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**From:** David Perks | Cloud Fixers  
**Sent:** 26/08/2022 1:57:44 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** council@northernbeaches.nsw.gov.au

Dear Council, Maxwell and LPP,

Please note that I continue to object to the proposed commercial child care centre at 16 Bangaroo Street.

This review was an opportunity for the applicant to demonstrate that their application could comply with parking, noise, safety, being a good neighbour, and would improve the amenity of the neighborhood. It has demonstrated that

1. The claimed parking compliance is nothing more than a picture of 3 cars superimposed on a plan. The parking bays do not comply with Australian Standards  
Forward entry and exit cannot be achieved  
The need for pedestrian sightlines has been ignored
2. Traffic generation calculations were wrong, and the volume and peak time impacts of the development have been understated
3. The 6 prior sets of plans (we are on the 7<sup>th</sup> notification) had understated noise generation levels and incorrectly claimed compliance – the applicant has now limited hours of outdoor play, however, the plan for this is vague (see further questions below).
4. The building does not have sufficient natural light in Activity Area 1 and hence does not comply to BCA
5. The rear to street evacuation path remains unclear – impossible to the south due to parking obstructions, non-compliant to the North due to <1m width.  
Whilst wall to boundary is surveyed to 1.09m to the North this would require relocation of the boundary fence, construction of a 20kg/m<sup>2</sup> noise abatement barrier of no greater than 90mm depth, and removal of downpipes, gas heater, posts, walls and other obstructions. None of this is in the plan, and noting that the neighbour at 18 Bangaroo Street does not consent, it seems unlikely that all of these constraints could be overcome.
6. The noise abatement barriers specified in the acoustic report have not been included in the plan – lower barriers have been specified as boundary fences instead.  
These would not have the noise abatement qualities required, and in any event all 3 neighbours to the north and south do not consent to boundary fence changes.
7. The waste management plan does not meet Northern Beaches Councils' criteria for waste generation volume of a Child Care Centre, nor waste storage and collection requirements of a commercial building – it has been approached as though the development is non-commercial
8. The development does not incorporate the principles of Crime Prevention Through Environmental Design and the rear and sides of a property that would be unattended for 80% of the time should not be enclosed in very high sound proofed barriers that would prevent crime being seen or heard

The noise levels are now acknowledged to be high, and the times of outdoor play limited because of this. However, that will not help in any practical way for a shiftworker (there are 2 in the unit block behind #16) to sleep during the day. Nor will it help with Work from Home to be uninterrupted.

How is the timetable in the plan of management going to manage noise?

Children allowed outside is max. 8, the noise levels are predicated on this. This results in 4 children inside at any point in time.

2.30pm	Afternoon Tea – Outdoors (weather permitting)
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Does this mean 8 children are allowed afternoon tea outdoors and 4 have to stay inside?

Does approximately 2.5 hours of daily outdoor play apply to the centre, meaning each child will be outdoors a maximum 1 hour 48 minutes? ( 2.5 hours / 12 children \* 8 allowed outside.)

The details of how excessive noise levels would be mitigated are vague.

Given the plan of management is a condition of approval it would be vital for Council to understand it in detail. Residents will rightfully expect it to be enforced. The plan as it stands is not specific enough to be able to be managed and enforced.

To sum things up .....

Through the review process it has become clear that there are even more issues than there originally appeared to be, and nothing from the prior reasons for refusal has been resolved.

Meanwhile the amenity of the development has reduced yet further; smaller child numbers, short operating hours, limited outdoor play.

The number of objections from local residents highlights that this proposal is not considered to increase the amenity of the neighbourhood.

Besides being in an unsafe location for pedestrian safety, it fails to meet key criteria for suitable childcare centre locations by not being close to employment, and not being well served by public transport.

I expect Council and LPP to refuse the application once again, and to add further points to the reasons for refusal as have emerged from this review.

Kind regards,

David Perks  
1 Worrobil Street