

Douglas Cunningham

From: [REDACTED]
Sent: Tuesday, 5 December 2023 3:35 PM
To: Douglas Cunningham
Subject: Planning Proposal 2021-7404 159-167 Darley Street West Mona Vale

Hello Douglas

Thank you for your time today. As discussed, please forward my submission relating to this proposed development:

1. We purchased number [REDACTED] in January 2023. We were attracted to this street due to its **quiet cul de sac position** close to the B-Line transport and the Mona Vale village shops.
2. A DA report was undertaken at the time of our purchase that did not show any recent DA approvals to cause us concern.
3. Soon after moving in to our home we became aware that the rezoning and development had been proposed. Despite it being strongly rejected by the residents and rejected twice by the local council, this has been overridden by the Department and it appears that the rezoning and development will proceed regardless of the opinion of local residents.
4. The proposed development is totally out of character with the rest of the street which comprises single dwellings and townhouse complexes only.
5. Traffic in and out of the street is barely manageable: the right hand turn into Pittwater Road is difficult due to drivers having to watch carefully for oncoming cars travelling straight across from Darley Street into Darley Street West. The direction of travel of oncoming cars cannot be seen until the moment when they reach the front of the oncoming queue. Generally, only 2 cars at a time manage to turn right into Pittwater Road when the lights are green.
6. This would be somewhat ameliorated if the cul de sac in Kunari Place is opened to join Darley Street West to provide another exit through to Park Street towards Mona Vale Road East.
7. If /when this unwanted development is constructed, the parking and access in and out of Darley Street West will be heavily impacted. Many if not most residents in the 2 blocks will have 2 cars and will likely park one in the garage and leave one on the road. This will take up all the roadside parking and there will be no space for visitors to the other residences in the street. It will be like Manly where roadside parking is impossible to find due to the residents' cars taking up all parking spaces.
8. The traffic report by PTC in July 2021 is **incorrect** where it states as below (highlighted section) :

"A SIDRA analysis of the Pittwater Road and Darley Street West intersection was conducted and the modelling indicates that the intersection is currently performing at a good Level of Service (LOS) B in both the AM and PM peaks. When the development is introduced, the LOS remains at a good LOS B with spare capacity in both the AM and PM peaks and with a negligible increase in average delay. •

. In summary, the Planning Proposal is supportable on traffic planning grounds and will not result in any adverse impacts on the surrounding road network or the availability of on-street parking."

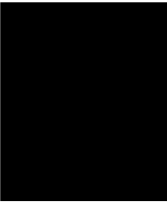
In fact, there will be a **massive adverse impact** on the surrounding road network AND the availability of on-street parking! Not only will there be another approx. 80 cars being parked either in the units or up and down the street, there will be no space left for visitors to park.

In addition, there will be many more cars trying to turn right into Pittwater Road if this development goes ahead. Approximately 2 cars get through per green light due to the difficulty in turning right, which will result in queues back up the street towards the cul de sac. This will affect the ability of other residents to turn out of their driveways into the street. A lengthy period of construction with trucks and tradies trying to get up and down the street will make this doubly difficult and unpleasant for everyone.

In short, the proposed development will badly affect the current amenity and quiet enjoyment of the street and should be rejected.

Thank you

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I have no issue with the site being rezoned to R3 Medium density but I do have a problem with the number of dwellings proposed for the site.

It appears to me to be gross over development and will set a precedent for the rest of the suburb.

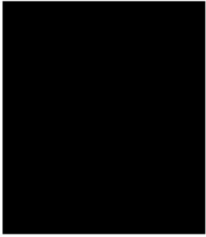
It would appear to me that the current NSW State Government is not interested in upgrading infrastructure in Pittwater, evidenced by the suspending of the Mona Vale Rd West roadworks that had already commenced and were costed in the previous budget and the constant delays by both NBC and State Governments in upgrading Wakehurst Parkway. It would make a lot more sense to me for these and other infrastructure improvements to take place before developments such as this are allowed.

I have lived in Mona Vale for the past 9 years and Palm Beach for 27 years prior and the traffic and congestion has increased you an unsustainable level in that time but more so in the past 10 years. Little has been spent to lessen the impact of our increasing population by LNP or ALP governments apart from Mona Vale Rd East and NB Hospital, which is a disaster, but that's a story for another day.

Infrastructure first then increased housing.



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I object to this proposal. Main concerns

1. I object to removing clause 4.5A of Pittwater LEP2014
2. With the problems of water and sewage on this site. extremely near flood area.
3. Parking on the streets would be inadequate.
4. The number of cars accessing with the street greatly increased. Congestion
5. This would not be in line with the rest of the street.



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159-167 Darley St West, Mona Vale - planning proposal -

I strenuously oppose the request for rezoning from R2 to R3 of these sites which currently hold private single dwellings for the following reasons and the proposed development submission -

1. overdevelopment - currently the townhouse developments in this end of Darley St West contain 11 or 12 townhouses per double block. The developer is attempting to obtain permission for 41 across the 5 blocks - this is an overdevelopment in the area of some 11 dwellings;
2. the land was and is considered "unhealthy building land" - it cannot be a fair comparison between the current 5 single dwellings and a possible future 41 dwellings. This zoning of R2 protected there being underground excavation for garaging & storage alleviating the concerns of disrupting the watercourse and the unsettling of Acid Sulphate Soils;
3. the appearance of the proposed future development has very little natural land left after the development covers over most of the area with HARD STAND surfaces - roofs, driveways, courtyards, the possible run off of rain into subterranean areas is massive;
4. my understanding for the original & current zoning of R2 was to protect any possible encroachment to the underground natural water course passing diagonally across all 5 properties. Man cannot forever divert water's natural inclinations. We have seen this in the flooding episodes on the east coast of Australia in recent years;
5. There is also concern over 41 extra residences in a dead end street, this would easily equate to 82 extra cars + visitors entering & leaving the street 24 hours a day.

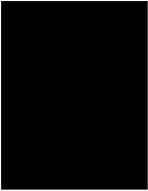
It would seem to me that better proposed sites to be rezoned and developed would be in Park Street, Mona Vale to the south of this Darley St West proposal. They appear to be R2 at the moment and could be considered much better positioned for further development to medium density and have a bus running passed them.

I cannot see how "affordable housing" can be achieved where 2 bedroom townhouses in DSWest sell for \$2+M.

I am not unreasonable, I know that at some stage a development may go into Darley St West but it should be villas or ALL ABOVE GROUND townhouses i.e. garaging beside the ground floor living areas - not excavating into the subsoils.

I am representing the future owners/occupiers of 159-167 Darley Street West, Mona Vale who, at the moment, don't have a voice, as well as those of us who already live here and are concerned with a significant change to our quiet enjoyment of life.


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This submission relates to Planning Proposal 159-167 Darley Street West, Mona Vale (PP-2021-7404)

I am objecting to this proposal for the following reasons.

I am a resident living on the lower side of Kunari Place.

I have serious concerns regarding the increased flood risk likely to affect the adjacent creek which borders the back of our property.

I note that there have been extensive discussions regarding plans for flood management strategies within the to be developed site and the properties immediately adjacent to the development.

The creek bordering the Bayview Golf Course and the properties on the lower side of Kunari Place is however not considered in any planning.

The creek is flooding our properties at regular intervals after heavy rain but neither the Golf Course, nor the Council or Sydney Water seem to be taking any responsibility for the ongoing problems which have been repeatedly brought to the attention of those entities.

It is however my understanding that Sydney Water is using the creek as a stormwater overflow despite not taking any responsibility in the management or upkeep of same.

I am therefore deeply concerned that our already existing flood problems will be severely exacerbated should this development go ahead unless some appropriate planning is undertaken and mediation works are carried out to address the existing flood problem.

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1. If the proposal goes ahead, there needs to be a right turn arrow on the lights at the intersection of Darley St West and Pittwater road for traffic exiting Darley St West. It is already quite difficult to turn right from Darley St West as the oncoming traffic, in the centre lane from Darley St, can either turn right into Pittwater Rd or go straight ahead into Darley St West. You need to wait until all oncoming traffic has gone before you can turn right as you cannot tell if any cars are coming straight ahead. Once there is increased traffic there will be a queue and a substantial delay at the lights for those exiting Darley St West.
2. If the proposal goes ahead can you ensure that there is a continuous footpath all the way west on the left hand side down Darley St West to the walking lane at the bottom

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PLANNING PROPOSAL – 159-167 DARLEY STREET WEST

Thank you for your letter of 1 November outlining the revised planning proposal.

We are strongly objecting to this proposal on the following grounds.

REZONE THE SITE TO MEDIUM DENSITY

Apart from providing an opportunity for the developer to make significantly more profit from the proposed development, there is NO valid reason for the site to be re zoned from the current R2 Low Density Residential. On 26 October the Northern Beaches Council rejected the proposal on the following grounds :

- The Planning Proposal is inconsistent with the provisions of the North District Plan.
- The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
- The Planning Proposal does not demonstrate strategic merit or site-specific merit when assessed against the NSW Planning & Environment's: A guide to preparing planning proposals.
- The Planning Proposal may establish an unwanted precedent.
- The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.

Given that the Northern Beaches Council fully appreciated the adverse impacts of this development the basis for its refusal has not changed since then – particularly the fact that it may establish an unwanted precedent for future developments which would have no height restrictions.

All previous developments in the street have been done under the Low-Density Residential classification and there are no valid reasons demonstrated to change the current zoning.

TRAFFIC

An extremely biased and unrealistic traffic assessment based on work done in October 2016 has been presented. The heavy reliance in the misguided arguments about potential traffic rely far too heavily on the fact that public transport and access to shops are within walking distance. Page 11 of that assessment makes the absurd comment "There is an abundance of bus stops within 800m of the site as shown in Figure 11 with great service coverage". What it doesn't say is the bus services within the 800m are little used. The far more commonly used services such as the B Line and 199 are outside of the 800m!

In addition, It doesn't recognise the demographics of the existing residents which are largely mature and retired individuals who do not and, in many cases cannot, walk to the shops.

Accordingly, they drive, particularly to medical appointments and to do their shopping.

Further relevant points are:

- Darley Street West is a closed street, with no flow through, so all cars are required to exit the street at Pittwater Road. Page 20 shows that in the AM peak hour 35 cars from Darley Street West have to turn right against 205 cars which are turning left from Darley Street. This turn is currently both difficult and often dangerous. The (very low) predication of an additional 24 cars in each peak will only add to this hazard without any consideration for a right hand turn arrow to be installed on the existing traffic lights
- The unrealistic assumption of .65 vehicles per unit has no basis when 2- and 3-bedroom units are involved. Many houses and units now have at least 2 cars which are actively used. It is very easy to foresee that the one bedroom units will also have 2 cars
- In addition to the additional traffic flow that would occur, the projected development time of 2 years will create significant traffic and parking issues with construction vehicles. It is already extremely difficult to exit underground garages with many parked cars already in the street each day

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I strongly object to the proposal.

Darley Street West is currently zoned R2 Low Density Residential and by changing it to R3 Medium density would severely detract from the value and quality of the area.

It is very hard to understand that a requirement at this valuable site needs to include an affordable housing component.

The demographics of the street consists of houses & townhouses with no multistorey buildings.

If the maximum dwelling density requirements no longer apply to the existing sites at 159-167 (5 houses) and the intention for them to be mainly replaced with multistorey units with a large increase in the numbers of residents and visitors using the street causing parking and vehicular movement congestion at the only exit at Pittwater Road.

The safety of all motorists and pedestrians will be severely compromised unless the developer upgrades the intersection and the traffic control light signals for the right turn movements in both directions in Darley Street.

I have no objection to the proposal site of current homes being replaced with townhouses which is in keeping with the existing high quality of residences.

I am very concerned that if the street is rezoned for this development it will open the flood gates for all the other existing houses in the street to become similar types of buildings,

This will completely change our community demographics and the existing northern beaches lifestyle

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I object to the proposal on the following grounds. From a local resident viewpoint 1. Darley St West is already congested with vehicles parking on either side of the road, adding net 36 more dwellings can only compound the problem. 2 The street has many elderly residents and heavy construction vehicles negotiating this congested street is fraught with accident potential. 3. Darley St West has traffic lights at the junction with Pittwater Rd. Traffic turning right and traffic turning right from industrial Darley St have to cross in front of each other which is already dangerous. Traffic turning left from Darley St cannot be seen from Darley St West. Adding more people/vehicles is an obvious safety issue.

On the bigger picture aspect, this proposal is the thin end of the wedge. 4. Mona Vale and surrounding suburbs have only two main roads in/out, Pittwater Rd and Mona Vale Rd. It is a bushfire prone area and both roads are already congested [the NSW government have stopped the widening to dual carriageway of Mona Vale Rd]. In an emergency evacuation it would be chaos trying to evacuate. Additional residents only add to the problem.

5. The NSW Govt is warning of increased bushfire danger, potential water rationing and electricity outages, adding more people makes little sense.

In summary until the infrastructure can support more residents I would exhort the various 'planning panels' to not approve this proposal as it is potentially life threatening. Thank you.

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Hello there

As I have said in the past as a retired professional firefighter with over 30 years experience on the northern beaches I have seen way too many times the damage caused by properties with underground parking and the flooding that always occurs. Council would no doubt be aware of these occurrences and the fact that these types of properties have been allowed by them to be built time and again.

Development is to be expected but overdevelopment is irresponsible and will only lead to a degradation of the quality of the area.

Please reconsider and do what is truly best for our community

Thanks

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Although we deeply regret your decision to approve the above development by the NSW Government Planning and Environment Dept - Sydney North Planning Panel, we are most concerned about the DANGEROUS TRAFFIC LIGHTS at the end of Darley St West.
We urgently request TURNING ARROWS be approved forthwith to prevent serious accidents.

These traffic lights are already far too dangerous WITHOUT any extra cars [extra 80 cars spaces approved] and will be even more so with the extra vehicles.

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I wish to object to the Rezoning of the proposed development in our street. This proposed development is simply over-development and unnecessary. This decision ignores the wishes of the residents, the Council planning requirements and the concerns of the local community.

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Hello Douglas,

I'am a neighboring resident of the rezoning proposal on 159 -167 Darley St West site.

I would like to express my support for this rezoning proposal, I would also Like to propose the adjoining residents, directly behind on Park St also be considered as part of this rezoning proposal.

As we have a shortage of housing and our population is increasing, rezoning the combined area seems to make sense.

Having pockets of R2 and R3 directly beside each other doesn't make sense.

Can we propose to have the adjoining properties in Park St Zoned as R3 as part of this proposal?

thank you Douglas

Kind Regards

Submission

Thank you for the opportunity to comment of the Planning Proposal for the subject site.

Background

On 26 October 2021, Council resolved to reject the Planning Proposal for the subject site, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the following reasons:

1. The Planning Proposal is inconsistent with the provisions of the North District Plan.
2. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
3. The Planning Proposal does not demonstrate strategic merit or site-specific merit when assessed against the NSW Planning & Environment's: "A guide to preparing planning proposals".
4. The Planning Proposal may establish an unwanted precedent.
5. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.

This decision was supported by the Sydney North Planning Panel on 6 October 2021. They indicated general agreement with Council's planning proposal report not to support the Planning Proposal. They considered the application to be premature given the strategic planning initiatives being undertaken, in particular the Mona Vale Place Plan.

The Panel recommended

- That Council not proceed with the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.
- That the site be included in the Mona Vale Centre Investigation Area (CIA) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations. They stated "the Planning Proposal is considered to be inconsistent with the Greater Sydney Region Plan, North District Plan, Northern Beaches Local Strategic Planning Statement - Towards 2040, Northern Beaches Local

Housing Strategy, and has not demonstrated sufficient strategic merit or site-specific merit.”

It is our belief that the same reasoning and conclusion should be given when considering this Planning Proposal.

