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**Sent:** 17/02/2021 10:42:53 PM  
**Subject:** DA2021/0008 - Attention Ms Rebecca Englund

Attention : Ms Rebecca Englund

We are the owner residents/rate payers of 8 Ponsonby Parade, Seaforth, and thank Rebecca of Council for the opportunity to make this submission regarding the Development Application ("DA") for 12-14 Ponsonby Parade, Seaforth, past the closure date for submissions.

We strongly urge Council again, to reject the DA for the following reasons:

proposed development, which is lodged for approval under the regulations of SEPP (Housing for Seniors and People with a Disability) "SEPPHSPD", consists of 9 x 3+ bedroom apartments over two buildings with parking for 19 cars is a gross overdevelopment of the site. We feel that the intention of the planning legislation is not to enable developers to construct the most profitable building at the expense of the existing neighbourhood and residents. Unfortunately this is seems to be the case with the DA concerned.

proposed development breaches the SEPPHSPD regulations flagrantly in regards to:-

- Single storey building only allowed in the rear 25% of the lot to protect visual amenity, solar access and privacy for the neighbours – does not comply;
- Floor space ratio of 0.6:1 (Council planning controls require 0.45:1 and SEPPHSPD require 0.5:1 to ensure the size and bulk of the building to be in keeping with neighbouring single and double storey homes - does not comply;
- Privacy and Solar Access – there are several balconies and terraces with inadequate set backs to protect the privacy and solar access of neighbours – does not comply;
- Bulk and size incompatible with surrounding neighbourhood;
- Character of development incompatible with local area and surrounding low density residential homes;
- Front building alignment not compatible with neighbouring properties and in breach of Council planning controls – does not comply;
- Height appears to exceed 8m – we are not sure if the plans accurately show the correct heights of ground levels, eaves, external walls, decks and roof levels and ask that Council thoroughly check the plans and ensure that a survey by a registered surveyor is supplied for this purpose – does not comply.

Other issues to be taken into consideration include but are not limited to the following:

3. Traffic – both Ponsonby Parade and Ross Street are busy streets with limited parking due to the 2 childcare centres located adjacent to the development site. There are also a lot of pedestrians, including many children, some on bicycles, pets and many cyclists that use particularly the northern paved footpath on Ponsonby Parade, continually day and night.

There is no paved footpath on the southern side of Ponsonby Parade. A vehicular entrance/exit for a seniors and residents with a disability facility would create a dangerous situation for all concerned. Additionally, the proposed development would increase the local traffic by potentially 18 more cars not to mention service providers, visitors etc.

4. Parking – the parking in Ponsonby Parade during normal business hours is already of concern (COVID excluded) and Panorama and Ross Streets also are regularly parked out, particularly during drop off and pick up times for the child care centres. We have great difficulty exiting our driveway in Ponsonby Parade due to the parked cars blocking our view and the excessive speed of traffic. This situation does not seem practical for residents of a seniors and people with a disability facility.
5. Vegetation – all the mature trees on the property are to be removed, inconsistent with the Council Tree Preservation Order. No doubt all new planting will be low, small and decorative only despite the plans showing large mature trees to be planted. On this point we note that the developer seeks to diminish the bulk and size of the development by strategically siting these large trees on the plan submitted.
6. Excavation – the proposed development will require a huge excavation of the site which will have a significant effect on neighbouring properties. How will the neighbours be compensated in the future when their properties are adversely affected by this excavation? Is this excavation necessary to fulfil the objectives of providing housing for Seniors and People with a Disability and in contravention of local Council zoning and planning controls? How do the neighbours know if the plans submitted are using the correct ground levels and in fact that the existing ground levels will not be manipulated to raise the building to increase the views of the proposed apartments to achieve maximum profits? Will the Council indemnify all the neighbours against all and any future adverse affects and/or damage from this excessive excavation? Will vibration monitoring be carried out by an independent registered service provider appointed by Council at the developer's cost? Will dilapidation reports for all neighbouring properties be carried out by an independent registered service provider appointed by Council at the developer's cost?
7. Stormwater – we are concerned the proposed development covering almost all of the existing ground on site with concrete will adversely affect the stormwater run off and create increased flooding potential in Ponsonby Parade. Currently with heavy downpours the gutters flood onto Ponsonby Parade and affect houses on the southern side of the road.
8. Building Alignment - In relation to the front building alignment with Ponsonby Parade we note that we have been unable to construct a carport in the front of our property due to the Council planning controls preventing construction that will breach the building alignment. Can the Council explain why the current development application could be allowed to breach this building alignment a not suffer the same treatment as other residents i.e. refusal?
9. Transport – this is important part of a SEPPHSPD development to ensure the residents have easy access to local shops and services. The only bus that now runs along Ponsonby Parade is no 144 service to Manly. There is no return service to Ponsonby Parade.
10. Loss of Views – the inappropriate size, bulk and height of the proposed development would

result in loss of views to adjoining residents and is unacceptable.

11. Amenity – the development comprises two large buildings with unacceptable setbacks and presenting from all sides as one large building and not in keeping with the streetscape and character of the area. This will have a substantial negative impact on neighbours' privacy, views, solar access and noise.

We ask the Council, is there any legitimate reason why the proposed development could not be constructed in compliance with ALL the planning controls, regulations, rules and legislation pertaining to the Government's initiative to provide housing for seniors and people with a disability? We think not, and urge the Council to ensure that same are adhered to as with any other property owner/rate and tax payer who may seek approval for a development, and reject this development application. Any other property owner seeking to obtain Council approval for a renovation would have to adhere to ALL Council planning controls and building regulations. Why not this developer applicant?

Rate and tax payers have a legitimate expectation that the local Council and Government planning controls will be enforced and we object to being put in a situation where residents have to seek their own professional advice to deal with matters that our local Council planning team should be relied upon to protect its residents from inappropriate and non compliant development applications. Accordingly we urge Council to reject this development application.

Yours faithfully,

P & D Hamblett