

Dawn Uchida  
17 Wyatt Ave  
Belrose NSW  
2085

25 August 2021

ATTN:  
Clr Michael Regan, Mayor  
Mr Ray Brownlee, CEO  
Louise Kerr, Director, Planning and Place  
Adam Mitchell, Principal Planner

**RE: DA2021/1039 Lot 2566 DP 752038 16 Wyatt Avenue, Belrose Demolition works and the construction of a boarding house development.**

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Thank you for the opportunity to lodge a submission to DA201/1039 high-density, 62-unit (61 rooms + manager's room) 122-person capacity boarding house development application proposed for 16 Wyatt Avenue, Belrose, low-density residential area.

Clr Regan, Mr Brownlee and Ms Kerr I am including you in this correspondence to request your support in closely reviewing this development application and the overwhelming number of community submissions in opposition to it to protect the character of Wyatt Avenue, Belrose and the community that we call it home.

Due to the significance and adverse impacts it will have on the environment, community, residents and character and amenity of the area, **I strongly oppose this development application.**

Having lived in Manly-Warringah Council – and now, Northern Beaches Council for over 35 years – my family has owned 17 Wyatt avenue for over 34 years and based on the quiet, nature-rich, family-friendly and low-density character of the area I made the decision to rebuild my house for myself and my family here to reside in, and was very shocked and saddened when I heard about the DA for the high-density boarding house, which is inconsistent with the community and its character.

I submit my objection to this development application on the following grounds:

**Inconsistent With Character and Visual Amenity**

The proposal of this high-density, 62-unit boarding house, designed to accommodate 124 people, is drastically inconsistent with the character and visual amenity of this nature-abundant area, which is majority R2 Low Density, single dwellings. The introduction of a development at this scale would be grossly inconsistent with the town planning, streetscape quality and character of the area. It would dominate all surrounding residences in size, human density, noise and light.



**Figure 1.** Actual aerial view of Wyatt Avenue, landscape and visual amenity. Red figures indicate known number of residents in each dwelling.



**Figure 2.** Image with proposed boarding house designed to accommodate 124 boarders, in addition to the adjoining approved boarding house by the same applicant in Jan 2021, designed to accommodate 54 boarders.

With the magnitude of the proposed boarding house, it is undeniably evident that it is not in keeping with the current amenity of low-density, high-vegetation residential character of the area. It must be mentioned that the proposed development is situated less than 50 metres away and directly next to an already approved boarding house by the same applicants, further amplifying the high-density and inconsistency of character and amenity of this DA.

With approximately 25 people currently residing in the single dwellings on Wyatt Avenue west of the intersection to Cotentin Road, this would equate to an over 600% increase in density in the short distance of this street.

The current residential population density of Belrose is 4.48 persons per hectare. This development is proposing to accommodate 124 persons in 9.2 hectares (equating to 13.8 persons per hectare), and should the already approved, neighbouring 54 person boarding house be taken into consideration, this further intensifies this to 15.4 persons per hectare, which is more than three times the current density of the area.

Council and the NSW Government have committed to ensuring strategic planning that recognises and enhances the local character of an area. As noted by Council's own assessor, the current inadequate landscaping plans would fail to conceal the bulk and starkness of the proposed multi-storey buildings and are not suitable for the area.

### **Visual Impact on Existing Views**

This application has not provided a visual impact assessment. Opposite the proposed development site, the street consists of single dwellings at a higher elevation, including 2-storey homes. The current views from these dwellings is of other single dwellings and an abundance of natural landscape and vegetation. Due to the high visual sensitivity of this area, the introduction of the proposed boarding house would significantly degrade all existing views and landscapes with negative visual impact from multiple viewpoints.

### **Impacted Acoustic Amenity and Noise Pollution**

A development of this magnitude in the low-density character of the area will result in the significant loss of acoustic amenity to existing residents. The application presents no acoustic modelling of noise impacts plan, on which grounds Council's own assessor does not support the proposal. The downhill position of the proposed site without noise barriers in between will echo onto the street impacting all residents.

