
Sent: 10/02/2018 5:03:50 PM
Subject: Submission to Application Number: DA2018/0149
Attachments: Submission_SlaterRE- DA20180149.docx;

Dear Sir / Madam
please find attached my submission regarding Application Number: DA2018/0149 for
a proposed Boarding House at 60 Binalong Avenue, Allambie Heights, NSW 2100

Kind regards

John Slater

John Slater
Owner
16 Jennifer Avenue
Allambie Heights NSW 2100

RE: DA2018/0149 – 60 Binalong Avenue, Allambie Heights

Dear Sir / Madam

Objection to the DA2018/0149 Proposed Boarding House, 60 Binalong Avenue Allambie Heights.

I wish to make a submission regarding the development application of 60 Binalong Avenue Allambie Heights, which is a proposed 36 Occupancy Boarding house.

Warringah Local Environmental Plan 2011
Land Use Table

2011 No 649
Clause 2.8
Part 2

As an adjacent resident living in 16 Jennifer Avenue Allambie Heights, it is highly irregular that council has not bothered to notify me of this impending application. This is disappointing.

After careful consideration of the DA, and with respect to the Warringah LEP, State Government Policy on Affordable housing, this submission strongly encourages Northern Beaches Council to not provide consent to allow this DA to proceed.

My objection is based on the stated intent of the Warringah LEP of 2011 and the State Environmental Planning Policy (affordable rental housing) 2009. In addition, the approval of consent for this dwelling would represent an affront to all adjacent and surrounding ratepayers, who for many years have complied harmoniously with all development laws., including the overarching Objectives for zone, as stated in the Warringah LEP 2011, that the area is low density.

- 1.) First the relevant section of the LEP is included in the graphic above. It is noted that a Boarding house can be accommodated in R2 Low Density Residential Area, **providing as outlined in section 3 of the LEP shown, that it achieves consent to do so.**

4 Prohibited	Any development not specified in item 2 or 3
Zone R2 Low Density Residential	
1 Objectives of zone	<ul style="list-style-type: none">• To provide for the housing needs of the community within a low density residential environment.• To enable other land uses that provide facilities or services to meet the day to day needs of residents.• To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.
2 Permitted without consent	Home-based child care; Home occupations
3 Permitted with consent	Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Places of public worship; Recreation areas; Respite day care centres; Roads; Veterinary hospitals
4 Prohibited	Any development not specified in item 2 or 3

It is important to consider that “permitted with consent” decisions cannot ignore the clearly stated objectives of the zone (section 1) that make it abundantly clear that dwellings are intending to be low density residential environments. A 36 bed boarding house on an existing block of land, previously occupied by a single dwelling, is to a reasonable person a development that is not in keeping with section 1 objectives of low density. It represents a gargantuan shift from the norm and surrounding low density dwellings. A development on a smaller scale would not be such an obvious affront to low density.

2.) Second, and strongly related to the surrounding neighbourhood being low density, the local infrastructure, roadways, and nature strips are typified as low density streetscapes. Currently there are no sealed footpaths, abundant trees overhang nature strips and the roadway is designed for low volume traffic with infrequent legal parking on the street. It can be demonstrated that this development severely impacts on these current council provided and ratepayer funded infrastructure aligned to low density. Alternative low density dwellings, including a boarding house that would be of a vastly smaller scale, would not cause such an impact. Specifically, the issues are as follows:

- a) Unlike other boarding house developments in Sydney that strategically located close to transport hubs like railway stations and main roads that allow for high frequency public transport, this high-density development is located in a low frequency irregular public transport environment. This is at odds with Department of Planning and Environment's own requirements that must be met for Boarding Houses in R2 Low Density Areas.

As per the Department of Planning and Environment Policy regarding Affordable Rental Housing 2009, <http://www.planning.nsw.gov.au/~media/D7796C1818794D238F49F77F2D792365.ashx>, a key criteria of allowing consent for a Boarding House is the following:

“Boarding houses are permissible in R2 Low Density Residential zones in locations close to public transport services:

(a) Sydney Region

☐ Within 800m walking distance of a railway station or a Sydney Ferries wharf;

☐ Within 400m walking distance of a light rail station;

or

☐ Within 400m walking distance of a bus stop **used regularly** between 6am and 9pm Monday to Friday, and 8am to 6pm weekends.” (Emphasis added).

For the proposed Boarding house only 1 of these conditions is partially met. This DA is located within 400m walking distance of bus services only. However, the frequency of timetable services verified by NSW transport is clear evidence that bus services are infrequent, and typified as only regular

between 6am – 8am and 4-7pm for city services Monday through Friday. In comparison to other timetables services serving high density areas public transport is infrequent and irregular in Allambie Heights.

The claim within the DA that public transport is available via 280, 142, and E66 bus routes, fails to acknowledge that capacity (via frequency and bus size) on these routes has not changed in decades, and furthermore services are limited and hardly as regular as Department of Planning guidelines intend for assisting in servicing the needs of residents of Boarding houses. Current public transport arrangements struggle to cope with Allambie's growing population. As stated, the E66 does not operate on weekends and only operates at morning and pm peak times. The 142 / 280 frequency out of peak times and on weekends at best is hourly. According to the Department of Planning and the Environment, people to whom the Affordable Rental Housing policy is designed to help with more affordable housing are people with lower incomes in essential services such as, nurses, policemen etc. It is likely that such residents will work in shift roles and have to out of practically be dependent upon car transport due to the inflexibility and irregularity of public transport servicing Allambie Heights.

