

04th April 2024

[OBJECTION LETTER – PEX2024/0002]

Northern Beaches Council
725 Pittwater Road
Dee Why NSW 2099

NORTHERN
BEACHES
COUNCIL

25 MAR 2024

Attn: Kate Mercier

DEE WHY CUSTOMER SERVICE
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Signature

FRANK ARENELLI
21 WILLIAM STREET
NORTH MANLY
N.S.W 2100

Re: PEX2024/0002

I wish to raise my objection to the proposed planning proposal submitted for the site/s and the likely resultant impacts that these changes would have on my property.

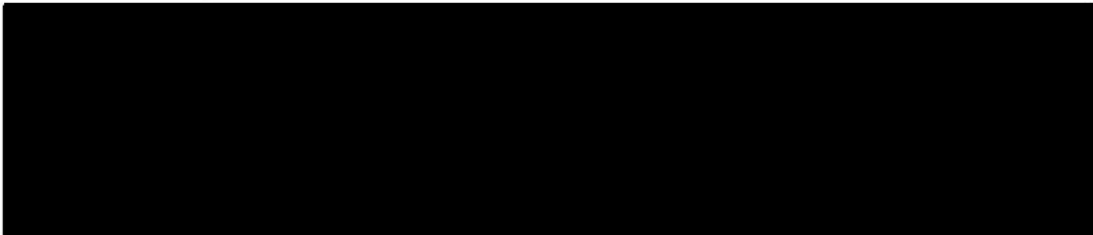
Whilst I agree with the applicant that there is a growing need for housing for the aged (and others) I feel that this proposed planning proposal will have detrimental effects on my property and others in the wider community and appears to be a profit driven design project rather than one for community benefit.

It should be noted that the timeframe and method of notifying residents of this proposal is considered insufficient to enable all that are likely to be affected time to review and respond to all of the documentation provided by the applicant. It does not provide sufficient time in which to locate and engage a suitable professional/s to respond to such a proposal. I will however try and raise my concerns as best I can.

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Background PEX2024/0002

As you are aware this Planning Proposal application (PEX2024/0002) seeks a site-specific amendment to Warringah Local Environmental Plan 2011 (WLEP 2011) to increase the maximum height of buildings permitted on the site from 12 and 13 metres to 32 metres at the corner of Dee Why Parade and Pittwater Road, and 23 metres across the remainder of the site. It is to expressly develop the site for seniors housing, which is already a permissible use on the land, as it is zoned R3 Medium Density Residential under WLEP2011. The Planning Proposal also seeks to implement site-specific development provisions to guide a future seniors housing development on the site, for inclusion as an amendment to Warringah Development Control Plan (WDCP 2011).

This planning proposal currently expressly excludes the site known as 16-18 Dee Why Parade and therefore fails to meet the objectives and the expectations of Councils Development Control Plan regarding site consolidation requirements. (WDCP – D19)

This planning proposal would likely sterilize by constraining the feasibility for any proposed redevelopment of 16-18 Dee Why Parade. This proposal does not provide any demonstration that 16-18 Dee Why Parade can be developed in accordance with the Local Environmental Plan. It is considered that this planning proposal renders 16-18 Dee Why Parade unsuitable for future development.

Building Height

As the height for this area is currently detailed as being max 13m the increase to 32m is considered excessive. The height of the proposed development is in breach of the building height permitted for the site and this planning proposal does not include all of the sites but isolates 2 sites (16-18 Dee Why Parade and the Child Care Centre owned by the RSL) from being included in this proposed building height uplift. The proposed planning proposal to raise the heights of buildings should include all sites adjacent to ensure that orderly development can take place. It is noted that the applicant does not offer an FSR within this planning proposal FSR however an FSR MUST be considered for the site to minimise the bulk and scale of any proposed development for the site.

Building 1 – proposed 9 Stories area of the site should be reduced to a maximum 6 stories and Building 2 - proposed 7 Stories should be reduced to maximum 4 stories to ensure that it can meet the "compatible with height and scale of the surrounding development" requirement. These reduced realistic heights rather than those unrealistic proposed heights would "enable a cohesive transition into the existing medium density" as the applicant puts it.

The proposed height does not meet Councils own objectives for the area that are to ensure that buildings are compatible with the height and scale of the surrounding development and minimise visual impacts loss of views and privacy and most importantly to 16-18 Dee Why Parade owners the loss of solar access.