The application proposes that the site will house essential workers and shift workers, the nature of which would mean that residents will be entering and exiting throughout the night and early hours of the morning. Given that public transport does not operate at these hours, it is expected that vehicles will be entering and exiting the premise causing both noise and light pollution to the area. This will be especially damaging to residents next to and directly opposite the boarding house with living and sleeping spaces facing the street.

The proposed communal outdoor areas would be available to occupants until 10pm on weeknights and midnight on weekends. With an unenforceable plan of management for noise and no noise barriers between the 2 multi-storey buildings and surrounding homes, the noise generated from the proposed boarding house operation including the use of the internal and external communal areas, mechanical plant noise (air conditioning, exhausts), vehicle noise and more, will greatly impact the noise levels of the area and well being of the community.

### **Parking and Traffic Generation**

31 car spaces + 2 accessible car spaces is woefully inadequate to service the anticipated 124 tenants, building manager, service personnel, and visitors of the premise. Tenants would be forced to park their vehicles on-street, which could see up to 50+ cars lined along both sides of Wyatt Ave, causing significantly impact to the community and residents.

The AHR SEPP is not recognised for the C8 locality, so the applicant's proposal should take this into consideration.

When viewed against the WLEP2000 as Apartment Style Housing, which would require 73 spaces versus the planned 31 spaces, this means the proposed development would *necessarily depend* on the use of 42 "spare" spaces on our small street that already struggles to accommodate morning and afternoon peak-hour traffic for the local school and large trucks moving to and from the power station.



Figure 3 – Actual aerial view of on street parking, Wyatt Avenue Belrose.



Figure 4 – Predicted aerial view of street parking, Wyatt Avenue. Boarding house residents requiring on-street parking due to insufficient parking spaces (31 spaces for 162 residents)

Clearly, two-way traffic will not possible with cars parked on both sides of the street. The views of residents reversing from their driveways will be dangerously impeded, foot traffic of children walking to and from the John Colet School at 6 Wyatt Avenue will be presented a new hazard and it will also pose risks to pedestrians as there are currently no footpaths on either side of the street.

Local community and residents that casually park on Wyatt Avenue to enjoy the hiking and mountain bike trails that start on the west end of the street will be also be disadvantaged and no longer be able to easily access trails, especially should the development of the community Junior Bike Park proceed.

The traffic study accompanying the proposal is incomplete, erroneous, and out of date. It does not take into account local traffic conditions and modelling, and is not supported by Council's Roads and Transport assessment. Of particular note is the lack of modelling for the intersection of Wyatt Ave and Cotentin Rd, especially taking into account recent changes to accommodate the 60-place childcare centre at 12

Wyatt Ave and the applicant's other approved 54 person boarding house at 14 Wyatt Ave.

If approved, the applicant would be required to build kerbs and gutters, footpaths and bus shelters. Transgrid, located at the far western end of Wyatt Ave, have publicly stated that kerbs and gutters on the north side of the street may impede the delivery of transformers on oversized trucks. This would present an additional risk to the local electricity grid, which is an essential service that should be prioritised ahead of private commercial developments.

The collective negative impacts of additional on-street parking and traffic support the fact that Wyatt Avenue is not a suitable location for the proposed boarding house.

### **Significant Light Pollution**

Light pollution from the proposed boarding house from 62 apartments, communal areas, outdoor lighting and vehicle lights will adversely impact residents both on Wyatt Avenue and surrounding streets.

The proposal's specific focus on essential workers and shift workers means that there will be traffic entering and exiting the premise around the clock due to the nature of shift worker hours and unavailability of public transport at these times. This will introduce a level of light pollution to the area late at night and the early hours of the morning.

All neighbours opposite the location will be subject to the headlights of cars entering and exiting the premise amplified by the gradient of the proposed uphill ramp, which will cause lights to penetrate bedrooms and living areas throughout the night and violate privacy.

