

**Smith, Greg**

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Dear Jordan,

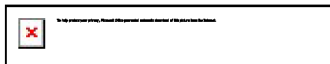
Following my phone conversation with you earlier in the week, Please find attached my submission in objection to DA No. 10.2014.743.5 and its proposed modifications to the development on 43 Matong Drive, Ocean Shores. I have also submitted this submission through the Byron Council Submission portal.

Regards,

**Smith, Greg**

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**From:** noreply@openforms.com  
**Sent:** Saturday, 28 August 2021 6:56 PM  
**To:** council



## 10.2014.743.5 - eForm Submission Object -

### 10.2014.743.5 - eForm Submission of Object -

Contact details	
Name	
Organisation (where relevant)	
Email	
Phone	
Postal address	
Application details	
Development application number	10.2014.743.5
Street address	41 and 43 Matong Drive
Suburb	OCEAN SHORES
Submission details	
Type of submission	Object
Grounds for submission	<p>I am objecting to this DA on the following grounds:</p> <p>1. Interference with the Amenity of the Neighborhood and Compliance with Zoning Requirements. The proposed addition of 2 new dwellings is not in keeping with the R2 Zoning of this street "low density housing where the planning objective is to protect the locality's single dwelling character and landscape setting". The increased traffic resulting from this proposed development will have a particularly adverse effect on</p>

	<p>the communal and ambient nature of the street. Traffic noise is also likely to significantly increase. Additionally, the potential safety risk to children (and the elderly) walking or playing on the street will also greatly increase.</p> <p>2. Traffic volume and traffic management - Matong Drive does not have the infrastructure to adequately support the increased traffic flow that will arise from this development . The street surface is in poor condition. It will create a safety hazard for the many families with young children now living in the street.</p> <p>3. Car parking - all of the proposed 10 dwellings are 3-bedrooms. There are only 2 parking spaces for each dwelling. It is likely therefore that there will be a number of dwellings where there are more cars than available parking spots. This is likely to result in residents parking on the street in Matong Drive - which already has insufficient space for parking cars on the street. This is going to lead to a traffic hazard and further endanger the safety of children (and other residents) who already have to walk on the street because there is no footpath.</p> <p>4. The developers state (on P.3 of the DA) that the proposal to increase the number of dwellings from 8 to 10 (in addition to the proposed dwellings on 41 Matong) has been driven by commercial and market needs and interests. This appears to be the case rather than any regard for the amenity of the neighborhood or the wishes of the street's residents. I and other residents of Matong Drive have been writing submissions in relation to this overall development since 2015. Never at any stage have the developers sought to consult with or ascertain the needs and interests of the residents of Matong Drive.</p> <p>Please see my attached submission for further detail in regard to these points.</p>
File upload	
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>

**Attention:**

Mr. Jordan Vickers  
Byron Shire Council

27<sup>th</sup> August 2021

**Submission re. Development Application 10.2014.743.5 –  
Proposal S4.55 to Modify**

**Property Description:**

2 Kulgun Crt, Ocean Shores 2483 NSW (LOT: 1 DP: 1243658)  
2 Kulgun Crt, Ocean Shores 2483 NSW (LOT: 12 DP: 1128095)  
2 Kulgun Crt, Ocean Shores 2483 NSW (LOT: 9 DP: 1046566)  
2 Kulgun Crt, Ocean Shores 2483 NSW (LOT: 954 DP: 241073)  
41 Matong Drv, Ocean Shores 2483 NSW (LOT: 3 DP: 1243658)  
41 Matong Drv, Ocean Shores 2483 NSW (LOT: 892 DP: 241810)  
41 Matong Drv, Ocean Shores 2483 NSW (PT: 3 DP: 1243658)  
43 Matong Drv, Ocean Shores 2483 NSW (LOT: 2 DP: 1243658)  
43 Matong Drv, Ocean Shores 2483 NSW (LOT: 893 DP: 241810)  
43 Matong Drv, Ocean Shores 2483 NSW (PT: 2 DP: 1243658)  
Pacific Hwy, Ocean Shores 2483 NSW (LOT: 944 DP: 241810)

Dear Jordan,

I write this submission to lodge my **opposition** to the above Development Application (DA No. 10.2014.743.5) and specifically its proposed modifications to Lot 43 Matong Drive.

