

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 against DA201/1039 high-density, 61-unit 122-person capacity boarding house development that is currently proposed to be built at 16 Wyatt Avenue, amongst single dwellings in a 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 community submissions in opposition to it to protect the character of Belrose and the community that call it home.

Due to the significance of this development application and the adverse impact it would have on the natural environment, the local community and potential boarding house tenants, **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 30 years and based on the quiet, nature rich, family friendly and low density nature of the area I made the decision to rebuild my house for myself and my family to reside in and was both shocked and saddened at the proposal of the high-density boarding house which is out of keeping of the community and its character.

I strongly object to this proposal on the following grounds:

**Inconsistent with of character and visual amenity**

The proposal of this high-density, 62 apartment boarding house with the capacity to accommodate 124 people, is drastically inconsistent with the character and visual amenity of the area which is nature rich, with majority R2 Low Density, single dwellings. The introduction of such a development would be grossly inconsistent with the area and town planning, and 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 indicates number of residents in each dwelling.



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

With the magnitude of the proposed boarding house, it is undeniably evident that it is not in keeping with the nature rich, low-density, residential character of the area. It must be mentioned that the proposed development is situated less than 50 meters and directly next to an already approved boarding house by the same applicants , further amplifying the density and character inconsistency of the proposal.

With only 29 car spaces + 2 accessible car spaces, tenants would be forced to park their cars onto the street which could see up to 50+ cars lined up along both sides of this residential street.

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

The current resident population density of Belrose is 4.48 persons per hectare. This development is proposing to accommodate 124 persons in 9.2 hectares via this boarding house. Should the already approved neighbouring boarding house be considered, this further intensifies this to 15.4 persons per hectare – in excess of triple 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 is not suitable for the area.

#### **Undermine evidence and intent of zoning review**

Approving this proposal, which is on deferred land on the C8 locality (Belrose North) WLEP2000, 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 the council to utilise revenues realised from resident's 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 with zero regard for the community or natural environment.

#### **Affordable Rental Housing State Environment Planning Policy does not apply and the proposal 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 relevance 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 61 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 61 dwellings on 0.9h, exceeds by 2,100%. Such high intensity will have predictable 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, proposed landscaping provides only for a tokenistic lawn and patches of trees. Council's own analysis has deemed this insufficient and inappropriate.

### **Extreme Fire Risk According to RFS**

The RFS has designated the proposed development site as BAL40, the second highest bush fire attack level, which means the site is "likely to be impacted by embers, debris, heat and potentially flames." Forcing this many people onto fire prone land with only a narrow entry and exit point leaves over one hundred people in an extremely vulnerable position should a fire ever occur, with the potential to be a conduit to causing secondary fires to the bushland and surrounding houses. The proposed development site does not satisfy the requirements for fire prone land as designated by the RFS.

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 need to seriously consider and take responsibility in when assessing development approvals.

BAL 40 bush fire risk mitigation requirements are not congruent 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 emphasizes the unsuitability of the proposed boarding house to the area in addition to the human safety risk for both the proposed tenants and existing residents.

### **Noise impact and no acoustic modelling of predicted noise pollution**

The development 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 facing 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**

31 on-site car parking spaces are woefully inadequate to service the anticipated 122 lodgers, building managers, service personnel, and visitors, which will significantly impact surrounding 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.

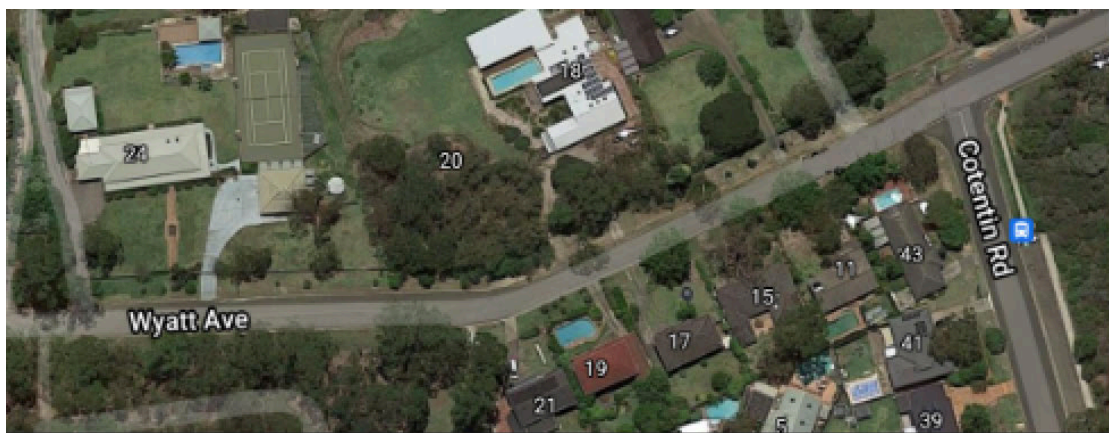


Fig 1 – Actual image of on street parking view, Wyatt Avenue Belrose



Fig 2 – Scenario street parking view with boarding house residents requiring on street parking due insufficient parking (33 spaces for 162 residents)

Clearly, two-way traffic will not possible with cars parked on both side of the street, this will also disadvantage the local community and residents who park on Wyatt Avenue to enjoy the natural trails and mountain bike trails that start on Wyatt Avenue, 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 boarding house at 14 Wyatt Ave. The collective impacts of these should be taken into account in assessing this application.

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.

### **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. Given this, without a robust plan on how wastewater as a by-product of 162 residents is established and approved, further amplifies the unsuitability of a high-density boarding house in this low-density residential area.

**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.

### **Significant light pollution**

Light pollution from the proposed boarding house from 61 apartments, communal areas, outdoor lighting and vehicle lights will adversely impact the residents both on Wyatt Avenue and surrounding streets.

The proposal's specific focus on essential workers and shift workers means that there will be entering and exiting traffic around the clock due to the nature of these workers. This will introduce a level of light pollution to the area at unusual times late

and night and 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. This will have grave impacts on the wellbeing of residents on the street.

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

### **Other**

- The proposed development has insufficient supporting information and requires reports on heritage, social impact, and crime prevention through environmental design
- Should the development be approved, this will significantly devalue the properties on Wyatt Avenue, especially immediately next to and opposite the boarding house. Opening up the discussion of compensation to those impacted.
- It is questionable if a boarding house is suitable to be situated directly next to a child care centre which has been approved on number 12 Wyatt Avenue and the liabilities that it may present should council approve this DA
- Limited public transport is available despite being close to a bus stop. The routes of this bus stop are extremely limited going to only two destinations (Chatswood and the City) with a limited timetable. This would definitely not suit the needs of low income shift workers.
- Lack of shopping and services in walking distance with only a single small grocery store with limited offering in walking distance, with the next closest being Glenrose Shopping Centre, which is over 3km one-way walk. Additionally there are no medical centres, dental clinics in easy walking distance, leaving potential tenants compromised.
- Covid19 and other future virus risks should be considered in high-density developments. The Australian government and WHO recognise that this is something that needs to be planned for. The area which the boarding house is proposed to be built on does not cater to these pandemics with I

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 both the best interest of potential tenants, with priority to safety, accessibility to transport, shopping, medical and other necessary services. Additionally it should not adversely impact the environment, existing community and residents, and definitely should not be approved to the detriment of the above purely for private commercial gain.

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

Yours Sincerely,  
Dawn Uchida