An environment reasonably free of light and noise pollution is expected in low density, family residential areas. The light pollution has the potential to impact the sleep, security, wellbeing and quality of life of residents both on and around Wyatt Avenue.

### **Undermine Evidence and Intent of Zoning Review**

The proposed development is situated on deferred land on the C8 locality (Belrose North) WLEP2000. Approving this proposal before the current zoning review is complete would undermine the evidence-based work that Northern Beaches Council and the NSW Department of Planning, Industry and Environment are establishing to determine the most appropriate land use for the Belrose North areas of land stretching to Oxford Falls.

The public deserves and is entitled to evidence-based accountability, including the opportunity for public consultation, underlying major zoning decisions. It would be a huge detriment to Council and the community to utilise revenues realised from residents' rates and taxes towards feasibility and town planning, and during this process, have individuals rush to secure development approvals that are incongruent with town planning.

It allows for applicants to take advantage of technical timings and loopholes to rezone land ahead of sustainable planning, purely for the purpose of individual commercial gain without regard for the community or natural environment.

**Affordable Rental Housing State Environment Planning Policy does not apply and the DA does not meet the requirements of the Warringah Local Environment Plan 2000**

The State Environment Planning Policy (SEPP) ARH, on which this proposal is based, is not recognised for the C8 locality, nor the equivalent E3 locality in the WLEP2000. Therefore, the merits of the proposal should not be considered nor have any legal authority under these frameworks.

Should the applicant insist on referring to the SEPP, the NSW Government amended the ARH SEPP in 2019 to reflect council and community feedback, limiting boarding houses to 12 boarding rooms per site in R2 zones. This amendment also requires boarding houses to comply with parking rules and council regulations on density and building height. The proposed 62 boarding rooms exceeds this by over 400%.

Additionally, Division 3 - Clause 30A, clearly stipulates that the character of the local area must be taken into consideration and a consent authority must not consent to development unless it has taken into consideration whether the design of the development is compatible with the character of the local area. It is inarguable that the proposed boarding house is not only incompatible with the local area, but would greatly contribute to loss of character should it be approved.

The WLEP2000 allows one dwelling per 20h, which this proposal, at 62 dwellings on 0.9h, exceeds by 2,100%. Such high intensity will have inevitable large-scale impacts in terms of noise, light, parking, traffic, bushfire risk, sewerage and flood risk, environmental impact, and the mental wellbeing of other residents.

While local planning controls for the C8 locality require properties to maintain at least 50% bushland to preserve local character and biodiversity, the proposed landscaping provides only for a tokenistic lawn and patches of trees. Council's own analysis has deemed this insufficient and inappropriate.

**Designated as Extreme Fire Risk Zone by Rural Fire Service**

On the 29<sup>th</sup> July 2021 (RFS Reference DA20210716002941-Original-1), the RFS designated the proposed development site as BAL 40, the second highest bush fire attack level. Additionally Harris Environment Consulting conducted a Bushfire Hazard Assessment also concluding that the site is Bushfire Prone.

Situating a high-density boarding house on bushfire prone land will put over one hundred boarders in an extremely vulnerable position should a fire occur, with the potential to being a conduit to causing secondary fires to the bushland, national park and surrounding houses, causing devastating loss and damage.

Australia's own Climate Council, the recent IPCC report, and – most alarmingly – the recent Black Summer in 2020 confirm that extreme fire events will only get worse, which is a reality that Council needs to seriously consider and take responsibility for when assessing development approvals, especially in such close proximity to a national park.

The BAL 40 bush fire risk mitigation requirements, which include shrubs forming no more than 10% ground cover and total tree canopy cover being less than 15% at maturity, are not aligned with the minimum 50% bushland or native landscaping requirement stipulated in local planning rules.

Taking both fire risk and local planning requirements into consideration, this further underscores the unsuitability of the proposed boarding house to the area in addition to the human safety risk for both the proposed boarders and existing residents.

