
From: DYPXCPWEB@northernbeaches.nsw.gov.au
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16/08/2023

MS Cathy Wagner
27 Robert ST
Freshwater NSW 2096

RE: DA2023/0995 - 54 Brighton Street FRESHWATER NSW 2096

We refer to the Development Application DA2023/0955 for the proposed development of 52-54 Brighton Street, Freshwater and would like to submit our objection to the development.

There are many important issues with this Development Application which have been professionally articulated in other submissions which we request you take on board.

As local residents of Freshwater, we have a great affection for this particular part of Freshwater and the people who reside here. It is our neighbourhood and we feel the strong need to write this brief submission to express our concerns.

We feel this development will have a significant impact on the ambience of this part of Freshwater, the safety of its residents, the unacceptable privacy, acoustic and solar impact on many properties, not to mention the impact on de-greening two more blocks in Freshwater.

We therefore briefly set out our three main objections (although there are many more which we are unable due to time constraints to articulate at this time).

The development itself

We feel the development is an overdevelopment of the site.

The development does not represent orderly development of appropriate bulk, scale, density or amenity impact and approval of such development would affect local present and future amenity as well as desired future character. In this respect, we believe it is inconsistent with the provisions of the Warringah LEP and Warringah Development Control Plan (DCP) in that it is contrary to the aims of the LEP, the desired future character, contrary to the zone objectives and height of buildings and it exceeds the threshold considerations for "low intensity low impact".

The privacy/visual impact upon the amenity of its neighbours is plainly unacceptable. We must remember that this development is not only encroaching on homes on Brighton Street and behind the development on Robert Street but also, homes that back onto the development in Waratah Street. Therefore, the overshadowing, privacy and visual impacts are enormous. The three storey development will overlook all adjoining dwellings (some are single dwellings) and associated private space. Not only will there be visual privacy impacts but also acoustic and solar/sunlight impacts as well.

There will also be excessive removal of native and non-native trees and vegetation, which will have an adverse effect on the importance of the cooling effectiveness of tree/bush canopies which is of great importance in this uncertain climatic day and age. May we remind Council that this is a view it advocates to its local constituents. One example of this is the Council's Environmental and Climate Change Strategy/ "Protect. Create. Live", which incorporates the "Creating a Backyard Habitat Program" and providing "Native Plants for your Home" amongst other strategies for Northern Beaches residents.

We would recommend that it would be of benefit if Council officers were to attend the various neighbouring properties to assess the abovementioned impacts for themselves before making any decisions on this Development Application.

Flooding

This is a major concern for many residents of this part of Freshwater and also for the development and its proposed future residents as well. The development is right in the middle of a major flood plain but does not appear to have been adequately addressed in this application.

By significantly expanding the built-up area, the development will lead to a substantial increase in overland stormwater flow. It appears therefore that the increased extent of the projected flood height may increase flood water speeds and in turn, encroach more properties around the development. This concern is further exacerbated by the inadequacy of the existing Council stormwater pipes which overflowed during the stormwater event in March, 2022.

There have been many floods over the years in this area, the more recent in March, 2022. During these events, water flows from the hill tops of Robert Street, then down Waratah Street, then heads to Brighton Street and beyond. Water does also run through properties in Robert Street into properties in Brighton Street which then flows into Brighton Street. We have a video from the last floods in 2022 showing waters running through the house on the western side of the development site (54 Brighton Street) to the street. This video is available if Council would like to view it. The waters also run through the backyards of the homes in Waratah Street also.

Therefore, it would be prudent that any new development in Brighton Street would need to decrease upstream water impacts to Brighton Street not increase them.

The development also shows the garage parking as being below ground level. How this will not flood during rain events is a major concern for its proposed residents, we would envisage.

Traffic congestion/Safety

Brighton Street (and the surrounding streets) are heaving at the seams already with congestion due to being surrounded by two schools, playing fields, the articulated E165X bus route, and learner driver's practice route. Student parking in particular has become greater over time and has now crept as far as Waratah Street and the eastern end of Brighton Street.

We note that the development states that underground parking will be available to residents but as in any development, owners, guests and visitors will at some point look for on street parking around the development, adding to congestion.

Overall, we request Council to assess all the relevant objections provided in this and the many submissions provided to Council and look forward to a favourable response.

Many thanks for your time.

Kind regards
Cathy Wagner and Peter Rogers