
Sent: 8/07/2021 4:38:26 PM
Subject: Objection DA2021/0744
Attachments: Objection_DA2021_0744_Roche_O'Brien.pdf;

Attn: Rebecca Englund

Hi Rebecca,
Please find attached our objection to DA2021/0744.

We are residents within the mail-drop zone for this development.

Thank you,
Bronwyn O'Brien and James Roche

8/7/2021

Northern Beaches Council

PO BOX 82 Manly NSW 1665

Attn: Rebecca Englund,

Re. Objection to Development Application DA2021/0744

We write to object to development proposal DA2021/0744, relating to the development of Lot 1 50 Lawrence St Freshwater. This is the second time an unacceptable proposal has been put forward for this block. This new submission makes little attempt to address the issues raised by the community about the original plans and again is not in keeping with the unique village feel of Freshwater and does little to maintain the 'low scale', 'coastal character' of the suburb as outlined in the Freshwater Village DCP.

The submission makes reference to the challenging nature of this block with street frontages on 3 sides, and the developer would like council to make allowances for the proposal based on this. Perhaps instead, a more considered design would respond more carefully to the site and its context and propose a development which adds to the natural and built landscape of our village as well benefiting the broader community rather than trying to squeeze as many apartments into, and as much money out of, a space as possible.

Please do not let this development set a precedence for what is acceptable or wanted in our Village.

Warringah DCP Part D: Design

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?>

exhibit=DCP&hid=60

Landscaped Area:

The building should 'relate favourably in ... landscape treatment to neighbouring land uses and the natural environment'. As per the previous DA submission in 2020, this proposal does little to do so, as it does not meet the required landscaped area requirements and does little to address the issue of a lack of deep soil planting. The Warringah DCP requires 147.5m² of soft-landscaping and only 54.18m² is provided. This calculation is including areas on level 1, level 2 and level 3. Does this need to be ground level planting only to count toward compliance?

74m² of deep soil planting is required and only 39.29m² is provided at the Southern end of the block where the garden will get no light. The narrow width (3m) and the Southern aspect of this deep soil area will ensure that nothing of significance will be able to be planted and survive here.

Adherence to these development constraints should not be optional if we are to keep the natural beauty of the Northern Beaches, and maintain an important connection with our native flora and fauna.

Noise:

We restate our concerns from our previous submission,

'The upper three levels of residential accommodation will result in significant additional noise for residents along Oliver Street and Dowling Street. What is currently a small commercial development bringing small amounts of noise during business hours will become a large residential development bringing significantly increased evening noise that will be distributed from an elevated position detrimentally affecting neighbouring residents. If the lower commercial spaces are to be used for cafes with outdoor seating as suggested in the master plan, this will significantly increase morning noise in particular for residents at opposing units at 33 Oliver St. and 52 Lawrence St. opposite.'

Oliver St. is a busy street which produces significant road noise for the residents that live in and use this area. A building such as this, with such height will without doubt create a tunnel in which this noise will be amplified.

Views and Privacy:

Like last time, this proposal does not 'minimise visual impact, disruption of views, loss of privacy and loss of solar access'. The new apartments will take the district views currently enjoyed by a number of apartments at 33 Cavill St. and 52 Lawrence St. that will now be looking into a bulky building, with timber screening in place in an attempt to maintain some sense of privacy. The 'Urban Design Report' provided suggests that there has been 'restricted access into affected properties' to assess view impacts. We wonder if at any time any neighbouring properties have been consulted in this regard? We would be happy to give access to our apartment for assessment of what views we would lose, but we haven't been given the opportunity to do so. We currently enjoy broad district views of Freshwater from our living/dining space and our bedroom. This will be almost entirely wiped out if this building goes ahead at its current proposed height and length. We will not be the only property that suffers in this same way and we find it hard to see that the development allows for 'the reasonable sharing of views' when so many of us are going to lose out.

Additionally, we hope that the detrimental impact that this building will have on the property at 30 Dowling St. be considered much more carefully or this home risks completely losing its privacy, the usability of its garden and therefore a great portion of its financial value.

Building Bulk: This building does not 'minimise the visual impact of development when viewed from adjoining properties ... and streets'. While we can see that the proposal makes an attempt at providing a more articulated façade and has taken a more 'fine-grain' approach in finish than the last proposal, the reality is that this building is still a complete overdevelopment of the site. The proposed

building still exceeds the 11m maximum height plane, as well as being 4 storeys high through its centre, where the Freshwater Village has a 3 storey maximum limit. Like last time, the plans show to build to boundary on 3 of the 4 sides of the site and the building massively exceeds the allowable bulking on the site in terms of total site coverage. This proposal does little to respond to the scale of the neighbouring buildings in Lawrence, Oliver and Dowling Streets and the building is not 'compatible with the height and scale of surrounding and nearby development' (4.1.2 Height of Buildings) and it will certainly 'impact the scenic quality' of the current gateway into the Freshwater Village.

Warringah LEP 2011: Land use table - B2 Zoning

(<https://legislation.nsw.gov.au/#/view/EPI/2011/649/partlanduseta/included5>)

The first lining under the objective of the B2 zoning is to

- provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area

The total area 77.8m² (up from 70m² last time) allocated to commercial use is nothing more than a token gesture within the gross scale of this building. The 77.8m² commercial zone is not enough to meet the true intended outcome of the B2 zoning, and again the proposal is a glorified block of flats.

Warringah DCP PART G5 Section 18 - Development in the vicinity of heritage Items

[https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/Book.aspx?](https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/Book.aspx?exhibit=DCP&hid=4515)

[exhibit=DCP&hid=4515](https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/Book.aspx?exhibit=DCP&hid=4515)

As per our objection to the 2020 DA submission for this development, the impact of the proposed development on the heritage items to the north of the development (as required under Part G Section 18 of the Warringah DCP) has not been considered. The proposed development in no way compliments the Heritage listed "Harbord Literary Institute" which is directly across the road to the north of the site. This development would completely dwarf and in no way respond to the Heritage building opposite. The new development should complement this Heritage building and enhance the unique Village feel of Freshwater, particularly in this 'gateway' location which frames the main entry into the Freshwater Village through Lawrence St.

Traffic Concerns

The combined intersections of Oliver/Lawrence/Dowling Street/s is one of the most difficult areas of Freshwater to navigate as a driver, a pedestrian and a cyclist. This proposal not only adds traffic, but adds additional challenges in the form of new driveways on Oliver St and Dowling St, as well as the removal of a well used bus stop. Dowling St. in particular is a dangerous street to cross at all times and this will add further complication. Under the B2 zoning, two objectives of the zone are as below:

- maximise public transport patronage and encourage walking and cycling.
- To provide an environment for pedestrians that is safe, comfortable and interesting.

This building, with its added driveways which will be heavily used for the volume of apartments and service vehicles (through both the development phase and the life of the building), will make this difficult traffic area of Freshwater more dangerous and less usable for both pedestrians and cyclists.

Additionally this development will add significantly to street parking which is already difficult to find for existing residents and visitors to Freshwater. I don't believe that the parking provided in the plan (which I believe is under requirements) will nearly cover the amount of cars that actually come with this type of development.

We hope that the Northern Beaches Council again supports the community in pushing for a more appropriate proposal for this space. We are not against the development of our suburb, but let's do it in a way that maintains the unique quality of our low scale coastal Village for years to come.

Regards,

Bronwyn O'Brien and James Roche