
Sent: 24/08/2021 5:57:03 PM
Subject: DA2021/1039 Boarding House Proposal with 62 Rooms 16 Wyatt Ave Belrose
Attachments: No 16 Wyatt Ave Submission August 2021.docx;

Attention:-

Mr. Adam Mitchell
Northern Beaches Council Planner/Assessor

Please find attached our Submission of Objection to a Development Proposal DA2021/1039
Boarding House Proposal with 62 Rooms 16 Wyatt Ave Belrose.

Ron and Cynthia Patton

Ron and Cynthia Patton
19 Wyatt Ave
Belrose NSW 2085
24 August 2021

Northern Beaches Council
Attention: Mr. Adam Mitchell
Northern Beaches Council Planner/Assessor

DA2021/1039
Boarding House Proposal with 62 Rooms
16 Wyatt Ave Belrose NSW

Dear Sir,

We submit this objection to this very large Boarding House proposal, which is incongruous within this neighbourhood that consists of bushland and low density detached residential dwellings.

This proposal is a backdoor initiative to implement high density residential zoning in this area and it will diminish the 'quality of life' in this local neighbourhood.

The proposal does not protect the environmental landscape or enhance the bushland and waterways.

SEPP for Affordable Rental Housing

We note that the Statement of Environmental Effects refers to the approval for the Boarding House proposal on No 14 Wyatt Ave. This application was approved by the Land and Environment Court after refusal by the Northern Beaches Local Planning Panel. The assessment report by Council Staff recommended approval for the application yet the Panel, which included an ex Judge and an ex commissioner of the Land and Environment Court, refused the application.

Further in regard to No 14 Wyatt Ave the applicant referred the refusal to a Review Panel and again the application was refused.

The reasons for the refusal by both Panels were not pursued at the Court. The initial facts and contentions submitted to the court were amended through recommendations from Council staff, particularly the referral responses, so that most of the contentions were removed. Therefore the Judge approved the application.

Our submissions to the Council staff, the Local Planning Panels and the Land and Environment Court included a consistent approach in each submission that the SEPP for Affordable Housing does not apply to the C8 North Belrose Locality in WLEP2000.

**The SEPP lists the zones for Affordable Rental Housing (INCLUDING Boarding Houses).
Locality C8 North Belrose in WLEP2000 is not included in the list.**

In the Court proceedings for No 14 Wyatt Ave we made a verbal submission and in frustration the Judge finally asked the Legal representatives for both sides if the SEPP for Affordable Rental Housing applied to this property as it was included as a fact in the facts and contentions

document before the Court. Both legal representatives agreed that the SEPP for Affordable Rental Housing did **NOT** apply to this property.

The Judge complained to both legal representatives for allowing the SEPP to be included as a fact in the facts and contentions document.

A review of the application without any reference to the SEPP did not occur.

Again we read in the Applicant's Statement of Environment Effects many references to the SEPP for Affordable Rental Housing, to justify the application.

We request that all Council staff, who are involved in the assessment of this application, be informed that the SEPP for Affordable Rental Housing does not apply to this application for a Boarding House on No 16 Wyatt Ave. The staff members should include the Planning assessment officer and all the staff involved in the referrals, e.g. Traffic and parking, Urban Design, Landscaping, Natural Environment, etc.

**This site is in Locality C8 WLEP 2000 and is not included in the list of zones contained in the SEPP for Affordable Rental Housing
Therefore the benefits in the SEPP for Affordable Rental Housing should not apply to this application on No 16 Wyatt Ave.**

Non Urban Lands Study

In the 1990s the Council staff prepared a Non Urban Lands Study which included the properties along the Northern side of Wyatt Ave.

This study suggested some areas become urban areas. However, the Study was not adopted by Council and instead the Council adopted the WLEP2000.

Since the study in the 1990s there have been many studies by Council and the State Government's Department of Planning; none of these studies agreed to rezone these properties for urban development. Further there are continuing studies in preparation for the new LEP for the whole of the Northern Beaches LGA, including a Housing study, which does not include any urban development for the properties along the northern side of Wyatt Ave including No 16 Wyatt Ave.

Boarding House

The application is based on providing boarding rooms without kitchens or kitchenettes as the applicant considers that these rooms are not defined as dwellings.

Boarding Houses are the principal place of residence for the lodgers; therefore each unit should be considered a separate dwelling.

