
Sent: 23/06/2020 8:57:42 PM
Subject: RE: Objection submission to Proposed Development DA2020/0512 Att: Tony Collier - Principal Planner
Attachments: Boarding house objection submission 532 Pittwater Road June 2020.pdf;

To Whom it may concern

My submission above that was sent to Council yesterday (Monday 22nd June) has still not been registered on the Council Planning Website ie

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchProperty.aspx?id=128863>

Could you please ensure that this happens immediately so Tony Collier - Principal Planner may assess and consider my objection submission with regard to the proposal

Regards
Leslie McCluskey
0408470987
Leslie.Mccluskey@jemena.com.au

From: Leslie McCluskey <leslie.mccluskey@jemena.com.au>
Sent: Monday, 22 June 2020 2:01 PM
To: council@northernbeaches.nsw.gov.au
Subject: FW: Objection submission to Proposed Development DA2020/0512 Att: Tony Collier - Principal Planner

Hi Tony

The document attachment to this email is my formal objection to Development Application No DA2020/0512, Lot 40 DP7027, 534 Pittwater Road, North Manly.

Please contact me if you have any queries or you require greater clarification on any issue outlined in the submission

Kind Regards

Leslie McCluskey

0408470987

This is a confidential message intended for the named recipient(s) only. The contents herein are privileged to the sender and the use thereof is restricted to the intended purpose. If you have received this e-mail in error, please do not use, disclose, distribute, copy, print or relay on this email. If receipt is in error, please advise the sender by reply email. Thank you.

Re: Objection to Development application No DA2020/0512, Lot 40 DP7027, 534 Pittwater Road, North Manly.

Dear Tony Collier (Principal Planner at Northern Beaches Council)

I have received a notification letter from Northern Beaches Council regarding the Proposed Development (DA2020/0512) at 534 Pittwater Road, North Manly. I live directly to the back of the proposed development at 1 Hope Ave, North Manly. The proposed development runs east to west directly perpendicular to my dwelling that runs north to south.

I wish to make a formal objection to the proposed development. The objection is based on the following considerations.

Loss of Significant greenspace

The proposal consists of rooms that are self-contained with kitchenette and en-suite, more akin to studios or “micro-apartments” complexes. This allows for a significant increase in housing in a largely single dwelling residential block. The risk to the local community is a “domino effect” effect where if this DA is approved other boarding houses will proliferate in the immediate area and the low density residential amenity will be lost. The residential precinct around the proposal is dominated by a significant greenspace of large native trees including 100 years old Angophora costatas. Consequently, due to the old growth habitat trees and patches of bushland combined with large gardens there is a lot of native wildlife including ringtail possums, water dragons and a family of bandicoots. The risk is if this proposal gains consent in this particular residential precinct other similar developments will eventually fragment the significant greenspace that now exists. It should be noted that bandicoots and other native animals forage within the grass area of the proposed site. There was no assessment of fauna impacts in the SEE.

Parking and Traffic

There could be up to 24 residents in the proposed development. There will not be enough parking to accommodate work / personal vehicles. This combined with the needs of the adjacent child care facility parking in the surrounding streets will certainly occur. Pittwater road has parking restrictions and cannot provide the level of service required to facilitate the development. The outcome will be that additional significant parking requirements will spill into the surrounding residential streets of Hope Ave and Corrie Road that are at saturation point already. There was no qualitative or quantitative assessment of catchment parking impacts in the SEE.

Inappropriate proposed development in terms of Bulk and Scale

Boarding houses should be similar in bulk and scale to the surrounding local area. For example where there is more commercial or greater residential housing density such as adjacent apartment blocks. That way their bulk and scale is consistent with the landuse and general amenity of that particular area. That is a specific objective of the Council's Local environmental Plan (LEP). The proposal is also is not consistent with the objectives of s30A of the AHSEPP in terms of being a compatible development in terms of bulk and scale.

The proponent's SEE cites the nearest similar approved development at 428 Pittwater Road as justification for its proposal to be approved. The SEE states that "the boarding house development at 428 Pittwater Road has some similarities in design with our proposal"

The proposed development at 532 Pittwater Road is not similar to 428 Pittwater Road in terms of bulk and scale and surrounding residential housing density. As 428 Pittwater Road was a reasonable DA to approve due to being in an area of similar bulk and scale the proposed development at 532 Pittwater Road is not and would be manifestly unreasonable to approve.

