
From: Cleveland Rose
Sent: 28/07/2023 4:31:47 PM
To: Council Northernbeaches Mailbox
Subject: DA2022 0145 Letter to Mayor Heins
Attachments: letter to Mayor Sue Heins 27 July.docx; Appendix 1 Working Party Re Dee why town Centre Master Plan 12072023.pdf; Appendix 2 Vision Draft doc leading to final DYTC Master Plan late June 201212072023.pdf; Appendix 3 letter Michael Regan 2012 Nov.docx;

Dear Officers

Can you please post this letter along with its 3 Appendices, that I emailed to Mayor Heins and cc'd Cr Walton and Cr Glanville 27 07 2023 DA

I have just spoken to Karen from Customer service regarding the above.

Karen suggested that this email be posted on the part of council's website dealing with DA submissions.

I have noticed that there has been already at least one added today (28.07) to your webpage.

Could my contact details **please be redacted out from my letter and appendix "letter to Micheal Regan"**

Any queries please call me on [REDACTED]

Regards

Cleveland Rose

PS I do acknowledge that the Sydney North Planning Panel (SNPP) have as part of their 2nd hearing (14.07.23) of this massive DA have passed the development.

By virtue of their own lacklustre planning instruments have many questions to answer for passing/supporting this outrageous development.

A development that will forever impact Stony Range Botanical Gardens with overshadowing during its precious Winter Periods at **and around** solstice periods.

SRBG is one of only 2 Botanic Gardens within our Northern Beaches Region.



This email has been checked for viruses by Avast antivirus software.

www.avast.com

2023-07-27

Mayor Sue Heins

Northern Beaches Council

Re Determination of DA 2022/0145 17 07 2023: Lack of Proper Community Consultation & Associated Issues

Dear Councillor Heins

When you were recently elected Mayor I forwarded to you a congratulatory email.

Council's leadership, despite the best efforts of those beforehand, benefits from a fresh perspective.

I am writing to you regarding the recent approval of the above DA following the 2nd hearing at Sydney North Planning Panel (SNPP) 12.07.23.

I would like to bring to your attention what I believe is a miscarriage of **both planning protocol and procedure** which, if left unchecked, will compromise the unique qualities of a "hidden gem" namely Stony Range Botanical Gardens (SRBG) not just Dee Why residents but our entire Northern Beaches region.

There are I believe 3 dimensions to the above I would like to highlight; namely

1. **Lack of Genuine Community Consultation**
2. **Absence of Appropriate Planning Procedure and Practice** regarding the lack of basic overshadowing policy provisions within the council's own planning instruments like LEPs and DCPs
3. **A Combination of the above that amounts to unacceptably compromising a unique public open green space** for both Dee Why residents and Northern Beaches region

Firstly a brief introduction.

My partner, ms Anikka Edsberg and myself, have resided in 58 Delmar Parade since 2005. As I have a professional background as an architect specialising in urban design, I have witnessed the rapid growth of Dee Why Town Centre with arguably a critical viewpoint. While we have witnessed some excellent improvements, like the enlarged redesigned "Walter Gors Park" we seen far too many "opportunities lost".

Examples of latter include Council's precious few remaining down-town sites either sold off to developers (e.g *Kiah Community Site*) or potentially earmarked for future sale (e.g. Council carpark beside St Kevins Church). All done prior an appropriate independent regional open space study (for DTTC and Brookvale TC). A point I will include in my final comments.

While DYTC urban development expands, its quality public space fails to keep pace proportionally. Our so called "new public spaces" are delivered by council c/o developers in the form of either private retail spaces (like Dee Why Grand's mall) or open retail plaza purporting to be a "Community Square" like Lighthouse's space. This planning deception of delivering "public space" must desist.

From the outset I am firmly of the opinion that *changes within our cities and town centres, is an inevitable fact of urban life.*

However it is the challenge of the design professionals, relevant authorities and government from all levels to help guide, shape and deliver the most appropriate, liveable and sustainable form of development. **It is essential that respective communities are genuinely engaged and consulted with regarding their concerns and aspirations.**

Regarding the manner in which this DA has been handled, it's clearly evident that the community has been deliberately displaced in order to expedite a positive outcome for the developers and ,I dare I say, Council. Having to meet the residential quotas set by State Planning is patently a far easier, more palatable task "politically speaking" in DYTC than say in other regional town centres like Mona Vale, Narrabeen or Manly.