The comparisons with No.1 Dee Why parade should not be a consideration as this site was part of the Dee Why Town Centre Masterplan and if Councils strategic planners had expectations of this site being developed in such a way would have included it in the original Masterplan. This address 1 Dee Why Parade was considered within the Dee Why masterplan to be the "northern gateway" and it was not envisaged by the Dee Why masterplan that gateways would be relocated.

The proposed development height is not justified on the basis of proposed public benefits, would have adverse impacts.

Site Consolidation

This proposal isolates and specifically excludes the site known as 16-18 Dee Why Parade which is a small block of 11 units that are Individually owned. Representatives have approached the owners however were not able to agree to suitable arrangements in securing this property. Discussions appear to have ceased and there appears to be no intent by the applicant/developer to amalgamate the site to achieve development sites that do not isolate and limit opportunity to redevelop.

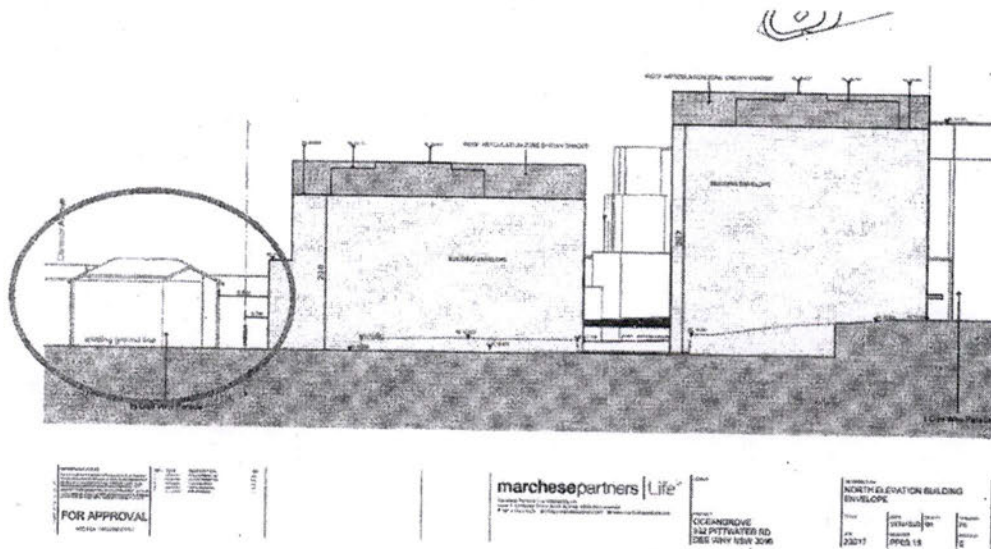


Image above - The information provided with this Planning Proposal identifies “possible future built form” however shows the existing building on the site. No attempt has been made to demonstrate that the potentially isolated site is able to be re developed. The site should be included in the proposed building height “uplift” to ensure uniform development controls apply.