Subsequently on 18 April 2023 it is noted that following a lengthy debate Council resolved to :

- “1. Reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not forward it to the NSW Department of Planning, Industry and Environment seeking a Gateway determination for the following reasons:
 - A. The Planning Proposal is inconsistent with the provisions of the North District Plan.
 - B. The Planning Proposal is inconsistent with the provisions of Council’s Local Strategic Planning Statement - Towards 2040.
 - C. The Planning Proposal does not demonstrate strategic merit or site specific merit when assessed against the NSW Planning & Environment’s: A guide to preparing planning proposals.
 - D. The Planning Proposal may establish an unwanted precedent.
 - E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council’s Affordable Housing Policy.
- 2. As part of the Mona Vale Place Planning Process, include 159-167 Darley Street West, Mona Vale for consideration within the Centre Investigation Area (as identified within the draft Local Housing Strategy) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Place Planning process. “

As local residents we agree with these decisions by our local Council as the decisions met all the governance and process criteria a local community expects from it’s local representatives. That is that their decisions reflect the long-terms strategic objectives adopted in the various planning documents that have been adopted in partnership with the local community.

The need to meet State Government imposed targets is acknowledged but they must fit into the normal planning processes and not be undermined by developers attempting to leapfrog these adopted timeframes and planning objectives.

Our specific comments related to the Planning Proposal are:

- The Planning Proposal must be considered within the Centre Investigation Area (CIA) to align with Councils overall strategic planning agenda.
- The appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality must be reviewed as part of the Place Planning process.
- The North District Plan and Local Strategic Planning Statement do not specifically require the need for additional housing in the location of the subject site.
- The Planning Proposal fails to demonstrate satisfactory strategic and site-specific merit, and is inconsistent with the strategic planning framework, including Councils Local Strategic Planning Statement - Towards 2040 (LSPS) and endorsed Local Housing Strategy (LHS)
- The Planning Proposal is inconsistent with Council's strategic direction and the planning proposal has not demonstrated why this application should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location. The Planning Panels views with reference to Council local planning "Towards 2040 - Local Strategic Planning Statement (LSPS)" Table 6 (pg6) Priority 27 - are not agreed with and the Mona Vale planning process should not be short circuited in this way.

The Panel report states in relation to Priority 15 of the above local plan the proponent "also seeks to locate new housing within 800m walking distance of high frequency public transport. While the site is located slightly further than the recommended distance (~1km) from a high frequency B-Line bus service, the proposal generally achieves the intent of this priority."

It is noted that the Panel is recommending a distance further than the local plan (Centre Investigation Area) allows and in a flat terrain situation this may be acceptable but both pedestrian access routes leading to Mona Vale shops are steep and would be difficult for an elderly or disabled person to traverse. The additional

distance suggested will inevitably prevent ready pedestrian access for some sections of the community.

- The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land.
- Rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under on the same basis.
- The proposal is likely to adversely affect the use of Bayview Golf Club due to additional flooding from redirected stormwater from the development site. This is discussed further later in this submission.
- There is no clear link between the Northern Beaches LSPS and the provision of additional housing beyond the existing Mona Vale strategic centre which is being sought in this Planning Proposal.
- It is of concern that the proponent seems to give scant regard to the Affordable Housing objectives of Council and the Sydney North Planning Panel. In their latest submission referring to “viability testing of the contribution”.
- The Concept Plan submitted may not be representative of the final development application Council is required to consider in the future. It may be substantially different form and density. This provides the applicant with the ability to interpret the intent of the Planning Proposal and vary the principles under which the Agreement is intended. This may leave Councils development assessment staff in difficult positions in terms of defending their decisions on merit in a Statutory Planning sense,
- Removal of the density provision for the site will also result in an increase in dwellings and therefore additional site related impacts. These include:
 - additional cars entering and exiting the site and street.
 - Traffic congestion – Concern is raised on the impact on the intersection of Darley Road west and Pittwater Road. The new Planning Proposal submission comments on page 12 traffic impacts will be negligible which needs to be challenged. This is discussed further later in this submission.
 - The proponent refers to walking routes to Mona Vale. These routes are very steep and not suitable for older and disabled community members. The Traffic study provides a walk score of 73

and describes the routes available as “very walkable” but the score inputs do not seem to include topography as a criteria.

It is noted from the Gateway Determination Report that a number of significant issues remain unresolved including:

Flooding

The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council’s Flood Hazard Map adopted in 2019. It is noted the report refers to overland flow paths extending to Darley St West stormwater system but there is no mention of the impact on the creek system with likely additional velocities and quantities reaching the creek and overflowing into the golf course. The Council report refers to “diverting approximately 70% of the peak 1% AEP flows arriving from the south-east through a new shared access driveway to Darley Street West.”

These additional flows may meet Councils modelling but does this modelling address the impacts on the golf course. The report continues the “1% AEP afflux mapping indicates an increase in depths by up to 40mm on Darley Street West and to the reserve to the north adjacent to the golf course where additional overland flows have been directed.”

Bayview Golf Club has made significant improvements to drainage and irrigation on the course over recent years and these could be undermined by additional uncontrolled stormwater inundating the site as described above. Figure 4.5 of the Panels report on page 13 shows sections of the golf course in the medium and high-risk precincts.

The Panel do comment in their report specifically addressing Direction 4.1 that consistency with this requirement “is yet to be justified”. Given the potential adverse impact of flooding at the street table, nearby reserve and the golf course, impacts and mitigation methods should be clearly enunciated before Council need to deal with a development application.

Conservation

The Planning Panel report states the “site contains 0.19 ha of Pittwater Spotted Gum (PSG) forest, which is listed as endangered under the Biodiversity Conservation Act 2016. This comprises potential foraging habitat for several aerial and highly mobile threatened fauna species as part of a broader habitat range.” The report goes on to say the

endangered forest species may not be necessary for foraging of the “threatened fauna species”.

The Planning Panel has indicated in relation to Direction 3.1 that consistency with this requirement “is yet to be justified”. It would seem that the preservation of any endangered Spotted Gum forest is essential on the Northern Beaches not only those required for foraging, and any development adjacent to the forest will threaten it. As the final layout of the development is not known it would seem highly risky to give Planning Proposal approval and trust that these endangered species will not be lost.

The above comments are equally relevant for the SEPP Biodiversity and Conservation 2021.

Affordable Housing

The original proposal indicated there had been an offer by the applicant to enter into a voluntary planning agreement to provide affordable housing at a rate of 2.085% of the investment value (\$1,122,627). At the pre-Gateway briefing on 14 August 2023 the Sydney North Planning Panel determined that this be increased to 5% and required through a new affordable housing clause in the LEP.

It is of concern that the proponent has raised the issue of viability testing the contribution. The 5% was seen as a compromise of the external assessments undertaken and any reduction in the contribution will have a deleterious impact on Northern Beaches Council planning for affordable housing.

Traffic

In reference to Direction 5.1 of the Ministerial directions the Panel report states “The planning proposal is supported by a traffic impact assessment (PTC, July 2021), which concludes that the area is well serviced by public transport and is within walking distance to jobs and services in the Mona Vale town centre. Further, traffic impacts will be negligible and will not adversely impact the surrounding road network.”

The comment regarding walking distances has been referred to previously in this submission.

As mentioned above the claims about minimal traffic impacts are unrealistic. There are multiple near misses at the intersection of Darley Street West and Pittwater Road every day. On a good day during peak times only one (1) vehicle can safely turn right out of Darley Street West for fear of a vehicle travelling in a westerly direction in the right-hand turning lane (into Pittwater Road) continuing to travel westerly thereby putting right hand turn drivers in a collision situation. Even a few hours watching the intersection will demonstrate the dangers ever present to the road users.

The contention of the Traffic Engineer in the Traffic Impact Assessment that traffic movements will increase by approximately 23 trips in both the AM and PM, and that the road network would maintain a Service Level B ('good') during peak hours and the "proposal will have minimal impact on the road network" is questionable. The Traffic Engineer even acknowledges the Traffic Impact Assessment modelling process during the COVID period had its "limitations". The limitations were, no traffic survey was undertaken and I'm assuming no site observations to assess the "real" situation. The use of 2015 SIDRA and 2016 traffic data is not acceptable.

41 residential properties each with 1.5 cars resulting in only 23 additional trips is not realistic. The developer is providing 80 car spaces and from my experience of developments in Darley Street West all those spaces will be occupied. As referred to above, traffic modelling can reflect academic assumptions whereas the residents knowledge of how dangerous the existing "kamikaze" intersection is, will guarantee the intersection of Pittwater Road and Darley St West will become more dangerous.

We believe given the limitations in traffic modelling during the COVID-19 pandemic, it needs not only a condition "that Transport for NSW (and Council) be consulted on the proposal during exhibition" but a full and thorough Traffic Study be undertaken of this intersection before the Planning Proposal is considered further.

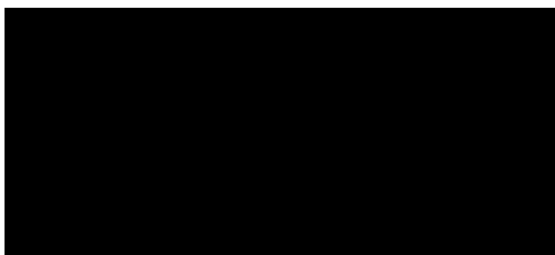
Conclusion

The proposal to remove clause 4.5A in relation to density controls for residential accommodation is not supported. • The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other

land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same or similar situation.

Priority 27 of “Towards 2040 - Local Strategic Planning Statement” (Action 27.1) notes that Council will prepare a place plan for Mona Vale and develop relevant LEP and Development Control Plan (DCP) controls to support the revitalisation of the centre. This should be allowed to proceed before the Planning Proposal is considered.

The proposal before the Panel should not be approved for all the reasons described above but even beyond the strategic planning aspects the comments that some parts of the application are “yet to be justified” should be enough for the Panel to reject the Planning Proposal.



[REDACTED]
al submission

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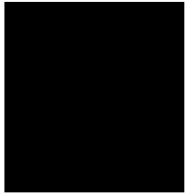
submission

Please see attached submission

Regards



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I support the rezoning of 159-167 Darley Street West, Mona Vale, from R2 to R3 and the amendment to Clause 4.5A of PLEP 2014 for the following reasons:

1. The land has already been developed and would be an appropriate site for urban infill. It is within 1.5kms of existing services and included in NBC's Mona Vale CIA. This site is a far more appropriate use of land than the previously proposed 95 unit Seniors Housing development in Cabbage Tree Road Bayview, which encroached on a designated wildlife corridor. Many residents in Darley Street West supported that proposal. It was refused.

2. The proposal will offer a diversity of housing types, including a portion for affordable housing, resulting in better dwelling choices for the area.

Hopefully, this redevelopment will play a small part in resolving Sydney's housing crisis.

Regards



[REDACTED]
re 159-167 Darley Street West, Mona Vale, NSW 2103.
[REDACTED]

Dear Sir

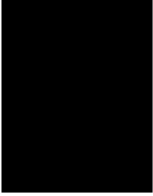
We strongly object to this planning proposal for the following reasons: -

- 1) This proposal and its referral to and intervention by the NSW Department of Planning, Industry and Environment for a Gateway determination totally undermines all the logic and strategic planning undertaken by our local Council and their communication and collaborative work with the local community to gain general support for their long term plan.
- 2) The proposal has already been rejected by our Council which included a resolution to not forward the proposal to the NSW Department of Planning for a Gateway determination.
- 3) The Sydney North Planning panel agreed with The Council's report to not support the proposal. They determined the proposal was premature and not in accordance with the logical strategy developed by the council that was generally supported by the community.
- 4) As recently as April 2023 Council again resolved to reject the proposal and also to not forward it for a Gateway determination.
- 5) We agree with these decisions as they meet all the governance requirements we expect of our Council as they are in accordance with the established principles for development in our area. It makes no sense for another entity without the detailed knowledge of our local area to make a conflicting determination.
- 6) Traffic flows and parking in Darley Street West will be significantly worsened. We note that the survey that was completed by the developer was completed at a time which did not reflect current volumes due to Covid -19 movement restrictions. The intersection with Pittwater Road is already congested and is particularly hazardous for cars seeking to turn right from Darley Street West into Pittwater Road (headed towards Mona Vale village).
- 7) There is a steep gradient from the site to the village of Mona Vale. This cannot be described as 'very walkable' particularly for the demographic group with shopping or other luggage that are most likely to be interested in purchasing a property in the proposed location.
- 8) Potential Golf Course flooding, the proposed development is situated in an area of flood risk and has not considered the impact on Bayview Golf Course. It should be noted that the golf club has made significant improvements to the drainage of the course which could all be undermined by this proposal.

Yours faithfully

[REDACTED]


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Please see the attached file detailing my submission, objecting to the planning proposal for 159 - 167 Darley Street West, Mona Vale.



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I disagree with the proposal because:

- The whole planning process seems off track. The local levels have consistently reject this plan, while the State is approving it with vast topics yet to be provided
- The impact on traffic is understated in the proposal. The junction at the bottom of the road is already dangerous and causes backlogs.
- The development is not within 800 meters of proper public transport, and is at the bottom of a steep hill making a walk to the B1 bus stop untenable for many. This will result in more overcrowding of the already busy car park.
- The area is already subject to flooding. More hard surfaces will just make this worse.

Overall, we seem to be being asked to sign a blank cheque. Far too much is still not known.

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I object to this planning decision for the following reasons,

1. the Planning Panel has ignored or disregarded the concerns of Northern Beaches Council demonstrated by twice rejecting this development proposal
2. the Planning Panel has ignored the objections of the local community and, in particular, over 70 formal objections that were lodged with the Council by concerned residents
3. the Planning Panel has given no consideration of the limitations to traffic flow due to Darley Street West being a no through road
4. the Planning Panel has given no regard to sympathetic development consistent with the existing residences, consisting of apartments and town houses abiding by the Council density limits.

I request the Planning Panel to reconsider its determination and, as a minimum, reimpose the prevailing density limit

Planning Proposal 159-167 Darley Street West, Mona Vale – PP2021 7404

This is a submission/objection related to the gateway implementation for the Activity Details Number PP-2021-7404, for the planning proposal for 159-167 Darley Street West, Mona Vale

We object to the submission related to the rezoning to R3 Medium Density Residential and to amend clause 4.5A of Pittwater Local Environmental Plan 2014 (PLEP 2014) so that maximum dwelling density requirements do not apply to the site.

Our objection is based on two issues:

1. Potential increase in stormwater and flooding effects
2. Loss of privacy

Storm Water – Flood Zone

Review of Development Proposal

We consider the Stormwater Management Strategy, contained in Appendix E, for the development proposal is flawed. The strategy relies on diverting the increased overland flow water towards the Darley Street Road Reserve and onto Bayview Gold Course. We contend the design/model:

- Does not accurately reflect the condition of the road reserve and this could lead to increased afflux effects on surrounding properties.
- Does not consider the Hydraulic grade line and total energy line in the design of the drainage system.
- Shows increased afflux on existing properties.

We request that:

- The Stormwater Management Strategy is updated to reflect the actual site conditions and this demonstrates no increase in afflux on existing properties,
- The drainage design is amended to consider Hydraulic grade line and total energy line, and
- A condition of the development is the road reserve and watercourse are properly maintained reflect the design assumptions.

Background

Appendix E of the Development Proposal provides the Stormwater Management Strategy.

The Executive Summary states:

- Stormwater from the development site is diverted away from the downstream properties (6, 8 and 10 Kunari Place).
- The diverted flows are drained overland towards Mona Vale Golf course.
- The Stormwater Management Plan is based on the original Flood Study by Royal Haskoning DHV dated 7 July 2017.

