in native ecosystems and species.

RE2 zoning for habitat corridors. We note that a further 6.9 hectares within the development zone of the property will be retained in a natural condition, and that some of these including the riparian corridors will be zoned RE2 Public Recreation. We appreciate the intention to protect habitat for threatened species, but the PBDA Report acknowledges the risks to threatened species within the developed residential zone.

Asset Protection Zones for bushfire protection. Notwithstanding the attempts to preserve some natural vegetation and to protect mature trees, the APZs for the development area are necessarily extensive. Roads, fire trails, water supply and planned removal of areas of bushland to allow safe evacuation all contribute to the loss of bushland.

Social Impact Statement.

GYDE Consulting, in its Social Impact Statement acknowledges that a "Major Negative" of the proposal is its impact on biodiversity and that offsetting will be required.

Mosman Parks & Bushland acknowledges the positives of the proposal:

- The protection of Aboriginal heritage and its promotion of cultural awareness
- Economic benefits for MLALC and its community in that it proposes 10% social housing, intended particularly for First Nations residents
- Open spaces, walking tracks and recreational facilities for future residents
- Improvements and protection of waterways

Conclusion

The loss of biodiversity is just too great. This bushland area with its endangered species should be protected and conserved. The loss of these bushland remnants when we allow them to be developed is cumulative. Once lost it is gone and we are all losers.

If the development is inevitable

- Mosman Parks & Bushland respectfully requests that consideration be given to reducing the development area and increasing the Environmental Conservation Area.
- MPBA would also like to recommend that vegetation around the development area should be native species that are indigenous to the area.
- The Cultural Centre could contain a natural history section to complement the Aboriginal culture.



Kate Eccles OAM
President

Submission Type

I am making a personal submission

Title

Mr

First Name

[REDACTED]

Family name

[REDACTED]



Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

[REDACTED]

Suburb/ Town

Beacon Hill

I have made a reportable political donation

No



I agree to the Privacy statement

submission

Dear Sir/Madam

I am a local resident on the Northern Beaches and am writing to oppose the proposed rezoning of land at Patyegarang, Morgan Road, Belrose, or "Lizard Rock" (PP-2022-3802). I write on behalf of those who cannot write a submission for themselves – the wildlife that live at Lizard Rock, and the future generations who have a right to a healthy natural environment.

This proposal must be refused for the following reasons:

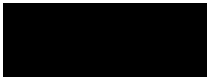
- Loss of habitat for iconic species of flora and fauna such as swamp wallabies. This bushland forms part of a wildlife corridor connecting private land, Garigal National Park, and Narrabeen Lagoon State Park. This area has high biodiversity value and is irreplaceable.
- Impacts on the Narrabeen Lagoon Catchment as stormwater from the development will flow down hill, with less bushland to filter the water before it enters the estuary. This will impact on threatened species including the red-crowned toadlet and spotted-tail quoll , and on marine animals that live in the lagoon.
- Loss of Sydney's Green lungs as trees are renown for their ability to improve air quality, help to cool urban areas, and draw down carbon from the atmosphere into the ground. With the threat of climate change, every tree plays an important role in drawing down carbon, and helping to mitigate urban heat impacts.
- Some of the sites are at significant risk of bushfire events. This would mean we are building houses in places we know that people may not be safe in the future. Northern Beaches Council has obtained independent advice on bushfire risks at the Lizard Rock site, which identified that the site includes areas of Very High – Extreme risk. The report also identified concerns about

the safety and viability of evacuation. This proposal will likely require significant asset protection zones, which would further erode the wildlife corridor.

- Traffic and urban sprawl – this proposal will create problems with urban sprawl, as more houses are built away from urban centres, and so the residents will be reliant on cars, rather than being within a short walk or bus ride to places. This will contribute towards local traffic congestion on Forest Way, Wakehurst Parkway, and Warringah Road.
- Broader Strategic planning implications - the proposed housing is happening in isolation to the broader strategic planning being done by Northern Beaches Council to meet housing needs and plan for issues such as traffic and services in a holistic way across the entire Northern Beaches.
- Negative precedent in the deferred lands – The Northern Beaches Council is undertaking a strategic review of land use in the Metropolitan Rural Area in Oxford Falls and Belrose. Using an evidence based approach, the Council's draft plans are to zone private land in this area as Rural and C3 Environmental Management zoning. Approving the planning proposal would create an inappropriate precedent that other landowners in the MRA can also seek a spot rezoning, further eroding the remaining bushland on private land.

