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**Sent:** 10/01/2019 4:45:49 PM  
**Subject:** SUBMISSION FOR DA Application No: 2018/1828 - 3 Berith St, Wheeler Heights  
**Attachments:** Submission\_Millichamp.pdf;

Hi,

Please find attached submission for DA 2018/1828 - 3 Berith St, Wheeler Heights that was unable to be attached via the council website.

If you require a Word format please let me know.

thanks,  
Helen Millichamp

Date: 10 January 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 2018/1828 – 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 immediate 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
- It has also been raised there is a possibility that the property is not been used solely for over 55s nor those with a disability.

With the approval of a second development at 44 Rose Ave/43 Lantana Ave which comprises of the removal of 2 homes and construction of 13 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. The remaining 2 units at 44 Rose Ave have been unable to sell for approximately 1 year which shows that there is no demand for this type of development in the area.

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 4 houses and an introduction of 31 dwellings. It appears that there has been no consideration of the impact this will have on the community. With the recent amendments made to the SEPP legislation, we believe this site is not compatible with the proposed development and a cumulative impact study should be completed due to the close proximity these developments all have to each other.

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

### **Issue 1 - 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 and this will be severely reduced with the new proposed development greatly affecting our family's quality of life. Additionally, the proposed timber slats would not provide adequate privacy as they cannot be angled to prevent viewing into all adjacent properties.

I'd also like to raise concerns for 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 WELP Clause 4.3 objectives.

### **Issue 2 - Ground Water and Subsoil Conditions**

The proposed development and adjoining properties all sit on a rock shelf at various depths but shallow in places. During rain periods there can be significant sub soil water runoff on this shelf. According to the proposed developments geotechnical assessment, the effects of this water runoff have not been properly assessed. The provided geotechnical assessment report produced in June 2012 was for the development of a single storey subdivision of land and not for a development proposing underground parking. This report does not address the impact of an underground carpark running the full length of the site.

The adjoining properties to the proposed development all have differences in ground level with small brick retaining walls installed to help direct water away from buildings. Historically, there are significant water drainage issues due to the school at the proposed site and with all adjoining properties. We believe the effects of ground and subsoil conditions need more attention.

### **Issue 3 – Parking & Storage**

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

- Drawing A03 shows the provision of 7 tenant parking spaces and 1 visitor space
- The Access Report shows 8 tenant spaces and 4 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 Statement of Environmental Effects report states that storage areas are incorporated in the carpark. It's noted on drawing A03 that there has been no provision allowed for storage in the carpark for tenants. Hashed areas label SA are not for storage and under the National Construction Code these areas are required to be kept clear for accessible parking. Tennant's will be forced to store items in their parking spaces which means a reduction in the clearances around vehicles causing residents and guests to park on Berith Street. 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 development of 44 Rose Ave and 3 Berith St.

Berith St is also not a level street, it is sloped which will cause difficult and dangerous access for wheelchair users to park and exit/enter their cars safely. The installation of a footpath on one side of the street will not solve this issue.

#### **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. The Traffic Engineers Referral Response states that traffic is negligible, which is not the case in our everyday lives. 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 resident families.

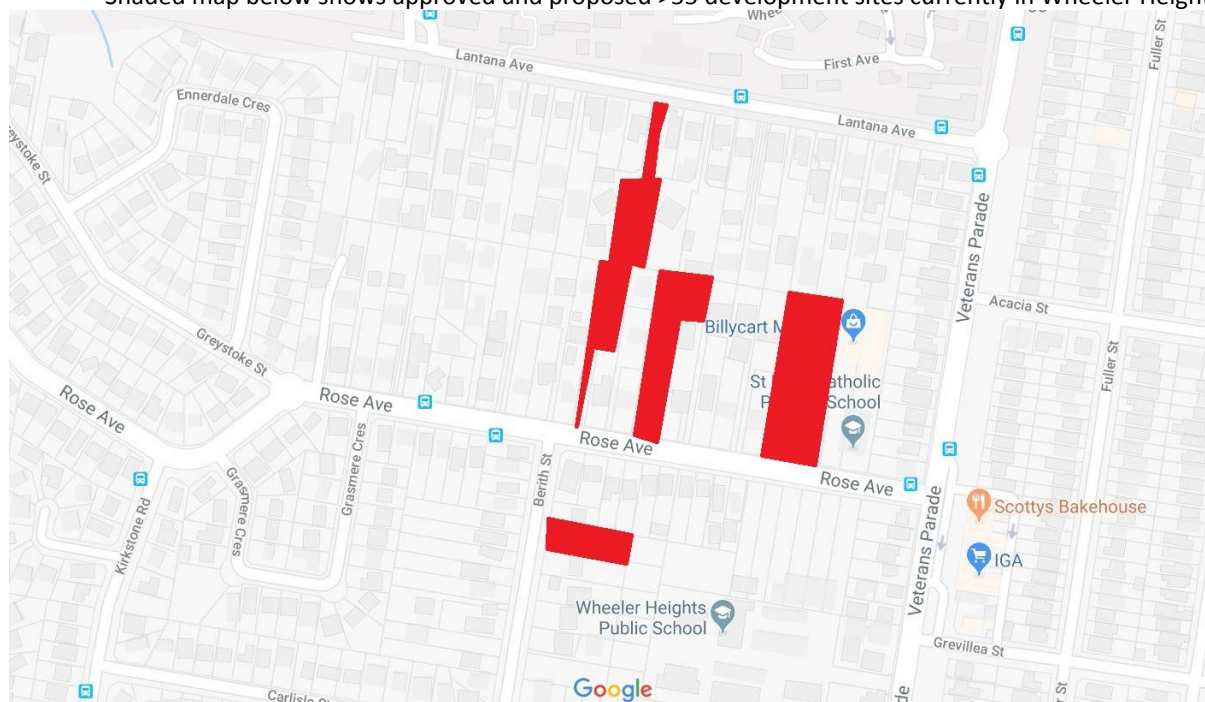
#### **Issue 5 - Over Development and Design**

The proposed demolition of a single dwelling to build essentially a 2 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.

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 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.

- Shaded map below shows approved and proposed >55 development sites currently in Wheeler Heights



This proposal at 3 Berith St will make it the 31<sup>st</sup> dwelling of a SEPP >55's nature surrounding our property. As noted above, 44 Rose Ave still has not all sold showing there is not a need or demand for this type of development.

## **Issue 7 - Submission Timeframe**

The notification of this proposed development application to neighbouring properties and the timeframe given is not acceptable given that the proposed development backs onto the boundary of a primary school. Wheeler Heights Primary School and surrounding neighbours were not given an adequate notice period due to the extended summer school holiday period and Christmas break with school not resuming until the 29 January 2019, which is well beyond the submission deadline of 13 January 2019.

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 neighbouring 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