
Sent: 16/11/2018 4:33:27 PM
Subject: Sophie Tyner submission regarding DA2018/1708
Attachments: S Tyner submission against DA2018-1708.pdf;

Dear Sir or Madam

Please find attached my submission opposing DA2018/1708 for 195 and 197 Sydney Road (due 17 November 2018). Please could you confirm receipt of this email.

Kind regards
Sophie Tyner

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Ms Sophie Tyner
189 Sydney Road
Fairlight NSW 2094

Dear Sir or Madam

I write to express my deep concern and strong objection to development application 2018/1708 'demolition works and construction of a boarding house' at 195 and 197 Sydney Road.

I have chosen to live in Fairlight for the last 15 years. I have a deep emotional connection with this small village and love living here for three main reasons –because Fairlight is quiet, is covered with wonderful trees and plants and, most of all, because this is a family-focussed community.

I have outlined some of my specific concerns below:

1. Fairlight village character

The NSW Government Department of Planning and Environment's website states: *"The NSW Government supports planning policies that encourage affordable housing development which incorporates the needs and character of the surrounding area."*

The cottage at 197 Sydney Road has been derelict for years, and it would be reasonable to expect a small development of some sort would replace the existing cottage. For this reason, when I bought my property, two doors down, I specifically researched the local zoning and was reassured to see that the property was zoned for residential purposes. Upon receiving notice of the development application, I was staggered to see the proposal for 126 people and 75 units. **This is completely out of character with the village of Fairlight.**

Fairlight's population according to the Australian Bureau of Statistics 2016 census data is 5,840. An additional 126 people represents an overall population increase of 2.16%, which is not insignificant.

Fairlight is a family village. This development, designed for individuals, with no young children allowed, is quite overtly and intentionally **not** designed for families.

I am concerned that the proposed development would result in an overweight and overcrowded nucleus of residents which will alter the fabric of the local community.

The vigorous and unanimous reaction of the local community opposing the proposed development showcases the developers' lack of understanding of the fabric of our community.

2. Privacy (noise)

I deeply value the quiet of this neighbourhood. Every night I find the quiet remarkable and wonderful. Noise travels surprisingly far in this neighbourhood; even conversation at normal levels during evening hours can be clearly heard by all neighbouring properties.

I note the sample development 'house rules' state that outside activities would be forbidden after 9pm, but even general coming and going and basic conversation of so many people (126 residents plus guests) will adversely impact all near neighbours, of which I am one.

3. Views and environmental concerns

I chose my property because of its lovely views across the district. When I look down from my balcony, I see a beautiful blanket of trees and green space from 193 and 195 Sydney Road. With the development, this will be heavily impacted. Instead of trees and grass where the backyard of 195 Sydney Road currently stands, I will see concrete.

The application describes the removal of all existing trees but one on the combined properties, and the subsequent planting of trees on the outer limit of the property. Additional clarity is needed in relation to the exact number and type of trees to be planted and their exact positioning.

The building wall in the lateral setback area is 2.85m from the property boundary. Planting of any trees in the 2.85m band has to allow distance from the building wall and respect the requirement for natural light for the boarding rooms and the non-intrusion of the tree crown on the nearby properties. There are no landscape planning details clarifying these requirements. Furthermore, on the rear setback area of the property the planning detail provisions for exposed rock, thus rendering the area unsuitable for planting of trees.

4. Traffic generation and safety concerns

a) Driveway (proposed development vehicular access/egress)

The submitted *Traffic Impact Assessment* fails to accurately describe the risks and threats to vehicular traffic.

As a neighbour of the proposed development and a daily commuter, it is difficult for me to understand how a sight distance of 67m has been identified and calculated (reference: *Traffic Impact Assessment*, section 6.2 *Sight Distance*). A diagram with the measuring point would have showcased better the lines of sight and the necessary compliance with the 65m requirement, if indeed exact and calculated from the property limit.



DA's Traffic Impact Assessment, p. 27

I live two doors down from the proposed development. I virtually always turn left (with the traffic) and then drive around the block, up Bellevue Street, to turn around and head back into Manly. Except at very low traffic times, such as extremely early in the morning, it really is unsafe to turn right, across traffic, towards Manly.