Thank you for your consideration

Sincerely,



Submission Type

I am making a personal submission

Title

Mr

First Name

Nathaniel

Family name

Murray

☐

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

z3060465@gmail.com

Suburb/ Town

Belrose

I have made a reportable political donation

No

☒

I agree to the Privacy statement

submission

Please find attached written objection to the proposal.

07 November 2023

Department of Planning, Industry and Environment,
Locked Bag 5022,
Parramatta NSW 2124

**SUBMISSION OF OBJECTION TO PP-2022-3802
Patyegarang (Lizard Rock) Morgan Road, Belrose**

Dear Sir/Madam,

As a resident of Belrose, strong objection is made against Planning Proposal PP-2022-3802 Patyegarang, Morgan Road, Belrose.

1.0 PROCESS AND STRATEGIC JUSTIFICATION

Firstly, objection is NOT made on the basis that this is Aboriginal land, or that it is being proposed on behalf of the Metropolitan Local Aboriginal Land Council (LALC). This is also not a case of a community against all development. The objection is made purely on the basis that this is strongly considered to be the wrong development in the wrong location.

It is a shame that we have even had to mention the difference between Aboriginal and non-Aboriginal land and planning pathways. Planning decisions such as this shouldn't be based on identity politics; however, this seems to be the only way in which this land would ever be considered for redevelopment.

The community has previously heard from within the Department of Planning, Industry and Environment that the former Minister for Planning and Minister for Homes, Anthony Roberts, had the aim of making *State Environmental Planning Policy (Aboriginal Land) 2019* his legacy regardless of submissions. Using the ability of the SEPP to bypass local government decision-making, we've been told to not bother making submissions as the Minister has created the pathway to achieve economic self-determination of Aboriginal communities regardless of all other considerations which are not being given the weight and consideration they would if this were not an Indigenous proposal.

While admirable, the outcome of self-determination should not be at the extent of such vast adverse outcomes for the environment, traffic, bushfire risk, flood risk, and destruction of existing communities as compensation for past wrongs.

This process is only serving to ruin existing communities under the guise of recompense for another community – a community who owns the land under the premise of spiritual and cultural connection and yet willing to throw that away for profit.

The development of the Site has been previously refused on strategic, environmental, hazard, social, and amenity bases by Council on numerous occasions.

The independent review process for plan making decisions under Part 3 of the *Environmental Planning and Assessment Act 1979* for land identified in the *State Environmental Planning Policy (Aboriginal Land) 2019* has been manipulated and this continues in the next stage of the process which allows this Planning Proposal to get to this stage. This is clear from the exhibited documentation which make unfounded motherhood statements such as:

- *These sites provide the opportunity for development that is consistent with the strategic directions in the North District Plan by providing the opportunity to plan for the future of MLALC land and enable economic independence.*

Nothing in the District Plan supports, suggests, or encourages the development of the land in question.

- *These sites enable the provision of new housing that would be delivered in conjunction with the implementation of environmental and cultural conservation practices and maintenance of the site.*
- *These site can increase diversity and supply to assist in reaching the North District and Northern Beaches LGA housing demand. The proposal would boost housing supply and diversity in the locality*

The housing supply for the Northern Beaches as envisaged by the District Plan does not rely on, or require the land in question and in fact, places the development of strategically identified Sites suitably located at risk as the infrastructure will be clogged up (for example, the Northern Beaches Hospital Precinct only a short distance down Forest Way which has stalled in density uplift due to traffic and infrastructure bottlenecks now to be compounded by more traffic heading towards the City).

The exhibited documentation attempts to make a tenuous link to the Northern Beaches Local Strategic Statement and Local Housing Strategy, knowing full-well that the land in question is outside the centres nominated to achieve the housing growth, playing up the role of conservation that these developments will achieve.

The community would much rather see the FULL protection of these culturally significant and ecologically significant spaces. Aboriginal economic self-determination and protection of these areas could be better achieved via a land swap agreement that grants surplus State Government-owned land that does not have the same level of ecological, social and cultural significance. The highly valued land at risk of destruction would then be protected for Aboriginal and wider community benefit.

The process for including land under the SEPP was supposed to involve a Strategic Merit Test followed by a Site Specific Merit Test. As outlined in Planning Circular 19-003 relating to the operation and function of the SEPP:

The key factor in determining whether a proposal should proceed to a Gateway determination should be its strategic merit. The strategic merit test involves assessing proposals to determine if they are:

- consistent with the relevant development delivery plan for the land to which the proposal applies; or*
- where no development delivery plan has been published, consistent with any relevant interim development delivery plan, published on the Department's website, or*
- consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan, within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- consistent with a relevant local strategy that has been endorsed by the Department; or*
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls*

The proposal fails on each matter for consideration at this first step. This is also evidenced by the constant refusals at the local Council level for past applications on this land.