The photos below illustrate the development at 428 Pittwater Road is far more compatible to the surrounding landuse and crucially also in terms of bulk and scale. It is reasonable to assume that this particular proposal was in keeping with Council's LEP objectives and **s30A** of the Affordable Housing SEPP (AHSEPP) - **Character of local area** where the consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

Photos 1-3 show the development at 428 Pittwater Road (includes an aerial photo). The SEE refers to this development as a comparable development to their proposal. Please note the apartment buildings and the scale and bulk of the development is consistent with the surrounding landuse. The bulk and scale is similar to a two story block of units. The aerial photo clearly shows the area is dominated by commercial and higher density housing that is compatible.

Photo 1 shows similar bulk and scale at 428 Pittwater Road



Photo 2 shows the approved development at 428 Pittwater Road is consistent with the general amenity of the area



Photo 3 shows the approved development at 428 Pittwater Road is consistent with the local catchment and Council's LEP and s31A of the AHSEPP.



Compare the photos above to Photos 4 to 6 below with regard to the development at 532 Pittwater Road (includes an aerial photo) and the bulk and scale impacts. Please note the low bulk and scale of the current residential area when compared to the proposal that will be equivalent of 40 metre long, 2 storey high development. The aerial photo clearly shows that the proposal's bulk and scale is not consistent with the surrounding homes and significantly compromises the amenity of the local area.

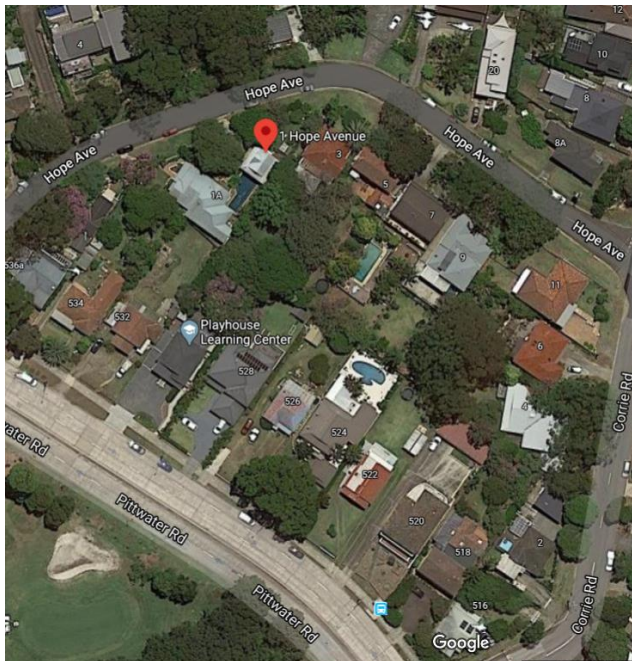
Photo 4 taken from SEE. It shows that the bulk and scale of the buildings are single storey and that they occupy generally about one third of the allotment size. The SEE states that “The locality is characterised by an eclectic mix detached dwellings and medium density residential flat buildings. The buildings in the locality are generally 2 storey in height”. This is not an accurate reflection of the residential locality. It should also be noted that the photo montage (photo 5) on the cover of the SEE does not show the adjacent houses for comparison. As you can see in Photo 4 my house is not even visible behind the existing house.



Photo 5 – taken from SEE cover page Photo Montage. The SEE photo on the cover of the SEE does not include adjacent houses for comparison but its clear from this and the plan drawings for the proposal that it is far more significant in terms of scale and bulk than other dwellings in the localised residential catchment..



Photo 6 – Aerial Photo shows the small scale dwellings bounded by Hope Ave and Corrie Road. The proposal will occupy almost the entire site at 532 Pittwater Road and tower above adjoining developments in terms of bulk and scale.



I believe this type of development proposal should not be in residential streets that cannot cope with the amenity impacts these types of developments bring. This belief was emphasised a recent statement by a spokesperson for the **Department of Planning and Environment (DPE)** that stated “Affordable Housing SEPP required councils to ensure new buildings were compatible with the existing or desired future character of a local area. This extends to matters including building bulk and scale, overlooking of neighbours and privacy, solar access, neighbourhood character, streetscape amenity, landscape design, and parking and traffic impacts”. My view is that the proposal clearly fails to meet those quintessential aspects..