**1. Interference with the Amenity of the Neighbourhood and Compliance with Zoning Requirements**

According to the NSW Department of Planning, Industry and Environment, Matong Drive (including Nos. 41 and 43) is zoned “R2 – Low Density Residential”, which is defined as:

*“R2 is a zone for land comprised mainly of low density housing where the planning objective is to protect the locality's single dwelling character and landscape setting. The zone also allows for a variety of housing types, facilities and services to meet the needs of the community and residents.”*

I question how even the current approved number of dwellings (8) complies with the criteria for R2 zoning of: *“low density housing where the planning objective is to protect the locality's single dwelling character and landscape setting”*.

Yet in the Table on Page 10 of this DA (Part D: Chapter D1) it states in regard to the proposed modifications:

*“Complies - The subject site is located in a Low Density Residential zone and proposes erection of a Multi Dwelling Housing. As a result, the subject site and proposed development is to have regard to this Chapter”*.

An additional 2 proposed dwellings will render the development site even less compliant with the planning objectives of R2 zoning.

Furthermore, R2 zoning also specifies **minimum-sized lots of 600m<sup>2</sup>**. Yet only one of the proposed dwellings (H36) has a lot size more than 600m<sup>2</sup>. Again this is not in keeping with the objectives of R2 zoning and even less so in keeping with the amenity and characteristics of Matong Drive as a street.

Matong Drive is a quiet, family-friendly street partially because of being a no-through road. There are now significant numbers of young families living in the street with young children who regularly play in the street. The increased traffic resulting from this proposed development will have a particularly adverse effect on the communal and ambient nature of the street. Traffic noise is also likely to significantly increase. Additionally, the potential safety risk to children (and the elderly) walking or playing on the street will also greatly increase.

Taken together with the other current proposed related DA modification of 3 dwellings on 41 Matong Drive (DA.10.2020.284.1), this would mean an additional **13 dwellings across 41 & 43 Matong Drive** – should the proposed modifications be approved.

The previous DA for this development (DA 10.2014.743.3) which was approved in 2017 stated that one of the Design Controls for dual occupancy or semi-detached dwellings was:

*“Maintenance of the character and neighborhood amenity of the adjoining residential area”*

This proposed increase in the number of dwellings is not in keeping with the amenity of the rest of the residential area of Matong Drive – which is comprised exclusively of single dwellings.

On Page 3 of the current DA, it states: *“This design change has been brought about by way of adapting to **commercial needs and wants of the housing market** and through the design evolution process highlighting the ability to amend the access arrangement in a more efficient manner”*.

Clearly then, the proposal to increase the number of dwellings from 8 to 10 (in addition to the proposed dwellings on 41 Matong) has been driven by commercial and market needs and interest, rather than any regard for the amenity of the neighborhood or the wishes of the street's residents. I and other residents of Matong Drive have been writing submissions in relation to this overall development since 2015. **Never at any stage have the developers sought to consult with or ascertain the needs and interests of the residents of Matong Drive.**

## 2. Traffic volume and traffic management

I am extremely concerned about the increased volume and density of traffic that is likely to occur in Matong Drive if these proposed modification of an additional 2 dwellings is approved.

The potential addition of **13 new dwellings (3 on 41 Matong & 8 on 43 Matong) on only two suburban blocks**. This will mean a substantial rise in the number of people living across just two suburban blocks and a consequent huge rise in the amount of traffic flow in the street.