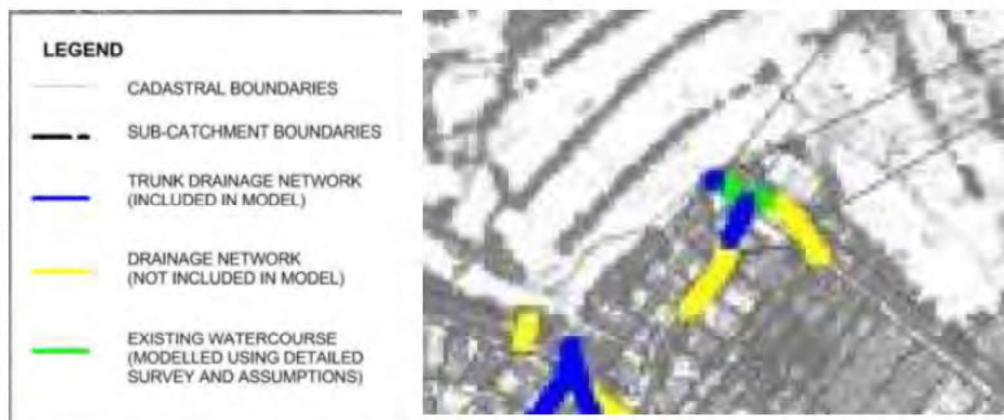
Review of Royal Haskoning DHV Flood Study

The Original Flood Study undertaken by Royal Haskoning DHV 7 July 2017. Figure 9 shows the Hydraulic Model Material Types used in the assessment for this area. An excerpt is provided below, with the proposed development site highlighted.



Different Hydraulic Roughness values (n) are applied for different land use as shown in Table 5-3. The Roughness for a Road Reserve is 0.020.

In addition, Figure 6 shows the Drainage Network Features used in the model.



This shows an existing watercourse running through the road reserve at the end of Darley Street West. This represents a combined open channel and pipe culvert.

Existing Condition

The images below show both an aerial view and street view of the road reserve at the end of Darley Street West.



It is clear that this area is not maintained, and the Roughness is far different from a road reserve. A more appropriate value might be a Densely Vegetated Area with a Roughness of 0.10.

Finally, the road reserve has a pipe culvert which connects into Cahill Creek. The exit to this culvert is often overgrown and blocked through poor maintenance and cannot be relied upon to perform as assumed in the model. The photo below shows the channel on the other side of the culvert.



In our opinion, the model does not accurately reflect the as-maintained condition of the road reserve. The impact of these differences could lead to increased afflux in the surrounding areas and waterflow into Kunari Place which has not been correctly modelled.

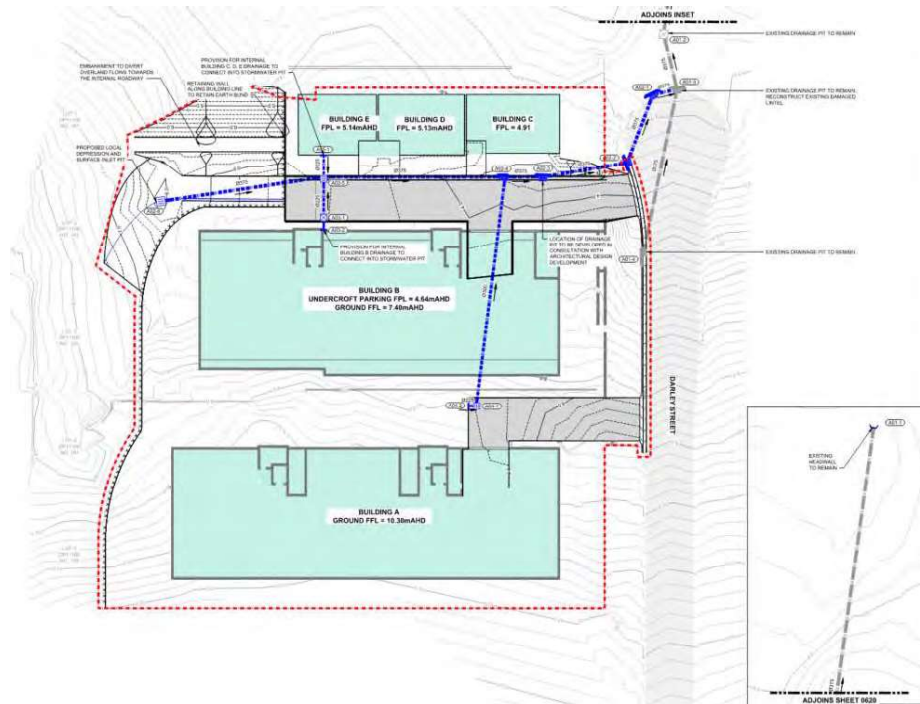
The proposed development already shows increased afflux on 12 Kunari Place of up to 150mm in the 1% AEP event (refer Figure 6).



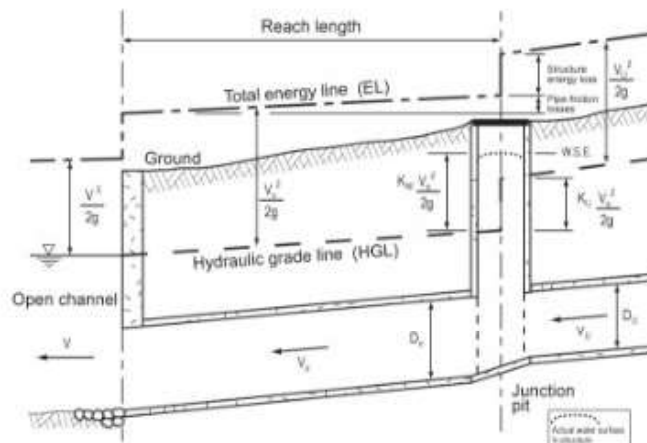
As a result, we do not have confidence in the accuracy of the Stormwater Management Plan and have concern about even greater flooding impact on our property.

Drainage Design

An extract of the drainage design is shown below. It is noted that Darley Street West has a steep grade towards the connection to the existing stormwater connection.



Both the existing and proposed pipes have shallow cover and are located close to an existing pipe with a steel gradient. As a result, they are likely to be subject to surcharge from the pits, particularly when the Total Energy Line is considered – refer to the image below.

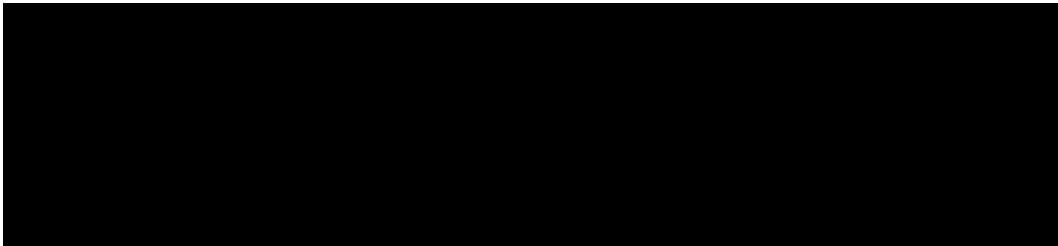


The proposed drainage design does not refer to any of these checks being done or any check on the capacity of the existing pipe system. This should be provided to fully understand the impact of the proposal.

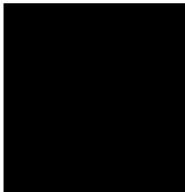
Privacy

Objection to the abovementioned planning proposal related to the visual impact and impact to the privacy of the residents of Kunari Place and Park Street with the development of R3 Medium Density Residential. Kunari Place 4,6,8,10 and 12 will likely see a significant reduced level of privacy, as well as visual change from green and leafy to build up with apartments. Kunari Place 3, 7, 9, 11 and 12 also will likely see, and experience less privacy due to the development.

- Inadequate details of any privacy screening between the development and existing property is provided in the planning proposal



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I object to the submission related to the rezoning to R3 Medium Density Residential and to amend clause 4.5A of Pittwater Local Environmental Plan 2014 (PLEP 2014) so that maximum dwelling density requirements do not apply to the site.

Our objection is based on two issues:

1. Potential increase in stormwater and flooding effects
2. Loss of privacy

Please refer to the attached submission for further details

I submission

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Attention ; NSW Planning & Environment Dept (Sydney North Planning Panel)

Re: Number PP-2021-7404

Dear Sir / Madam,

I write with extremely strong concerns to the above proposal located immediately next door to our home [REDACTED] My wife and I have noted the following main points;

- The proposal is not permitted with consent
- Northern Beaches Council has twice rejected the proposal
- The size & scale of what is being proposed is excessive & incompatible with the surrounding land use
- Part of the merit for this proposal is that the site is opposite a golf course with open green space for all to enjoy. However, it's a private golf course for private members so the general public do not have access to that land & therefore that merit has been incorrectly awarded
- Representations have been made that this general proposal has merit based on Affordable Housing, amongst other things, but it appears unlikely that affordable housing will actually be utilised at this site. Therefore, I believe that SNPP's view that this site has merit may be a misrepresentation that Affordable Housing will actually be provided at this address & therefore on balance the merit has been over estimated
- Medium density residential development will be completely out of place at this address & removal of the 200m2 density controls / limitations to circa 149m2 allowing 41 residents is completely out of scale & incompatible
- The Mona Vale Place Plan was being undertaken earlier this year and we did not understand why that review was not being allowed to be completed before any decision was made when viable data will be considered by experts as part of this work
- Creating over development will create a significant traffic and parking problem in this quiet cul-de-sac, there are often traffic concerns at the nearest set of lights. This will be exacerbated by Council introducing parking restrictions this week in our street
- Over development of this site will also exacerbate the existing flooding issues we have in this part of the street. The golf course has been severely flooded on several occasions last year & redirecting more overflow to that land due to over development will cause major safety issues for the neighbourhood
- There is also doubt that this site would satisfy the new SEPP by the NSW Govt relating to R3 zones in terms of the proximity to the bus zone on Pittwater Road in the Town Centre

There is serious worry around a proposal of this size when it is clear that due process to review what is reasonable and favourable for this neighbourhood has not been properly considered. What has been proposed by the Proponent sits well outside of permissible use & scale & therefore needs further review and assessment. The locals & Council do not support this proposal in its current form and to do to the contrary will be an injustice to all constituents living in this area.

We are not against reasonable housing being developed at this site, but we are against excessive development that is incompatible and which will spawn problems.

Yours faithfully

al submission



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Objection to;
PLANNING PROPOSAL – 159-167 DARLEY STREET WEST
Number PP-2021-7404

We strongly oppose this proposal based on.

A proposal was put forward to Northern Beaches Council an elected body that provides services and seeks to balance structured development with quality of life in their LGA. Northern Beaches Council has rejected this proposal twice

Setting Precedents

We can see no valid reason for the site to be re zoned from the current R2 Low Density Residential to R3 Medium Density other than providing a financial windfall for the developer. We understand that all previous developments in Darley Street West have been done under R2 Low Density Residential and there are no valid reasons demonstrated to change the current zoning.

We also understand that the maximum dwelling density for the site has been removed.

The forgoing items set a precedent that will be used as leverage to further compact living space and reduce the amenity and quality of life in our LGA.

Northern Beaches Council fully appreciated the adverse impacts of this development and the basis for its refusal has not altered since then – particularly the fact that it may establish an unwanted precedent for future developments that would have no height restrictions.

Traffic

Darley Street West is a cul-de-sac with the only road exit being the traffic lighted intersection with Pittwater Road. With current levels of traffic navigating the junction especially for those turning right out of Darley Street West onto Pittwater Road is fraught.

It is speculative to premise that residents in the proposed dwellings will only have 0.65 vehicles per dwelling especially when two and three bedroom units are in the mix.

Using traffic data from 2016 does not reflect current usage or dramatic lifestyle changes post Covid e.g. the massive increase in parcel deliveries by Aust post and multiple courier services all of which, should the development proceed only serve to increase traffic activity and competition for parking spaces and make transiting the main street junction more hazardous.

Currently residents experience difficulty safely exiting their garages onto the street due to vehicles being parked immediately adjacent to either side of their exit driveway.

Should this proposed development proceed then during the indicated two-year building phase and thereafter on street parking will only increase.

The main commuter bus services B1 and 199 are located well outside the 800m radius.

The age demographic of the Darley Street West means that the majority of journeys to shops or medical appointments are taken by car.

Submission

Thank you for the opportunity to comment of the Planning Proposal for the subject site.

I am a director at Bayview Golf Club and represent the board of the club in this matter. We agree with the decisions by our local Council as the decisions met all the governance and process criteria a local community expects from it's local representatives. That is that their decisions reflect the long-terms strategic objectives adopted in the various planning documents that have been adopted in partnership with the local community.

The need to meet State Government imposed targets is acknowledged but they must fit into the normal planning processes and not be undermined by developers attempting to leapfrog these adopted timeframes and planning objectives.

Our specific comments related to the Planning Proposal are:

- The Planning Proposal must be considered within the Centre Investigation Area (CIA) to align with Councils overall strategic planning agenda.
- The appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality must be reviewed as part of the Place Planning process.
- The North District Plan and Local Strategic Planning Statement do not specifically require the need for additional housing in the location of the subject site.
- The Planning Proposal fails to demonstrate satisfactory strategic and site-specific merit, and is inconsistent with the strategic planning framework, including Councils Local Strategic Planning Statement - Towards 2040 (LSPS) and endorsed Local Housing Strategy (LHS)
- The Planning Proposal is inconsistent with Council's strategic direction and the planning proposal has not demonstrated why this application should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location. The Planning Panels views with reference to Council local planning "Towards 2040 - Local Strategic Planning Statement (LSPS)" Table 6 (pg6) Priority 27 -

are not agreed with and the Mona Vale planning process should not be short circuited in this way.

The Panel report states in relation to Priority 15 of the above local plan the proponent “also seeks to locate new housing within 800m walking distance of high frequency public transport. While the site is located slightly further than the recommended distance (~1km) from a high frequency B-Line bus service, the proposal generally achieves the intent of this priority.”

It is noted that the Panel is recommending a distance further than the local plan (Centre Investigation Area) allows and in a flat terrain situation this may be acceptable but both pedestrian access routes leading to Mona Vale shops are steep and would be difficult for an elderly or disabled person to traverse. The additional distance suggested will inevitably prevent ready pedestrian access for some sections of the community.

- The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land.
- Rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under on the same basis.
- The proposal is likely to adversely affect the use of Bayview Golf Club due to additional flooding from redirected stormwater from the development site. This is discussed further later in this submission.
- There is no clear link between the Northern Beaches LSPS and the provision of additional housing beyond the existing Mona Vale strategic centre which is being sought in this Planning Proposal.
- It is of concern that the proponent seems to give scant regard to the Affordable Housing objectives of Council and the Sydney North Planning Panel. In their latest submission referring to “viability testing of the contribution”.
- The Concept Plan submitted may not be representative of the final development application Council is required to consider in the future. It may be substantially different form and density. This provides the applicant with the ability to interpret the intent of the Planning Proposal and vary the principles under which the Agreement is intended. This may leave Councils development assessment staff in difficult positions in terms of defending their decisions on merit in a Statutory Planning sense,

- Removal of the density provision for the site will also result in an increase in dwellings and therefore additional site related impacts. These include:
 - additional cars entering and exiting the site and street.
 - Traffic congestion – Concern is raised on the impact on the intersection of Darley Road west and Pittwater Road. The new Planning Proposal submission comments on page 12 traffic impacts will be negligible which needs to be challenged. This is discussed further later in this submission.
 - The proponent refers to walking routes to Mona Vale. These routes are very steep and not suitable for older and disabled community members. The Traffic study provides a walk score of 73 and describes the routes available as “very walkable” but the score inputs do not seem to include topography as a criteria.

It is noted from the Gateway Determination Report that a number of significant issues remain unresolved including:

Flooding

The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council’s Flood Hazard Map adopted in 2019. It is noted the report refers to overland flow paths extending to Darley St West stormwater system but there is no mention of the impact on the creek system with likely additional velocities and quantities reaching the creek and overflowing into the golf course. The Council report refers to” diverting approximately 70% of the peak 1% AEP flows arriving from the south-east through a new shared access driveway to Darley Street West.”