Further we refer to a Land and Environment Court case:

Comments made by Preston at [63] to [65] below: SHMH Properties Australia Pty Ltd v City of Sydney Council [2018] NSWLEC 66;

"Boarding rooms are considered as separate dwellings if they contain essential components of a domicile – sleeping, bathroom and "kitchen" facilities.

The absence of built-in ovens and stovetops from boarding rooms does not change the fact that a boarding room can be considered to have the essential components of a kitchen."

Preston further states, "[64] It is not appropriate to adopt a technologically constrained and dated view of what constitutes a kitchen."

Preston's comments show that boarding rooms and the manager's residence must be considered as separate domiciles if they contained electrical sockets and space to accommodate a microwave or other plug in electrical cooking appliances.

This means that each boarding room is a separate dwelling, therefore it should be determined that the dwelling density for this proposal is well in excess of the dwelling density provided in Locality C8 North Belrose WLEP2000.

WLEP2000 Locality C8

The Applicant's Statement of Environmental Effects states that Boarding Houses are nominated as Category 2.

It needs to be noted that Boarding Houses are not listed in Locality C8, the determination that Boarding Houses are Category 2 Developments has only been made in accordance a Clause stating that if a proposal is not prohibited in Category 1 or 3 then it is to be assess as Category 2.

The notes in the LEP state that Category 2 developments maybe consistent with the desired Future character Statement for the particular Locality.

Therefore, it should not be assumed that this proposal is consistent with the Planning controls in Locality C8.

The Desired Future Character Statement for Locality C8 Belrose North states in part: "The present character of the Belrose North Locality will remain unchanged in circumstances specifically addressed a follows."

Note; the present character relates to the character when the LEP was implemented in 2000. Therefore it is essential that the character relate to the character in 2000 and not to any changes since that time.

The desired Future Character Statement then continues in part as follows:

"Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses."

The housing density is 1 dwelling per 20ha with some exceptions for 1 dwelling per 2ha.

If the proposal is not a dwelling then the proposal needs to be low intensity, low impact.

Note that these requirements are contained in the same sentence as the low density for dwellings. This means that the intensity and impact should be similar to the impact and intensity associated with the dwelling density.

The proposal is clearly well in excess of intensity and impact of the dwelling density.

The proposal is inconsistent with the Desired Future Character Statement for Locality C8.

Residential Neighbourhood

The character of the neighbourhood in Wyatt Ave together with other streets linking with Wyatt Ave is principally a low density residential neighbourhood with single detached dwellings.

The applicant's SEE states that there are various other types of development in this Locality yet it does not refer to the fact that over 50% of Locality C8 is native bushland without any development.

Wyatt Ave is on the fringe of Locality C8 North Belrose and there are no streets linking Wyatt Ave with the other parts of Locality C8.

Wyatt Ave links with other streets to the South in a neighbourhood which is principally low density residential under planning controls of R2 in WLEP2011.

The Northern side of Wyatt Ave is very low residential density under WLEP2000. Therefore the current character of this neighbourhood is low density detached dwellings.

The proposed large Boarding House is out of character with this low density residential neighbourhood.

Bulk and Scale

To demolish one dwelling and replace it with 62 units proposes an extremely large development. The scale of this proposal is extreme when compared with the detached dwellings in this neighbourhood.

In the Applicant's Statement of Environmental Effects, the large scale is acknowledged where it states:

Page 3 Preamble 1.1

"Finally, the overall bulk and scale of the proposed development has been moderated by separating the built form into two (2) separate buildings, with both the upper and lower buildings adopting a series of interconnected modules to **further reduce the perceived bulk and scale of the individual buildings.**"

Page 11 General description of materials and Finishes 3.1

"The palette of the development is based on colours of the neighbourhood – mostly houses with neutral ochre to brown tones. This is complemented with neutral colours of the surrounding natural bushland. These colours are used in a **way to optically reduce the bulk of the building** and to underline the separation into modules"

These two statements acknowledge that the proposal has a large bulk and scale and the Applicant has applied these methods in an attempt to "optically" reduce the bulk and scale of the proposal.

The plans show that the Application consists of two very large buildings one near Wyatt Ave and one at the rear of the property.

These two proposed buildings exceed the existing character of existing detached dwellings in the neighbourhood and will create a high impact and high intensity development well in excess of the existing detached dwellings in Wyatt Ave and well in excess of the planning controls on both sides of Wyatt Ave.

