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Subject: Online Submission

20/04/2021

MS Gilbey Burgess Strata Management PL
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Balgowlah NSW 2093
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RE: DA2021/0179 - 255 Condamine Street MANLY VALE NSW 2093

We write as concerned business owners located on top of Bing Lee and most of our staff live locally. Whilst we understand land is bought and sold and developments are constructed, there appears to be an emerging trend for smaller and smaller units along what is already a very busy main road with very little street parking remaining in the vicinity.

We do not agree with the style of development and note the definition of Boarding House in NSW is a licensed premises to provide housing and care services to seven or more people in a facility located in a residential neighbourhood. The license holder also assumes general responsibility for the safety and care of the residents. There is the potential for at least 78 residents in this proposal noting the management statement advising occupancy of up to 2 persons per room not including children.

The management statement indicates the boarding house is to be managed by a managing agent appointed by the owner who will be responsible for ensuring the site is regularly monitored. The word 'regular' needs much more clarification and definition as the style of proposed housing has the potential to attract residents who may not be sympathetic to the area.

The lack of onsite parking in the plans is of great concern given the limited street parking in the general vicinity. It is our understanding that in June 2018 the ARSEPP was amended to increase car parking standards for boarding houses. The standard was increased to 0.5 spaces per room. This particular development proposal is 39 rooms so by the ARSEPP standards there should be 19.5 car spaces. This proposal has 6 car spaces, 1 disability car space and 8 motorcycle spaces which is far short of the standard and one of those spaces must be provided to the on-site manager should they reside in the building. The former car parking ratio of 0.2 - 0.4 spaces per room may continue to apply only if the boarding houses are developed by or on behalf of a Social Housing Provider. This is not indicated in the application and there does not appear to be any visitor parking.

The noise and vibration from heavy equipment on adjacent building sites already experienced in the past twelve months is worrying and very disrupting to normal day to day business activities. When one of the developments across the road was removing the asbestos roof sheeting the workmen on site were wearing full hazmat suits however it was quite windy that day and the clouds of fibres were blowing directly in to the front doors of Bing Lee. Luckily all our doors/windows were closed however there was no notice given by the builders to anyone in the immediate area that this work was being undertaken and there was minimal hosing of the roof area done either before or during the removal of the roof sheeting.

Whilst we understand this particular site has now been cleared we would like Council to include

notification to all surrounding properties of any asbestos removal prior to removal or building demolition.

We are very concerned about the environmental impact the proposed structure will have on the natural flow of the creek and the flora and fauna that call the creek home. We would like to see a geotechnical assessment on the site paying particular attention to identifying any potential landslip hazards if excavation support is not correctly implemented and a societal risk study of any hazards to persons potentially at risk. To our untrained eye, should the excavation extend below the creek bed base the conditions will potentially be extremely unstable given the seasonal fluctuations of the groundwater table which will require some serious support measures prior to any bulk excavation. It appears the foundations of the construction over the creek will always be prone to erosion.

We believe the development will have a highly detrimental effect on the local flora and fauna in the area including the nearby protected flying fox colony who rely on the creek to be free flowing at all times for their survival in the area. We would also like to see a report identifying if there is any rare or protected flora in the vicinity of the proposed works. The management statement indicates there will be perimeter lighting of the complex causing further distress to native nocturnal birds and animals in the area of the creek at night and also the neighbouring residential properties to the West and North.

We are concerned the piles proposed to be constructed into the creek bed will cause damaging erosion, possibly alter the flow of water through the creek and almost definitely allow pollutants to enter the creek causing a health hazard to the birds and animals that rely on the creek.

We would like to further understand the hydraulic drawings and know what measures are proposed for the storm water and sewer lines to protect any leakages or contents from burst/split pipes from entering the creek. We would like to better understand the proposal for waste management within the complex as there appears to be provision for a total of 6 bins?

We understand the previous application for a Boarding House to be constructed on the site in 2017 was rejected by Council and there have been numerous reports undertaken by Council and other public departments following lodgement of the current development application where the current proposal is unsupported on many levels.

We do not believe the proposal will be in keeping with, or compatible with the character of the local area and would therefore like our opposition to the application noted.

Thank you