Back in 20.Jan 2018 the (then) Mayor Michael Regan publicly declared in an interview with Kathryn Welling , property Journalist that *"Dee Why was sacrificed for medium to high density living back in the late 1990s so as to prevent the issues of dual occupancy across the rest of the peninsula". He continued to say "subsequently it became poorly planned and as a result, Warringah Council has for the last 10 years set about fixing that. It's kind of like retro fitting"* (Google "Plan to develop Dee why shopping centre into more units' by Kathryn Welling Property journalist ")

Substitute "higher density dwelling" within our current 'high demand" context for the above "1990's dual occupancy" and you have DYTC's current development dilemma succinctly summed up.

Our public open spaces are simply not keeping pace proportionally with the increased rate of high density residential/commercial units. Furthermore there are no forward planning parameters to which open space is required. A "duty of care" failing by council's planners?...Absolutely.

Hence the notion of potentially compromising one of our **few most treasured open public spaces namely SRBG** is simply unconscionable.

I should declare that I have assisted in the drafting of **Dee Why Town Centre's Masterplan** (DYTCM).

Early 2012 I was invited as a *"Community Representative"* by (then Warringah) Council to be part of a working group consisting of 8 community/business representatives within an overall group of 16 members. This larger group included Elton Consultants, engaged by Council, as well as Council's planners and representatives (see Appendix 1).

The Working Party via a series of several workshops (during mid to late 2012) arrived at the **Draft Dee Why Town Centre Master Plan** (DYTCMP). This Draft document was later adopted and gazetted by Council the following year. The Masterplan was awarded Warringah Council a prize by UDAS for *Community Participation*. The final DYTCM was edited by council staff "at the 11th hour" much to the dissatisfaction of the majority of working party's non- council participants.

1. Lack of Genuine Community Consultation

In regard to the recent outcome, as I previously mentioned, I am firmly believe that our "Community", i.e. the local Delmar Pde precinct, Dee Why Residents as well as those of the Northern

Beaches region have been surreptitiously distanced, disregarded concerning opportunities to comment about this development.

A development whose scale is described in council's Executive Summary (Panel Reference PPSSNH-304 No date) , a 137 page document by its Council's own head planner , Mr Stephen Findlay as "*the second highest number of dwellings delivered by a single development in the Northern Beaches in the past decade*".

Our residential address (No 58) in Delmar is approximately 2 dozen houses, or roughly a 1/3 of the eastward, on the higher southern side Delmar Parade. We had no idea about this large scaled multi-storied DA until I read about it in the Stony Range emailed newsletter.

The email was dated 26th June 2023.

Initially I thought I must have overlooked Council's communication informing us as local residents to Delmar Parade of this massive development. A development whose scale will inevitably impact our existing overloaded local street with its 334 (an minimum) additional cars.

Delmar Parade in recent years, has become a popular "rat run" for those wanting to access the more densely populated eastern residential areas while avoiding traffic lights at other eastward turning intersections such as Sturdee and Oaks Avenues. A situation council is undoubtedly aware of.

I have increasingly witnessed too many near accidents, particularly between turning vehicles both in and out of Delmar Pde with pedestrians/cyclists crossing the chaotic dysfunctional intersection of Delmar Pde and Pittwater Rd. **I am concerned this current traffic planning oversight might lead to a pedestrian/cyclist fatality.**

Given the short time frame before comments closed prior the SNPP's hearing (namely 12.07. 23) I first tried to contact Council's responsible Town planner Thursday 29th June Mr Adam Susso, only to be told he had left council.

So I asked could I then speak to replacing officer, again no joy. I rang again the next day 30.07 though to Council's "Customer Service who were still unable to *either name or put me through to the responsible officer*. I therefore left a message to be contacted ASAP.

I was finally contacted by Mr Findlay the following Tuesday (04 07).

Mr Findlay informed me that the Community Consultation was successfully undertaken within Council's own guidelines. He stated and I paraphrase respectfully, that "*those living within approximately 100 ms radius from the DA's site*" were contacted early 2022.

Apparently "*486 people were contacted (March -April 2022) including addresses in Delmar residents whose address included up to No 11 on the northern side and up to No 32 on the southern, uphill side*".

These addresses in Delmar Pde represent *far less than a quarter* of those in our busy residential street.