These additional flows may meet Councils modelling but does this modelling address the impacts on the golf course. The report continues the “1% AEP afflux mapping indicates an increase in depths by up to 40mm on Darley Street West and to the reserve to the north adjacent to the golf course where additional overland flows have been directed.”

Bayview Golf Club has made significant improvements to drainage and irrigation on the course over recent years and these could be undermined by additional uncontrolled stormwater inundating the site as described above. Figure 4.5 of the Panels report on page 13 shows sections of the golf course in the medium and high-risk precincts.

The Panel do comment in their report specifically addressing Direction 4.1 that consistency with this requirement “is yet to be justified”. Given the potential adverse impact of flooding at the street table, nearby reserve and the golf course, impacts and mitigation methods should be clearly enunciated before Council need to deal with a development application.

Conservation

The Planning Panel report states the “site contains 0.19 ha of Pittwater Spotted Gum (PSG) forest, which is listed as endangered under the Biodiversity Conservation Act 2016. This comprises potential foraging habitat for several aerial and highly mobile threatened fauna species as part of a broader habitat range.” The report goes on to say the endangered forest species may not be necessary for foraging of the “threatened fauna species”.

The Planning Panel has indicated in relation to Direction 3.1 that consistency with this requirement “is yet to be justified”. It would seem that the preservation of any endangered Spotted Gum forest is essential on the Northern Beaches not only those required for foraging, and any development adjacent to the forest will threaten it. As the final layout of the development is not known it would seem highly risky to give Planning Proposal approval and trust that these endangered species will not be lost.

The above comments are equally relevant for the SEPP Biodiversity and Conservation 2021.

Affordable Housing

The original proposal indicated there had been an offer by the applicant to enter into a voluntary planning agreement to provide affordable housing at a rate of 2.085% of the investment value (\$1,122,627). At the pre-Gateway briefing on 14 August 2023 the Sydney North Planning Panel determined that this be increased to 5% and required through a new affordable housing clause in the LEP.

It is of concern that the proponent has raised the issue of viability testing the contribution. The 5% was seen as a compromise of the external assessments undertaken and any reduction in the contribution will have a deleterious impact on Northern Beaches Council planning for affordable housing.

Traffic

In reference to Direction 5.1 of the Ministerial directions the Panel report states “The planning proposal is supported by a traffic impact assessment (PTC, July 2021), which concludes that the area is well serviced by public transport and is within walking distance to jobs and services in the Mona Vale town centre. Further, traffic impacts will be negligible and will not adversely impact the surrounding road network.”

The comment regarding walking distances has been referred to previously in this submission.

As mentioned above the claims about minimal traffic impacts are unrealistic. There are multiple near misses at the intersection of Darley Street West and Pittwater Road every day. On a good day during peak times only one (1) vehicle can safely turn right out of Darley Street West for fear of a vehicle travelling in a westerly direction in the right-hand turning lane (into Pittwater Road) continuing to travel westerly thereby putting right hand turn drivers in a collision situation. Even a few hours watching the intersection will demonstrate the dangers ever present to the road users.

The contention of the Traffic Engineer in the Traffic Impact Assessment that traffic movements will increase by approximately 23 trips in both the AM and PM, and that the road network would maintain a Service Level B (‘good’) during peak hours and the “proposal will have minimal impact on the road network” is questionable. The Traffic Engineer even acknowledges the Traffic Impact Assessment modelling process during the COVID period had its “limitations”. The limitations were, no traffic survey was undertaken and I’m assuming no site observations to assess the “real” situation. The use of 2015 SIDRA and 2016 traffic data is not acceptable.

41 residential properties each with 1.5 cars resulting in only 23 additional trips is not realistic. The developer is providing 80 car spaces and from my experience of developments in Darley Street West all those spaces will be occupied. As referred to above, traffic modelling can reflect academic assumptions whereas the residents knowledge of how dangerous the existing “kamikaze” intersection is, will guarantee the intersection of Pittwater Road and Darley St West will become more dangerous.

We believe given the limitations in traffic modelling during the COVID-19 pandemic, it needs not only a condition “that Transport for NSW (and Council) be consulted on the proposal during exhibition” but a full and thorough Traffic Study be undertaken of this intersection before the Planning Proposal is considered further.

Further to this, figures from a similar development in Darley St West (39 units), show that their door to the carpark is opened ON AVERAGE 250 times PER DAY. It can therefore be concluded that the Traffic Impact Assessment is wrong by a factor of 10.

Conclusion

The proposal to remove clause 4.5A in relation to density controls for residential accommodation is not supported. • The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes).

Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same or similar situation.

Priority 27 of “Towards 2040 - Local Strategic Planning Statement” (Action 27.1) notes that Council will prepare a place plan for Mona Vale and develop relevant LEP and Development Control Plan (DCP) controls to support the revitalisation of the centre. This should be allowed to proceed before the Planning Proposal is considered.

This is further exacerbated by the recent NSW Govt. decision to not proceed with Mona Vale Rd West. You can’t have it both ways.

The proposal before the Panel should not be approved for all the reasons described above but even beyond the strategic planning aspects the comments that some parts of the application are “yet to be justified” should be enough for the Panel to reject the Planning Proposal.

██████████

On behalf of Bayview Golf Club

1825 Pittwater Rd, Mona Vale NSW 2103

alf of my organisation

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North Narrabeen

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No

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submission

Please refer to the attached PDF.

Submitted on behalf of Bayview Golf Club.

Submission

Thank you for the opportunity to comment of the Planning Proposal for the subject site.

Background

On 26 October 2021, Council resolved to reject the Planning Proposal for the subject site, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the following reasons:

1. The Planning Proposal is inconsistent with the provisions of the North District Plan.
2. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
3. The Planning Proposal does not demonstrate strategic merit or site-specific merit when assessed against the NSW Planning & Environment's: "A guide to preparing planning proposals".
4. The Planning Proposal may establish an unwanted precedent.
5. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.

This decision was supported by the Sydney North Planning Panel on 6 October 2021. They indicated general agreement with Council's planning proposal report not to support the Planning Proposal. They considered the application to be premature given the strategic planning initiatives being undertaken, in particular the Mona Vale Place Plan.

The Panel recommended

- That Council not proceed with the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.
- That the site be included in the Mona Vale Centre Investigation Area (CIA) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations. They stated "the Planning Proposal is considered to be inconsistent with the Greater Sydney Region Plan, North District Plan, Northern Beaches Local Strategic Planning Statement - Towards 2040, Northern Beaches Local

Housing Strategy, and has not demonstrated sufficient strategic merit or site-specific merit.”

It is our belief that the same reasoning and conclusion should be given when considering this Planning Proposal.

Subsequently on 18 April 2023 it is noted that following a lengthy debate Council resolved to :

- “1. Reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not forward it to the NSW Department of Planning, Industry and Environment seeking a Gateway determination for the following reasons:
 - A. The Planning Proposal is inconsistent with the provisions of the North District Plan.
 - B. The Planning Proposal is inconsistent with the provisions of Council’s Local Strategic Planning Statement - Towards 2040.
 - C. The Planning Proposal does not demonstrate strategic merit or site specific merit when assessed against the NSW Planning & Environment’s: A guide to preparing planning proposals.
 - D. The Planning Proposal may establish an unwanted precedent.
 - E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council’s Affordable Housing Policy.
- 2. As part of the Mona Vale Place Planning Process, include 159-167 Darley Street West, Mona Vale for consideration within the Centre Investigation Area (as identified within the draft Local Housing Strategy) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Place Planning process. “

As local residents we agree with these decisions by our local Council as the decisions met all the governance and process criteria a local community expects from it’s local representatives. That is that their decisions reflect the long-terms strategic objectives adopted in the various planning documents that have been adopted in partnership with the local community.

The need to meet State Government imposed targets is acknowledged but they must fit into the normal planning processes and not be undermined by developers attempting to leapfrog these adopted timeframes and planning objectives.

Our specific comments related to the Planning Proposal are:

- The Planning Proposal must be considered within the Centre Investigation Area (CIA) to align with Councils overall strategic planning agenda.
- The appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality must be reviewed as part of the Place Planning process.
- The North District Plan and Local Strategic Planning Statement do not specifically require the need for additional housing in the location of the subject site.
- The Planning Proposal fails to demonstrate satisfactory strategic and site-specific merit, and is inconsistent with the strategic planning framework, including Councils Local Strategic Planning Statement - Towards 2040 (LSPS) and endorsed Local Housing Strategy (LHS)
- The Planning Proposal is inconsistent with Council's strategic direction and the planning proposal has not demonstrated why this application should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location. The Planning Panels views with reference to Council local planning "Towards 2040 - Local Strategic Planning Statement (LSPS)" Table 6 (pg6) Priority 27 - are not agreed with and the Mona Vale planning process should not be short circuited in this way.

The Panel report states in relation to Priority 15 of the above local plan the proponent "also seeks to locate new housing within 800m walking distance of high frequency public transport. While the site is located slightly further than the recommended distance (~1km) from a high frequency B-Line bus service, the proposal generally achieves the intent of this priority."

It is noted that the Panel is recommending a distance further than the local plan (Centre Investigation Area) allows and in a flat terrain situation this may be acceptable but both pedestrian access routes leading to Mona Vale shops are steep and would be difficult for an elderly or disabled person to traverse. The additional

distance suggested will inevitably prevent ready pedestrian access for some sections of the community.

- The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land.
- Rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under on the same basis.
- The proposal is likely to adversely affect the use of Bayview Golf Club due to additional flooding from redirected stormwater from the development site. This is discussed further later in this submission.
- There is no clear link between the Northern Beaches LSPS and the provision of additional housing beyond the existing Mona Vale strategic centre which is being sought in this Planning Proposal.
- It is of concern that the proponent seems to give scant regard to the Affordable Housing objectives of Council and the Sydney North Planning Panel. In their latest submission referring to “viability testing of the contribution”.
- The Concept Plan submitted may not be representative of the final development application Council is required to consider in the future. It may be substantially different form and density. This provides the applicant with the ability to interpret the intent of the Planning Proposal and vary the principles under which the Agreement is intended. This may leave Councils development assessment staff in difficult positions in terms of defending their decisions on merit in a Statutory Planning sense,
- Removal of the density provision for the site will also result in an increase in dwellings and therefore additional site related impacts. These include:
 - additional cars entering and exiting the site and street.
 - Traffic congestion – Concern is raised on the impact on the intersection of Darley Road west and Pittwater Road. The new Planning Proposal submission comments on page 12 traffic impacts will be negligible which needs to be challenged. This is discussed further later in this submission.
 - The proponent refers to walking routes to Mona Vale. These routes are very steep and not suitable for older and disabled community members. The Traffic study provides a walk score of 73

and describes the routes available as “very walkable” but the score inputs do not seem to include topography as a criteria.

It is noted from the Gateway Determination Report that a number of significant issues remain unresolved including:

Flooding

The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council’s Flood Hazard Map adopted in 2019. It is noted the report refers to overland flow paths extending to Darley St West stormwater system but there is no mention of the impact on the creek system with likely additional velocities and quantities reaching the creek and overflowing into the golf course. The Council report refers to “diverting approximately 70% of the peak 1% AEP flows arriving from the south-east through a new shared access driveway to Darley Street West.”

These additional flows may meet Councils modelling but does this modelling address the impacts on the golf course. The report continues the “1% AEP afflux mapping indicates an increase in depths by up to 40mm on Darley Street West and to the reserve to the north adjacent to the golf course where additional overland flows have been directed.”

Bayview Golf Club has made significant improvements to drainage and irrigation on the course over recent years and these could be undermined by additional uncontrolled stormwater inundating the site as described above. Figure 4.5 of the Panels report on page 13 shows sections of the golf course in the medium and high-risk precincts.

The Panel do comment in their report specifically addressing Direction 4.1 that consistency with this requirement “is yet to be justified”. Given the potential adverse impact of flooding at the street table, nearby reserve and the golf course, impacts and mitigation methods should be clearly enunciated before Council need to deal with a development application.

Conservation

The Planning Panel report states the “site contains 0.19 ha of Pittwater Spotted Gum (PSG) forest, which is listed as endangered under the Biodiversity Conservation Act 2016. This comprises potential foraging habitat for several aerial and highly mobile threatened fauna species as part of a broader habitat range.” The report goes on to say the

endangered forest species may not be necessary for foraging of the “threatened fauna species”.

The Planning Panel has indicated in relation to Direction 3.1 that consistency with this requirement “is yet to be justified”. It would seem that the preservation of any endangered Spotted Gum forest is essential on the Northern Beaches not only those required for foraging, and any development adjacent to the forest will threaten it. As the final layout of the development is not known it would seem highly risky to give Planning Proposal approval and trust that these endangered species will not be lost.

The above comments are equally relevant for the SEPP Biodiversity and Conservation 2021.

Affordable Housing

The original proposal indicated there had been an offer by the applicant to enter into a voluntary planning agreement to provide affordable housing at a rate of 2.085% of the investment value (\$1,122,627). At the pre-Gateway briefing on 14 August 2023 the Sydney North Planning Panel determined that this be increased to 5% and required through a new affordable housing clause in the LEP.

It is of concern that the proponent has raised the issue of viability testing the contribution. The 5% was seen as a compromise of the external assessments undertaken and any reduction in the contribution will have a deleterious impact on Northern Beaches Council planning for affordable housing.

Traffic

In reference to Direction 5.1 of the Ministerial directions the Panel report states “The planning proposal is supported by a traffic impact assessment (PTC, July 2021), which concludes that the area is well serviced by public transport and is within walking distance to jobs and services in the Mona Vale town centre. Further, traffic impacts will be negligible and will not adversely impact the surrounding road network.”

The comment regarding walking distances has been referred to previously in this submission.

As mentioned above the claims about minimal traffic impacts are unrealistic. There are multiple near misses at the intersection of Darley Street West and Pittwater Road every day. On a good day during peak times only one (1) vehicle can safely turn right out of Darley Street West for fear of a vehicle travelling in a westerly direction in the right-hand turning lane (into Pittwater Road) continuing to travel westerly thereby putting right hand turn drivers in a collision situation. Even a few hours watching the intersection will demonstrate the dangers ever present to the road users.

The contention of the Traffic Engineer in the Traffic Impact Assessment that traffic movements will increase by approximately 23 trips in both the AM and PM, and that the road network would maintain a Service Level B ('good') during peak hours and the "proposal will have minimal impact on the road network" is questionable. The Traffic Engineer even acknowledges the Traffic Impact Assessment modelling process during the COVID period had its "limitations". The limitations were, no traffic survey was undertaken and I'm assuming no site observations to assess the "real" situation. The use of 2015 SIDRA and 2016 traffic data is not acceptable.

41 residential properties each with 1.5 cars resulting in only 23 additional trips is not realistic. The developer is providing 80 car spaces and from my experience of developments in Darley Street West all those spaces will be occupied. As referred to above, traffic modelling can reflect academic assumptions whereas the residents knowledge of how dangerous the existing "kamikaze" intersection is, will guarantee the intersection of Pittwater Road and Darley St West will become more dangerous.

We believe given the limitations in traffic modelling during the COVID-19 pandemic, it needs not only a condition "that Transport for NSW (and Council) be consulted on the proposal during exhibition" but a full and thorough Traffic Study be undertaken of this intersection before the Planning Proposal is considered further.

Conclusion

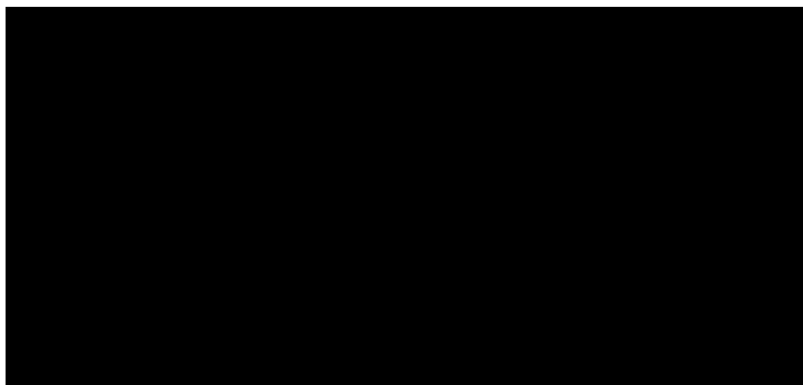
The proposal to remove clause 4.5A in relation to density controls for residential accommodation is not supported. • The proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other

land across LGA with similar characteristics and attributes).

Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same or similar situation.

Priority 27 of “Towards 2040 - Local Strategic Planning Statement” (Action 27.1) notes that Council will prepare a place plan for Mona Vale and develop relevant LEP and Development Control Plan (DCP) controls to support the revitalisation of the centre. This should be allowed to proceed before the Planning Proposal is considered.

The proposal before the Panel should not be approved for all the reasons described above but even beyond the strategic planning aspects the comments that some parts of the application are “yet to be justified” should be enough for the Panel to reject the Planning Proposal.



submission

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submission

I fully support the following submission: See uploaded file

Planning Proposal 159-167 Darley Street West, Mona Vale – PP2021 7404

Objection – Kunari Place

This is a submission/objection related to the gateway implementation for the Activity Details Number PP-2021-7404, for the planning proposal for 159-167 Darley Street West, Mona Vale

We object to the submission related to the rezoning to R3 Medium Density Residential and to amend clause 4.5A of Pittwater Local Environmental Plan 2014 (PLEP 2014) so that maximum dwelling density requirements do not apply to the site.

Our objection is based on two issues:

1. Potential increase in stormwater and flooding effects
2. Loss of privacy

Storm Water – Flood Zone

Review of Development Proposal

We consider the Stormwater Management Strategy, contained in Appendix E, for the development proposal is flawed. The strategy relies on diverting the increased overland flow water towards the Darley Street Road Reserve and onto Bayview Gold Course. We contend the design/model:

- Does not accurately reflect the condition of the road reserve and this could lead to increased afflux effects on surrounding properties.
- Does not consider the Hydraulic grade line and total energy line in the design of the drainage system.
- Shows increased afflux on existing properties.

We request that:

- The Stormwater Management Strategy is updated to reflect the actual site conditions and this demonstrates no increase in afflux on existing properties,
- The drainage design is amended to consider Hydraulic grade line and total energy line, and
- A condition of the development is the road reserve and watercourse are properly maintained reflect the design assumptions.

Background

Appendix E of the Development Proposal provides the Stormwater Management Strategy.

The Executive Summary states:

- Stormwater from the development site is diverted away from the downstream properties (6, 8 and 10 Kunari Place).
- The diverted flows are drained overland towards Mona Vale Golf course.
- The Stormwater Management Plan is based on the original Flood Study by Royal Haskoning DHV dated 7 July 2017.

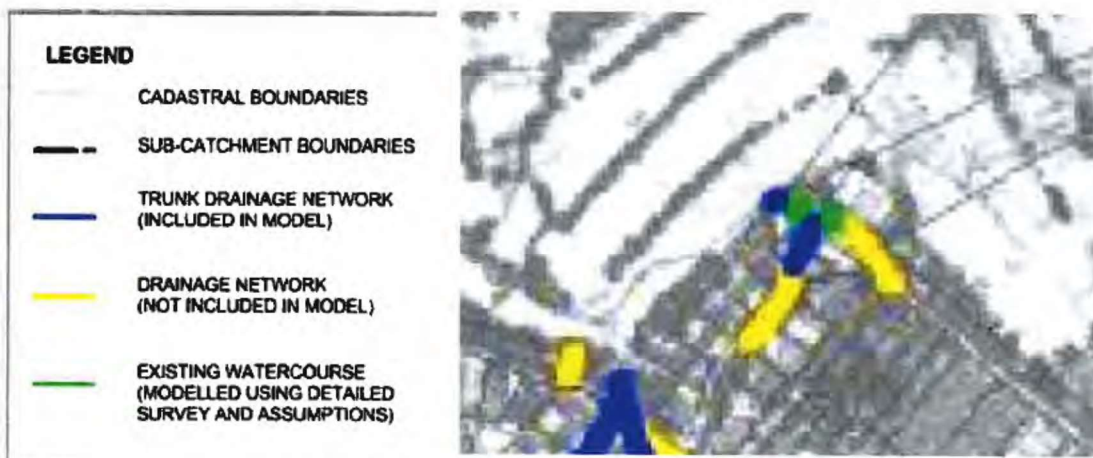
Review of Royal Haskoning DHV Flood Study

The Original Flood Study undertaken by Royal Haskoning DHV 7 July 2017. Figure 9 shows the Hydraulic Model Material Types used in the assessment for this area. An excerpt is provided below, with the proposed development site highlighted.



Different Hydraulic Roughness values (n) are applied for different land use as shown in Table 5-3. The Roughness for a Road Reserve is 0.020.

In addition, Figure 6 shows the Drainage Network Features used in the model.



This shows an existing watercourse running through the road reserve at the end of Darley Street West. This represents a combined open channel and pipe culvert.

Existing Condition

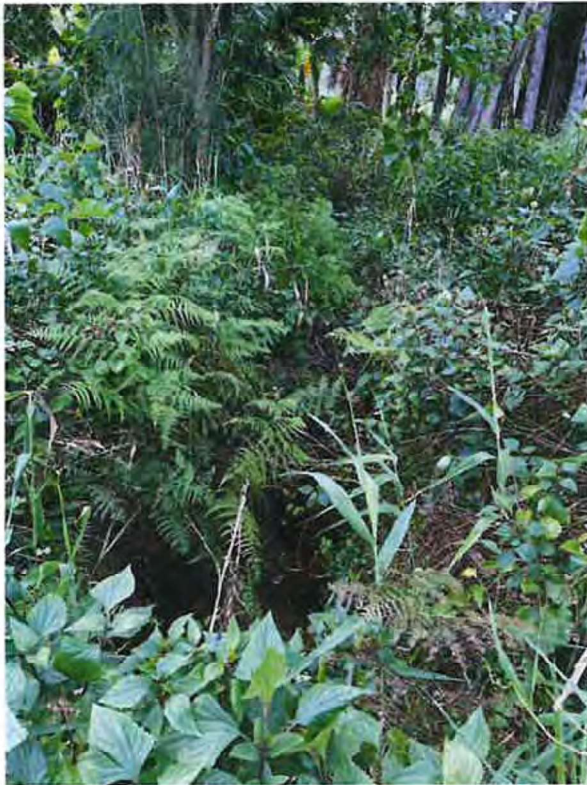
The images below show both an aerial view and street view of the road reserve at the end of Darley Street West.



It is clear that this area is not maintained, and the Roughness is far different from a road reserve. A more appropriate value might be a Densely Vegetated Area with a Roughness of 0.10.

Finally, the road reserve has a pipe culvert which connects into Cahill Creek. The exit to this culvert is often overgrown and blocked through poor maintenance and cannot be relied upon to perform as

assumed in the model. Further to this the Cahill creek, which runs behind Park Street 100, Kunari Place, 1, 3,5,7, 9 and 11 is also poor maintained and overgrown which impact the flow further. The photo below shows the channel on the other side of the culvert.



In our opinion ,it is clear the model does not accurately reflect the as-maintained condition of the road reserve. The impact of these differences could lead to increased afflux in the surrounding areas and waterflow into Kunari Place which has not been correctly modelled.

The proposed development already shows increased afflux on 12 Kunari Place of up to 150mm in the 1% AEP event (refer Figure 6).

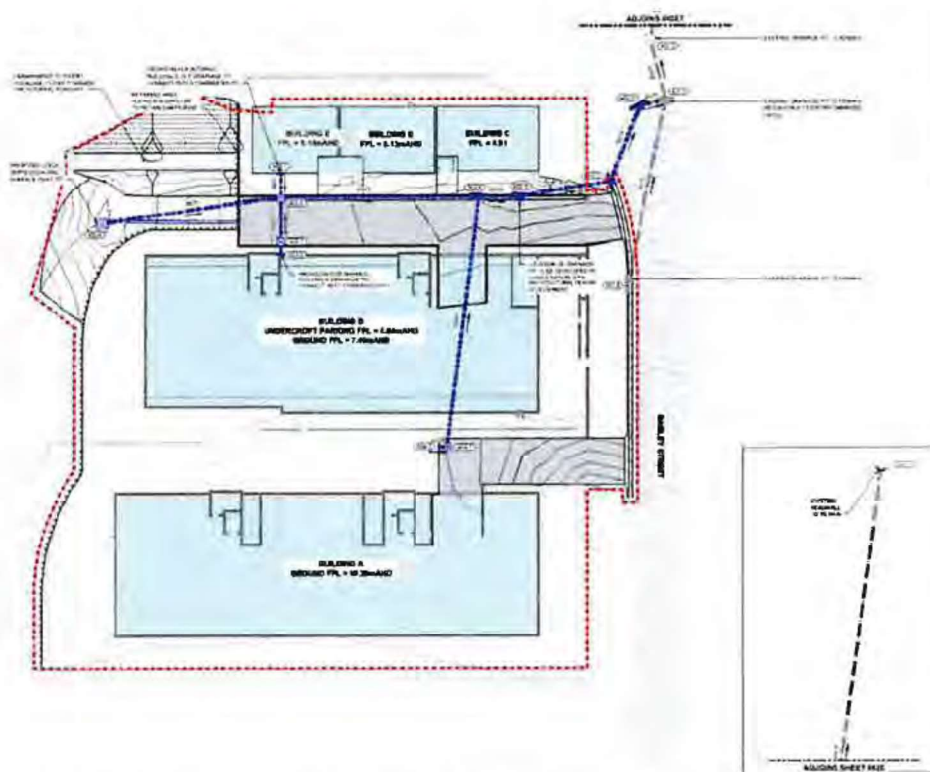


As a result, we do not have confidence in the accuracy of the Stormwater Management Plan.

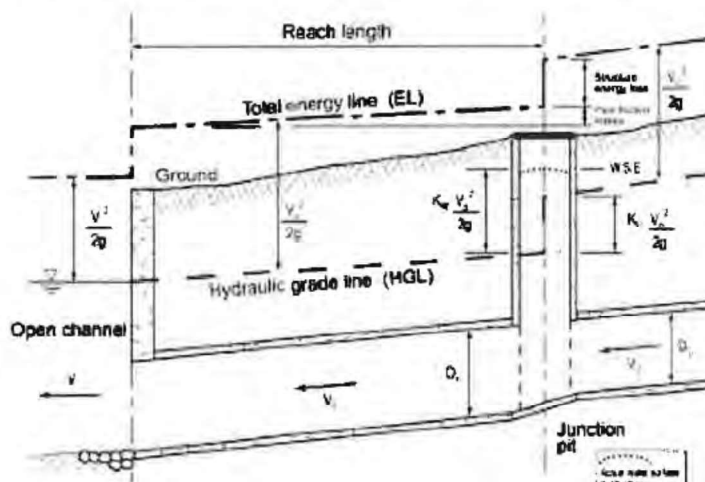
Drainage Design

An extract of the drainage design is shown below. It is noted that Darley Street West has a steep grade towards the connection to the existing stormwater connection.

The confluence of the 2 waterflow streams, Park Street in the Cahill Creek with Darley Street creates an overflow onto the properties (Kunari Place, 1,3,5,7,9 and 11) as they merge. A pipe in lieu of the Cahill Creek would be recommended to channel the water.



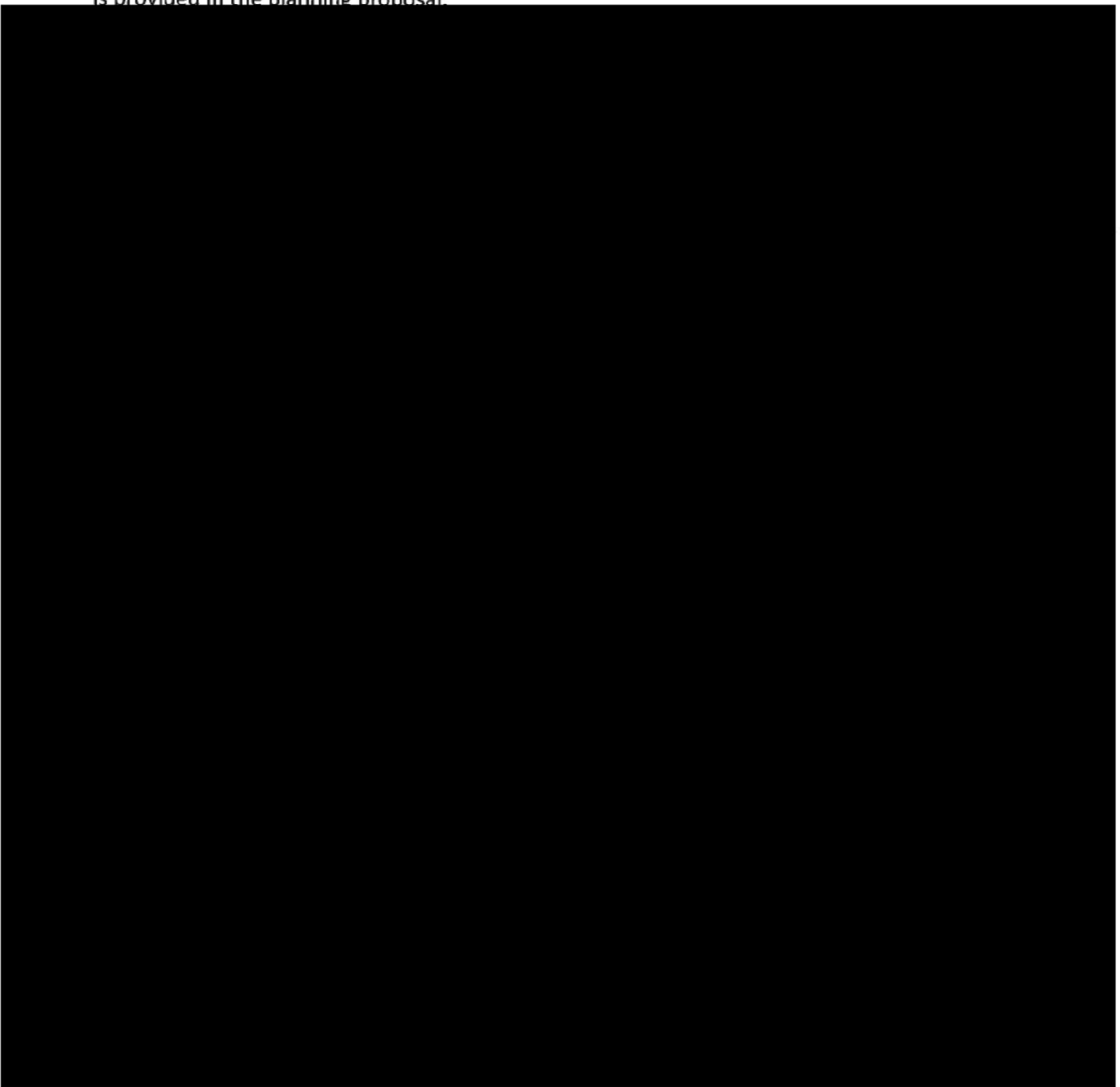
Both the existing and proposed pipes have a shallow depth and are located close to an existing pipe with a steel gradient. As a result, they are likely to be subject to surcharge from the pits, particularly when the Total Energy Line is considered – refer to the image below.