The high visual impact of this proposal will destroy the existing character of this neighbourhood.

Clause 66 of WLEP2000 states, "Buildings are to have a visual bulk and architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, unless the applicable Locality statement provides otherwise."

The Locality Statement for C8 North Belrose does not provide any exceptions to this planning requirement.

The structures on adjoining or nearby land on the north and south sides of Wyatt Ave between Cotentin Road and the western end, are single or double storey single detached dwellings.

The bulk and scale of the proposal is well in excess of the structures on adjoining or nearby land, therefore the proposal is not in accordance with Clause 66 of WLEP2000.

We note that in the building assessment referral response includes the Officer Comments, "The application proposes demolition of existing structures and construction of two (2)

separate boarding house buildings, each containing a level of associated basement carparking together with a freestanding Bin Storage Room. No objections, subject to conditions. The proposal is therefore supported.”

These comments do not include any reference to WLEP2000 planning requirements, so the Officer should not make a determination as to whether the proposal should or should not be supported.

The bulk and scale of this proposal is well in excess of the scale of existing residential developments in this neighbourhood and in no way compliments the low density detached dwellings in this neighbourhood.

Character of the local neighbourhood

The details in the other parts of this submission together with the details in this section show that the proposal is completely out of character in this local neighbourhood.

For the northern side of Wyatt Ave the planning controls for the C8 Locality contain a Desired Future Character for this Locality in WLEP2000 which states in part, “ Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity low impact uses.”

The planning controls for the southern side of Wyatt Ave are contained in WLEP2011 which is zoned R2 low residential development.

Both sides of Wyatt Ave are zoned for low density development.

In the Applicants Statement of Environmental Effects we find this extraordinary and unacceptable statement on page 32 under the heading Impacts of the Development, “

“In the circumstances, it is reasonable to conclude that the proposed development will be compatible with the existing and likely future character of the locality, and will not be perceived as offensive, jarring or unsympathetic to the existing and likely future character.”

As local residents for 50 years we find this statement offensive and unsympathetic to the existing local residents and contrary to the planning studies by Northern Beaches Council and the State Government’s Department of Planning. We do NOT accept that a developer/applicant, through this DA, can direct Local, State, Federal Governments and the Local Community, what future zoning/character will apply to this neighbourhood/Locality. This is exactly what the applicant is attempting to do with this high intensity/density development proposal.

Since the current owners/applicants of No 16 Wyatt Ave purchased the property in 2001, the former Warringah Council and now the Northern Beaches Council together with the State Government’s Department of Planning have had a consistent approach to resist submissions from property owners in locality C8 to permit intense development of Belrose North.

When the WLEP2011 was being prepared, commencing in 2005, the Council held many community consultation periods and although the C8 Locality was deferred from WLEP2011, the review committee established in 2011, including representatives from the State Government’s Department of Planning and Council, resisted all submissions to permit intense development in this Locality.

The Northern Beaches Council is now in the process of preparing a new LEP for the whole of the areas formerly Pittwater, Warringah and Manly Council areas. Many community

consultation periods have already taken place. The Council has adopted a Local Strategic Planning Statement which has been accepted by the Greater Sydney Commission. This document forms the basis for the new LEP.

The Council is currently in the process of various studies to provide technical data and conclusions to determine the appropriate zonings throughout the LGA. These studies have involved and will continue to involve community consultation periods.

One of the recent studies is the Housing Strategy and again Belrose North is not included for any intense urban development.

The Housing strategy includes the following statement:

“Boarding houses developments are to be permissible in R2, B1, B2 zones only when within one kilometre of local centres on sites greater than 1,000 square metres with a maximum of 12 rooms and developed and maintained in perpetuity by a community housing provider.”

Currently on exhibition is a discussion paper on the proposed LEP and DCP. Again there is no proposal for intense development for Belrose North. The discussion paper includes details on the deferred areas to support this conclusion.

The above documents show that there is no intension for any change to the character of this neighbourhood, therefore, the SEE statement referred to above should not be considered appropriate for this area.

Further it is essential to consider the location and character of the southern side of Wyatt Ave in reference to this application.

This area is zoned R2 in WLEP2011.

