
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 15/12/2022 1:16:48 AM
To: DA Submission Mailbox
Subject: TRIMMED: Online Submission

15/12/2022

MRS Keli Jane Kwanten
5 / 25 - 25 Waine ST
Freshwater NSW 2096
[REDACTED]

RE: DA2022/1985 - 27 Waine Street FRESHWATER NSW 2096

Mrs KJ Kwanten
5/25 Waine Street
Freshwater NSW 2096
RE: DA2022/1985 - 27 Waine Street

13th December, 2022

Dear Assessing Officer,

My family and I have been residents of Waine Street since 2013. I am lodging my formal objection to DA2022/1985 - 27 Waine Street. Living in this street, our community and surrounding environment for that amount of time has affirmed our belief that the street is currently at complete capacity. A development of this size will have a detrimental impact on the lives - including the health, safety and well-being of all current residents. Not only that, in reviewing DA2022/1985 I hold a genuine belief that it does not abide by the relevant guidelines and regulations as stipulated by you: the Northern Beaches Council.

Please see below for the outline of my concerns in relation to the details of the development application for 27 Waine St (our neighbouring property):

Concerns with the DA:

Building height - the proposal exceeds the development standard by 15%. The current cap is 11m and this building will be 12.67m.

Storeys - the proposal is for a 4 storey development, when the DCP limit is 3 storeys.

The finished building is made up of 6 x 3-bedroom apartments across 5 storeys, including an underground level. Council regulations cap Waine Street at 3 storeys, which will be exceeded even if the underground level is not considered.

Set-backs - the proposal provides inadequate setbacks on the front and side boundaries.

Council regulations stipulate that on that side of Waine Street only 50% of a private block is allowed to be built on. The plan is to build on 75% of the block.

Negative Outcomes if DA goes ahead:

Loss of Sunlight

Loss of Privacy

Loss of district views and natural environment
Negative impacts to health and well-being of residents

The development is required to be 3 storeys; proposed is 4 storeys (added 5th being underground). Its finished height will be 12.67m, 1.67m higher than the current limit of 11m. How can this fall into the compliant category under bulk in the development control plan? It does not. The report states 'The proposed development does not result in any unreasonable impacts upon the amenity of adjoining properties with regard to privacy, views or solar access.' For us in number 25 Waine St - a directly neighbouring property, this is completely inaccurate. If this DA is approved, we will have 8.4 metres of completely unmasked windows and a 13sqm balcony facing directly into the western side of our apartment block. As this development will also be higher than our building, the residents of 27 Waine St will be able to look across and down into these units on the western side of our block. This, combined with the fact that the setbacks have completely been disregarded (B3 & B5) will completely remove any semblance of privacy or reasonable access to sunlight for the residents in units 3,4,7,8,11 and 12 of our block. What was clearly noted in the plans is that the building will create significant loss of light for Unit 12, 25 Waine Street. Please note: Unit 12 is the top of our 3 storey building, not level 4 as they have stated on their plans.

The light plans are misleading with keys on the diagrams showing the compliant envelope in a dark blue and the actual shadow cast by the development in a much lighter shade of grey. This hides that the development is well over the compliant envelope and is going to impact many existing residents. We would like it to acknowledge that the comments listed by the statement of environmental effects (D7) minimal impact to views are completely not true and are in fact, misleading. The report has gone to great lengths to highlight only the apartments on the north side of number 25 and showcase all the views from this side which will not be impacted. This is deceitful - floor plans and internal images of units 12, 11, 7 and 3 are all readily available on the internet and would highlight how much of an impact this is going to have on the owners.

It is important for the council to consider the significant impact loss of light and privacy will have on the residents of our block - it will have a negative impact on health and well-being as owners will be unable to move freely in their own homes without the possibility of others looking over them; decrease in access to Vitamin D via loss of the sunlight which can lead to both physical and mental health issues; on a practical level - reduced ability to appropriately dry their clothes and air out their living spaces to minimise risk of damp and mould (an issue that cannot be ignored in the wake of the rains we experienced in early 2022 and throughout Winter this year).