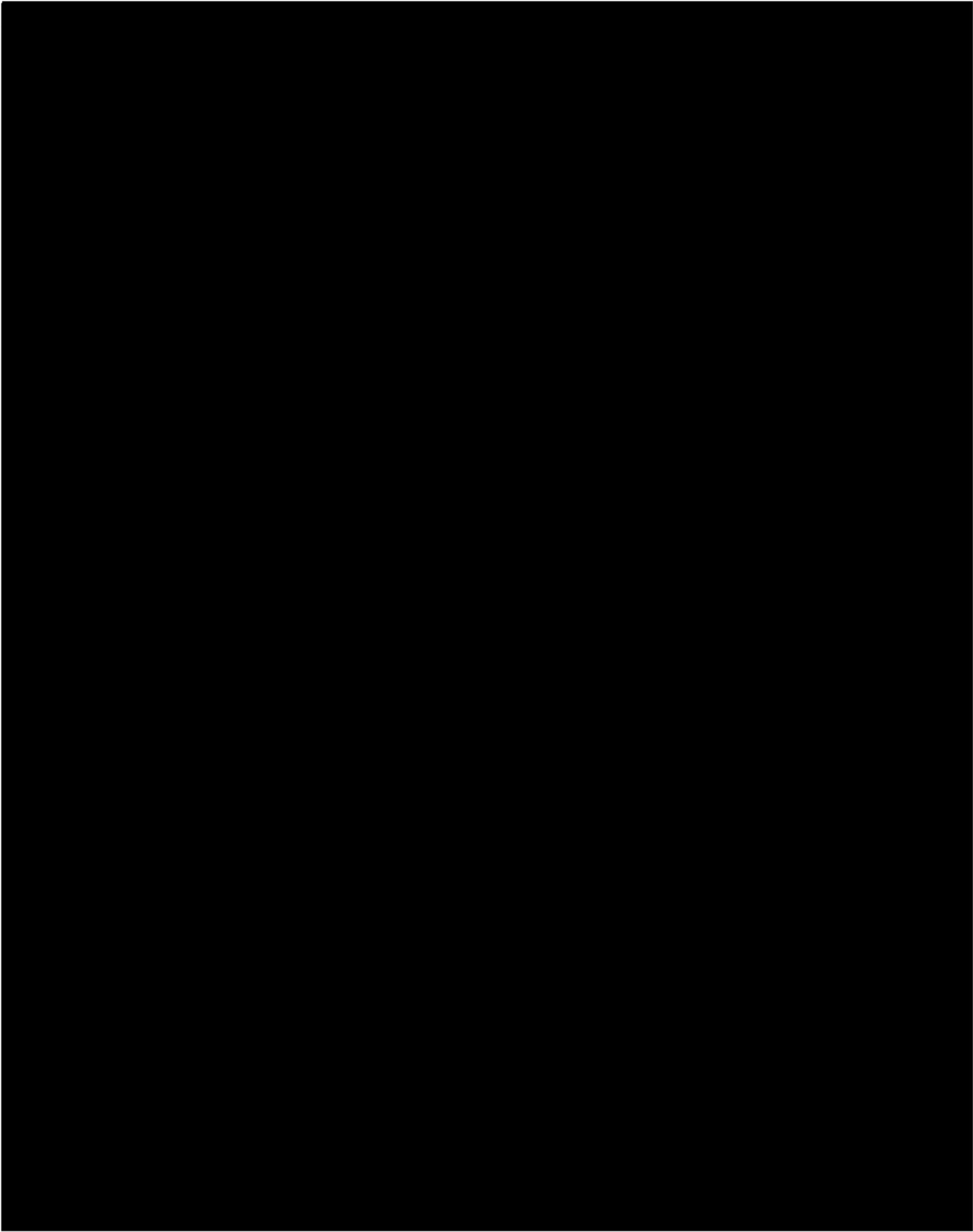


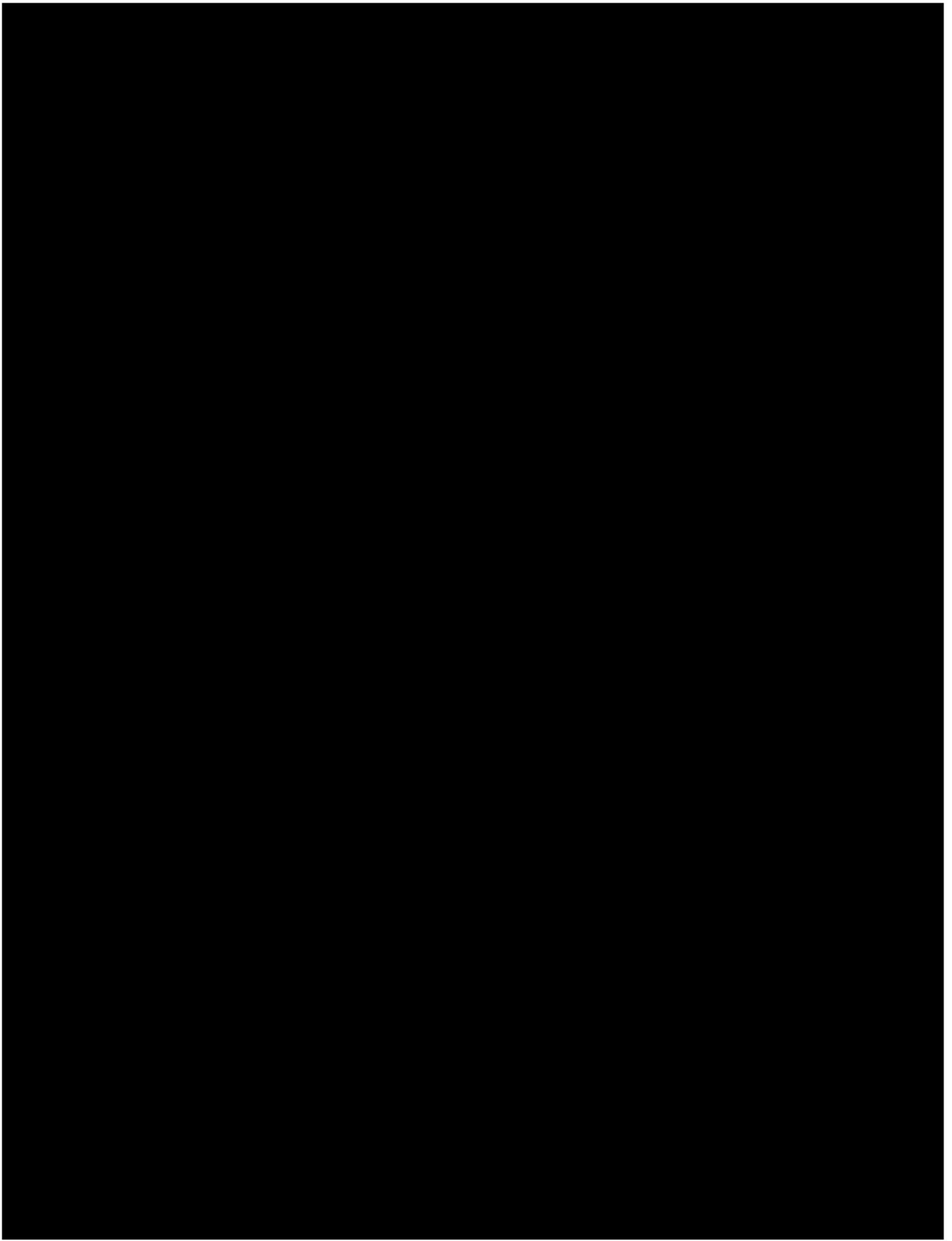
The proposed drainage design does not refer to any of these checks being done or any check on the capacity of the existing pipe system.

Privacy

Objection to the abovementioned planning proposal related to the visual impact and impact to the privacy of the residents of Kunari place and Park Street with the development of R3 Medium Density Residential. Kunari Place 4,6,8,10 will likely see a significant reduced level of privacy, as well as visual change from green and leafy to build up with apartments. Kunari Place 3, 7, 9, 11 and 12 also will likely see, and experience less privacy due to the development.

- Inadequate details of any privacy screening between the development and existing property is provided in the planning proposal.
- 





Type

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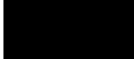
submission

I am submitting the attached document which objects to the impact of the proposed development signed by the residents of [REDACTED] and [REDACTED]. You will find the signatures from the residents of

[REDACTED] and [REDACTED] related to the storm water and privacy impact of the proposed development.

Please consider the concerns expressed in the attached.

Kind Regards,





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submission

Thank you for the opportunity to make a submission regarding this proposal.

The proponent wishes to remove the limitation in the current PLEP 2014 to one dwelling per 200 sq m.

Why?

There are 7 similar townhouse developments on the southern side of Darley St West. They all have 12 dwellings except for one which has 11. Why does this development need 18-20 dwellings on a similar sized block of land? Is it because the developer wants to make more money and/or the council wants a larger affordable housing contribution?

By putting more dwellings at the end of a narrow cul-de-sac, which Darley St West is, the ambience of the area will change forever.

The proponent argues that the proposal will be attractive to key workers - nurses, teachers etc.

With the current median prices of units in the 2103 postcode of: (realestate.com.au figures 28 November 2023)

1 bed \$750,000

2 bed \$1,280,000

3 bed \$1,980,000

this development will not be affordable either.

The Centres Renewal Framework (April 2021) wants mixed housing areas to have good amenity, representing areas closest to assets such as parks and shops. The nearest park (Winnerreremy) is 1 km away, with the need to cross two busy roads. Mona Vale Beach and parkland is 1.9 km away.

Bayview Golf Club is a private golf club with the joining fee currently \$3000 and a further membership fee of around \$2000 annually. It is only attractive to the most avid golfer.

The Traffic Impact Assessment, suggests there will be negligible impact on traffic in the street. We find that hard to believe. It is already a narrow congested street near the junction with Pittwater Rd. Even the proponent thinks otherwise as they are proposing more parking spaces than required in their plans. (80 proposed against 77 required)

All the bus routes within easy walking distance are local buses which are currently poorly patronised. Buses which are well patronised are on Barrenjoey Rd, 1 km away. They go to Palm Beach, Manly and the Sydney CBD. Commuters want good public transport less than 800m from home. This development is too far away from public transport to warrant an increase in the density. Increased density should be much closer to the main transport hub.

The local Coles and Woolworths supermarkets are both over 400m away. Too far to walk with a heavy load after a large shopping expedition.

Postcode 2103 has 31.5% residents over 60, compared to the NSW average of 23.5%. This development, which will be aimed at downsizers, will undoubtedly be similar to the 2103 average if not higher.

As we age we tend to drive more than we walk.

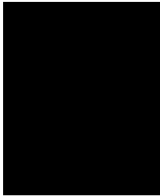
For these reasons the traffic in the street is going to increase substantially, not negligibly as the TIA suggests.

Northern Beach Council has recently introduced timed parking at the end of the street where the development is proposed, because of the existing problems with parking.

We are also concerned about the effect of overdevelopment of the site on the flora. Particularly some large gum trees which are dotted around the site. See attached photo.

We can see no reason for increasing the currently allowed density.


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submission

I want to voice my strong objection to the proposed development of 41 residences with 80 car spaces at 159-167 Darley Street West. This has been submitted twice and rejected twice by the Northern Beaches council.

Ignoring the Council the developer has now received approval from the NSW Government Planning and Environment Department to have the land rezoned from low density to medium density and have the maximum dwelling density requirements removed.

I find these decisions totally unexplainable as there are certain requirements to be met and these are being totally ignored in this case.

What hope have we got if everyone disregards the Council Requirements that are in place for a reason.

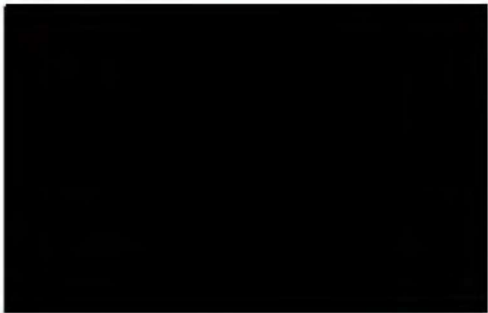


Submission

Thank you for the opportunity to comment of the Planning Proposal for the subject site.

1. The Local Council have provided many reasons for rejecting this application and we are in agreement with their reasoning and would ask that you respect the wishes of the democratically elected official of this community.
2. With all the signs that climate change is here particularly in relationship to recent floods, any consent for in this particular site would be going against the greater risk of flooding that now prevail and put the Bayview Golf Course , of which my wife and I are member at additional risk including wasting and negating the value of the considerable government grants that have been bestowed on improving the drainage of the course.
3. In my view accepting a traffic study that was done during COVID when we all restricted from using our cars would be nothing short of fraudulent. It is clearly wrong and must be done again as there is a real danger of the loss of life.
4. We understand that the State Government is not proceed with the upgrade of Mona Vale Road being one of the only two arterial road links of the norther beaches to the remainder of Sydney. If the state Government is not going to provide the road infrastructure to this locality how can they reasonably justify increasing the density of residential development and with it the increase in cars and traffic it is unfair, bad in law and prevents this community from quiet enjoyment of their property and lifestyle.

Regards,



al submission

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submission

Proposed development planned for 159-167 Darley Street West, Mona vale.

The planning proposal allows for parking for 80 which will negatively affect the current residents. In addition to the extra noise of all these additional vehicles on the road, there are, already, problems with congestion at the intersection of Darley Street and Pittwater Road and this will only make that problem so much worse. As well as the residents' cars, with the rapidly increasing convenience of online shopping, there will be a considerable increase in trucks, delivery vans and couriers adding to those that are here on a daily basis. There will also be more tradesmen's vans, gardeners and cleaners . All this additional traffic will have a significant impact on existing residents.

The residents often have to put up with very unpleasant smells emanating from the sewage tank down at the bottom of Darley Street and there is a concern that the extra run off from the proposed development may make that situation worse. Also, there is a risk of that run off further impacting the golf club which is already prone to flooding.

It is submitted that planning proposal should not be approved.



30 November 2023

Planning Panels
Department of Planning and Environment

**Planning Proposal 159-157 Darley Street West, Mona Vale
PP-2021-7404**

We refer to the planning proposal listed above that seeks to :-

- rezone the site from R2 Low Density to R3 Medium Density Residential Zone.
- amend clause 4.5A of Pittwater LEP 2014 so that the maximum dwelling density requirements do not apply to the site.
- Introduce an Affordable Housing clause.

We **strongly oppose** the planning proposal for the following reasons:-

1. Inconsistent with Council Strategic Plan for the Development of Mona Vale

It is critical in considering the merits of the proposal to understand that the proposed change to the rezoning is not being originated by council as part of the execution of the strategic planning framework for Mona Vale with the objective to develop a plan to increase housing density in the most effective manner. Rather the rezoning application relates to a planning proposal submitted by a property developer to facilitate the redevelopment of the sites to medium density housing. It follows that the principal objective of the applicant is to maximise the development returns from the site.

We note that the planning proposal was submitted to Northern Beaches Council in July 2021 and that the council determined that the planning proposal is inconsistent with council's strategic direction for the development of Mona Vale. The direction for Mona Vale is being formulated as part of strategic plan named the Mona Vale Place Plan developed by council. It appears that this plan is to likely prioritise development of land that is closer to the Mona Vale Town Centre which makes logical sense.

Council considered that the rezoning has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premises.

It is our understanding the current zoning of the relevant properties, given the zoning of other properties in the street, was based upon concern about over development and the sensitive nature of the environment at the end of Darley Street West that sits on a large downslope and borders a water run-off zone.

It is our view that the panel should not agree to rezoning applications from outside interests but rather these should only be pursued as part of its on strategic planning framework with an assessment of alternatives to meet additional housing needs that is being undertaken by the council that has better credentials to oversee the increase in density in the area in accordance

with environmental and social issues. We understand the LGA's five-year housing target will be met under existing planning controls in identified precincts.

In addition, as it is council's objective to increase housing availability in Mona Vale, we believe it would be more appropriate to review the rezoning of land that is closer to the Mona Vale town centre that would be more suitable to medium density housing and does not have the same environmental risks.

2. Underground Rain Run-Off and Water Table Issues

As noted above our understanding of the current zoning of R2 was based upon environmental issues specifically relating to the water table and water run-off. This was an important factor for us to understand when buying our premises in Darley Street as we understood the adjacent land would not be rezoned for this reason.

