

NSW Department of Planning, Housing and Infrastructure

Re: State Significant Development – Opal Healthcare Bayview (SSD-77240466)

Submission from:

Jennifer Vanstone

103 Annam Road
Bayview NSW 2104

1. Introduction

I am the owner and occupier of 103 Annam Road, Bayview, located opposite the proposed Opal Healthcare Bayview development. Specifically, and most concerningly, my home (and my neighbours') will be opposite the development's primary vehicle access point.

My dwelling is a two-storey residence with the primary living room and master bedroom on the ground floor, and second bedroom on the first floor, all facing the development site and primary vehicle access point.

Due to the location of the proposed main entry to the new develop and our home's position and orientation, **my property will be significantly impacted and adversely affected**, experiencing the full concentration of construction and ongoing operational activity associated with the development.

This submission addresses both the impact during the development phase and the long-term ongoing operation of the facility, to myself and my neighbours. Annam Road is an historically quiet road with very little traffic. It is a low-density residential area highly sought after by families and retirees looking for a safe suburban street with a semi-rural feel.

This submission objects to the proposal in its current form based on:

- unacceptable loss of residential amenity
- significant privacy impacts
- adverse health and wellbeing outcomes
- safety risks associated with concentrated traffic movements
- property value

This submission has regard to the findings and mitigation measures outlined in the:

- Environmental Impact Statement (EIS)
 - Traffic and Transport Impact Assessment
 - Noise and Vibration Impact Assessment
 - Visual Impact Assessment
 - Social Impact Assessment
 - Construction Environmental Management framework
-

2. Site-specific context for 103 Annam Road

As demonstrated in the architectural plans and access drawings, the development and proposed main entry aligns directly with my property.

This results in:

- staff, visitor, service and emergency vehicle movements being concentrated in close proximity to an existing residential dwelling (my home)
- direct headlight alignment with my habitable room windows
- direct sightlines from the development into my primary living spaces

The EIS adopts a generalised impact assessment approach. However, the impacts on a **dwelling directly opposite the access point** are materially greater than those experienced by properties located elsewhere in the street, **especially given the facility intends to operate 24/7**.

The impact assessment fails to address the unacceptable loss of residential amenity and significant privacy concerns the development represents to me and my family.

3. Traffic impacts

(Refer Traffic and Transport Impact Assessment)

The Traffic and Transport Impact Assessment confirms:

- frequent vehicle movements associated with a 160-bed residential aged care facility operating 24/7
- staff shift changes across morning, afternoon and evening periods
- regular service, delivery and waste collection vehicles

For most of the street this represents a **significant increase in traffic**. For my dwelling it represents a significant increase in **concentrated traffic at a single point**, which has not been specifically assessed.

Direct impacts to my home include:

- inability to safely enter and exit my driveway during peak arrival periods
- headlight sweep into ground and first floor habitable rooms during the nighttime which will interrupt sleep
- increased traffic noise 24/7 which will interrupt my families work and downtime, negatively impacting our health and wellbeing

Macro impacts to my neighbours include:

- loss of on-street parking for local residents
- conflict between large vehicles and pedestrians in a family-oriented street

- increased traffic noise 24/7

The EIS does not adequately address the safety and amenity implications for a residence directly opposite the development and access point, nor the neighbourhood.

4. Noise impacts

(Refer Noise and Vibration Impact Assessment)

The Noise Assessment applies standard external noise criteria. However, it does not adequately consider the effect of:

- continuous vehicle entry and exit activity
- car door slamming and conversation
- service vehicle operation
- night-time ambulances and other vehicles arriving and departing the facility

For most of the street, the development will result in **increase in continuous noise**.

For my dwelling it represents a significant increase in **noise at all times of the day and night**, which is of particular concern given my living room and master bedroom directly face the access point. These are the most noise-sensitive rooms in a home and are used for:

- family occupation during the day
- work during the day
- sleep and recovery at night.

The development will result in a **significant and ongoing loss of residential amenity** that cannot be mitigated through standard building façade treatments applied to the development.

5. Construction noise, vibration and access

(Refer Construction Noise and Vibration, Construction Traffic, and CEMP framework)

Locating construction access directly opposite existing residences will result in:

- prolonged heavy vehicle activity at the closest possible point to existing dwellings
- reversing alarms, idling engines and traffic controller activity
- dust generation at the point of braking and turning
- restricted driveway access for an extended construction period

The EIS does not demonstrate why this impact must be borne directly by my property rather than distributed or relocated.

6. Privacy and visual impact

(Refer Visual Impact Assessment and Architectural Plans)

The development introduces a multi-storey institutional building with:

- elevated windows and active frontages
- direct sightlines across the street into existing homes.

Given the comparable elevation and short separation distance, this will result in:

- direct overlooking into the living room
- direct overlooking into the master bedroom
- loss of privacy to the front yard.

This represents a severe and permanent privacy impact for an existing dwelling.

In addition, the visual bulk and institutional character of the built form will replace the current low-density residential outlook with a 24-hour operational frontage.

7. Social and community safety, health and wellbeing impacts

(Refer Social Impact Assessment)

The Social Impact Assessment identifies the broader community benefits of aged care provision.

However, it does not adequately address the impact on existing family homes located directly opposite the site and its main access.