Figure 13 Development Concept building envelope and site context

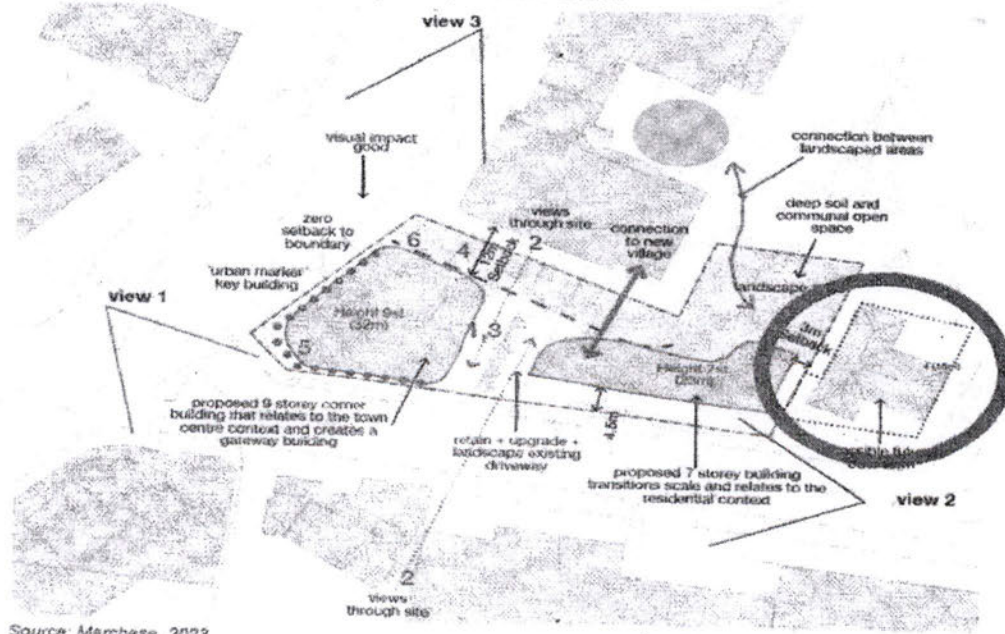


Image above - From the report appears to show “existing” development rather than “possible future development” there does not appear to be any substantive demonstration that the site can be developed independently.

Side Setbacks

The proposed side setback of 3m is unacceptable as it does not allow for solar access to the adjoining properties. Interestingly the applicant is proposing suitable spatial separation from the new buildings to that of the existing buildings on the RSL site however proposes the bare minimum of 3m to the adjoining site that is in different ownership. A token step in the design does not aide in alleviating any concerns that I have as an owner of a unit at 16-18 Dee Why Parade.

Traffic

Traffic in Dee Why is already congested and the increased number of dwellings (51 proposed) will add to that congestion. On nights when Dee Why RSL have functions and shows the increased traffic in the area exhausts the already limited parking that is available in the area. Whilst the developer MAY provide parking that will meet the minimum requirements (76 proposed) required it is well known that the ongoing use of parking will be uncontrolled with people using garages for storage and parking on the street instead.

Construction

Construction of a development at this scale is likely to take in excess of 2 years and the impact on owners that are working from home in adjoining properties would be intolerable and unsustainable.

Building construction and delivery of materials MUST be conditioned to the standard construction hours and NO out of hours permits should be issued unless it can be demonstrated that there is a need other than the builder not programming the works effectively and trying to fast track the development for financial gain. As you know construction has major detrimental impacts on adjoining properties and all construction MUST be programmed by the builder/developer to be carried out within the time limits as per standard conditions of consent. A Construction Management plan must be provided by a suitably qualified person. A Construction Management Plan is crucial during construction and must be monitored and regulated by Council appropriately.

Noise

Any proposed mechanical ventilation, future air conditioners and the like MUST not exceed the requirements as detailed in Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997. All plant should be located within the basement rather than being located on roofs creating visual clutter.

Dilapidation

If the applicant were to proceed to develop the land then they MUST provide the relevant dilapidation reports detailing the current condition of my building prior to commencement and a subsequent report upon completion of the development. The developer is to ensure that any damage caused as a result of their development does not damage my property without the need to engage lawyers through a civil claim.

Waste and Parking

The waste management for the current Ocean shores appears to be at capacity and Council MUST ensure that the waste services are provided for the additional 100 or so people that will occupy any proposed development.

Council is to also ensure that parking is in strict accordance with RMS requirements and relevant Australian Standards. More attention to the details provided is required on the applicant's behalf. Council's Waste policy should be adhered to so as to minimise impacts to existing developments.

Construction management plan details are required to be furnished to neighbouring properties as soon as they have been prepared.

Summary

Community consultation should be arranged to ensure that all land owners are fully briefed on the Clubs intentions and timelines for completion of such an ambitious project.

Rather than the applicant "offering" community benefit for the uplift of height controls to achieve profit they should be designing buildings that are consistent with the controls relating to the land and the existing built forms.

The proposed planning proposal in its current form should be reconsidered to reduce heights of 6 and 4 stories respectively and include increase setbacks to all adjoining properties rather than focusing solely on separation of their own buildings with a seeming disregard to adjoining land owners. Further negotiations with the owners of 16-18 Dee Why Parade should be considered to ensure orderly development of the land that does not lead to isolation of individual sites.

Issues identified but are not limited to: – excessive height, site consolidation, protection of adjoining properties, parking, traffic, noise, garbage, privacy, landscaping, stormwater and general amenity impacts.

Thank you for taking the time to consider my concerns.

Regards

Frank Arenelli
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