This is supposed to be a 'pilot' in the establishment of a framework for Aboriginal Land across the State in the future. The action so far is woefully deficient to provide any credibility to the process. It is clear lip service to undertaking some sort of process, or tick-box exercise, simply to get this project to the next stage. Much of the documentation provided in support of the proposal speaks in very broad terms and do not speak to the specific Site issues at all. The narrative to simply seek a decision to "do the right thing" as compensation for past wrongs. While this is arguably how Native Title works, this is not how the planning system works for the development of that land that has been successful in a native title claim. This is and should be assessed as a development site the same as any other.

A lot of the information presented to justify the proposal it is completely confusing as to how the authors have arrived at the recommendations and conclusions. For example, random selection of objectives from the Metropolitan Strategy are regurgitated, despite there being no basis for of support in that document.

There is no evidence to support any of these motherhood statements. These are the weakest justifications for consistency possibly formulated and are akin to grasping at straws.

At its meeting of 15 December 2020, Northern Council resolved to endorse the draft Local Housing Strategy (LHS) for public exhibition. The public exhibition period was originally proposed from 15 January 2021 to 21 February 2021, however, due to significant public interest, the public exhibition was extended for a further two weeks until 7 March 2021. 622 submissions were received during the exhibition period (plus an additional 32 received after the exhibition period).

Key findings of the LHS work include as outlined in Ordinary Council Minutes for Item No. 12.3 - 27 April 2021:

The North District Plan requires each council to develop 610 year (2021-2025) housing targets specific to the local area through a local housing strategy. The strategy is to demonstrate evidence based capacity for steady housing supply into the medium term and contribution to the district housing target. The Greater Sydney Region Plan prescribes that councils are to work with [Greater Sydney Commission] to establish agreed housing target of 3,500 10 year housing targets. The GSC provided an indicative 610 year 4,000 dwellings for the Northern Beaches Local Government Area (in its letter of support for the making of Council's LSPS.)

[and]

- *We need to plan for a population increase of around 23,000 people, requiring around 12,000 new homes.*
- *We have existing capacity (land already zoned) to provide around 11,743 dwellings, when including the Frenchs Forest Planned Precinct and Ingleside.*
- *Because the difference between existing capacity and projected demand is small (approximately 275 dwellings) there does not need to be major redevelopment to meet this demand.*

As can be seen by this recent process, the housing discussions in the Northern Beaches are not old or outdated. The LHS does not consider this land at all in its forecasted growth. It is dumbfounding to conclude that the development of the land is not inconsistent with all the work that the community has put into this framework. The land simply wouldn't be available for development given its constraints and values under any other circumstances.

The LHS does not the Site at all as a potential growth location but shows this area as 'future Metropolitan Rural Area' investigation. Metropolitan Rural Area is defined in the LHS as "areas within the metropolitan boundary that are outside of the planned urban area". The selection criterion for such development is focused on the "the right locations" and states:

Priority	Principles
Priority 15 Housing supply, choice and affordability in the right locations	<ul style="list-style-type: none"> • Locate new housing in strategic and local centres and within reasonable walking distance (800m) of high-frequency public transport. • Provide greater housing diversity and affordable housing options. • Limit development where there are unacceptable risks from natural and urban hazards, or impact on tree canopy • Use existing urban land more efficiently to protect the natural environment. • Safeguard employment lands from non-compatible uses, particularly residential and mixed-use development. • Ensure new buildings are high amenity and do not unreasonably impact on neighbouring properties and the public domain. • Encourage adaptable and universal design • Sequence growth with provision of public transport, open space and other infrastructure in strategic and local centres. • Ensure new housing is designed to complement local character, heritage and the environment • Contribute to a public benefit and better urban design outcomes. • Ensure new residential development is located within 400m of open space and high density areas within 200m of open space. • Ensure development is low-carbon with high-efficiency in energy, water and waste.

The Planning Circular for *State Environmental Planning Policy (Aboriginal Land) 2019* continues:

Having passed the strategic merit test, the relevant planning panel or the Commission must then determine if the proposal has site-specific merit, having regard to:

- *the social and economic benefit to the Aboriginal community facilitated by the proposal;*
- *the natural environment (including known significant environmental values, resources or hazards);*
- *the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and*
- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangement for infrastructure provision.*

The proposal should not even get to this stage, having failed the first test. In any event, the proposal fails these matters for consideration given the substantial ecological, bushfire, flooding, and traffic constraints.