In February 2019 the State Government introduced changes to the Affordable Rental Housing SEPP where the then Minister for Planning stated that,” in R2 low density zones Boarding Houses cannot exceed 12 rooms per site to manage the bulk and scale of boarding house developments in the low density zone.”

The properties on the Southern side of Wyatt Ave (opposite the proposed development) are zoned R2 Low Density in WLEP2011. It is unacceptable to provide larger boarding houses on the Northern side of Wyatt Ave.

The density for the Northern side of Wyatt Ave in the C8 Locality is in an area where the density is one dwelling per 20 ha; This is even a very much lower density than the Southern side of Wyatt Ave, it is essential that the reason to refuse large intense boarding house developments on the southern side of Wyatt Ave (R2) should also be applied to the Northern side of Wyatt Ave. (Locality C8)

The Applicant’s SEE attempts to develop an argument to show that the proposal is compatible with the existing developments in this area by referring to Clause 30A of the SEPP for Affordable Rental Housing.

We do not agree with the reasons in the SEE; we have shown above that the SEPP for Affordable Housing does not apply to this Locality, therefore this section of the Application should be ignored and the proposal only be assessed by applying the Planning Controls in WLEP2000.

The above details in this section and other sections of this submission show that the proposed development is completely out of character with this low density residential neighbourhood and both the Council and the Department of Planning have maintained a

consistent approach since 2000, not to provide for intense urban development in Locality C8 North Belrose WLEP2000.

Intensity of the proposal.

The maximum housing density in Locality C8 is 1 dwelling per 20ha with some exceptions to permit 1 dwelling per 2ha.

The lot size is only 0.9345ha. This will result in over 132 times the density control for this site. This is an extreme variation to the standard for this Locality.

The proposal is for 62 units without kitchens in an attempt to suggest that these units do not constitute a “dwelling”.

Either approach, with or without kitchens, does not change the intensity of the proposal. Both proposals will result in 122 lodgers and 2 in the manager’s unit, being housed in 62 separate units on this site.

In comparison to the existing single detached dwellings in this neighbourhood, 124 people on one site will result in significant extra intensity of living activities by people and vehicles in a concentrated area.

The proposal is on the Northern side of Wyatt Ave where the existing single detached dwellings are on properties with areas between 1ha and 2ha.

We live on the Southern side of Wyatt Ave where there are single detached dwellings on properties with areas of about 700m² in an R2 zone within WLEP2011.

The existing population for the full length of Wyatt Ave is about 35 people. Even if this was increased with larger families in each of the existing detached dwellings and some granny flats it would only result in a total of about 50 people.

This proposal which will place 124 people on one site, will be considerably more intense than 35 to 50 people over the whole length of Wyatt Ave.

This proposal will produce an extremely high intense development, which is inconsistent with the DFC Statement for Locality C8 in WLEP2000.

Intensity in Low Density zones

As mentioned above, the SEPP (ARF) has been amended to exclude large Boarding Houses from R2 low Density zones.

We live on the opposite side of the road to the proposed development, in a R2 low Density zone.

In announcing this amendment, the Minister for Planning stated that in response to the many submissions from Councils and Communities, it was recognised that Boarding Houses were intense developments and were inappropriate in low density areas.

Therefore, as the proposal is on a site where the density is much lower than R2 Zones where Large Boarding Houses are excluded from the R2 zone on the Southern side of Wyatt Ave, it is inappropriate to develop a large Boarding House on this site on the Northern side of Wyatt Ave.

This proposed high intense development is inappropriate for this neighbourhood and is not in accordance with the Desired Future character of Locality C8 North Belrose in WLEP2000.

Impact

The proposal with or without kitchens does not change the impact of the proposal. Both scenarios will result in 122 lodgers and 2 in the managers unit being housed in 62 separate units on this site in two very large buildings.

Some details regarding the impact of the Bulk and Scale of the proposal are described above under the heading Bulk and Scale.

Other impacts of this proposal include Traffic, Parking, Noise, Outdoor Living, Outdoor Lighting, Vehicles leaving the property at night, Parking and vehicles leaving on street at all hours outside existing residential properties.

Also, evacuation in the event of bush fires, which will conflict with existing residential development and other approved developments in Wyatt Ave.

The details of each of these impacts are included in other sections of this submission.

This proposed high impact development is inappropriate for this neighbourhood and is not in accordance with the Desired Future Character of Locality C8 North Belrose in WLEP2000.

