
Sent: 8/12/2020 8:13:39 AM
Subject: DA2020/1397 at 16 Bangaroo St North Balgowlah - Objection

Hello Penny

We strongly object to the proposed childcare centre at 16 Bangaroo Street for the reasons listed below.

Parking

- The proposal indicates 1 staff car spot & 4 parent/carer access spots. The legal requirement is 1 carspot for each staff member (they are proposing they will have 3 staff) & 1 for each 4 students, which they state will be 24 in some instances & 54 in others? If we go with 24 students, the requirement would be a total of 9 carspaces. The total of 5 proposed carspaces is grossly inadequate, let alone if the figure of 54 is the actual number of students.
- The traffic report is trying to use other local childcare facilities with minor off street parking to leverage off. These are established centres that would surely not be approved if they had to meet today's parking regulations. Unfortunately, we travel on the routes where these facilities are located and find it nightmarish at the best of times. We find it incomprehensible that specific requirements have been put in place to minimise the impact on local community and this proposal is attempting to circumnavigate them for self-benefit and profit.
- The proposal is for the current driveway to be widened by 3.4 meters & for a new 5m crossover access, effectively taking away 8.4m of current street parking on Bangaroo St. Earlier this year, we applied for a 3m crossover on Worrobyl Street, within 35m of the proposed childcare centre. This was for one car that currently parks on the street to have access to an existing concreted area on our lot, resulting in a nil effect on actual parking spots in Worrobyl Street. This was rejected by council as "there will be a loss of on street carparking for motorcycles and small vehicles". Based on this reasoning as a precedent, the proposal for removing 8.4m of street parking on Bangaroo Street should also be rejected, as it is almost triple the size of a previous application that council has rejected within the last 6 months.
- The proposal states that the availability of on-street parking would be adequate as there will be no overlap between residents & parents/carers, as most residents would have left their homes by the time parents/carers arrive or leave the centre. They are presuming that all residents work 9-5 with a one-hour commute, which is definitely not the case. Not all residents that park on the street work & the majority of those that do work do so locally and are still home when parents will be arriving. Additionally, any spare parking spots on the streets around the centre are normally taken by commuters catching the bus to the city. Opening the proposed centre in our neighbourhood will result in nothing short of chaos, as parents will be forced to either double-park or park across driveways.
- Disability access is rated as compliant – how? We think an access and parking reassessment on this is definitely required.
- The proposal acknowledges that "Parking Facilities DCP Control C3" are non-compliant but "Not worthy on merit." Shouldn't council decide if this is worthy of merit?

Traffic / Danger

- Not only is the car park proposal a massive stretch of the truth but so is the whole "Traffic and Parking Assessment Report" where the proposed centre will greatly increase:
 1. traffic hazards – there is a bus-stop directly across the road. Every morning cars go over to the other side of the road in an attempt to overtake the stopped bus, which is dangerous at the best of times, let alone when parents will be crossing the street or getting out of cars to drop off

children at the proposed centre;

2. vehicles queuing on public roads and across the roundabout located only 5m from the proposed centre;
 3. the number of vehicle crossings in a street. Worrobil St, St Pauls Rd & Serpentine Cr are narrow streets, cars park along each side of the roads which only allows for one car to travel along the street at any time. Extra traffic along these streets will only exacerbate the access issues already faced by local residents;
 4. pedestrian and cyclist conflict with extra traffic. Of particular concern is that drop-off time is during the period when students of Seaforth Public School are walking or riding to school, or students of local high schools are walking to bus stops;
 5. interference with public transport facilities.
- The proposed allocated pickup and drop off times are laughable. We seriously doubt that most parents will be able to time their arrival and departure to the 10 minutes allocated by centre. This will end up with additional cars that are picking up and collecting being pushed on to the surrounding streets and further burden to local residents. Also, "The contract will have a penalty clause in the agreed hours contract". We believe that this will in fact only push child pickup and drop offs to wait in the street to avoid penalty, which will result in a greater impact on traffic and parking in the local community.
 - The Shape 2028 Northern Beaches Community Strategic Plan found that "transport & traffic congestion is one of the biggest concerns and sources of frustration amongst residents and visitors" (page 12) and that traffic "is time consuming and frustrating and adds to the general stresses of life" (page 13). The traffic effects of this proposal will be in direct breach of the council's stated aims in their Community Strategic Plan.
 - The traffic report was done prior to changes proposed to the bus routes announced by Transport NSW. Route 168 from North Balgowlah to Milsons Point is to be withdrawn from service, as is Route 132 which will be replaced by a reduced service Route 172. This will increase the number of cars driving to the centre & placing pressure on already congested traffic and parking. The submitted report relating to traffic & parking is no longer valid.