It would appear that the only matter considered throughout the entire process has been a so-called social and economic benefit for the Aboriginal community. Even this is misconstrued (see **Section 2.0** below).

From review of the available documentation, it can be determined that the proposed development is of a type, scale and scope inappropriate for the Site as it will result in significant amenity impacts, is environmentally damaging on a large scale, socially exclusive, poorly planned, and leaves many questions in relation to potential impacts and implementation unanswered.

In particular,

- the justification that the Site be rezoned on the basis of compliance with local, state and regional planning priorities in unfounded and poorly connected to any well-founded planning principles;
- the proposal is inconsistent with relevant Ministerial Directions and should not proceed on this basis alone;
- the proposal fails to achieve basic environmental considerations (including the misguided attempt at offsetting significant impacts as an excuse to clear significant vegetation even though the areas to be certified would never be approved for removal by any self-respecting authority in any event);
- the proposal is supported by an indicative layout that has no connection to the existing community, and reinforces the inward-looking design through self-benefiting open space;
- we know from previously refused applications that the LALC claims to provide new roads and open space as benefits, while these features truly only support the estate itself;
- there is no discussion on the traffic impacts when combined with the likely impacts to result from a fully implemented Northern Beaches Hospital Strategy which will rezone land for more housing and jobs;
- the proposal does not mention any traffic implications for the Forest Way/Warringah Road intersection despite this being the most logical route for new residents to access the City. What also happens if the Ralston Avenue Site nearby (which is also listed under the SEPP and capable of being a Planning Proposal in its own right) also gets rezoned. The cumulative traffic has not modelled this future scenario.
- the proposal relies on generalised motherhood statements about housing choice which appear to hit the right “buzzwords”, but are based on no solid research (it is simply illogical to claim that housing choice will improved by development that provides new low-density lots in a locality where the existing housing mix already contains 86.8% detached housing according to ABS, 2011);
- the so-called other benefits used to justified the proposal is based the money to be directed to Aboriginal and Torres Strait Island support programs. The amount estimated under previous applications for this land is miniscule in relation to the profit to be achieved and should be supplemented by additional monetary contributions to the Council for investment in a nominated local Aboriginal community under a Voluntary Planning Agreement (should the development proceed) if the intention truly is a community focus.

While there are a number matters that should cause immediate refusal of the proposal in their own right, the combined or cumulative effects provide no doubt to a refusal.

If for any reason, the LALC is successful in achieving any form of development on the subject land, it is reasonable to expect an alternative, smaller-scale approach that responds to the site area, constraints and context for this Site. The loss of amenity for surrounding properties should not simply be viewed as an inevitable outcome as there is ample opportunity for an appropriate design response to remove all issues on

this site where the site's capacity, protection of amenity, environment, traffic, and community cohesion/benefit are considered above clear overdevelopment for maximisation of economic return.

2. POOR PLANNING JUSTIFICATIONS

As with the previous applications refused, the proposal relies on three (3) main justifications to support the development of this land:

1. Housing supply/choice,
2. Environmental Protection for the remainder of the land,
3. Community benefit, comprising:
 - a. Funding for Aboriginal and Torres Strait Island Programs/Initiatives
 - b. Benefits for the immediate locality

None of these have any significant weight to the extent that they overcome the ecology, hazard, social, and amenity impacts for the following reasons:

Housing Supply/Choice

The housing supply targets in the Metropolitan Strategy relied upon for the listing of the Site are targets to be provided in *appropriate* locations focused on transit-oriented development and should not be at the expense of environmental protection, or amenity on existing residents.

The proposal specifically mentions priority areas of the State Government and uses very broad directions about growth across the State to justify the listing. However, any and every application can rely on such broad policy direction in this manner, and there is nothing in any strategic plan that supports this proposed location.

In essence, it is clear that the Site is NOT the subject of any relevant strategic study or report that specifically identifies this location as being suitable for the proposed rezoning.

The justification also relies on "improving housing choice" which is a joke. According to the 2016 Census (ABS, 2016), Belrose has a total number of 3,012 private dwellings. Of these, 73.4% (2,213 dwellings) are single-detached dwellings, 20.3% (613 dwellings) are town house or terrace style dwellings, 0.9% (27 dwellings) are units or flats, with the remaining being other (caravan, moveable dwelling), or unstated.

New medium density housing is being developed around the Glenrose Shopping Centre complex 1.5km south of the Ralston Avenue Site which has services and transport suitable for such growth, not to mention the Northern Beaches Hospital Precinct Strategy intentions.

Within this context, what housing choice problem is being addressed by this Site?

