
Sent: 15/11/2019 5:50:34 PM
Subject: Online Submission

15/11/2019

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RE: DA2019/1173 - 3 Berith Street WHEELER HEIGHTS NSW 2097

Date: 15 November 2019

Helen & Rodney Millichamp
27 Rose Ave
Wheeler Heights NSW 2097

Submission to:

Northern Beaches Council
725 Pittwater Rd
Dee Why NSW 2099

RE: DA 2019/1173 - 3 Berith St, Wheeler Heights NSW 2097

To whom it may concern,

This letter is an application response to the proposed development of 6 x over 55 living units at 3 Berith St, Wheeler Heights.

Our property directly shares our rear fence line with the proposed site. We would like to raise our concerns over details found in the application documents that will affect our property, living space and all residents in the surrounding neighbourhood.

There have been multiple applications and developments in the area in recent years. The recently opened over 55s development at 34 Rose Ave has highlighted the effects of removing 1 house and building 12 dwellings with no visitor parking. Some of the issues we have noticed since the opening have been:

- A significant increase in traffic congestion
- Multiple near miss accidents from residents exiting the property onto a busy road due to low visibility caused by parked cars
- Reduction of street parking in the area
- The final outcome does not reflect the application design e.g. the design intent for the street frontage was not met

With the approval of a second development at 44 Rose Ave, which comprises of the removal of 1 homes and construction of 6 dwellings with the sole entrance & exit of the development from Rose Ave, we feel we have been saturated with these properties that will only add to the aforementioned problems.

There has also been an influx of other small dwellings such as granny flats which are impacting the areas privacy, traffic & parking congestion. With no provisions for parking and services in these types of developments there has been added strain on the area. We are finding it more and more dangerous when reversing out of our driveway due to the traffic congestion and increase in on-street parking obscuring our line of sight.

The proposal at 3 Berith St makes 3 x SEPP over 55 developments within 100 metres of each other. That's the removal of 3 houses and an introduction of 24 dwellings. It appears that there has been no consideration of the impact this will have on the community.

On review of the application documents we have found the following issues that need to be reviewed and addressed:

Issue 1 - Documentation

This development application is the second attempt by the applicant for approval of the development. The previous application, although it was approved, was retracted due to documentation issues raised by the neighbouring residents. The current documents are still inaccurate (same documents have been resubmitted with only the addition of a Geotechnical report) showing the applicant has not addressed issues raised previously.

The submitted BCA report that assesses the development for compliance is not up to date with current standards. The report has checked for compliance with the BCA-2016 and not the current BCA being BCA-2019 which came into effect in May 2019. Due to the current reviews of the building industry practices there have been significant changes to the BCA between 2016 - 2019 and this application needs to be reassessed.

The previous application had multiple conditions placed on the development for acceptance. The same documents have been submitted with no regard to the conditions previously applied to the development. Some of the main conditions not addressed include but not limited to:

- Outside walls of upper units to be setback a further 500mm from side boundaries
- Bin room to be setback a further 1mtr from front boundary
- Stormwater connection point to be moved south of the driveway entrance

The Urban Design Response states "The proposed front and side building setbacks provide for a compliant building envelope that is well in excess of requirements resulting in appropriate building separation between properties ensuring amenities to surrounding neighbours are reasonably preserved and maintained." This seems incorrect as the conditions of the previous application required a further 500mm setback. This development will severely impact the neighbours at 5 Berith St. Changing the current level from single storey to double storey will significantly impact the outlook from the main living areas of their home.

Also, the sheer size of the development in relation to the existing surrounding homes is out of place with the rest of the community. The loss of outlook and visual impact of the height of this building contravenes the Warringah local Environmental Plan Clause 4.3 objectives.

Issue 2 - Privacy

Our property currently has 5 x neighbouring houses that are positioned so as to not have a direct line of site into our living areas. The proposed development would see the second story unit having windows looking directly towards our living space. One of the main reasons for the purchase of our property was the privacy it provided, this will be severely reduced with the new

proposed development greatly affecting our family's quality of life. The proposed timber slats would not provide adequate privacy as they cannot be angled to prevent viewing into all adjacent properties.

The provided landscape drawings do show the provision of a Coastal Banksia on our boundary fence, but the positioning and type of tree does not restrict the view from the upper unit window into our property.

Issue 3 - Parking

Although the parking provided is as per requirements of 8 spaces there is conflicting information on what is being provided.

- The original Drawing A03, referred to in the access report, has been removed from this application shows the provision of 7 tenant parking spaces and 1 visitor space.
- The Access Report shows 8 tenant spaces with only 6 for tenants and 2 visitor spots
- The Traffic Impact Assessment shows 8 tenant spaces and has no mention of visitor spaces.

According to the Seniors Living Policy, Urban design Guidelines for infill development, under the heading for SEPP controls, one visitor parking space needs to be provided for a development of 6 or less dwellings in addition to the 0.5 residential parking spaces per bedroom. None of the provided documents satisfy this requirement.

The referenced drawing A03 has not been submitted for assessment in this application so council cannot know what the applicants intentions are for onsite parking

It has been shown with the opening of 34 Rose Ave, that each residence has multiple vehicles and on street parking has become a problem. The current parking issues on Rose Ave will only be exacerbated with the combined development of 44 Rose Ave and 3 Berith St.

Issue 4 - Traffic

Berith St is a small, short street (<200m in length) that is currently congested with resident cars, boats, school children and their parents. Berith St is frequently used within the neighbourhood as a short cut up to the Collaroy Plateau shops on Veterans Parade to bypass a congested Rose Ave. The proposed development will only add to an already congested traffic situation considering there appears to be a lack of visitors parking. This will surely cause more of a hazard to school children and local residents.

Issue 5 - Over Development and Design

The proposed demolition of a single dwelling to build essentially a 2-3 storey unit block comprising of 6 x units is completely out of character with the street and neighbourhood and an over development of the site.

It was raised in the previous panel hearing by the applicant that there are other SEPP developments in the area that are the same. This is incorrect as the other developments are either single detached dwellings or are located on battle axe blocks with no street frontage.

The SEPP for seniors living Clause 33 (a) states that the development should, "recognise the desirable elements of the location's current character so that new buildings contribute to the quality and identity of the area". Unit block type proposals go against this design principle and have no place in Berith St or the surrounding neighbourhood. They are not compatible and will not enhance the character or amenity of the neighbourhood.

We have not chosen to live in a neighbourhood where unit blocks and excessive developments are considered 'normal'. Population growth is inevitable however, this proposal is excessive in its size and scale for the block size as well as for a small street consisting of 22 houses. 3 Berith St is an inappropriate choice of location and Wheeler Heights is becoming oversaturated with these types of developments.

This proposal at 3 Berith St will make it the 24th dwelling of a SEPP > 55's nature surrounding our property.

Overall, we are of the opinion that there are several issues with the planning and design of this development proposal that need addressing and strongly urge it to be rejected. We have been exposed to the negative affects these types of developments have had on our neighbourhood with this being the third proposed development surrounding our home within <30 metre radius. It is a further example of how our neighbourhood is oversaturated with these types of dwellings without the appropriate infrastructure to handle them.

We are strongly opposed to this development as are all of the local residents. The uncontrolled environment of the continual appearance of these types of developments is causing much distress and heartache to all surrounding neighbours, us included.

Regards
Helen & Rodney Millichamp