Privacy

- Statement of environmental effects DCP Control D8 for Privacy requires a "high level of visual & acoustic privacy for occupants & neighbours". The proposal states compliance as "no direct overlooking opportunities will exist towards neighbouring properties. In this regard appropriate privacy & security will be maintained between adjoining developments". This is totally incorrect. Our unit is on the second floor of a unit block directly behind the proposed centre. Our windows are 7.5m above ground level, there is also another unit on our floor at the same height with a balcony, with another unit one level up with windows and a balcony at 10.5m high from the proposed centres yard. Our units look directly into the proposed play area and inside the back (illegal) room of the proposed centre. The submission has proposed a 3m high fence on our boundary. There is no way possible that this will even come close to ensuring anyone's privacy. We will still easily look over this into their property, as they will into ours. Erecting a taller structure to overcome this will only result in an impact to sunlight by overshadowing, which will then be in breach of requirement DCP Control D6 for Access to Sunlight.
- R2 Low Density Residential zone has an objective of "landscape settings that are in harmony with the natural environment of Warringah" – how does a 3m high fence comply with this?
- Additionally, we believe the maximum height of a boundary fence is 1.8m high so please clarify how even a 3m high fence complies.

Noise Impact

- All of our objections in relation to Privacy also relate to the noise impact that the proposed centre will have on our unit & others in our building. Again, a 3m high fence (if it is even legal) will in no way have any effect on blocking noise from the proposed centre to our dwelling.
- We noticed the Acoustics report bases the impact on surrounding buildings via prediction modelling that placed receivers on their building. From living in the unit block for the last 5 years we have come to understand that our concrete building seems to capture/trap the sound, funnel it upwards (as we are on sloping land) and amplify it. Modelling by placing receivers on their building would in no way show the true extent of noise impact on our building, only modelling with receivers on our building would show this accurately.
- The noise modelling that was carried out was done at a time when they had thick trees & shrubs along their boundary fences. These have since been removed so again, the noise modelling report provided is not relevant or valid.
- This proposed development would have a detrimental impact on residents of our building, which is backing onto and overlooking the yard of the proposed centre. There would be absolutely no way to protect us from the constant noise of children and carers in that yard or even indoors, no longer giving us access to the quiet space we originally purchased the property for.
- The Acoustic report has recommended a noise management plan that has a magnitude of issues, such as.
 - “no door slamming” hard to manage and impossible to enforce;
 - “do not raise voices at the front of the centre” also hard to manage and impossible to enforce;
 - “Crying children should be taken inside the centre and be comforted” leaving the remaining 7 children outside unattended? Can’t see that passing any child care legislation.
 - Windows will be shut when children are engaged in “noisy activities” inside. Doesn’t this occur all day with children?
- The modelling report provided doesn’t seem to pass compliance anyway, see table below. Aside from 23 Bangaroo Street which is across the road, the majority of noise predictions to neighbouring properties are on the limit of the allowable level of noise criteria, one is actually over the noise criteria but still somehow compliant?

Table 5-3 Operational Scenario 2 – Eight children outside

| ID | Address | Noise Prediction | Noise | Compliance |
|-----|----------------------------------|------------------------|----------|------------|
| | | L _{Aeq,15min} | Criteria | |
| R01 | 14A Bangaroo St, North Balgowlah | 42 | 44 | Compliant |
| R02 | 14B Bangaroo St – Ground Floor | 45 | 44 | Compliant |
| | 14B Bangaroo St – First Floor | 49 | 49 | Compliant |
| R03 | 2 Worrobil St – Ground Floor | 41 | 44 | Compliant |
| | 2 Worrobil St – Upper Floor | 49 | 49 | Compliant |
| R04 | 18 Bangaroo St – Ground Floor | 44 | 44 | Compliant |
| | 18 Bangaroo St – First Floor | 49 | 49 | Compliant |
| R05 | 23 Bangaroo St, North Balgowlah | 30 | 46 | Compliant |

HOW?

Issues with the existing building and landscaping

- Soil report. We would expect a soil contamination report (especially for asbestos and lead) to be mandatory before a facility such as a childcare centre and the proposed “play area” landscaping is carried out. We know we would want this reassurance when sending children to a facility. We believe this is part of the regulation anyway and seems to have been attempted to be “swept under the carpet” so to speak.
- Part of the building proposed for use is an illegally enclosed veranda of which council has been made aware. No part of the submission addresses this, it only states that the existing rear setback will remain. There is no mention of the appropriate certificates or rectification to bring the building up to today’s BCA requirements. It would be in the children and parent’s best interests to know that potential hidden hazards and safety issues may be present. We don’t see how council can even consider this proposal until this issue has been addressed & rectified to current building standards.
- Stormwater runoff. We believe we may also be affected by the additional hard surface area runoff from the proposed works in the playground area. Our garages on Worrobil St already suffer significantly from runoff and we believe this would only make things worse. We would expect a hydraulics and geotechnical engineer be engaged to shed more light on the knock-on effect from this part of the proposal.

Facility Management Plan

- We believe that any issues we have with the operation (mainly concerning parking, traffic and noise) will only fall on deaf ears as the owner of the property, who is the point of contact for any issues, appears to be more interested in profit than the safety, wishes or needs of the local community.

We can’t see how this ludicrous proposal even comes close to complying with council regulations. It will have a detrimental impact on existing surrounding dwellings and their occupant’s lives, let alone be a safety risk for the community, as well as children & families attending the site.

Regards

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