In short this timeframe of 5 days it proved virtually impossible to wade through the substantial amount of documentation, let alone make an informed measured comment.

Hardly a reasonable and appropriate response time for such a significant development!

Mr Findley additionally mentioned that there had only been 3 submissions received.

I have since enquired with other local Delmar residents if they heard about this development; **not one had**. Likewise was the response with other local Dee Why residents during my morning swims at DY . All were taken back by both the scale of this project and the fact “they’d heard nothing”.

Mr Findlay suggested “*I should have visited council’s web site regarding development proposals in order to be up to date with goings on regarding developments*”. A comment I found condescending. Who with our busy lives has time, or indeed inclination, to study Council’ website regarding new DAs?

Mayor it’s impossible not form the view that Council’s Community Consultation efforts amount to nothing more than a clandestine “sham” ...an insult to our community’s collective intelligence.

2. Absence of Appropriate Planning Practice and Procedure regarding the lack of overshadowing provisions within the council’s own LEP.

It would appear incomprehensible that an LEP for a site adjacent/abutting immediately to the north of a Regional Botanic Gardens **would not include sensible planning provision for the preservation of public amenity** i.e. sunlight, visual impact, mirco-environmental effects and privacy issues.

Especially given that the northern most edge or section of SRBG provides a special kind of open space amenity in the form of flat wheelchair accessible areas designed for BBQs , picnics as well children’s bush cubby spaces. Additionally this zone offers opportunities for quiet contemplation during winter’s deepest periods (solstice) to simply bask in the early 9AM morning sunshine.

A point I believe shared by the many multi-storeyed residents of Dee Why and well beyond.

I suggest that the following missing planning provisions in Council’s LEP should include;

- **Preserving Winter Solstice penetration on SRBG’s northern boundary and its gateway Entry;** to ensure that Winter Solstice sun penetrates SRBG’s active northern edge as well as the public footpath to Tango Ave is a rather obvious public amenity objective. Additionally SRBG’s well designed entry path way should not be adversely impacted by overshadowing of the same solstice hours i.e. standard time of 9 AM Noon and 3PM.
- **Ensuring a buffer zone of minimum 6 ms between the Public Pathway to Tango Ave** and new development in order to maintain privacy from both pedestrians using the existing public pathway as well as those using the above mentioned public amenity of the northern edges of the SRBG. The setback would also allow fauna a safe, friendly corridor to the eastern residential landscaped areas.
- **Extending this landscaped setback** requirement to the DA’s development addressing both Pittwater Rd and SRBG’s parking laneway with its higher 7 storey development.

Two additional points which a believe are worthy of consideration and will benefit this DA.

SRBG's status of a Southern Gateway to DYTC was agreed to in the Draft DYTCM (see Appendix 2). This contradicts the claims made by the DA's applicant spokesman (Mr Aaron Sutherland at SNPP Hearing 12.07.2023). Additionally, council's own adopted DYTCMP **did not include development sites to the south of the intersection of Delmar Parade and Pittwater Rd** where this DA is located. Another erroneous claim by the DA's applicant (12.07.23)

Finally the provision of a north- south centrally located pedestrian /cyclist pathway (i.e. from Delmar Pde to SRBG) should be accommodated. This parallel link would provide a far safer, more attractive connection instead of forcing both pedestrian and cyclists out onto the busy edge of Pittwater Road. This amendment would benefit both DA's residents and local community.

3. The downgrading/compromising of arguably both Dee Why Town Centre's and Brookvale's most loved significant open public spaces.

As previously described the Draft DYTCMP was edited in the final public presentation in terms of it providing a series of interconnected public open spaces linking SRBG all the way through to Dee Why Lagoon's southern shoreline parallel to Pittwater Rd.

I have included a typed transcript of a hand written letter presented to the then Mayor Regan following a meeting of the majority of our community based group back in late 2012 preceding Council's last minute edited public presentation of DYTCMP (see Appendix 3) . **Note my request for an independent open space study prior any further high density development.**

Sadly how little things have changed within a decade or so.

I reiterate my earlier comment namely that *change within our cities and town centres, is an inevitable fact of urban life*. However pushing ahead with development without close consultation with their respective communities is surely a recipe for both a poor development outcome not to mentioned disillusioned unhappy communities.