The LALC has previously claimed the development will provide for the "delivery of additional housing with a high level of amenity and walking distance of existing

services.” The traditional, well-adopted pedestrian walkability radius to determine accessibility is between 400m-800m. No services existing within this distance of the proposed dwellings and is a farcical statement which relies on Forest Coach Lines to “extend” their routes to accommodate the development.

The protections should instead be focused on the unique location of important and quality bushland so close to the Sydney Central Business District.

Environmental Protection

It is noted that the proposal for the rezoning and development of the land relies heavily on the provision of ecological protection for this land given its biodiversity potential. The application to list the land under the Aboriginal Lands SEPP conveniently flipped this to find that the Site has no biodiversity value (as did the Ralston Ave Site nearby – see extract below). Yet at the Planning Proposal stage, documentation submitted (e.g. the Social Impact Assessment summarised “The proposal is almost certain to have a major negative impact on the biodiversity of the site, and will exceed the Biodiversity Offset Scheme Entry Threshold, and therefore will require an off set. The primary purpose of offsetting is to facilitate development in an environmentally sustainable manner and to ensure development does not have unacceptable impacts on native ecosystems and species. The ambience of the location is implicitly linked to its bushland quality, and a change to the overall nature of the Site and the loss of biodiversity may have a negative impact on the character of the broader locality.”. How can anything in these submissions be relied upon when the words used as placating and as simply put forward to get the next box ticked.:

Overview of the Strategic Assessment

The strategic assessment provides contextual analysis, high level strategic analysis and prioritisation of land owned MLALC within the Northern Beaches LGA. This study comprises 3 phases:

- Contextual analysis within MLALC portfolio.
 - Site specific review of constraints and opportunities on 9 sites, including:
 - Relevant statutory planning context
 - Aboriginal and European cultural heritage and value
 - Flora and fauna
 - Flooding and drainage
 - Slope
 - Availability of infrastructure
 - Bushfire risk
 - Statutory planning controls, including Local Environmental Plans (LEPs) and Development Control Plans (DCPs) provisions
 - Priority site assessment using multi-criteria analysis to identify land suitable for development and/or conservation and an indicative order of future planning and investigation. Six short and medium term potential sites are included in this DDP.
- A summary of this information is at right in Table 1.
- The site summaries for each site are in Annexure 2.
- Sites identified for long term potential at Belrose and Frenchs Forest have not been included in this DDP.

Table 1: Overview of the Strategic Assessment

Priority	Site	Inclusion in ALSEPP	Development Potential	Biodiversity Potential	Planning Pathway
Short term	Site 1 Morgan Road, Belrose	✓	✓		• Inclusion in ALSEPP • Planning proposal • Development application
Medium term	Site 2 Aquatic Drive, Frenchs Forest	✓	✓	✓	• Inclusion in ALSEPP • Further investigation • Planning proposal • Development application
	Site 4 Forest Way, Belrose	✓	✓		• Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 5 Corymbia Circuit, Oxford Falls	✓	✓	✓	• Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 6 Paxton Street, French Forest	✓	✓		• Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 9 Ralston Avenue, Belrose	✓	✓		• Inclusion in ALSEPP • Further investigation • Planning proposal
Long term	Site 3 Corner Forest Way and Madang Road, Belrose			✓	• Further investigation • Planning proposal
	Site 7 Paxton Street, Poulton Parade and Weardon Road, Frenchs Forest		✓		• Further investigation • Planning proposal
	Site 8 Cromer/Oxford Falls			✓	• Further investigation • Planning proposal



Figure 12: View from the site at Lizard Rock
Source: MLALC

Compare this summary to the ecological overlays showing only the known Endangered Ecological Communities (EEC’s) and threatened species provided and there is a clear disconnect.

The submitted ecology report describes significant loss to environmental qualities. Why is the ecological report available for exhibition only a “Preliminary Biodiversity Development Assessment Report”. A full report with appropriate seasonal surveys must be undertaken throughout the whole year to determine the correct impact.

The offered biodiversity offsets are worthless, as their creation will simply allow for the destruction of existing sensitive areas and only serve to protect residual areas that would not have been impacted by development anyway given its sensitivity.

It is reiterated that the community would rather offset the loss of this quality land with residual State-owned land that the LALC can economically benefit from.

Community Benefit

a. Funding for Aboriginal and Torres Strait Island Programs/Initiatives

There is no commitment that any funds from the development will go to Aboriginal and Torres Strait Islander services in the Voluntary Planning Agreement or other commitment. This is the price they put on the cultural and spiritual link to this land.

