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**RE: DA2021/0680 - 16 Bangaroo Street NORTH BALGOWLAH NSW 2093**

I oppose the DA, below is my justification.

**Traffic**

The councils' own traffic experts do not support the development application due to the need to use on-street parking, too few parking spaces and the need to reverse into a busy intersection in peak hour.

The operations plan proposes to give parents contractual drop off and pick up times in 10-minute slots in an attempt to justify non-compliant parking. Have you tried to plan your trip to within 10 minutes in peak local traffic lately? That type of system is never going to work.

**Safety**

There have been an increasing number of accidents on the roundabout adjacent to the development due to the poor sightlines, speed of traffic on Bangaroo Street, it is not a safe street for increased movement of children. The site and property are designed as a home and not a child care centre. To comply with fire regulations will be near impossible due to the boundaries, and internal design. When it comes to child safety from fire, regulations should be exceeded, not compromised.

**Noise**

Bulky walls up to 3m high together with limits of children allowed to play outside, and keeping the windows and doors closed should be unnecessary to just scrape through noise regulations. Is this kind of oppression best for the children or is it the kind of sacrifice the investor owners are prepared to make in pursuit of profits?

**Community**

The investor/operators have not proven to be community-minded which casts significant doubts on the viability of their management plan.

74 objections and 150 petition signatures against the former DA2020/1397 have been ignored with this revised application showing LESS parking and the same negative impacts of noise abatement, commercial services (waste, inspections, deliveries signage) and intrusion upon surrounding homes.

**Privacy**

With a requirement to Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours, the Statement of Environmental Effects says "The use of integrated privacy attenuation measures and orientation play areas ensure that no direct overlooking opportunities will exist towards neighbouring properties. In this regard, appropriate privacy and security will be maintained between adjoining developments." No privacy into the proposed play area from the elevated position of of the communal walkway through the neighbouring property No privacy into the proposed Activity Area 2 from the elevated position of the communal walkway through the neighbouring property No privacy into the proposed play area from the elevated deck of the adjacent property. The images do not support claims that the proposal provides a high level of visual and acoustic privacy for

occupants and neighbours as it is required to do.

#### Change of use

What makes this site any different to any other mid-street residence that would avoid setting a precedent for commercial applications from any property in North Balgowlah? Unlike every other non-residence in North Balgowlah, 16 Bangaroo Street is not a corner block, does not have dedicated parking, is not adjoining open green space, and does not have a wide perimeter to adjacent homes.

The common crimes at non-domiciled properties are often reduced due to high traffic locations. Unlike a designed commercial area, 16 Bangaroo Street is not conducive to monitoring by passersby for graffiti, loitering, break and enter, or arson which will naturally spread beyond the property to its surroundings.

#### Inconsistency and obfuscation

A professional planning consultant BBF Town Planners has been used by the investors to prepare their application and yet the application is full of inconsistency, obfuscation and contradiction .....

The Site Plan in the DA does not show any elevation or shadow plans of the noise abatement walls which are 3m high in places and affect the views and light of neighbours.

The Statement of Environmental Effects says "The site is well serviced with public transport with a bus stops located directly opposite the subject site and to the south, adjacent to the corner of Worrobyl and Bangaroo Streets." fully aware that no public buses use these stops since the introduction of the 172x route 15 minutes walk away.

The centre will operate from 8:00am to 4pm, which means the noise of staff arriving and opening up the centre will begin well before 8:00am as they have to be parked in the staff parking bay before arrivals begin.

The documents say "The development maintains the established compliant side setbacks" which may be factually correct. however, the surveyor would know that the Northern boundary to the fence line is nowhere near 900mm and therefore not suitable as a rear-to-street fire exit. There is no mention that this will be remediated, nor the effect on this boundary on noise abatement walls which will be substantial at 20kg per m2. Similarly, the Southern boundary is obstructed by parked cars, and hence also unsuitable as a rear-to-street fire exit.

Where is the rear-to-street fire exit pathway, and why isn't it marked on the site plan?

The planning application Statement of Environmental Effects states "We also note that the previous application (DA2020/1397), which was withdrawn, had a traffic referral from Council which supported the traffic and parking report conclusion that the proposed child care centre is not likely to significantly impact on the surrounding road network." This is what the council traffic referral for DA2020/1397 actually said The Centre Management Plan says "Outcome four of the Early Years learning framework encourages us to provide children with the opportunity to engage in the natural environment to assist a child to develop to be a confident and involved in learner (SIC) with an appreciation for the environment around them." ... BUT clause

3.2 of the Statement of Environmental Effects says "Most of their playtime is conducted in the secure indoor environment to be conducive to the amenity of the neighbourhood." which means that most of the time, children will have to be kept indoors because of noise. The Statement of Environmental Effects says "The building will receive excellent levels of natural light and ventilation in combination with air conditioning." However, in other reports, we learn that BCA Clause c3.4 require windows to Activity Area 1 to be permanently closed. Also, that noise abatement measures require "Windows and doors of indoor play areas should be kept closed during active high intensive noise activities such as music or singing." and finally that "Activity Area 1 appears to have approximately 4.1m2 natural lighting via windows and the front door, whereas approximately

5.5m<sup>2</sup> is required." which means in fact the building receives inadequate levels of natural light.

Bernd Krause