We have seen many recent instances along Darley Street, including our own complex of townhouses, where underground structures are subject to flooding on occasions of heavy rainfall. As a result, complexes have had to invest in electric pumping systems to pump excess water from underground not only during periods of heavy rainfall but also due to leaking from external drainage. With the proposed development being downhill from our complex with run-off water flowing into a flood prone area we could assume that this issue will be even more critical and is very difficult to solve. Many southwestern blocks in this street have experienced flooding. We think that the ability of the developers of 159-167 Darley Street to manage this risk is arguable given grass is being substituted with hard surfaces and follow-on run-off issues.

We also note that the incidence of potential heavy rainfall events is likely to increase through the recognised impacts of climate change.

3. Overdevelopment

Assuming that the planning rezone is approved on the basis of the proposed concept apartments, it is not correct to state that the redevelopment of these sites is consistent with other housing developments in the street. It should be noted that 155-157 Darley Street has townhouses on its site and not apartments as mentioned in the Planning Proposal.

Two apartment buildings of 38 apartments covering four blocks have much higher density than other sites in the street. For example, our townhouse complex on 155-157 Darley Street has 11 townhouses. This is not consistent with the desired locality of the neighbourhood and given the sensitivity of the environment mentioned in 2 above represents an overdevelopment of the sites.

4. Introduction of New Planning Rules and Updated Definitions for R2 and R3 Zones

We note that the NSW Government has announced it will create a new State Environmental Planning Policy that will in effect update the definitions of what can be built in R2 low density residential zones and R3 medium density zones. The updated definition for R3 provides for much higher density that is currently allowed under R3 and therefore could result in even more significant over development of the lots than what is envisaged in the current application.

It appears to us that it would be logical for the application to be evaluated under the updated definition of R2 zoning rather than rezone the site to R3 and run the risk of a larger development given the reasons outlined in this submission.

5. Traffic and Parking

The proposed rezoning relates to the end of a dead-end street that its on the side of a hill with limited parking available on the street. The addition of approximately 40 new residences will place significant pressure on the current infrastructure and parking availability. Assuming all resident's cars will not be accommodated within proposed on-site parking and visitor numbers this will place unnecessary pressure on available car parking at the end of the street. We note parking is currently used by golfers to access the back entrance to Bayview Golf Club.

In addition having an additional 40 residences will increase congestion at the intersection with Pittwater Road given the additional traffic flow. It is already very difficult to exit Darely Street during certain times in the day, particularly as there is only one lane on exit and if a car is turning right, cars can not turn left or go straight ahead until that car has successfully negotiated the right turn. With the amount of traffic coming west on Darley Street this can result in hold-ups or cars taking risks to beat the traffic lights.

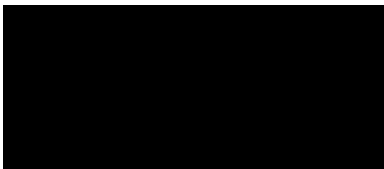
6. Impact on Natural Fauna

Redevelopment of the site on the basis of the proposal will have a negative impact on the current wildlife in the area. There appears to be a natural wildlife corridor at the back of our premises and we regularly see various kinds of native bird life together with on occasions lizards and snakes that we assume live in the adjoining properties.

Summary

Our understanding and the basis for our original purchase of our property was that 159-167 Darley Street West were zoned R2 due to significant issues with the underground water table. We strongly oppose the proposal put forward by a developer to rezone the land to R3 Medium Density as part of an objective to redevelop the properties and put in place apartment blocks. It is our view that the site is not suitable for development being in a sensitive environment with water table issues on the side of a steep hill in a flood prone area. In addition the development is opposed by council as it is not consistent with council's strategic plan for the development of Mona Vale.

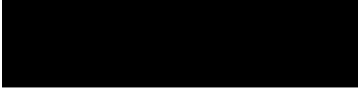
Yours sincerely



submission

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Please see attached file.

Planning Proposal 159-167 Darley Street West, Mona Vale – PP2021 7404

Objection – Kunari Place

This is a submission/objection related to the gateway implementation for the Activity Details Number PP-2021-7404, for the planning proposal for 159-167 Darley Street West, Mona Vale

We object to the submission related to the rezoning to R3 Medium Density Residential and to amend clause 4.5A of Pittwater Local Environmental Plan 2014 (PLEP 2014) so that maximum dwelling density requirements do not apply to the site.

Our objection is based on two issues:

1. Potential increase in stormwater and flooding effects
2. Loss of privacy

Storm Water – Flood Zone

Review of Development Proposal

We consider the Stormwater Management Strategy, contained in Appendix E, for the development proposal is flawed. The strategy relies on diverting the increased overland flow water towards the Darley Street Road Reserve and onto Bayview Gold Course. We contend the design/model:

- Does not accurately reflect the condition of the road reserve and this could lead to increased afflux effects on surrounding properties.
- Does not consider the Hydraulic grade line and total energy line in the design of the drainage system.
- Shows increased afflux on existing properties.

We request that:

- The Stormwater Management Strategy is updated to reflect the actual site conditions and this demonstrates no increase in afflux on existing properties,
- The drainage design is amended to consider Hydraulic grade line and total energy line, and
- A condition of the development is the road reserve and watercourse are properly maintained reflect the design assumptions.

Background

Appendix E of the Development Proposal provides the Stormwater Management Strategy.

The Executive Summary states:

- Stormwater from the development site is diverted away from the downstream properties (6, 8 and 10 Kunari Place).
- The diverted flows are drained overland towards Mona Vale Golf course.
- The Stormwater Management Plan is based on the original Flood Study by Royal Haskoning DHV dated 7 July 2017.

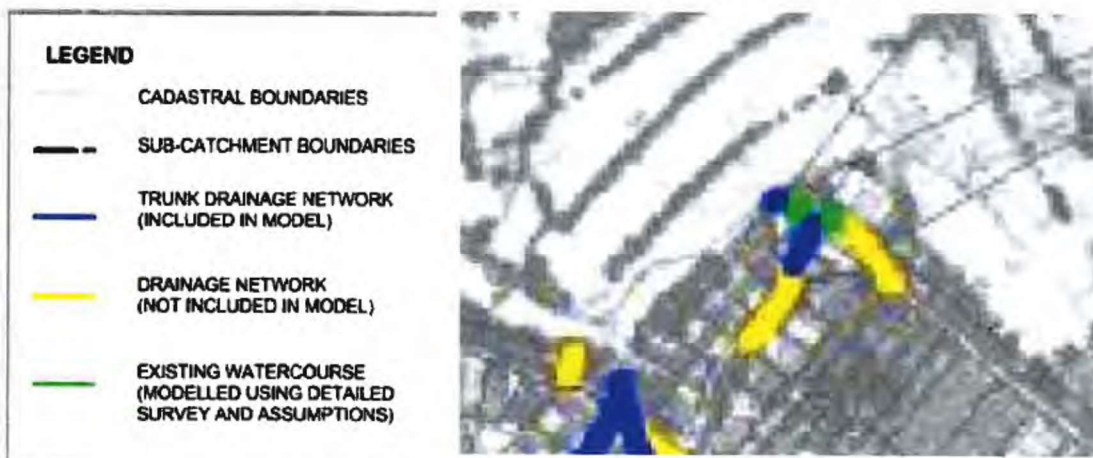
Review of Royal Haskoning DHV Flood Study

The Original Flood Study undertaken by Royal Haskoning DHV 7 July 2017. Figure 9 shows the Hydraulic Model Material Types used in the assessment for this area. An excerpt is provided below, with the proposed development site highlighted.



Different Hydraulic Roughness values (n) are applied for different land use as shown in Table 5-3. The Roughness for a Road Reserve is 0.020.

In addition, Figure 6 shows the Drainage Network Features used in the model.



This shows an existing watercourse running through the road reserve at the end of Darley Street West. This represents a combined open channel and pipe culvert.

Existing Condition

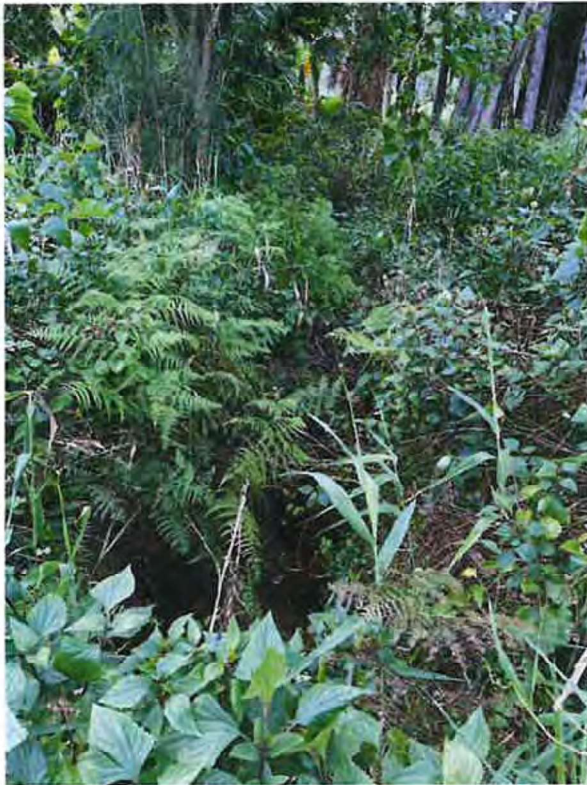
The images below show both an aerial view and street view of the road reserve at the end of Darley Street West.



It is clear that this area is not maintained, and the Roughness is far different from a road reserve. A more appropriate value might be a Densely Vegetated Area with a Roughness of 0.10.

Finally, the road reserve has a pipe culvert which connects into Cahill Creek. The exit to this culvert is often overgrown and blocked through poor maintenance and cannot be relied upon to perform as

assumed in the model. Further to this the Cahill creek, which runs behind Park Street 100, Kunari Place, 1, 3, 5, 7, 9 and 11 is also poor maintained and overgrown which impact the flow further. The photo below shows the channel on the other side of the culvert.



In our opinion, it is clear the model does not accurately reflect the as-maintained condition of the road reserve. The impact of these differences could lead to increased afflux in the surrounding areas and waterflow into Kunari Place which has not been correctly modelled.

The proposed development already shows increased afflux on 12 Kunari Place of up to 150mm in the 1% AEP event (refer Figure 6).

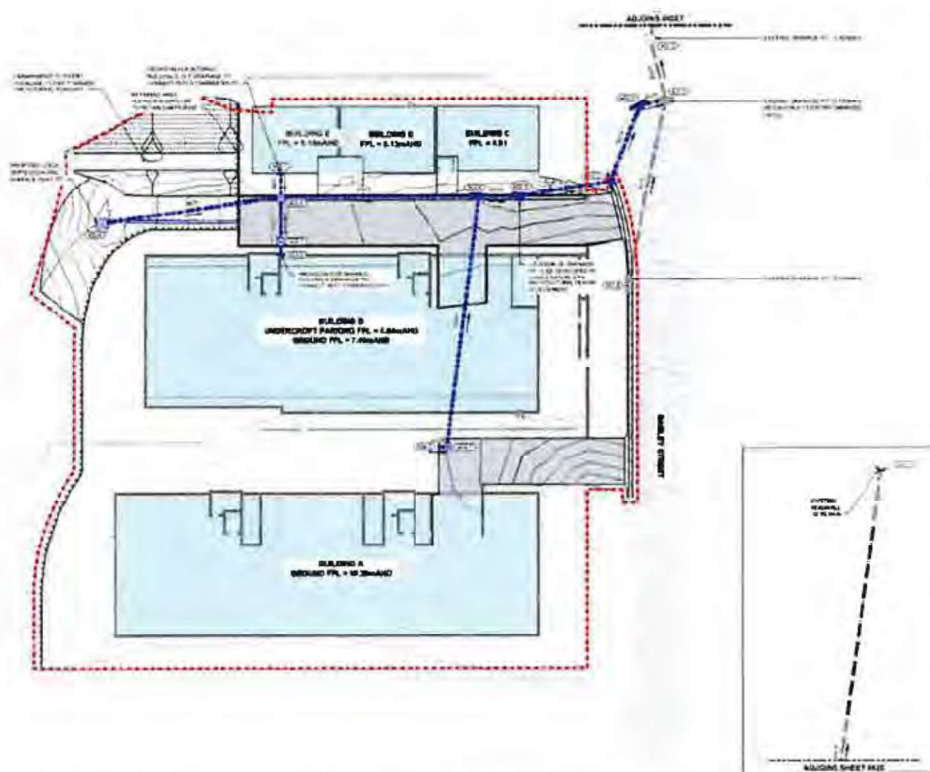


As a result, we do not have confidence in the accuracy of the Stormwater Management Plan.

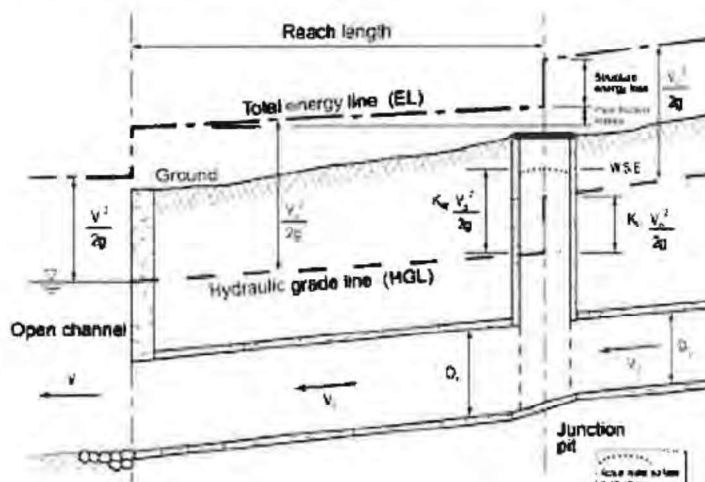
Drainage Design

An extract of the drainage design is shown below. It is noted that Darley Street West has a steep grade towards the connection to the existing stormwater connection.

The confluence of the 2 waterflow streams, Park Street in the Cahill Creek with Darley Street creates an overflow onto the properties (Kunari Place, 1,3,5,7,9 and 11) as they merge. A pipe in lieu of the Cahill Creek would be recommended to channel the water.



Both the existing and proposed pipes have a shallow depth and are located close to an existing pipe with a steel gradient. As a result, they are likely to be subject to surcharge from the pits, particularly when the Total Energy Line is considered – refer to the image below.