This is inadequate and lacks sufficient justification considering that the applicant (and the Minister in originally adding the Site to the Aboriginal Lands SEPP) is relying so heavily on the economic determination and community benefit reasons as a means of justifying the cumulative adverse outcomes.

The retention of the existing environment is worth more to the broader community than the funds to be allocated to the LALC which is simply a payment to achieve greater profits for the Land Council. Not even the Aboriginal Party of Australia is supportive of this approach as evidenced by the representations made at the community rally held on Sunday 13 March 2022 at the Site. I will let that organisation talk to the legitimacy of members of the LALC and where profits truly go.

It is noted that previous dialogue between the LALC and Council has attempted to address the amount of money to be attributed by the LALC to Aboriginal and Torres Strait Island programs/initiates and that the LALC has responded with a legal justification stating that there is no legal requirement to relate to dollar-value of benefits to the profits likely to be made.

This approach completely undermines any positive spin on the economic self determination argument as only a small portion of LALC members will actually benefit. This approach also misses the point that any Voluntary Planning Agreement is in place to provide those community benefits for the ability to develop the Site, despite the fact that it is the applicant themselves who are relying so heavily on a justification that the development must proceed to enable money to be directed to indigenous programs.

Much like a development contribution under 7.11 of the *Environmental Planning and Assessment Act 1979*, there should be a nexus and reasonable relationship between what the developer is getting and what the dedicated and legally protected Aboriginal community benefit will be.

The lack of real community support, even from within the indigenous community whom the LALC claims to represent, is the clearest indication that this whole development is a money-grabbing exercise for the LALC as a developer and not as representative of the community.

The commitments in the Letter of Offer for the VPA relate to matters that will again only benefit the development being proposed. These aren't public benefits. They should be done by the developer in any event but are presented as if the community is getting something from the development proceeding.

b. Benefits for the immediate locality

The benefits being touted to occur from the new open space areas are only to the benefit of the development itself given its proximity away from existing residents and insular design.

Additionally, the provision of a new road within Council's existing road corridor at the Morgan Road/Forest Way intersection is not a true public benefits and such matters should not be regarded as such. These upgrades only benefit the development itself, which is why they have never been needed historically. To claim the community is benefiting from the developer creating new roads that will be self-serving is ludicrous.

Further, how can any new infrastructure in a community title development be a public benefit?

Many of the matters claimed as benefits should be removed from the VPA Letter of Offer can be imposed as general conditions of any consent. Once removed from the VPA it is clear that no significant public benefit that can't already be obtained from a simple development application is presented by the Applicant. There needs to be significantly more genuine contribution to the community until the VPA can be seen as *quid pro quo*.

There is also a question as to why there is no monetary contribution under the VPA for Council to undertake works in the locality? This situation gives Council an opportunity to recover a monetary contribution for works that are not already covered in a Contributions Plan. If the Applicant is so sure that the development will result in Aboriginal support, they should not have an issue allocating funds to Council for Northern Beaches Aboriginal works/programs.

3. BUSHFIRE

The extent of bushfire risk for the site is well-known. The strategy to overcome appears to be the removal of even more vegetation to create buffers. In 2023, following severe bushfire events that have led to legislative reform, surely we can do better as a society and simply do better, especially in the context of recent bushfire tragedies across the state, and the move towards environmental protection. At some point, we need to be able to say this is just not the right location for development.

It is noted that the reports provided to support the Planning Proposal are inconsistent as they states there is a desire to “deliver residential lots, providing new housing supply and diversity with lot sizes and dwelling types (i.e., secondary dwellings and dual occupancies)” as well as new cultural facilities as outlined in the Social Impact Assessment. Yet, the bushfire assessment only considers single detached dwellings which reduces the bushfire risk noting that dual occupancy development will not get signoff from the NSW Rural Fire Service as it is deemed too intensive for the bushfire risk.

4. TRAFFIC IMPACTS

No worthwhile preliminary considerations have been given to any traffic matters as part of the strategic test. The exhibited Transport Assessment fails to address the progress and future impact of the Northern Beaches Hospital Structure Plan, which will have an impact on the Forest Way corridor and Warringah Road intersection, the flooding that frequently occurs to block off Oxford Falls Road, as well as the cumulative impact of the other lands to be rezoned and developed by the LALC in close proximity to this Site along Forest Way and at Ralston Ave Belrose.

In addition, nothing has adequately addressed the lack of connection to public transport for this Site, but instead states *“It is anticipated that travel by bus could ultimately make up approximately 20% of all work related trips from the site – more than double the existing mode share for residents of the area. Based on a conservative estimate of up to 450 dwellings ultimately delivered on the site, this mode share may result in a demand of approximately 200 additional bus trips once the site is fully completed.”*

This assumption is the only way the justification for traffic conditions will work (that is, by having a high proportion of public transport use), but this does not reflect reality and the fact that most Northern Beaches residents own multiple cars and drive to most destinations. The Report itself notes the assumption would be double that already occurring in the area. Why would this new estate be different?