Landscaping

The Landscaping plan included in the applicants documents shown very little landscaping with trees and shrubs, the plan shows that it is proposed to provide grass/lawn over most of the site. This is unacceptable in this bushland area and this proposal is not in accordance with the planning controls.

The planning controls include - Bushland Setting: A minimum of 50% of the site area is to be kept as natural bushland or landscaped with local species. There are similar requirements for the setback areas.

The proposal does not meet this planning requirement.

The intent of the planning controls in this Locality is to retain and to provide as much bushland as possible in this bushland Locality. This is needed to ensure that there are essential wild life corridors and preservation all types of native species including threatened and endangered species.

Although the Landscaping Referral Response does not support the proposal the Officer only requires minor amendments.

Again this referral response refers to the SEPP for Affordable rental Housing. As detailed above, properties in Locality C8 WLEP2000 are not included in this SEPP; therefore all references to this SEPP should be deleted.

We do not agree that minor amendments will provide a plan consistent with the requirements consistent with the planning controls for Locality C8 WLEP2000, particularly the provision for a minimum of 50% bushland and densely planted local species in the front and side setbacks.

We agree with the officer's comments regarding the area adjoining the driveway is not sufficient to support the landscaping required in this area.

Northern Beaches Council in consultation with the community has adopted a Local strategic Planning Statement which is incorporated in Council's document Towards 2040.

This Statement has been supported by the Greater Sydney Commission and it priorities the preservation and enhancement of the natural environment.

This development proposal does nothing to meet the requirements of this document.

The Landscaping is not consistent with the planning controls for Locality C8 WLEP2000 nor does the proposed landscaping compliment the surrounding native bushland areas or prioritise the enhancement of the native bushland as required in the Council's Strategic Planning Statement.

Bush Fire

This property adjoins large areas of natural bushland where many bushfires have occurred.

We have lived at the above address for 50 years and we have experienced the devastating effects of these fires. From Wyatt Ave we can see the Blue Mountains to the West, this means that we experience strong westerly winds.

The bush fire season occurs in hot weather with strong westerly winds.

The development site is on a steep north western slope which results in very fast and intense bush fires with glowing embers travelling ahead of the approaching fires. This causes many fires ahead of the main fire including the development site.

We have experienced fires coming from the west and coming all the way to Wyatt Ave.

The application contains a report from a Bush Fire consultant where consideration has been given to the existing site.

There is no mention of the Applicant's Landscape Plan or the requirements to provide 50% of the site with bushland in Locality C8 North Belrose WLEP2000.

The report states:

"The current development site meets the requirements for an Inner Protection Area (APZ) without the need for any clearing. No clearing on the development site or neighbouring properties is required to meet the APZ requirements outlined in this report."

These comments result from the fact that the property has been cleared of many trees and shrubs.

The Bush Fire report states that the APZ should be maintained from the commencement of building works for perpetuity over the entire subject lot. This means that the development cannot meet the planning requirements to provide 50% of bushland on the site.

The report continues to detail the requirements for the APZ over the whole of the property e. g. the driveway requirements fire fighting vehicles, Landscaping to be located greater than 2 metres from the roofline of a dwelling or shed, the property should be developed to incorporate suitable impervious areas surrounding the house including courtyards, paths and driveways.

The report further explains that the Inner Protection Area is typically the curtilage around the building consisting of a mown lawn and well maintained gardens.

All these bushfire requirements are contrary to the provisions for development in Locality C8 North Belrose WLEP2000.

These requirements include:

- Bushland Setting: A minimum of 50% of the site area is to be kept as natural bushland or landscaped with local species.
- Rear and Side Building Setback: The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveway and fences.
- Front Building Setback: The front building setback is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

There is an extremely large conflict between the Bush Fire requirements for this site and the Planning requirements for this site in Locality C8 North Belrose WLEP2000.

Bush Fire risk would be a major risk to the 124 lodgers in this Boarding House proposal.

As it is not possible to meet the Planning requirements for the proposal, due to the Bush Fire requirements, it is not possible to permit this development to be approved.

No evacuation plan has been provided.

Evacuation in the event of a fire is a major concern, as the proposal has only one long access road and the lower building is very close to the bushland in the adjoining property.

Further, there would also be a major conflict with existing residents evacuating in the event of a fire.

The western end of Wyatt Ave is a no through road.