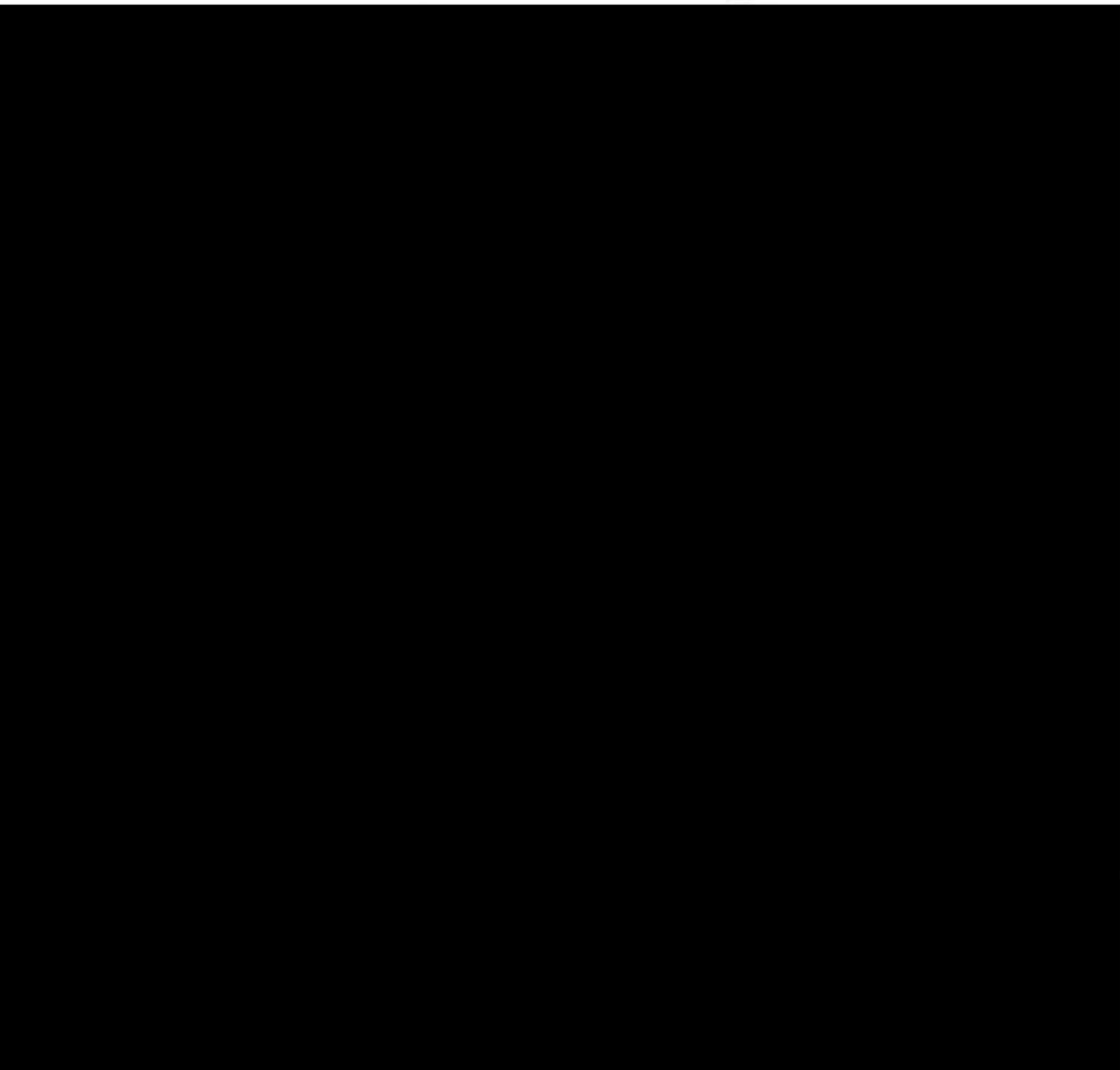


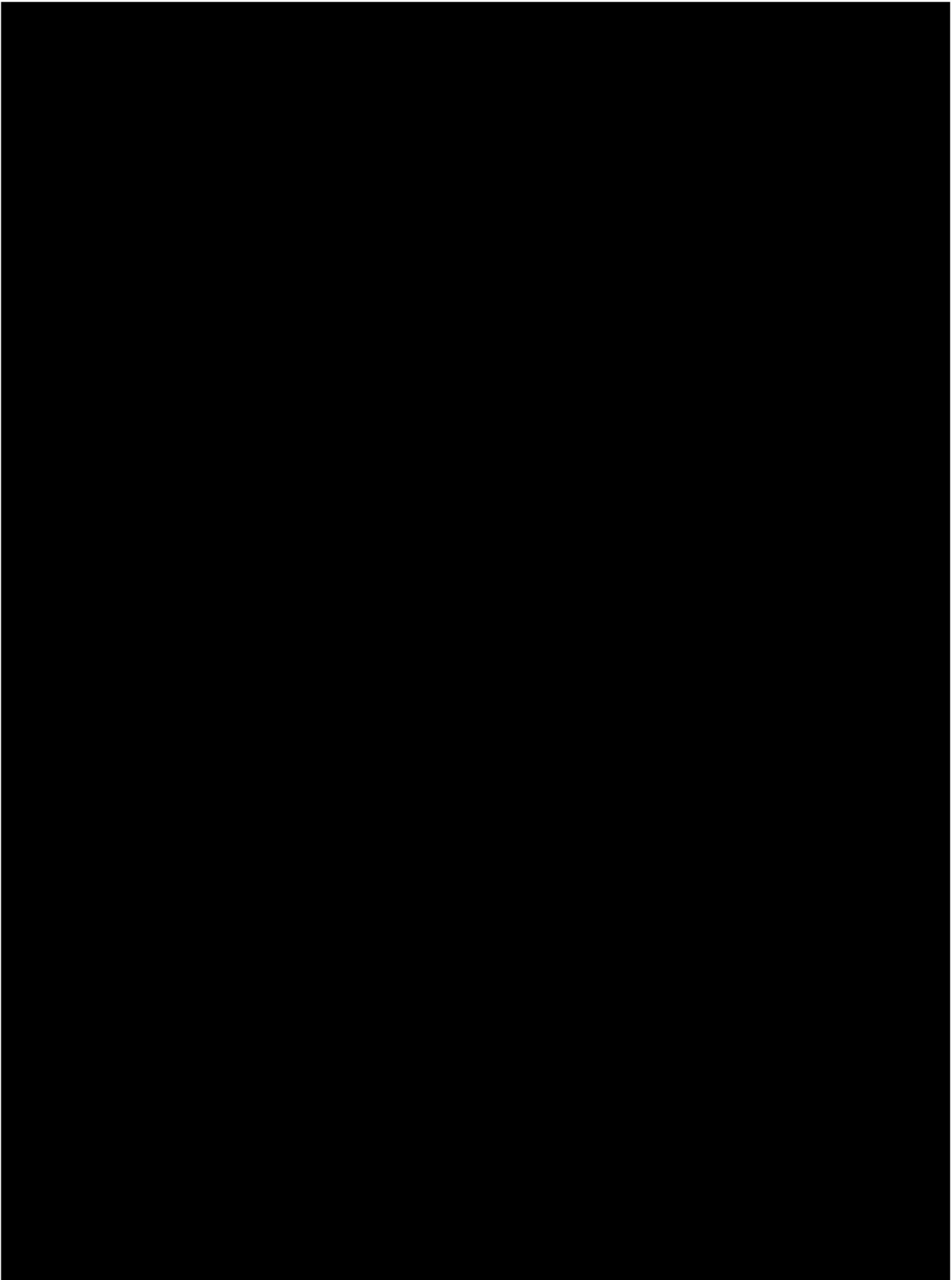
The proposed drainage design does not refer to any of these checks being done or any check on the capacity of the existing pipe system.

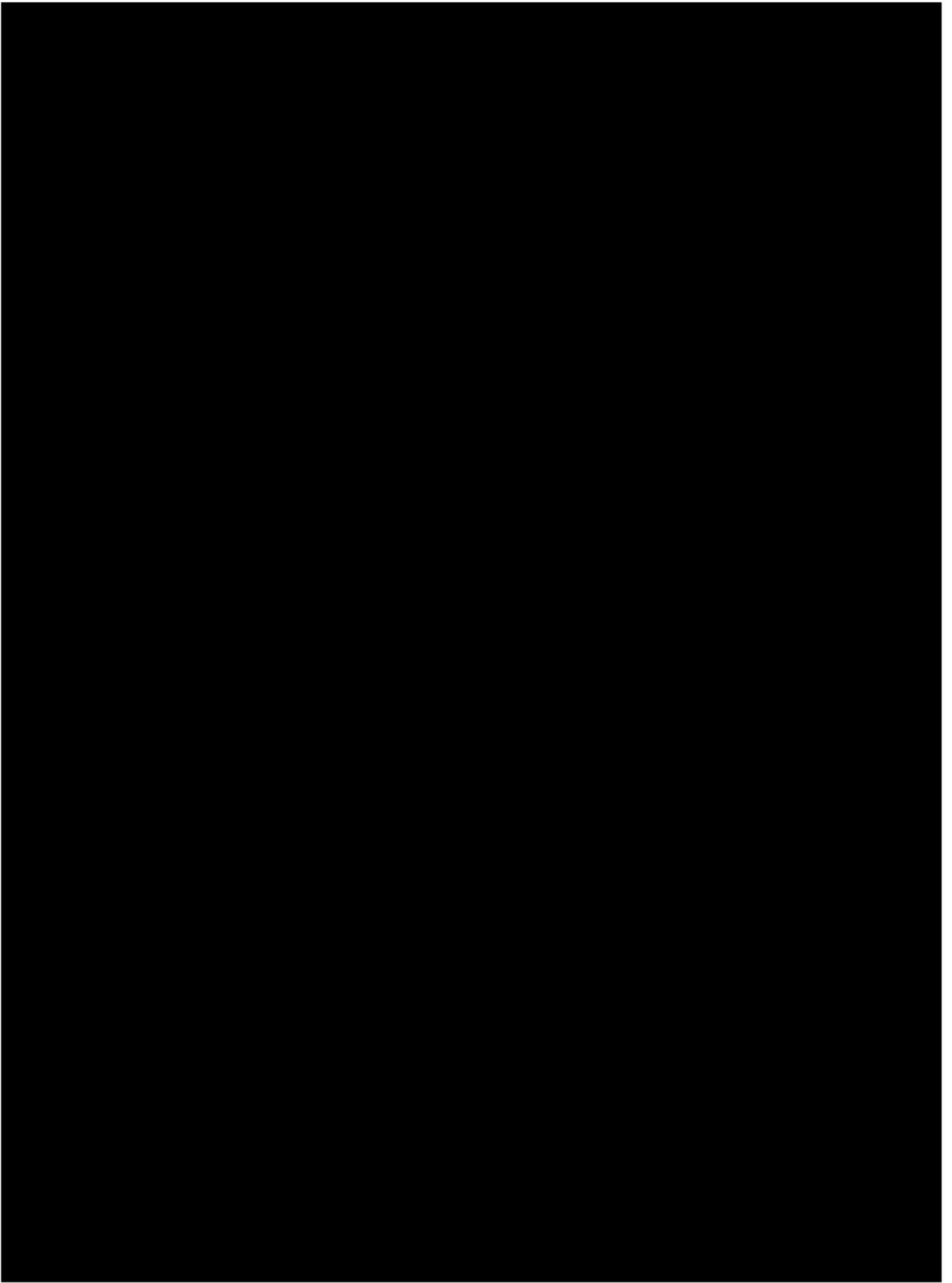
Privacy

Objection to the abovementioned planning proposal related to the visual impact and impact to the privacy of the residents of Kunari place and Park Street with the development of R3 Medium Density Residential. Kunari Place 4,6,8,10 will likely see a significant reduced level of privacy, as well as visual change from green and leafy to build up with apartments. Kunari Place 3, 7, 9, 11 and 12 also will likely see, and experience less privacy due to the development.

- Inadequate details of any privacy screening between the development and existing property is provided in the planning proposal.







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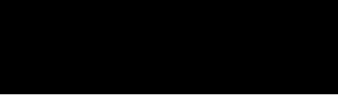
Objection - Submission on behalf of

[Redacted]

submission

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We and fellow residents of Darley street West are strongly apposed the approval by NSW Government Planning to rezone the site from R2 Low Density to R3 Medium Density and have the maximum dwelling density requirements removed from the application

Development applications of this magnitude have been rejected twice by NBC and local residents

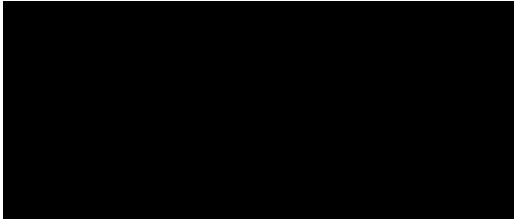
The decision ignores

- > The wishes of the residents
- > The NBC requirements
- > the concerns of the local community

The proposed addition of more than 41 residents and 80+ cars is a significant safety issue. Darley Street West residents are fearful exiting basement garaged into the path of speeding cars.

The vehicle congestion at the traffic lights intersection of Darley Street West and Pittwater Road is a significant safety issue.

The safety issues for pedestrians and local traffic is of serious concern if this development proceeds



1 Dec 2023

Subject: Opposition to Rezoning for Medium Development

I am writing to express my strong opposition to the proposed rezoning for medium development in 159 167 Darley St West, Mona Vale.

I believe that there are several flaws and unconsidered information in the conclusions drawn to approve this development, and it is essential to voice concerns relating to habitat destruction, flooding risks, acid sulfate soil pollution, strain on urban resources, and the dis alignment with the Local Strategic Planning Statement, Towards 2040.

Firstly, as stated in the council's report on the Local Strategic Planning Statement, Towards 2040, there is no immediate requirement for additional development to meet the prescribed housing targets for the period of 2016 2021 in the North District Plan. The existing planning controls are projected to full fill the desired goals set by the NSW Government's Greater Sydney Region Plan and North District Plan. It is therefore unnecessary and unwarranted to proceed with this rezoning development in order to meet these targets.

Furthermore, this proposed development lies outside the designated "Centre Investigation Areas" and is not mandated by the existing planning framework.

In light of the aforementioned information, I firmly believe that a more suitable use of the land can be achieved through an alternative style of development.

The proposed medium development is an over utilisation of the land in a location that does not necessitate such drastic measures, as previously established. Therefore, I recommend that the zoning strictly allows for a maximum of 20 above ground townhomes on the site, promoting a more sustainable and proportionate approach.

Moreover, it is crucial to address the potential adverse impact of acid sulfate soil pollution resulting from this development. Acid sulfate soils contain iron sulfides that, when exposed to air and water during excavation or construction, can generate sulfuric acid, leading to soil and water pollution. These pollutants can have severe consequences for local ecosystems and water quality.

Considering the environmental sensitivity of the area, it is imperative to conduct a comprehensive assessment of the site's acid sulfate soil potential and implement appropriate measures to mitigate the associated risks. This is yet to be demonstrated.

Furthermore, the proposed development's strain on urban resources should not be overlooked.

With an increase in population density and the addition of medium development units, there will be greater demand for municipal services such as water supply, sewage infrastructure, transportation systems, and public amenities. These are approaching maximum capacity.

By way of example:

- the Warriewood sewerage plant is at max capacity, using "accelerated methods" to cope with the current additional developments.
- Darley st traffic movements will increase dramatically. Already the current residents are encountering risk at the intersection of Darley and Pittwater Roads. The data obtained for

the number of vehicles is grossly incorrect. Based on vehicle movements for our own property of just 11 owners the figure proposed is grossly underestimated.

- Street parking will increase dramatically with the proposed Tandem garaging. There is enormous amount of evidence that occupiers will not effectively park two cars and will “steal the street”. Any development should realistically accomodate all vehicle parking within the complex.

It is crucial to evaluate the capacity of the existing urban resources and infrastructure to meet these increased demands.

Failure to adequately address this strain on resources may negatively impact the quality of life for both existing and future residents.

I

n conclusion, I reiterate my strong opposition to the proposed rezoning for medium development in Darley St West.

The flaws and unconsidered information in the conclusions drawn to justify this approval necessitate a thorough reconsideration of the project.

The concerns related to habitat destruction, flooding risks, acid sulfate soil pollution, and strain on urban resources should be taken into account to ensure responsible and sustainable development practices.

Thank you for your attention to this matter. I trust that you will carefully evaluate the concerns raised in this report and act in the best interests of the community and the environment.

Should you require any further information or clarification, please do not hesitate to contact me at your convenience.



nal submission

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I am writing to express my strong opposition to the proposed rezoning for medium development in 159-167 Darley St West, Mona Vale.

I believe that there are several flaws and unconsidered information in the conclusions drawn to approve this development, and it is essential to voice concerns relating to habitat destruction, flooding risks, acid sulfate soil pollution, strain on urban resources, and the dis-alignment with the Local Strategic Planning Statement, Towards 2040.

Please find my submission attached.

half of my organisation



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Mona Vale Residents Association (MVRA) is concerned about the loss of a significant number of mature trees, tree canopy and associated environmental impacts. Another concern is consistency with the Mona Vale place planning objectives and process and potential over-development of the site.

Mona Vale Residents Association