This substantial increase in traffic volume is problematic for several reasons:

- Matong Drive does not have the **infrastructure** to adequately support the increased traffic flow that will arise from this development
- Matong Drive is a no-through road ending in a cul de sac. There are no footpaths on Matong Drive, and there are now large numbers of infants and school-aged young children who live and play in the street and who walk to catch the school bus at the bottom of the street every school morning and return in the afternoon. The increased traffic volume will potentially put them at greater risk because they have to walk on the road because of no footpaths
- The Matong Drive road surface itself is often in poor condition and is in a constant state of disrepair with major potholes creating a traffic hazard. This worsens after heavy rain (which is frequent). Increased traffic volume is likely to further damage the road for which, clearly, the Council has insufficient resources to adequately maintain

## 3. Car parking

Each of the proposed 10 dwellings on 43 Matong Drive will comprise 3 bedrooms (P.9 of DA). This potentially means up to 3 or more cars per dwelling, depending on the residents of each dwelling.

The DA states that there will be “2 (*parking*) spaces per 3 or more bed unit” (P.13 - D1.6.4 On-Site Car Parking). It is likely therefore that there will be a number of dwellings where there are more cars than available parking spots. This is likely to result in residents parking on the street in Matong Drive.

This will be very problematic if it occurs as 43 Matong Drive backs onto a cul de sac which is a tight turning circle for cars at that end of the street. Any cars parked in the cul de sac will cause a major traffic hazard. Additionally, Matong Drive is a narrow street with no kerb and guttering. There is virtually no safe roadside parking. Additional cars from 43 Matong (and 41) will create a traffic hazard if they park in Matong Drive (which will be particularly dangerous for young children who already have to walk on the street).

## 4. Maintenance of restricted access to Matong Drive by residents of the associated development bordering Kulgun Court

The previous DA (DA 10.2014.743.3) stated that:

*“The vehicular access to/from former Lot 9 DP 1046566 and Lot 893 DP 241810 is to be restricted to emergency/fire vehicles only. The access is to have a locked gate with signage displaying restricted access”*

and that:

*“Works located on Proposed Lot 2 (i.e. 43 Matong Drive). Construction of eight (8) dwellings, driveway, car parking, and access to Matong Drive with a locked gate for Emergency Services (gate to be locked to prevent access through the site to Kulgun Court/Brunswick Valley Way)”*

I am concerned that this decision to install a locked gate between the Kulgun Court end of the development and the Matong Drive development (i.e. 43 Matong Drive) could be compromised by the proposed modifications in this current DA. If this locked gate is removed it will potentially even further greatly increase traffic flow into Matong Drive from the Kulgun Court side of this overall development.

This is an issue that I know that residents of Matong Drive feel strongly about and **it is essential that the decision to install a locked gate is maintained.**

I believe that my concerns and objections are shared by a significant number of residents in Matong Drive to whom I have spoken and I request that the Council Planning Section give strong consideration to the concerns I have outlined above in the determination of this DA.

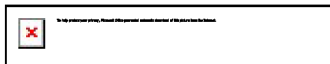
I request that I be kept informed of any further developments or decisions in relation to this matter.

Yours sincerely,

**Smith, Greg**

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**From:** noreply@openforms.com  
**Sent:** Saturday, 4 September 2021 12:51 PM  
**To:** council  
**Attachments:** SUBMISSION DA NO 43 Matong Drive 2021.docx



## 10.2014.743.5 - eForm Submission Object -

### 10.2014.743.5 - eForm Submission of Object -

Contact details	
Name	
Organisation (where relevant)	
Email	
Phone	
Postal address	
Application details	
Development application number	10.2014.743.5
Street address	43 Matong Drive
Suburb	OCEAN SHORES
Submission details	
Type of submission	Object
Grounds for submission	<p>SUBMISSION ABOUT DA NO. 10.2014.743.5</p> <p>To Whom It May Concern,</p> <p>I would like to bring your attention to this submission to point out a few things.</p> <p>The address of 43 Matong Drive I thought had already been settled, 8 houses (which the community did not even want this many so why now are they trying to upset us more by trying for more?).</p>