The number of lodgers (124) from the proposed development evacuating along Wyatt Ave to the east would create a greater risk to the existing residents.

This is unacceptable for Council to put our lives at risk by approving this unacceptable proposal.

The Rural Fire Service requires that the driveway be sufficient to accommodate a fire unit in the event of a bushfire.

The design for the driveway shows that the level of the driveway at the rear of the property, near the bushland, is 2 metres below the natural surface. This means that a fire truck will not be able to access a bush fire at the rear of the property.

This situation is unacceptable and is placing an extreme risk to the 124 lodgers in the proposed development.

Stormwater Drainage

The application consists of a report referring to a possible watercourse across the property. Whether or not part of the property is defined as a water course does not depart from the fact that the property experiences major stormwater flows and flooding during major storms.

The property has a small flat section near Wyatt Ave and then a very steep section leading to another flat section at the rear where flooding often occurs.

Stormwater flows at a very fast rate over the steep section and then slows down at the flat rear section resulting in flooding of the lower flat section.

At the end of this written submission there are two photos providing examples of the flooding that occurs at the lower flat section.

We acknowledge that these photos were included in a submission dated 11 August 2018 by Mr John Holman (owner of 16 Wyatt Ave) objecting to a proposed Child Care Centre on No 12 Wyatt Ave. The photos are contained in a report from Worley Parsons dated 2 April 2008 attached to the objection by Mr Holman. This submission is on the Council's web site.

Photo 1 shows the storm water flowing from the rear of No 14 Wyatt Ave into the lower area of at the rear of No 16 Wyatt Ave and Photo 2 shows the stormwater flowing and flooding across the lower rear area of No 16 Wyatt Ave.

Although there are proposed stormwater drainage facilities this area is close to bushland and drainage inlets often become blocked with leaves particularly from eucalyptus trees with leaves falling through each year. In this area the proposed driveway is designed to be 2 metres below the natural ground level. This proposed driveway incorporates the inlets for proposed drainage facilities. Creating these facilities at such a low level increases the risk of flooding of the property.

In this lower area of the site that often floods, the access drive and the basement car parking area are designed to be 2metres below the natural ground level.

This increases the risk of flooding of the property and is completely inappropriate for a large development to housing 124 people.

Traffic, Parking and Carriageway

Traffic

The Applicant's Traffic and Parking report includes an assessment based on existing traffic movements during a week day. The report does not provide the date when the traffic volumes and movements were measured.

The photos indicate very little traffic in Wyatt Ave and very little parking. This is unrealistic. The section from Forest Way to Cotentin road is parked out during school days and on weekends when there is sport on Wyatt Reserve. At drop off and particularly pick up times for John Colet School the queues extend down Wyatt Ave past the subject site. At the intersection of Wyatt Ave and Cotentin Road there are many unsafe illegal turning movements at drop off and pick times for students at John Colet School. These unsafe movements also occur at weekends when there is sport on Wyatt Ave.

Further the traffic report has not taken into account the cumulative effects of other development approvals in Wyatt Ave; these include the increase in student numbers at John Colet School, Child Care centre at No 12 Wyatt Ave and a boarding House at No 14 Wyatt Ave together with a bike Skills facility at 4 Wyatt Ave.

The Traffic report does not present a true representation of the actual traffic issues in Wyatt Ave. The existing issues relate to traffic volumes and many unsafe movements.

The details of these issues have been included in many other submissions for other development proposals in Wyatt Ave and to the Local Traffic Committee that has proposed changes to the intersection of Wyatt Ave and Cotentin road.

Another issue that needs to be considered is the reduced traffic during this Covid period. Many people are working from home and there have been lock downs that have reduced the number of students driven to John Colet School.

The proposed Boarding House development will not provide sufficient parking onsite. The traffic entering and exiting the site together with many other vehicles parking on street will result in many extra traffic movements in Wyatt Ave and at the intersection of Wyatt Ave and Cotentin road. This will result in many adverse impacts on the existing residents and cause unsafe traffic chaos.

Parking

The Applicant's Traffic and Parking report uses the Affordable Rental Housing SEPP for a determination of the onsite parking requirements. As stated above this SEPP does not apply to this property; therefore, this reduced number of onsite parking requirements should not apply to this property.

The reason given is that WLEP2000 does not have onsite parking requirements for Boarding Houses.

