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**From:** Amelia Tanner  
**Sent:** 14/12/2022 9:09:49 AM  
**To:** Council Northernbeaches Mailbox  
**Subject:** TRIMMED: DA2022/1985

Please note that I am sharing this submission through email in addition to through the website so I am able to include images.

**Ms Amelia Tanner**  
**12/25 Waine Street**  
**Freshwater NSW 2096**

**RE: DA2022/1985 – 27 Waine Street**

Hi, my name is Amelia Tanner and I am a resident of Waine Street (12/25) and I am lodging my formal complaint to DA2022/1985 – 27 Waine Street below. I am a recent first homeowner and someone who has called the Northern Beaches home my entire life. In my short time in Waine Street, I truly believe that the street is completely at capacity and that a development of this size will have a detrimental impact on the lives of the current residents. Please see below for the outlining of my concerns.

**B6. Access to Sunlight / Loss of Privacy**

The development is required to be 3 storeys; proposed is 4 storeys (added 5<sup>th</sup> being underground). Its finished height will be 12.67m, 1.67m higher than the current limit of 11m. I am unsure how this then falls into the compliant category under bulk in the development control plan, this feels misleading to me.

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 me personally, this is completely inaccurate. If this DA is approved, I will have 8.4 metres of completely unmasked windows and a 13sqm balcony facing directly into my living, dining and kitchen which is all open space and the only living area of my apartment. As this development will also be higher than my building, the residents will be able to look across and down into my flat. This combined with the fact that the setbacks have completely been disregarded (B3 & B5) will completely remove my ability to live with any sort of semblance of privacy or reasonable access to sunlight. Noted in the plans is that the building will create significant loss of light on my apartment 12, 25 Waine street. This 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 helps hide that the development is well over the compliant envelope and is going to impact many existing residents.

While the least of my concerns over light and privacy, I would like it to be acknowledged that the comments listed by the statement of environmental effects (D7) minimal impact to views are completely not true. My new outlook will be a wall. 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. I feel 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. I also feel that the artistic renderings have been stylised in such a way that it is reducing and hiding the actual impact this building will have on the existing residents.

At the moment I have a completely light filled apartment. This allows me to dry my clothes in the sun, fill my apartment with plants, feel as though I am surrounded in nature and can relax in privacy. I have poor mental health as it is and the above reasons are why I purchased this apartment, all of which I stand to lose if this development proceeds. I understand that development and change are important however I believe it should not be at the cost of others already living in the area.



As I believe the drawings in the report to be misleading I have included a rough indication of how this build will impact me. Outline in red is how the build will present from my apartment so you can truly see the bulk and scale this project will have on my only living space.

### **Danger / Traffic**

The DA submission shows control testing has been done on the bend of the street showing that cars do not take the corner above an average speed of 30km/h. As a resident of number 25 I know this not to be the case as not a day goes by without beeps and loud breaking of cars avoiding each other, all trying to use the road. Of note, the new driveway will create an added accident zone for cars coming down around the corner on an already dangerous hair pin bend.

The increase in occupancy of a build of this size will have a large impact on Gerard St traffic. During peak hour the flow of traffic on to Gerard 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 are going to make the street very unpleasant to live in as it is already overdeveloped.

### **D1. Loss of wildlife / Natural habitat**

278.2m<sup>2</sup> 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 a 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. The planned deep soil treatments will rest onto of the underground car park and as such be unable to support trees.

### **Parking**

As you're aware the street is filled with young families in apartments, most of these having two cars which requires one to be kept on the street. It is currently very hard for the current residents and their visitors to find suitable parking on the street. I feel the building should be contain at least 2 spots per apartment and added visitor parking for their guests.

### **Noise Pollution**

With a construction timeline to be slated for likely more than two years due to the size of the build my life will

be drastically impacted. Construction will take place for 11 hours a day during the week and 5 hours a day on Saturday. I work from home full time and one of the reasons this apartment was so appealing was due to the quiet nature of the street. My ability to work and my mental health will be impacted by 6 days of construction. I am anxious and highly reactive to loud noises. I 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?la=en&hash=EF4576FD79DBB25D5AC22DFA1A883A2BADA1F77B>. The noise pollution will continue once construction is completed as I would then have a 3 bedroom home only 4 metres from my apartment, not the 9 metres that is required, with the open plan living space invasively close proximity to me and all the noise this comes with; children, music and even talking.

### **Safety Concerns**

Can you please advise how we can constructively participate in discussions regarding the conditions under which this construction can be undertaken so that there is a reasonable balance between our living conditions and the needs of the developers.

**A. Excavation** – 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 directly on the boundary) this has resulted in lasting damage to 25 Waine Street's foundations, driveways and fencing. Unfortunately, this was never fixed and as I was not an owner at the time, I am unaware of why. However it is now impacting myself and the other residents of 25 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.

**B. Access Safety** – 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 foot path for pedestrians. What measures are going to be put in place to make sure this is still safe and accessible. 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. I 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.

**C. Parking during construction** – due to the limited amount of parking available on Waine Street I do not feel it is unreasonable to limit the number of trades vehicles in the street. Due to the size of the project, I would expect at least 5 – 10 utes and trucks each day. This number would deprive us of parking spaces near our homes. In other councils, work vehicles not required to be physically on site must be parked well away from the construction site. This would mean they would have to find parking on Rowe St, Lawrence St and Pittwater Road. A requirement like this feels reasonable to avoid residents having to undertake a significant walk to reach their homes. For work vehicles needed on site, they should be required to be parked completely within the construction boundaries.

**D. Health** – This development needs to ensure that adequate dust reduction is implemented from the first day. I work from home and do not have air conditioning. I require my windows to be open for fresh air. I am worried that the dust surrounding all of us will not only affect my air quality but also the amount of dust this will create within my home. I understand that all buildings and windows surrounding the development will need to be cleaned by the developers once complete but is this not something that should also be done with some sort of regularity during an extended construction period to maintain a healthy living environment for all and how can this be guaranteed to be enforced.

Thank you for your time in reviewing my concerns and objections to this DA. I hope Council will reject this

current application, require significant modification to this development and ensure it is reviewed to address the large number of non-compliance issues as detailed in my submission. I do hope the Council also considers the large number of submissions on this DA and meaningfully engages the community in the future of this development.

Regards,  
Amelia Tanner

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**Amelia Tanner**

(she/her)

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m: [REDACTED]