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15/12/2022

MS Edwina Annand
4 / 25 Waine ST
Freshwater NSW 2096
[REDACTED]

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

Planning Officers Northern Beaches Council

Hello,

My name is Edwina Annand.

I live at 4/25 Waine Street and have been here now for 19 years, 16 of which I have shared with my son Anton.

The first time I walked through the door of my unit, natural light was beaming down the hallway. To my delight I discovered the unit was comprised of 8 large windows, 4 of which face west. Being aware that natural light is extremely important for wellbeing, I knew I had found my place.

Natural light, trees, wildlife, sunsets and views of wide-open sky are what have allowed me to live happily in my unit since then.

These basic elements of life have helped my son and I through some hard times having issues with our mental health, especially during Covid when we were locked down for months on end.

To have these simple, yet vital things we naturally require for our wellbeing, taken away is a very distressing thought. It is an injustice, I believe, to our human rights.

I have found the Development Application for 27 Waine St breaches a number of these basic rights.

The DA does not comply with a number of the rules, regulations and relevant local policies the council has put in place to prevent over-development such as this one, from infringing upon the lives of others.

As a result, this DA should not be allowed to go ahead.

To support my claim, I will provide you with the facts as it is clear the Developers have shown a blatant disregard for the rules throughout the whole application.

The project will overshadow a number of its neighbours at 25 Waine Street, causing a highly substantial loss of light and privacy to all 6 units facing west.

Each unit on the plan has windows that face directly into ours breaching our rights to privacy and security from onlookers and the protection of our views.

D8.Privacy : Noncompliant

D7.Views : Noncompliant

The plans overlook 6 units at 25 causing a substantial loss of privacy for the residents who live here.

3 bathrooms, 6 bedrooms and 9 sitting room windows, including 9 verandas, will all be overshadowed and lose their privacy.

The plans building design tapers to fill every bit of the south/east corner of the block. Not only is this bad design, it blocks any possible chance of a view from our side.

The impact on views will be considerable. The plan does not provide visual information re. impact for 25 or provide any guarantee of visual and acoustic privacy.

Personal security is breached by onlooking apartments.

Shadow diagrams on the plan's sun movement charts are not only incorrect but they exceed all the regulated boundaries.

D6. Access To Sunlight : Noncompliant

Shadows cast from the proposed building exceed the DCP compliant envelope.

DA allows for 2 hours of sunlight a day, regulations require 3hrs.

The charts are confusing and contradict themselves.

Example; states sunlight = 1 hour then on another chart it reads as = 15 minutes

Having lived here so long and knowing the sun's movement very well, I know the diagrams and charts are in no way accurate.

Example: DA charts the hours of sunlight for each unit at 25. It states my unit (4) as having 6 hours of sun a day and that my unit will get the most hours of sunlight which is definitely not the case and never has been. I am on the lowest level of the block's western side?

I am well aware of the sun lines on my unit as we don't have a communal washing line, we dry our washing on our verandas. I know that my unit does not get any sun in winter on the western corner of the Veranda area till after 3 o'clock in the afternoon. Looking at the plans this means I will get no sun at all in winter. This appears to be the case for most of the year. Considering present sunlight hours, our units are already in shadow for a number of hours each morning/day. The shade hours on the plans charts fail to even considering this, adding to the existing evidence that we will have no sunlight hours most of the year after the build.

* I don't use a dryer as it is expensive and bad for the environment.

The appearance of the build will be out of character with the existing properties and looks way too large for the tiny block it is on.

D.9 Bulk & Building Height: Non Compliant

The proposed development reaches a height of 12.67metres ignoring the regulated maximum height of 11 metres, representative of a 1.67m or a 15% variation (*Clause 4.3- Height of buildings, DCP2011 + WLEP 2011).

The final build would cover an area bigger than the 2 blocks at 25 put together, and they are on a much larger block.

* I had been told by the previous owner of 27 a number of times over the years that her block would never be developed on as it was zoned too small for units to be built on it. She lived there for over 50 years.

The DA plans cover more than 76% of the block and even more if you add the driveway and other cement features in the 'green space'.

Council regulations state that only 50% of the block is to be built on.

The build will be 15% higher than all current buildings in the street .

DA plans to build on virtually the entire block leaving a thin strip around the border as 'green space'.

Gas mains and sewerage lines run along the border of 25 and 27 and any digging may cause major issues.

Building level is capped at 3 storeys, the plans, including the underground car park will be 5 storeys.

Plans do not meet the FSR requirements in size/site ratio.

An issue of overdevelopment already exists on Waine St , especially in comparison to the rest of Freshwater.

B2.Number of Storeys: Non Compliant

B3.Side Boundary Envelope: Non Compliant

B5.Side Boundary Setbacks: Non Compliant

B7.Front Boundary Setbacks: Non Compliant

B9. Rear Boundary Setbacks: Non Compliant

The DA plan includes the removal of six beautiful, mature, native trees.

E1 Preservation of Trees: Non Compliant

D1.Landscaped Open Space and Bushland Setting: Noncompliant.

Requirement: 278.2 or 50% minimum of site to be landscaped

Objectives of the R3 Medium Density Zone include:

To ensure that medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

The DA plan includes the removal of six beautiful, mature, native trees not to mention all existing flora. 3 trees, a native fig, a bottle brush and a eucalypt are all growing happily in the very corners of the northern boundary and could easily be saved, removing them just reflects the total disregard for the existing natural environment.

There will be a direct impact upon wildlife conservation such as bats, possums and birds if these trees are cut down .

Kookaburras live in one of the trees and bats frequent the fig tree that is proposed to be removed, along with a biodiversity of other native fauna.

We have a number of ring tail and brush tail possums that frequent the surrounding trees as well and many other species of birds and animals that already have less and less areas to live

in.

Greening Laws and regulations stipulate that Councils need to leave a number of designated green spaces at certain intervals along a street to provide native corridors for animals to live.

Safety and Build Issues

See extracts from the Application-

State of environmental Effects(SEE)

Transport and Parking

It will be a building site for 2 or more years, causing major problems with traffic flow, noise, safety, dust and accessibility to say the least... raising a number of unanswered questions, like, where are they going to park while building and will the street be blocked off?

The wide driveway, entrance/exit, will be located where there is currently a yellow unbroken line. This is at the base of a dangerous hair pin bend. We will have a constant flow of traffic coming in and out of the block and being on the downhill, the driveway will create an accident zone for cars coming down round the bend.

Parking is restricted adjacent to the subject site due to the bend of the road during development. This is a clearly marked yellow line that stresses the danger of parking on this bend.

Parking is already a major problem for residents on Waine st and this development will only exacerbate the problem.

Too many oversized, intrusive developments have gone up in the past and once up are never taken down.

The developer moves on and the damage is done. This lack of transparency and 'not playing by the rules' by developers is a recipe for anger. Those who live around the development are left feeling deceived and powerless, and as a result have to try to sell or remain with the consequences.

I strongly believe that the Development Application for 27 Waine St should not be allowed to move forward. I have indicated the many breaches of rules and regulations that were put in place by the Council to prevent a development such as this from happening....

This DA should not be allowed to go ahead.

To conclude, I would like to say that I understand things progress and we have to make space for others. However, I will never understand or feel ok when things are not done fairly or correctly, where money and greed are the dominating factors that drive these decisions.

Especially if it happens in the neighbourhood you love and cherish. 😊

Thank you for taking the time to consider my submission.
I look forward to hearing from you soon.

Edwina Annand