The proposed development is on a blind corner in both directions, and cars drive very fast along this long stretch with no traffic lights.

b) Crossing Sydney Road

Residents of the proposed development will be spending a lot of time crossing Sydney Road on foot, whether to reach the bus spot opposite, their cars parked on nearby residential streets, or the park at the end of Brisbane Street.

The closest traffic lights, either at Thornton Street or Hill Street, are hundreds of meters in either direction. I cross the street here every day, from the bus stop, and it can be quite treacherous because of the topography and cars' speed.

c) Traffic generation

It appears that the calculations for traffic generation are based solely on the minimum number of required car parking spots underneath the proposed development, instead of the number of dwellings. Number of dwellings is the unit of measure used in the *RMS's Guide to Traffic Generating Developments* (section 3.3.2).

I am concerned that the DA does not consider the development's residents who are not allocated a parking spot and therefore have to park on the surrounding residential streets. These residents will also contribute to traffic generation.

There is a lot of variation in traffic generation between days of the week. The DA comments only on possible traffic generation on a Tuesday. I expect the additional traffic generated would be more significant on the weekends, particularly Saturdays.

5. Excessive excavation

The DA proposed a significant and highly disruptive rock excavation to a depth of up to 9-12 meters (the exact depth is also unclear). The application does not give enough technical detail to provide reassurance to nearby owners of properties built on the same bed of sedimentary rock.

Without exploratory drills into the bedrock at depth levels similar to those necessary for the 9-12m excavation and supplementary resistance calculations for the planned weight of the entire structure, the proposal lacks a solid basis.

We also need precise estimates on the levels of noise, dust and vibration during the excavation phase are yet to be presented. Mr Agis Zenon's submission is incredibly thoughtful and detailed in this specific area.

6. Size, position and number of communal living spaces

Cramming more than 120 people (without counting the visitors) in a confined space will affect not only residents of the development, but will also have a spill-over effect on the local community.

Insufficient common areas will inadvertently and inevitably push the occupants to seek breathing space, as well as a place to smoke and drink alcohol (both of which are forbidden according to the development's proposed rule), outside the perimeter and into the nearby public areas – such as the little park at the end of Brisbane Street or the sidewalk of Sydney Rd.

The application's *Statement of Environmental Effects* acknowledges non-compliance with the requirement pertaining to the size of communal living areas: 135sq.m are reportedly available against the legal requirement for 156.5sq.m.

It is unclear if the 28 sq.m concierge/coffee space (re-purposed by the developer following Council feedback) at the building's entry is included in the 135 sq.m. calculation for total communal living space.

A1 Communal living areas	Communal living areas are to provide: (i) a minimum area of 12.5sq or 1.25sqm for each resident, whichever is the greater	Based on 50 double lodger rooms and 24 single lodger rooms the communal living room would require an area of 155sq.m to comply with the numeric requirement. The communal living spaces have an aggregate area of 135sq.m and does not comply with the numeric requirement. The communal living areas are considered sufficient to support the	No (acceptable on merit)	<p>In addition following some of the informal comments (during the abovementioned meeting with the council officers) and in particular regarding to the use of this space of as a communal room, the team has considered the layout and refined the design to better relate the space to it's immediate context.</p> <p>As such, the entry pavilion has been re-purposed to act as a true front door, a concierge desk, for the entire development with an informal cafe space activating the street and creating an active ground floor use along Sydney road.</p> <p>The re-designed entry pavilion will serve as a true front entry, a secure single point access into the entire development with wheelchair accessible connection to both lift core, therefore assuring virtually 100% accessibility to the site despite its steep nature and complex topography.</p>
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DA's Statement of Environmental Effects, p.32

DA's Architectural Design Report, p.20

Furthermore, the project is also non-compliant with the requirement for the presence of communal living areas on each level. Multiple communal spaces spread along each level would have contributed to dissipating the occupants amongst several spaces, thus allowing for added privacy, less noise and less circulation. As a result of limited (non-compliant) communal living spaces, the occupants will be forced to assemble in greater number in a limited area, increasing circulation and especially the active noise.