Mayors I respectfully request the following to remedy this ongoing disaster;

1. **Putting on hold the current DA** until both of the below are satisfactorily completed
2. **An amendment to the current LEP** that reflects upon the short coming outlined above
3. **A review of both how the community is consulted in a fair, reasonable and genuine manner**

Lastly Cr Heins I concede completely that much of the decision making has taken place well before your election as Mayor. However here is an opportunity to reappraise and respond genuinely to the calls of community regarding how council conducts its consultation process to determine both its built environment and preserve its precious open space amenity.

Mayor I look forward to your response and a chance to meet and discuss all the above with you.

Sincerely

Cleveland Rose

58 Delmar Pde, Dee Why NSW mob [REDACTED] CC'd :Cc David Walton, Cr Kristyn Glanville

Dee Why Town Centre Master Plan

Working Party – Meeting 5



17
09
20/2
3

Project	Development of the Dee Why Town Centre Master Plan	Date	18 June 2012
Venue	Dee Why RSL	Time	6:30pm refreshments 7.00pm – 9.00pm

		Description
Welcome	7:00pm	
Where we got to	7:05pm	<ul style="list-style-type: none"> Review of previous meeting Review of issues raised
Presentation	7:30pm	<ul style="list-style-type: none"> Presentation by Community Representatives (Kevin, Richard, Cleveland)
Discussion about sites	7:45 pm	<ul style="list-style-type: none"> Discussion about additional sites on the eastern side of Pittwater Road
Interim ideas	8:30pm	<ul style="list-style-type: none"> Interim ideas/improvements for Town Centre while large sites await development
Meeting close	9:00pm	

Maureen Dillon	Community Member of Community and Culture SRG
Ann Sharp	Community Member of Infrastructure and Development SRG
Debra Hallett	Business Representative
Richard Michell	Community Representative
Cleveland Rose	Community Representative
Kevin Begaud	Community Representative
John Mullins	Community Representative
Jack McCann	Chamber of Commerce Representative
Phillip Naylor	Development Manager, Brookfield
Don McQueen	Acting Building Manager, Warringah Council
John Walker	Deputy General Manager of Community, Warringah Council
David Kerr	Group Manager Strategic Planning, Warringah Council
Dominic Chung	Senior Urban Designer, Warringah Council
Colin Macqueen	Group Manager Property, Warringah Council
Alex Cohn	Place Design Group
Darrell McLean	Place Design Group
Michael Barnett	Place Design Group
Brendan Blakeley	Elton Consulting (facilitator)
Emily Pow	Elton Consulting (note taker)

Recap

The last meeting discussed the development of a civic centre precinct offering a range of community facilities and services including police, health and potentially a library for Dee Why Town Centre.

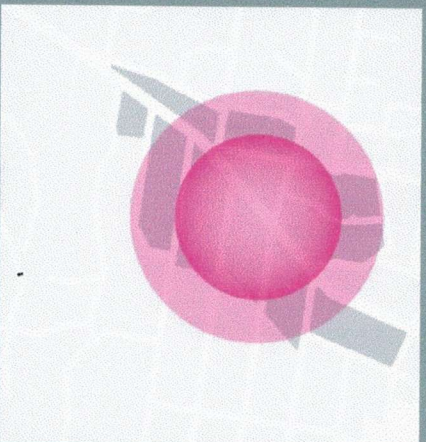
Council plans for the civic centre precinct

The Civic Centre will include police, health services and possibly a library. Council is planning to fund this project through the sale of the Keeagh site and Site A. There is a Council resolution to sell both these sites to raise funds for community facilities.

Economic analysis shows the cost Council would wear if it was to deliver a community facility on Site A as opposed to outright unencumbered sale is considerable. In order to raise these funds, Council would have to investigate other funding options. This analysis will be presented to the working group at the next meeting.

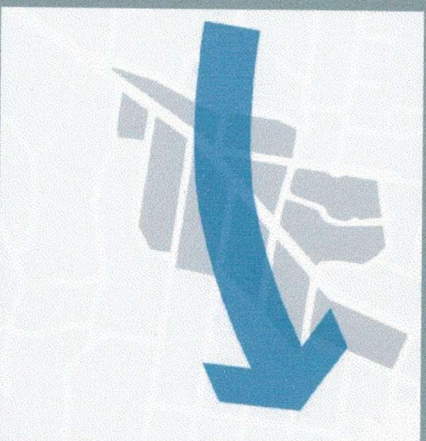
Council would like to deliver high class community facilities and create a community hub on the civic centre precinct that adjoins a piece of public space. With the potential to work with Health and the Police on this facility it is something that could happen with a reasonably short timeframe.