If this assumption has been used to calculate the traffic impact (thereby resulting in a reduced traffic generation in the model), this approach has been seriously underestimated.

Given the length of time that the Applicant has pursued this proposal, it is not unreasonable to expect a statement from Forest Coach Lines confirming that the service will, in fact, accommodate or be extended to support the new estate.

Based on an assumption that the type of dwellings to be provided within the proposed subdivision would be predominantly 3- and 4-bed dwellings, it is not unreasonable to also assume an average of 2 cars per dwelling will be owned. A hypothetical development of, say 450 dwellings, means there would potentially be in excess of 900 vehicle movements per day just for the residential component that are currently not taking place within the locality.

Instead, the Transport Report uses the rate of 0.86 vehicles / dwelling in the AM peak, and 0.89 vehicles / dwelling for the PM peak which is taken as a generic rate from the *RMS Guide to Traffic Generating Development*.

To confirm that this assumption that a higher rate should be used for this location rather than generic NSW data, the 2011 ABS data indicates that the average number of motor vehicles per dwelling is 1.9 in Belrose. As already established, the type of dwellings that would be provided in the future subdivision would not be any different to the predominantly single-detached dwelling character already provided, and a similar demographic can be anticipated.

Travel pattern data as extracted from the exhibited Transport Assessment reproduced below:

2.1 Travel patterns

Journey to work data from the 2016 census for people living in the immediate vicinity of the site is shown in Figure 2. The data indicates that the majority of residents currently rely on private vehicle as a mode of transport for work trips – with only 9% of resident trips made by public transport.

This low proportion of people using public transport is reflective of both the limited nature of public transport services and, in the case of people working in the Northern Beaches area, the relatively unconstrained and free parking environment.

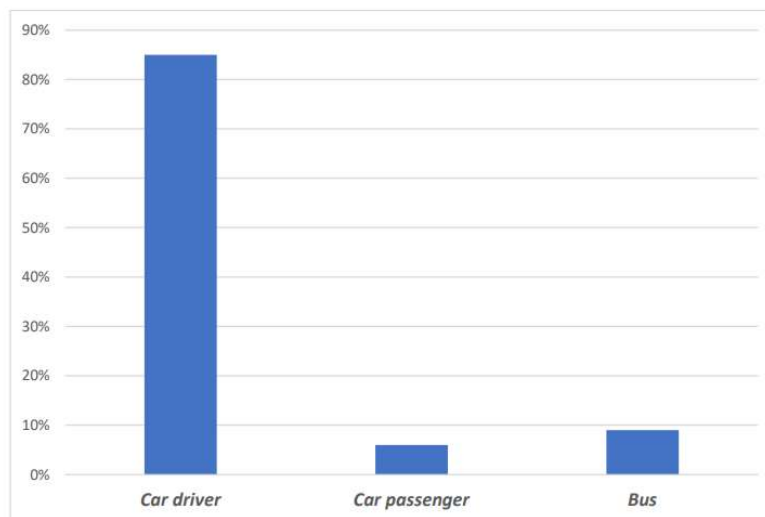


Figure 2 Existing travel patterns of residents adjacent to the site

The Northern Beaches does not have a train station, and the planned B-Line for Warringah Road has never eventuated. The residential growth expectations for the Northern Beaches Hospital Precinct located down the road was severely pulled back due solely on the basis that the transport infrastructure and traffic result could not cope with the influx of the population in this location. Those lands are much closer to services and transport than the land included in the Planning Proposal, and will surround a new town centre in the location of the current Forest High School site. If it cannot work there, it definitely cannot work at the end of these local streets.

An independent review of the Transport Assessment should be undertaken.

5. SLOPE

Parts of the Site are identified as having unacceptable slope risk, or only tolerable with treatment. The required approach to address this hazard will have irreversible impacts on the landscape and go beyond any reasonable approach to respecting the terrain by minimising cut and fill.

The Proposal notes *“Slope stability treatment recommendations to reduce the risk level in locations classified as unacceptable or tolerable upon treatment to tolerable low risk levels, which may include scaling the slope, removal of detached blocks/boulders, installation of rock bolts and consideration of development location. It is also recommended that for any site development a specific slope stability assessment should be undertaken to assess the slope risk based on a detailed site assessment including investigation.”*

In combination with the bushfire risk, flooding, and biodiversity issues, this is clear evidence that the constraints of the Site are not informing the development but being forced to conform to squeeze out inappropriate development. Where else would this approach be accepted?