	<p>I am told this is a Low Density Residential Zoning.</p> <p>I think what has already been approved is pushing that envelope.</p> <p>Any more? I don't think so.</p> <p>It is already going to affect the end of this quiet (to this point) cul-de-sac.</p> <p>That will make as many houses down that driveway as there are basically down to next corner!</p> <p>How much greenery and space is there between houses?</p> <p>How much parking is there going to be? If there is only 1 park per two bedroom place and 2 parks per three or four bedroom place, where is everyone else going to park? If those houses are share houses, that's one car per bedroom, and if those rooms have couples in them, you can double the amount of cars right there. If they are families, then there's two cars for the adults and as soon as those kids become 16 there's more cars. So where are they all going to park? 1 visitor car park per houses? You've got to be joking? There isn't going to be any room for visitor parking, those precious parks are going to be snapped up by the first in best dressed residents who haven't got anywhere to park. And where will the rest go?, down the street as far as, well as far as the eye can see and beyond and then there's the visitors who'll have to park even further down or push out yet another park in the street nearby. The people who already live here won't be able to park at their homes anymore because there won't be any parks. It will be a scramble for parks, which will create cars going up then down the road looking for parks, creating more traffic than the development itself will already have created. How far will the people who live here have walk to get to their houses, maybe 100 metres. That will create huge resentment to what now is a very harmonious, happy, peaceful and calm environment.</p> <p>How many native trees are there intended to remove. How many have already been removed?</p> <p>If there is a locked gate to stop local traffic and only to be used for emergencies, why does it now look like another road has been opened up to the section below? I would really like an explanation for that. I can't quite work that one out.</p> <p>I would really like to preserve the character of this neighbourhood as much as possible, so I think there has been enough houses approved already down there and they should ditch any idea of more houses and provide more parks for the ones that have already been approved.</p> <p>As the developers say "The environment, the nature of future development and the aspirations of the community are given due consideration", that is good to know, because we don't want even the amount of houses that have already been approved so even considering any more is an insult to us. We do not want more. If you want to consider us more, put less.</p> <p>Hopefully we can lessen the blow, to create as peaceful as possible neighbourhood.</p>
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File upload	<a href="#">SUBMISSION DA NO 43 Matong Drive 2021.docx</a>
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>

**SUBMISSION ABOUT DA NO. 10.2014.743.5**

To Whom It May Concern,

I would like to bring your attention to this submission to point out a few things.

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I am told this is a Low Density Residential Zoning.

I think what has already been approved is pushing that envelope.

Any more? I don't think so.

It is already going to affect the end of this quiet (to this point) cul-de-sac.

That will make as many houses down that driveway as there are basically down to next corner!

How much greenery and space is there between houses?

How much parking is there going to be? If there is only 1 park per two bedroom place and 2 parks per three or four bedroom place, where is everyone else going to park? If those houses are share houses, that's one car per bedroom, and if those rooms have couples in them, you can double the amount of cars right there. If they are families, then there's two cars for the adults and as soon as those kids become 16 there's more cars. So where are they all going to park? 1 visitor car park per houses? You've got to be joking? There isn't going to be any room for visitor parking, those precious parks are going to be snapped up by the first in best dressed residents who haven't got anywhere to park. And where will the rest go?, down the street as far as, well as far as the eye can see and beyond and then there's the visitors who'll have to park even further down or push out yet another park in the street nearby. The people who already live here won't be able to park at their homes anymore because there won't be any parks. It will be a scramble for parks, which will create cars going up then down the road looking for parks, creating more traffic than the development itself will already have created. How far will the people who live here have walk to get to their houses, maybe 100 metres. That will create huge resentment to what now is a very harmonious, happy, peaceful and calm environment.

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amount of houses that have already been approved so even considering any more is an insult to us. We do not want more. If you want to consider us more, put less.

Hopefully we can lessen the blow, to create as peaceful as possible neighbourhood.

Our neighbourhood in your hands,