Visual Impact and Privacy

The current setback of the existing house is approximately 10 metres at the front and a 30 metre setback from my back fence. The setback from my house will be reduced from 30 metres to 4 metres. This impact is magnified by the fact that the development will be 2 storeys high and well above the existing windows in my bathroom and lounge. The development would be perpendicular to my houses looking directly into my Bathroom and lounge. Due to the 8.4 height of the development it would be significantly higher than my house (and surrounding homes). Plant screening would have to be 8 metres high in a four metre setback. That is not practicable. My catchment views over the existing house will be lost as will my privacy. The rudimentary landscape plan does not address the issue in the SEE. See Photo 7 below taken from Lounge room window.



Photo 7 - View from lounge room ... other rooms including the bathroom are similarly impacted.

Poor and inadequate Environmental assessment (SEE)

I would also request that Council consider the inadequate environmental and social assessment of the prepared SEE. There was little or no qualitative or quantitative assessments of environmental factors such as geotechnical impacts; operational noise; parking spillage; visual access and privacy; photomontage that does not illustrate bulk and scale; fauna and an accurate characterisation of the surrounding community. The SEE quotes sections of EP&A Act that are rescinded and no longer valid (ie s79C of the EP&A Act). I do not believe that the SEE has addressed adequately s **4.15 Evaluation** (previous s 79C) of the EP&A Act. Provisions not addressed appropriately under s4.15 include:

- (a) (i) - any environmental planning instrument** – The SEE does not address the provisions of the NBC LEP 2A zone objectives with regard to bulk and scale being consistent with the surrounding dwellings and local catchment. The SEE and proposal does not address bulk and scale with the surrounding dwellings and local area with regard to s30A of the AHSEPP. Under 30A - Character of local area a consent authority must not consent to development to which this Division

applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality – the SEE is very weak and inadequate in terms of assessment of the environmental aspects of the proposal including noise, amenity, traffic, parking, bulk and scale, visual access and privacy.

(c) the suitability of the site for the development – a 2 storey, 12-unit studio development where a single house once stood in a single house dwelling localised catchment is not a suitable site for the development. Justification in the SEE is vague and misleading.

(e) the public interest – it is not in the best interest of the local community to have developments that essentially are 2 storey, 12-unit studio development where a single house once stood in a local area of single story, low density housing.

A recent UNSW survey found occupants of boarding houses approved since 2009 were closer in profile to typical renters than to traditional boarding houses lodgers. So the development is basically to facilitate a low building cost / high rental return, apartment building without the zoning and building controls applicable to a new apartment block.

The survey concluded boarding houses were "not a particularly affordable housing option" and were being developed as "micro-apartments" rather than dwellings for marginal households.

<https://www.abc.net.au/news/2019-06-26/the-new-general-boarding-house-lodger/11245584>

That is not to say that another type of social housing development could not occur at the location. I would certainly support a development such as a group home for the intellectually or physically handicapped that is sympathetic with the localised catchment in terms of the building bulk and scale.

In Conclusion

I most strongly object to the proposal that is essentially for 2 storey, 12-unit studio development where a single house once stood in a single house dwelling dominated localised catchment.

The proposal will have significant impacts with regard to building bulk and scale; my family's privacy will be significantly impacted; our neighbourhood character will be compromised and diminished; parking and traffic impacts will reach saturation point and operational noise with the proposal 4 metres from my house will be significantly higher.

I urge Council to reject this proposal as I believe it is inconsistent with Council's LEP Zone objectives and their future masterplan for the localised area. I also am of the opinion that the proposal is inconsistent with s30A of the AHSEPP.

It is not to say that another type of social housing development should not occur at the location. I for one would support a development such as a group home for the intellectually or physically handicapped that would be sympathetic to the localised catchment in terms of the building bulk and scale. This would mean environmental and social impacts such as overlooking of neighbours and privacy, solar access, neighbourhood character, streetscape amenity, landscape design, parking and traffic impacts would not occur.

If this application is to be decided by councillors, please take this as notice that I would wish to speak at the meeting of the committee at which this application is expected to be decided or any other local or regional planning panel determinations.

Your faithfully

Leslie McCluskey

1 Hope Ave, North Manly, 0408470987