6. INCONSISTENCY WITH SECTION MINISTERIAL DIRECTIONS

The consideration of Ministerial Directions within the entire process is poorly justified in relation to the following Directions:

1.1 Implementation of Regional Plans

Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

3.1 Conservation Zones

A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land).

3.2 Heritage Conservation

A planning proposal must contain provisions that facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*
- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of*

an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

4.3 Planning for Bushfire Protection

(2) A planning proposal must:

- (a) have regard to Planning for Bushfire Protection 2019,*
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and*
- (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).*

5.1 Integrating Land Use and Transport

A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
- (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).*

6.1 Residential Zones

A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and*
- (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and*
- (c) be of good design*

7.1 Business and Industrial Zones

A planning proposal must:

- (a) give effect to the objectives of this direction, [which are:]*

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified centres.*

How can so many issues be set aside to simply achieve economic outcomes /self-determination outcomes that aren't even quantifiable or guaranteed? While inconsistency with Directions are available on merits, this only applies where such inconsistencies are:

- (a) justified by a strategy which:*

- (i) gives consideration to the objectives of this direction,*
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
- (iii) is approved by the Director-General of the Department of Planning, or*

- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or*
- (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) is of minor significance.*

The proposal fails on all accounts based on the impact of the proposal, which cannot be regarded as minor (see below), the lack of any Strategy or legitimate plan identifying the land as appropriate for rezoning, and the limited justifications provided in the proposal.

No Regional Plan exists that supports the development of the subject land. In fact the Metropolitan Rural Lands Strategy actively aims to prevent such development.

Proposals that are inconsistent with the Metropolitan Strategy cannot be supported under these Directions unless they are of minor significance, AND the proposal achieves the overall intent of the Strategy, AND does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.

The Proposal seems to try and pick and choose which aspects of the Metropolitan Strategy is relevant and ignores the important policy direction of environmental protection, social cohesion and transport-oriented development.

In reality, the Proposal is supported by nothing in the Metropolitan Strategy. Instead, the Metropolitan Strategy provides a structure against which new housing can and should be provided in well-considered locations and not in a manner where environmental protection should not be simply disregarded for housing supply.

Most of the Ministerial Directions aim to achieve cohesive, efficient, and integrated planning outcomes. The proposed development of will achieve nothing other than the new Direction relating to Aboriginal Lands.

How does this achieve any of the following considerations?:

- improving access to housing, jobs and services by walking, cycling and public transport, and
- reduce the consumption of land for housing, and
- broaden the range of housing already in the area, and
- increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- supporting the efficient and viable operation of public transport services, and
- providing for the efficient movement of freight, and
- protecting Aboriginal cultural heritage, and
- ecological protection, and
- avoiding hazards.

7. THE PUBLIC INTEREST

It is considered that the Planning Proposal is not in the public interest due to the significant adverse ecological, and hazard impacts that are to result should the Site be redeveloped.

The Planning Proposal will also adversely diminish the established amenity of the locality, without any genuine attempt at creating social cohesion or benefit.

8. IN SUMMARY

Serious objections to the potential for significant over-development of the Site following the Planning Proposal with little consideration or regard to the surrounding amenity, ecological impact, traffic, and any benefits are expressed.

It is maintained that that proposal cannot be supported by any number of relevant Ministerial Directions that have been disregarded. The combination of inconsistencies confirms that the Site's development is out-weighing other matters of greater cumulative weight.

In essence, the proposal:

- is not supported by any State or Regional planning priorities;
- is inconsistent with relevant Ministerial Directions;
- the proposal fails to achieve basic environmental considerations;
- has no real social connection to the existing community which highly values this land for its current cultural, social, and ecological character and function;
- does not adequately consider transport and traffic implications;
- is unsuitable for warehousing and/or industrial development of any kind.

Redevelopment of this land will result in a redefining of development potential for the locality and defeats all purpose and certainty of the planning framework, thereby undermining any certainty for the community.

It is reiterated that the LALCs approach to this land is not representative of the Aboriginal community and the benefits will not be seen by this group as has been voiced as various community events in relation to this proposal and presumably reflected in submissions made by those indigenous representatives.

To achieve the economic outcomes truly running this program, the NSW Government should instead undertake a land swap with the LALC to provide development potential to that group and enable conservation in public ownership of the Site in perpetuity in replacement of land with fewer values and constraints.

Yours sincerely,

Nathaniel Murray