Concerns with DA:

Increased traffic loads due to increased number of occupants at 27 Waine St
Positioning of Driveway (entry/exit) to 27 Waine St

Negative Outcomes if DA goes ahead:

Increased traffic congestion

Increased traffic hazards and risk

Increased potential for accidents and personal injury to residents and visitors of Waine St

Problematic access for garbage trucks for waste management

The proposed wide driveway (entrance/exit) for 27 Waine St will be located on the lower side of a hairpin corner, where there is currently a yellow unbroken line, indicating no parking. It will be at the base of a dangerous blind bend. Being on the downhill, the driveway will create an

accident zone for cars coming down around the bend. Parking is restricted adjacent to the subject site because of the bend in the road and the additional danger it causes. It is inappropriate to reduce the safety measures taken or to increase the risk at this location.

The increase in occupancy of a build of this size will have a large impact on both Waine St and Girard St traffic. During peak hour the flow of traffic on to Girard St leaving Waine St becomes severely backed up. Traffic often pushing halfway up Rowe St as cars wait to turn onto Pittwater Rd. A build of this size will mean an extra 12-18 cars potentially being added to this already very problematic and dangerous traffic situation. These traffic issues will impact the quality of life of those living in a street that only has one exit and is already at capacity with current residents.

With the current volume of traffic and number of cars already parked on the street, operation of garbage trucks (and other delivery/removalist/courier trucks) around the street is difficult and at times dangerous. This will be further impacted by additional collections at 27 Waine St alongside the additional traffic coming in and out of the proposed block.

Concerns with DA:

Landscaping - the proposal provides only 26% landscaped area, while the DCP requires 50% for a development of this nature.

Negative Outcomes if DA goes ahead:

D1. Loss of wildlife / Natural habitat

The stated requirement is that 278.2m² or 50% (minimum) of the site is to be landscaped. This development will leave 26% of the block for landscaping. All trees on the property will be lost with only the trees remaining located on council land surrounding. It should be noted that in all reference images comparing 27 to 25 that all trees which will be removed for the development have been purposefully included in an attempt to give the appearance of privacy and nature between the buildings. The report hides this from the reader in well drawn plans that make council land look like it is part of the development block. One of these trees is a protected Morton Bay Fig, noted in <https://treenet.org/resource/tree-protection-laws-in-australian-states-and-territories/>. Also of note, in all light drawings the high walled back terraces of the ground floor apartments are shown without walls to give the impression that more natural space will be left. Other trees planned for removal currently house a kookaburra nest (a bird known to use the same nest for 5-6 years). This development will not be in keeping with the rest of the street where blocks retain a large percentage of natural landscaped spaces which house and feed the large number of wildlife found in our street. These include kookaburras, endangered crested pigeons, and protected brush turkeys. Also stated on D1 is that the property will be boarded in deep soil treatments however this is not true. Deep soil treatments are meant to be soft landscaping with no obstructing building structure or feature above or below, which supports growth of medium to large canopy trees and meets a 1 metre x 1 metre requirement. The planned deep soil treatments will rest onto of the underground car park and as such be unable to support trees. Once again - this DA is putting forward misleading information that is in direct opposition to the Northern Beaches Council's own regulations and guidelines.

Other Issues of Significant Concern:

Parking

Parking is already very difficult on Waine street with current residents, workers and visitors all using their allocated unit/workplace parking as well as available on-street parking as required. The increased occupancy at 27 Waine St (there is currently only 1 x family living at 27 Waine

St) would further exacerbate that issue. During the building, parking will be severely impacted by construction vehicles, workers, and other related traffic. Whilst the proposal outlines the provision of up to 12 car spaces (including visitor/disabled spaces), generally in a stacker arrangement. Given the impracticality of manoeuvring cars in and out of stackers and the proposed unit mix, it is likely the proposal will generate additional demand for on-street parking, in a cul de sac that is already heavily used by nearby light industrial premises, a childcare centre and residential properties. There would literally be even less legal parking options for current residents to access within walking distance of their homes.

Noise Pollution

With a construction timeline to be slated for likely more than two years due to the size of the build, the lives of all residents of Waine St, but 25 Waine St in particular, will be drastically impacted. Construction will take place for 11 hours a day during the week and 5 hours a day on Saturday. This will be a significant disruption and will impact the quality of life all all residents of 25 Waine St. We have residents working from home work full time, families with young children who are not yet at school and nap during the day, people who are retired and use their home for relaxation and respite. Their needs to be an acknowledgement of the direct impact this level of construction will have on the mental health and well-being of the residents of 25 Waine St. I have a 3yr old who still naps during the day - construction noise for 2 years straight (6 days a week) will make this a difficult task, even in the safety of our own home.