This section of Annam Road is characterised by:

- a high number of families with young children
- active use of the footpath and verge
- regular residential driveway movements.

The construction phase (potentially up to 3 years) will cause prolonged disruption to myself and my neighbours – noise, traffic, road closures, dust and emissions.

In the long-term, the facility will cause no end of issues for the local residents:

- There will be a significant increase in traffic at all hours and an influx of staff and visitors coming and going, which will create constant noise disruption.

- Light pollution is also a big concern for the residents in the immediate areas. There are at least 10 houses that face right onto the proposed development site, with main living areas and bedrooms all at the front of the house.
- Placing the facility entrances directly opposite existing family homes, on a dangerous section of road (blind corner, blind crest) also poses safety risks in a neighbourhood with a high number of young children and pets.
- In addition, it presents concerns for privacy. For example, my home's key living areas and kids' bedrooms face out onto the road and will be in direct sight of the facility.

The cumulative effect of:

- continuous activity and noise
- light intrusion during sleeping hours
- loss of outlook
- loss of privacy

will materially and **permanently change the internal living environment and comfort** of my home. This is in **direct opposition to maintaining reasonable residential amenity** for an existing dwelling.

9. Environmental impact

It will create lasting environmental impacts from increased emissions, waste generation, noise and light pollution. Most concerning, it will threaten our wildlife habitats - square-tailed kites (endangered), sea eagles and bush turkeys all nest within 100m of site.

In the planning proposal, EIS doesn't appear to have done any investigation or planned mitigation specifically into our kites – an endangered species. The kites have been nesting in the area for 5+ years. It is currently an active nest with young birds residing inside. The kits produce babies every year.

11. Consistency with SEPP (Housing) 2021 and good planning principles

The proposal is required to be assessed under the State Environmental Planning Policy (Housing) 2021, which facilitates the delivery of residential aged care while also requiring that new development:

- is compatible with the character of the local area
- provides appropriate built form and scale in its context
- protects the amenity of surrounding residential development
- achieves suitable landscape, visual and environmental outcomes.

While the provision of aged care infrastructure is supported in principle, the current design does not achieve an appropriate interface with the existing low-density residential context at the point directly opposite my dwelling.

11.1 Compatible built form and land use transition

Good planning requires a **sensitive transition between institutional development and established residential areas**.

The location of the primary access and active frontage directly opposite an existing two-storey dwelling creates:

- a 24-hour operational interface at the closest possible point to a residence
- a concentration of noise, light and traffic activity at a single property.

This does not represent a compatible or equitable land use transition.

11.2 Protection of residential amenity

A fundamental objective of the planning framework is the protection of the amenity of existing residents.

The proposal results in:

- direct overlooking into primary habitable rooms
- sleep disturbance from night-time vehicle movements
- loss of acoustic privacy and outlook
- headlight intrusion into ground and first-floor windows.

These impacts are **site-specific, predictable and capable of being mitigated through design changes**, particularly the relocation or redesign of the primary access and additional built-form and landscape buffering.

11.3 Equitable distribution of impacts

Good planning seeks to avoid placing an unreasonable burden on a single property where impacts can be:

- avoided
- reduced
- or more equitably distributed.

The current design concentrates the highest level of activity directly opposite existing dwellings.

This represents an inequitable outcome that is not inherent to the land use and could be addressed through alternative access and frontage design.

11.4 Local character and environmental quality

The SEPP also requires consideration of:

- neighbourhood character
- landscape setting
- environmental quality.

The introduction of a high-activity institutional frontage into a quiet, family-oriented street, without an appropriate transitional interface, will materially alter the established character and environmental quality of the locality.

11.5 Achieving the aims of the SEPP

The proposal in its current form is not consistent with the planning priorities of the **Greater Sydney Region Plan – North District Plan** or the **Northern Beaches Local Strategic Planning Statement**, both of which require new development to enhance local character, protect the amenity of established residential areas and deliver built form that responds appropriately to its surrounding context. The existing character of this locality is defined by low-density housing, landscaped settings, low traffic volumes and a safe, family-oriented street environment. In addition, locating the primary access and highest intensity of activity directly opposite existing dwellings, the proposal fails to meet the State Significant Development assessment criteria, which requires that development integrate with and positively contribute to the surrounding neighbourhood rather than impose a concentrated and adverse interface at the residential boundary.

11. Personal impact statement

My family has chosen to live in this location because of its quiet, low-traffic residential character.

We have three young children and three dogs who use the front yard, verge and surrounding street environment daily.

The current proposal would place the busiest and most active component of a 24-hour institutional development directly in front of our home, permanently altering our ability to:

- safely access our driveway
- sleep without disturbance

- maintain privacy in our primary living spaces
- allow our children privacy, safety and a home environment in which they can thrive.

This represents a profound and ongoing change to our day-to-day living conditions.

12. Conclusion

In its current form, the proposal presents an inaccurate and misleading representation of impact on both my home, and the neighbourhood.

The proposal in its current form is not consistent with the intent of the State Environmental Planning Policy (Housing) 2021 to deliver aged care in a manner that is compatible with surrounding development and protective of residential amenity.

Therefore, I am in direct opposition to the proposal.

Regards

Jennifer Vanstone