KEY PRINCIPLES



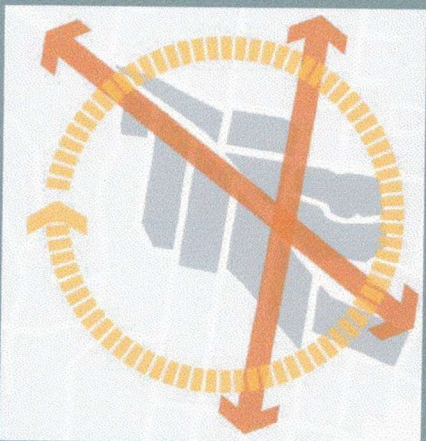
consolidate and reinforce the sense of centre core

The master plan will consolidate the centre in to a unified and identifiable place with a defined core and consistent surroundings.



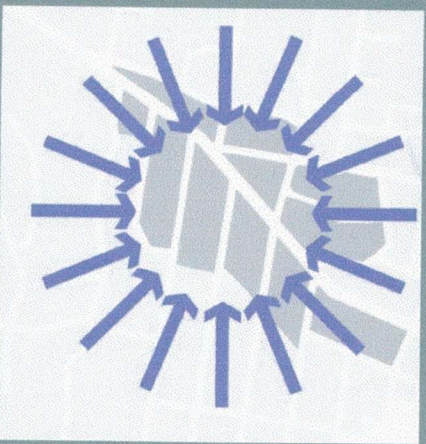
reconnect with natural systems

The master plan will integrate the centre with its natural assets, reinforcing its coastal location characteristics.



ensure a well connected town centre

The centre will enjoy a variety of movement networks allowing good quality and safe accessibility to all areas at all times.



foster a sense of community and pride of place

The centre will provide services, features and places that are reflective of its community values and aspirations and create civic pride and creativity.