- b) The DA does not adequately allow for increased car parking for both residents and visitors in the surrounding streets. There is only 9 identified off-street parking spaces for 35 lodgers and a manager. Whilst these identified off-street parking guidelines are aligned to Department of Planning Guidelines for Boarding houses, as per section 2a above of this submission however, those guidelines specifically mandate close proximity to "regular" public transport which negates the need for car transport. Again regularly public transport can be proven to not be the case for Allambie Heights. Furthermore, it is not uncommon for people to own or have access to a car, and given the very infrequent / irregular public transport, should all residents require parking, this property will add 27 cars to the surrounding streets, which already has a substantial volume of cars parked on it. Add to that the realism of lodgers having visitors and the problem of increased traffic and demand for on-street parking is significantly worse.
- c) The inevitable frequency of much-increased car movements with this DA in such a quiet low density street has not been considered, and council should consider the safety aspects of effectively doubling the volume of traffic on Jennifer Avenue, Nargong Road and Binalong Avenue. The open public space park between Jennifer Avenue and Nargong Road is frequently used by families and children who could be at risk of accident with the significantly increased traffic.
- d) Associated with the safety risk of increased traffic and the inevitable increased demand for on-street parking due to the inadequacy of off-street

parking (points above), council should take particular note, that none of the affected streets (Jennifer Avenue, Nargong Road and Binalong Avenue) has sealed public footpaths. The nature of the streetscape, with many low hanging trees on the grassed nature strips in front of properties, means that pedestrians and dog walkers, frequently have to take to the roadway to walk along the streets. These people are at real risk of car-pedestrian accident if the increased demand for on-street parking forces them out of necessity to walk further into the roadway proper. Again the streetscape as it currently is, is adequate for low density neighbourhood characteristics. This infrastructure has not been designed to stretch to high capacity / high density dwellings.

- 3.) That the “application is made under State Environmental Planning Policy (Affordable Rental Housing) 2009” should be reviewed by council with a degree of caution and scepticism, as many contemporary media articles have investigated recent developments that have found that Property Developers are making a mockery of the intent of affordable housing and are charging exorbitant rents for boarding house accommodations. The media has found through investigative journalism that boarder houses are a loop hole in the planning law that allows a developer to essentially build a high occupancy dwelling in a low density area. <http://www.smh.com.au/.../500-to-rent-a-boarding-house...>
- 4.) A key characteristic of a low density neighbourhood is a quiet family location. The location of 36 residents on an existing block of land, with obvious visitors will concentrate a significant amount of noise which again is not in keeping with the objectives of the LEP re low density.
- 5.) Whilst it could be highly speculative to affirm that adjacent owners to the proposed Boarding House may see their investments in their own properties suffer significant losses with a high density development in a low density area, what is not without argument is the nature of such a significantly high capacity dwelling obviously dwarfs surrounding low density properties. For all intents and purposes according to the plans supplied in the DA, the proposed Boarding house has the street presence of a medium sized block of flats. Again this is not in keeping with the scale size of existing dwellings adjacent and in the neighbourhood that are bonafide low density. The size of the structure, regardless of its design, dominates the streetscape. If consent was to be approved, it is not unreasonable to consider that future buyers of surrounding properties would view this section of Allambie Heights to be significantly different to the more obvious low density streets of Allambie Heights. Approval of such consent affords conveniences of profit for the developer, at the opportunity cost of possible future financial risk of many other neighbours. Such a situation would not only be obviously unjust, it would only arrive at the manifestly inconsistent application of ignoring the overarching low density goals for the area, and dwellings built consistently within the full extent and intent of the LEP.

In conclusion the consent required for this Boarding House development application should be rejected by council as:

- i. Its sheer scale size, street presence, and impact on low density surrounding infrastructure are completely incompatible with the overarching intent of the LEP regarding the nature of low density housing in Allambie Heights.
- ii. There are a number of safety concerns regarding increased traffic flow and interaction with pedestrians, which have not been adequately addressed in the application, and the streetscape infrastructure is simply not designed for such a high capacity / high density dwelling.
- iii. That the proven public transport irregularities for Allambie Heights, are at odds with State Environmental Planning Policy (Affordable Rental Housing) 2009 policy that requires much more regular public transport to allow Boarding Houses within R2 Low Density zoned areas.
- iv. That the application, if successful, would be a manifestly unfair impact upon the rest of the community abiding by developments that are low density, and serves ultimately to serve the profiteering of a single developer over community concerns and many other home owners.
- v. That it is doubtful from contemporary media evidence that Boarding Houses built under the auspices of providing beneficent affordable housing, and often via securing up to \$300,000 taxpayer funding to do so, actually deliver affordable housing.

Kind regards

John Slater
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