	(iii) The location of communal living areas to be on each level of a multi-storey boarding house.	<p>Several communal indoor spaces are proposed included a large living space at ground level of the rear building and a secondary space at Level 1 of the front building.</p> <p>It is considered unnecessary to provide a communal space at every level of this relatively modest development. It is a far superior outcome to provide a small number of larger living spaces with high amenity and functionality.</p> <p>The living rooms provided are highly accessible from all levels of the development.</p>	No (acceptable on merit)
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DA's Statement of Environmental Effects, p. 33

7. Facilities pertaining to boarding housing: communal kitchen areas

The formal boarding housing requirements mandate specific details pertaining to the communal kitchen areas, as also indicated in the DA's Statement of Environmental Effects. These requirements do not refer to kitchen facilities inside a boarding room (ie optional, and not communal).

A1 Boarding rooms	<p>(i) In addition to the basic room requirements above, the minimum gross floor area requirements for the additional purposes of private kitchen or bathroom facilities are as follows:</p> <ul style="list-style-type: none"> • ensuite (hand basin and toilet) - 2.1 sqm; • shower in the ensuite - 0.8sqm • laundry - 1.1sqm • kitchenette - 2sqm (small fridge, cupboards, shelf and microwave) 	The boarding rooms satisfy the numeric area requirement stipulated by this control. Room layout diagrams are provided in the architectural plan set.	Yes
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DA's Statement of Environmental Effects, p. 32

A3 Communal kitchen areas	Communal kitchen facilities are to provide: (i) a minimum area of 6.5sq or 1.2sqm for each resident, whichever is the greater	No communal kitchen proposed. It is submitted that a communal kitchen is unnecessary given each boarding room contains a private kitchen.	No
	(ii) a double sink for each 12 residents and a stove top cooker for each 6 persons including adequate exhaust ventilation	As above.	As above
	(iii) adequate refrigerator and freezer storage space and storage space in lockable drawers or cupboards.	As above.	As above

DA's Statement of Environmental Effects, p. 34

The communal kitchens are designed to cater to the minimum needs of the occupants, both in terms of size and inventory. It is unclear what the proposed in-unit kitchenettes contain and whether these meet the legal requirements. The removal of communal kitchens also represents a significant loss of shared communal space.

8. Rear setback area

There is a requirement for an 8m setback area at the rear of the building. The project proposes a 5.85m band for the rear setback, arguing the unique character of the setback area consisting of an existing wall.

4.1.4.4 Rear Setbacks	(a) The distance between any part of a building and the rear boundary must not be less than 8m.	<p>The rear setback is proposed at 6m and therefore numerically non-compliant.</p> <p>We submit that the variation is acceptable given the unique interface between the rear of the subject site and the property at 10 Hilltop, being a large retaining wall structure.</p>	No (acceptable on merit)
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DA's Statement of Environmental Effects, p. 27

In fact, the proposed 25%+ reduced rear setback actually translates into an aggravated impact in terms of blocked views for the upper property. As the slope incline angle stands at 5 degrees, the 2.15m difference translates into an added height of approximately 0.5m of the building when looked upon from the upper property – thus an additional 0.5m of blocked views from the respective upper angle. The reduced setback also limits green space. If the rear setback was compliant, perhaps the existing large tree against the back wall could be preserved.

As an aside, I would also like to note my concern regarding two procedural issues concerning Northern Beaches Council's management of this process:

- a) The notification map posted on Northern Beaches Council's website is surprisingly limited. Specifically, only the two properties on the southern corners of Brisbane Street and one on the south-eastern corner of Bellevue Street were notified. Both these streets will be heavily impacted by the development, should it be permitted.
- b) Letters arrived from Northern Beaches Council on Monday 5 November, allowing less than two weeks to read the hundreds of dense, technical pages posted as part of the application. I have taken two days off work to properly review these documents and prepare my submission by the closing date.

To close, for the reasons outlined above, I strongly object to development application 2018/1708.

I believe that the project proposal falls short of meeting the community-oriented and affordability legal provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009. I also note the gleaming white Range Rover sitting in the driveway of the proposed development in the image on the front cover of the architectural design. This makes me question the developers' true commitment to affordable housing reaching those most in need.

Thank you for taking the time to consider my statement.

Kind regards

Sophie Tyner