However, the schedule in the WLEP2000 does include requirements for 1 bedroom units. Each unit in the boarding House proposal has one bedroom therefore; this requirement should be used for this development application.

The Parking and other requirements in the Affordable rental Housing SEPP are based on reduced requirements to provide for developments close to public transport and services. The reduced requirements are also intended to achieve reduced development costs to compliment lower affordable rentals for people with low incomes.

The development of Boarding Houses in the Northern beaches has shown that the rents are not affordable and many of these developments are advertised as executive suites.

There have been no controls on rents and checking income for lodgers in these developments.

The State Government and the Council are currently addressing these issues as detailed above. Further it is evident from other Boarding House developments in the Northern beaches that there are insufficient onsite parking spaces.

In addition to insufficient onsite parking for lodgers there are no spaces for visitors and trade services.

Therefore, for this particular development, the numbers of onsite parking spaces in the proposal are insufficient and the DA rejected.

The Traffic and Parking report states in part:

“On street parking is provided generally on Wyatt Avenue. The road section adjacent to the site has a road shoulder and is not suitable for on street parking (see Figure 5b). On street parking near the nearby school is restricted to drop off and pick up events during the school drop off/pick up period. Ninety-degree parking is located adjacent to Wyatt Reserve. There are vacant car spaces near and opposite the Boarding House site at all times during the day. Vacant on street car spaces are more limited adjacent to the nearby school during the drop and pick up period.”

This statement means that any vehicles unable to use the limited onsite parking spaces can be parked on street adjoining the properties on the Southern side of Wyatt Ave including in front of our property. The Lodgers could be involved as shift workers this will result in noise outside our bedroom at night time and not allow for visitors and trades people to provide essential services for our home.

This statement acknowledges that there will be insufficient onsite parking spaces in the proposed development. This adverse impact to existing local residents is unacceptable.

Carriageway

The plans associated with the Development Application show that the Carriage way in Wyatt Ave will be reduced in width in comparison to the carriageway width for the Boarding House approved on the adjoining property No 14 Wyatt Ave.

This section of Wyatt Ave is very narrow and can only accommodate two lanes of traffic. To reduce the carriage width with kerb and gutter on both sides will cause traffic chaos and make the street very unsafe for motorists and pedestrians.

Reducing the carriageway width adjacent to the proposed development is unacceptable and unsafe.

Noise

The application does not have an acoustic report.

The proposed large development for 124 lodgers will generate noise well in excess of noise from the existing single dwelling on this site.

The noise will result in many extra vehicle movements, general onsite living particularly outside activities, parking of vehicles on street, air-conditioning mechanical equipment, visitors, service trades, pedestrians from the development etc.

This neighbourhood is a quiet low density residential area. This proposed high density development is out of character and will destroy the quiet amenity of this living area.

Sewer

Sydney Water does not provide a sewer main to the existing dwelling on the Northern side of Wyatt Ave. The application is based on the applicant obtaining approval from Sydney to obtain approval to pump sewerage from the proposed development into the sewer on the Southern side of Wyatt Ave.

The sewer main may not have sufficient capacity to take the volume of sewerage from such a large development.

It will be essential that approval is obtained from Sydney prior to an assessment of this application.

Lighting

Outdoor lighting will be a significant issue for residents on the southern side of Wyatt Ave.

The application does not include an outside lighting plan.

Extensive outdoor lighting will impact on local wildlife in the area.

Head lights from vehicles exiting the site at night will impact the local residents on the Southern side of Wyatt Ave.

It is essential that a lighting plan be provided by the applicant and the exhibition period be extended to allow residents to view the proposal and to provide comments.

Conclusion

The above details show that there are many unacceptable impacts to the residents in Wyatt Ave and there are many matters in the application that do not meet the Planning requirements in Locality C8 North Belrose WLEP2000.

We request that all the Council assessment staff and the Local Planning Panel consider the details in this submission and ensure that the application is not assessed under Affordable Rental Housing SEPP.

Yours Sincerely
Ron and Cynthia Patton

Attached Photos to the submission by Ron and Cynthia Patton

See next two pages



Photo 1. Stormwater flood at the rear boundary of No 14 Wyatt Ave looking north into the rear of No 16 Wyatt Ave



Photo 2. Stormwater flooding at the rear of No 16 Wyatt Ave looking North towards the bushland in the adjoining Property at the rear of No 16 Wyatt Ave.