LANDSCAPE CHARACTER

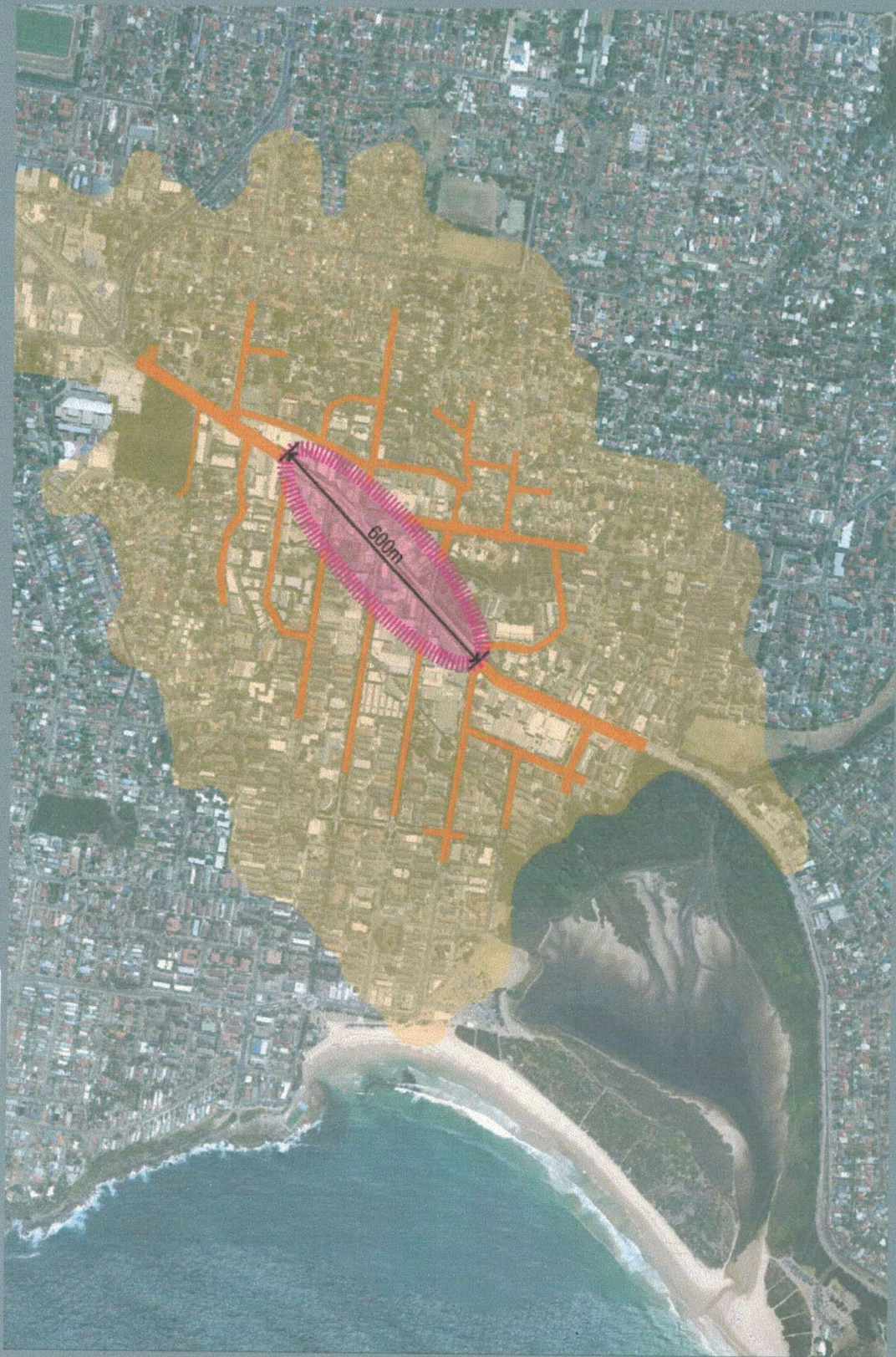
100484

- conservation area
- existing green space
- existing street trees
- existing mid block trees
- character planting
- urban / disturbed character zone
- road centric character zone
- heritage / civic character zone





DRAFT

WALKABILITY



perceived town centre footprint

-  400m walking catchment
-  800m walking catchment

DRAFT

CONTEXT

OPPORTUNITIES

DRAFT

- median upgrades
- improve pedestrian connectivity
- access to quality open space / landscape features
- new street
- gateway arrival sequence
- local walkways and interpretation
- integrated art strategy potential location
- street hierarchy amendments
- streetscape improvements
- emphasise character plantings
- open space matrix
- existing built form



CONTEXT

Tuesday 20th November 2012

Hi Michael

Firstly from our small representative "working Party Group" for giving us a fair hearing yesterday.

The talk constructive, inclusive and open.

No single individual (or group) has the answer to the kind of problems Dee why T. C. finds itself in.

However by maintaining a positive dialogue followed by positive actions, no matter how small, we'll collectively begin to tackle the problem and eventually arrive at some solutions.

For the "big picture" an illustrated Masterplan that covers/presents the whole town centre would be invaluable. This would give the public something to comment upon/give feedback to/

Words are fine but we all know the power of a picture to tell a story.

This I believe would at least kick start discussions re- the many options that have arisen over the past 9 months of initial workshopping of the masterplan.

It may also offer a pathway of how to achieve the various options' phasing /even financing.

On the smaller scale or "smaller steps" getting up (*starting up*) the night noodle market in the Multiplex Construction Shell would send a clear message to the community that council determined (to) encourage revive life in the T/C. Despite external forces (G.F.C).

Michael I do believe ***the two missing pieces of analysis urgently needed*** need attention before any far reaching decisions can be made . These are:

1. **Pedestrian /Cyclist Study**-where people sit, move, gather etc.
2. **Open Space and Population Density Study**-

Without these studies, the kinds of connections, location of new functions etc will always remain based on personal subjective preference.

Having the facts in front of us will be useful for making final decisions.

Finally I personally was happy to hear you would "keep an open mind" about the fate of "Site A" (Howard/Oaks Ave. *Public* Carpark).

As mentioned yesterday, the group felt that its fate was sealed by Council's staff presentation etc.

There is a way forward on this project and I believe it would be the absolute catalyst for the Town centre's rejuvenation.

I was consulting to Baulkham Hills Council around the time of it (*i.e .Council*) developing the award winning ***mixed use project @ Castle Hill*** ; Council got a new library/community centre meeting rooms on its site and private developer (*via a joint partnership*) built multi-rise luxury apartments above.

This option is well worth considering and I would be happy to discuss this with you and your colleagues.

regards

Cleveland Rose