### **Inadequate Flood Controls and Assessment of Stormwater Damage**

The proposed development site, located on top of an underground watercourse, is prone to flooding from natural rain events, adjoining properties, and a building design that actually digs further down to construct a basement downstream from the most likely flood areas. This will necessitate robust mechanisms and controls to protect the property and its occupants, control the flow of water, and direct it away from the property in a way that does not damage adjoining bushland.

The flood modelling accompanying the proposal does not take into account drainage from adjoining land (boarding house at 14 Wyatt Ave and a childcare centre at 12 Wyatt Ave), which drain onto the proposed site.

Flood mitigation and drainage were highly contentious during the applicant's protracted battle for approval of the developments on 12 and 14 Wyatt Ave. The consultant's modelling only reflects drainage from these properties prior to their development, which is unrealistic and misleading. Nor has the flood modelling nor Council considered the impact, including potential erosion and adverse impacts on native flora and fauna, of stormwater captured and discharged into adjoining bushland and the national park.

### **Lack of Wastewater Management Plan**

Sydney Water has confirmed that wastewater servicing is not available at this property and the availability of this would be significant as standard sewer water connection will not be possible. Without a robust plan on how wastewater as a by-product of 162 residents is established and approved, this further amplifies the unsuitability of a high-density boarding house in this low-density residential area.

### **Management Plan Void of Landscape and Vermin Management**

The management plan is void of landscaping management responsibilities and vermin control arrangements, which is a concern with shared facilities at this density in a location that has a higher level of bush rats, insects and more that are not found in urban areas.

### **Anti-social Behaviour and Crime**

The management plan does not address the criteria and process of resident selection, where preference will be given and what restrictions will be in place, nor detail security measures or crime prevention strategies to ensure public safety. There is no information on crime prevention through environmental design, and no social impact assessment has been conducted either independently or in consultation with any member of the community for this development application.

**Does not Meet Requirements of Warringah Local Environment Plan 2000,** including allowance for low-intensity, low-impact dwellings only and 50% bushland requirement.

### **Inadequate Canopy Cover**

Vegetation proposed by the applicants is insufficient and inappropriate for maintaining adequate canopy cover and, in its current form, is not supported by Council.

### **Lack of Public Transport**

Although close to a bus stop, the actual availability of public transport is limited with only two routes available (Chatswood and City) with a limited and sometimes infrequent timetable. This would not suit the needs of shift workers and cause inconvenience to anyone that did not work in Chatswood or the City.

**Lack of Shopping and Services**

Within walking distance, there is only one small grocery store with limited offering and a liquor shop. The closest shopping is Glenrose Shopping Centre, which is over 3km one-way walk. Additionally there are no medical centres, dental clinics or essential services in walking distance, leaving potential boarders disadvantaged and compromised.

**Inappropriately Located with Immediate Proximity to Children's Facilities**

With no controls on tenant selection and no security or crime prevention design, it is questionable whether a boarding house is suitable to be situated one block away from a K-6 primary school, and directly next to a childcare centre which has been approved on number 12 Wyatt Avenue. This may present additional liabilities should Council approve this DA.

**Loss of Value to Surrounding Properties**

Should the development be approved, this will significantly devalue the properties on Wyatt Avenue, especially immediately next to and opposite the boarding house. This opens up the discussion of compensation to those impacted.

**COVID-19 and Future Pandemics**

COVID-19 and future virus risks should be considered in high-density developments. The Australian government and WHO recognise that this is something that needs to be included in planning. The area which the boarding house is proposed to be built on does not cater to these pandemics, with no doctors or medical facilities or services within walking distance, and the high-density nature of the propose building.

I agree that affordable housing is a need, however this should be provided in a manner that is appropriate to impact and design. Location should be determined in the best interest of the potential tenants, with priority to safety, flexible public transport, shopping, medical and other necessary services. Additionally it should not adversely impact the local character and amenity, environment, residents and community of an area, and definitely should not be approved to the detriment of the above purely for individual private commercial gain.

For the reasons cited above, I strongly oppose this development application.  
Thank you again for the opportunity to lodge a submission.

Yours sincerely,  
Dawn Uchida