
Sent: 19/06/2020 11:53:04 AM
Subject: Attn: Phil Lane re. DA2020/0543 50 Lawrence St Freshwater OBJECTION
Attachments: DA20200543 Objection OBrien_Roche.pdf;

To Phil Lane,

I'm emailing to update our objection to DA2020/0543 for lot 1, 50 Lawrence St. Freshwater.

We wish to add to the information already received that we are owners and permanent residents in the rear block of 33 Cavill St. Freshwater (adjoining property to 50 Lawrence). Our property currently enjoys district views and ocean glimpses across to the north/eastern ridgeline of Freshwater. This development will completely remove this view which is currently visible from our living and kitchen space, our balcony and our main bedroom. Please see images below for a to-scale sense of what we would lose and have to look at should this development go ahead.

Also attached, please find our initial objection.

Kind Regards,
Bronwyn O'Brien





16/6/2020

To Phil Lane,

We write to object to development proposal DA2020/0543, relating to the development of Lot 1 50 Lawrence St Freshwater. As residents of Freshwater for 5 years, and to the Manly area for 40+ years combined we have seen significant change and development to the Freshwater Village. While we support the updating and enhancement of Freshwater village, this development is not in keeping with the unique village feel of Freshwater, nor the beautiful natural environment which draws residents and visitors to the area. More importantly, the development is not in keeping with regulations and guidelines designed to maintain the integrity of the local area and in no way meets the "low scale" "coastal character" of Freshwater as outlined in the Freshwater Village DCP.

Please see below specific matters of concern;

- Warringah DCP Part D: Design

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP&hid=60>

Landscaped Area: The proposal does not meet the required landscaped area requirements (according to the Warringah DCP) and none of the landscaped area provided is deep soil. By not meeting the Northern Beaches Council's minimum requirement for landscaping, reducing the existing landscaping on site and hugely increasing the site coverage (relative to the existing circumstance), the proposal results in a massive over-development of the site. Additionally the Master Plan states that plantings will use "mainly indigenous ... plant species", however the plants listed for use are all indicated as being exotic.

Noise: 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.

Views and Privacy: This proposal does not "minimise visual impact, disruption of views, loss of privacy" to existing properties and focuses solely on obtaining views for the new dwellings to the detriment of existing adjoining owners and tenants. The articulation of the building on the Oliver St. side has not been addressed in a way which appropriately minimises the loss of privacy and district outlook that is currently enjoyed by the numerous apartments opposite at both 33 Cavill St. and 52 Lawrence St. This bulky development will be visually dominant and will seriously diminish the broad district views that currently exist from both locations. Specifically, existing views will not be maintained in the rear apartments at 33 Cavill St. Freshwater, an issue which is worsened by the 1m height breach and the overdevelopment of the site.

Building Bulk: The proposal is a significant overdevelopment of the site. What is currently a two story building that occupies half of the site area will become a four storey building that occupies almost 100% of the site area. The building is built to the boundary on three sides and almost to the boundary on the fourth. There is very little actual articulation in the building facades, and the building only tapers in height slightly in order to attempt to stay under the 11m max height plane (which it actually breaches significantly with the max height closer to 12.1m). Therefore the result is a building that hugely exceeds the intended allowable bulking on the site in terms of total site coverage and building height. Furthermore the building does not respond to the scale of the neighbouring buildings in Lawrence Street and definitely not on Oliver and Dowling Streets.

- Warringah LEP 2011

Land use table - B2 Zoning

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

The purpose 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”. While shop top house is permissible in B2 zoning, this proposal can hardly be classified as shop top housing. The total area 70m² allocated to commercial use is nothing more than a token gesture given that the gross floor area of the development is over 900m². While it meets the technical definition of shop top housing (one or more dwellings located above ground floor retail premises or business premises) it is nothing more than a glorified residential flat development. The 70m² commercial zone is not enough to meet the true intended outcome of the B2 zoning, and would be a significant reduction in the area currently allocated to commercial use in the existing building that is due to be demolished. Additionally the urban form of the proposed development does not “relate favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment”. Such a tall, bulky development with complete site coverage would completely dominate the surrounding buildings, and is not in keeping with the current skyline of Freshwater Village in particular when viewed from the West. The proposed building in no way relates favourably to the natural environment, and in fact completely minimises any opportunity to do so.

- Warringah LEP 2011

Height of Buildings

(<https://legislation.nsw.gov.au/#/view/EPI/2011/649/part4/cl4.3>)

The allowable building height on site is 11m. The drawings and accompanying documentation indicate that this is only breached by 900mm for a small portion on the development in the north east corner of the site, however this is not an accurate representation. The site survey indicates existing natural ground levels on the Oliver Street (south western) side of the existing building ranging from 28.84m to 28.91m over which the proposed new roof will become 10.94m. This results in a building height of closer to 12.1m at the midpoint of the site in the western side. This means that for almost a third of the site area the max building height is 1m higher than allowed. Given that an allowable height of 11m for a development primarily surrounded by buildings much lower than 11m in height will already result in a significant disruption of the street frontage by dwarfing the surrounding buildings, the council cannot grant a concession on this allowable height, especially when the proposal is already such a bulky overdevelopment of the site. Furthermore this additional 1.1m height will have significant impacts on the privacy and views of the neighbouring buildings.

- 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?exhibit=DCP&hid=4515>

The developers Statement of Environmental Effects does not accurately assess 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. 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. Instead the proposal presents an excessively bulky building in a very prominent position that serves to detract from the heritage item, when really it should be complimenting the Heritage building opposite. Together these two buildings form the gateway to Freshwater Village along Lawrence Street, and nothing about the proposal acknowledges this.

- Traffic Concerns

While the Traffic Impact Report indicates that there will be an 'insignificant increase' to traffic on the external network, it is our belief that this will not be the case. Freshwater is already an extremely congested network and traffic is often at a standstill in morning peak hours and through most weekends of the year. The combined intersections of Oliver/Lawrence/Dowling is one of the most affected zones of Freshwater by this traffic and this overdevelopment will add significantly to the problem as it's entries and exits will flow into this existing issue.

While the development manages to just meet the planning requirements for parking, the finished product will bring additional tenants and visitors to these streets which are already regularly parked out, with much of the closest parking being 1 and 2 hr spaces. The number of actual cars that will need parking due to this development will no doubt overflow into our already parked-out suburb.

We sincerely hope that a more suitable proposal be put forward for this space to create a more appropriate gateway to Freshie that will maintain our low scale coastal Village.

Regards,

Bronwyn O'Brien and James Roche