We have not seen any proposals as to how this might be reduced for current residents, what actions will they take? Please see the following link for how other developments handle this, noted on page 6 <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/noise/09265cng.pdf?%20la=en&hash=EF4576FD79DBB25D5AC22DFA1A883A2BADA1F77B> . The noise pollution

will continue once construction is completed as we would then have a 3 bedroom homes only 4 metres from my apartment, not the 9 metres (as noted for Unit 12, 25 Waine St) that is required, with the open plan living space invasively close proximity to Unit 12 and all the noise this comes with; children, music and even talking. Whilst these noises are human and not unusual in high density living (as in units); they will be significantly heightened due to the developments disregard for the Council's rules and regulations re building distance from boundary lines and other established buildings.

Excavation and damage to established buildings

As a resident of number 25 Waine Street I am concerned about the plans to excavate down 7.57 metres right on the boundary line. During the build of 29-33 Waine Street deep excavations were also required (which was not even directly on the boundary) this has resulted in lasting damage to 25 Waine Street's foundations, driveways and fencing. This damage is now impacting the residents of 25 Waine St as we are now having to pay for remedial work. How can the excavations directly on our boundary not guarantee that our driveway is going to be damaged or at worse, collapse and the foundations not be impacted. Is the developer prepared to provide reasonable evidence that their works will not cause damage to the foundations, the driveways and any other built structures at 25 Waine St?

Access Safety

As previously stated, this site is on a dangerous hair pin bend with limited visibility. Large trucks, excavation machinery, cement trucks and pumps will significantly increase the risk of injury to the residents on the top half of Waine Street, our visitors and those using the footpath from the lower part of the street. This is a high foot traffic area with many residents walking dogs, prams at all hours of the day on the way to Freshwater. The opposite side of Waine Street does not have a footpath for pedestrians - in particular for those in wheelchairs or those people with prams, like myself. My ability to enter and exit my own street on foot will be severely impact, as will my safety and that of my children, should I attempt to walk with a pram around that corner to access the greater local area. Construction traffic needs to be limited and actively controlled at all times to protect the safety of all. There are also four apartment blocks

with driveways directly opposite the site which adds to the dangers. Myself and my neighbours will be severely impacted for 2 years. We would like to see the traffic management plan of how traffic will be safely managed for the current residents during the construction so we can go about their everyday lives. I assume this will include traffic attendants and the developers will not just be relying on other people onsite. This is a serious matter which needs to be addressed and resolved prior to any approval for development is given - the lives and safety of Waine St residents are at potential risk if it doesn't.

Risk to Physical Health

Apart from the above mentioned health risks posed to residents of 25 Waine St as a result of loss of sunlight and privacy, there are a number of other physical issues that can arise from living next to a construction site of this nature for an extended amount of time. There is noise pollution as listed above, but also air pollution - dust and a vast amount of construction matter can be lifted into the surrounding air - in close proximity to our block. The risk of causing new or exacerbating current respiratory issues is very high. People working from home, children and the elderly will be most at risk. There is also the likelihood that dust and construction matter will enter our homes through open windows (necessary for appropriate ventilation) which can also increase the risk of health complications. Can this development ensure adequate dust reduction is implemented from the first day? We understand that all buildings and windows surrounding the development will need to be cleaned by the developers once complete, but if our quality of living is impacted due to construction matter entering our homes, can you confirm that it will be the developer's responsibility to take the appropriate action to clean our homes with some sort of regularity during an extended construction period to maintain a healthy living environment? There is also a childcare centre at the end of the street and the increased noise, dust, and traffic will present a significant increase in risk and impact on the children attending and the parents taking their children there.

As a member of the Waine St Community and a homeowner in 25 Waine St, I humbly ask that you take the time to review these concerns and take action to ensure that this application - which clearly does not meet Northern Beaches Council regulations - does not proceed. It does not fit with the local environment, nor does it address or support community needs and will cause significant negative impact to the lives of residents, visitors, and workers in our street. We understand that development and progress are a normal part of life; however, this proposal exceeds what any person might consider to be acceptable, appropriate or reasonable.

Sincerely,
Keli Jane Kwanten