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Sent: 25/02/2022 11:14:25 AM
To: DA Submission Mailbox
Subject: Online Submission

25/02/2022

MR Dan Watts
- 16 Bubalo ST
Warriewood NSW 2012

RE: DA2021/2600 - 49 Warriewood Road WARRIEWOOD NSW 2102

RE: Online Submission DA 2021/2600

Attn: Lashta Hadari, Assessing Officer

Dear Lashta Hadari,

We are the residents of 16 Bubalo Street and would like to formally submit our objection to the DA2021/2600 for the development at 45 Warriewood Road, Warriewood, NSW 2102.

The proposal does not comply with Pittwater DCP conditions, Manager of Transport concerns, Design & Sustainability Advisory Panel recommendations and would result in significant impacts on adjoining properties.

The key objections are as follows:

Non-Compliance

The proposal is non-compliant with the maximum building height of 10.5 metres under PLEP 2014. At 12.34m the building is unnecessarily high and would result in major loss of natural sunlight and privacy for neighbouring properties.

These plans are in violation of the Pittwater 21 DCP D16.8 Spatial Separation. The bulk and scale of the development has not been minimised, and represents a gross overdevelopment of the site which needs to be revised down to a more sustainable number of dwellings.

The developer has not followed councils clear direction to reduce the yield of the site and "explore semi detached housing, with clear and meaningful breaks between every two dwellings" as cited in the pre lodgement report from DA2020/1517.

C6.8 Residential Subdivision Principles RFB requires 10% studio, 10% 1 bed, 10% 2 bed. This mixed dwelling typology and size requirement has been ignored in DA2021/2600. Instead only 3 and 4 bedroom dwellings are proposed, described with internal room sizes that "are unnecessarily large without providing any additional amenity but contributing to the bulk of the building." CPS Environmental Statement.

"The apartments have a regimented, repetitious form that is not in keeping with the character

of the area", as cited by the Advisory panel. DA2021/2600 has not addressed this directive.

The proposal provides only 19.3% Communal Open Space as opposed to the required 25%. Considering the amount of occupants in the proposed development it would be more appropriate that there be additional open space for the residents.

In Section 3F of the Environmental Impact Statement the minimum separation for side and rear boundaries are 6m for habitable rooms and balconies and 3m for non habitable rooms. There are several points of non-compliance and these occur on the northeast boundary and would affect Unit D10, the southeast section of Unit C10, part of the Unit C17 balcony and the balconies of Units D16 and D17. The minimum separation distance to the boundaries from Blocks C and D will be only 4 and 4.1 metres respectively. A clear breach.

In addition, the failure to take on board the recommendation from the Advisory Panel to remove the low amenity triangular apartments and to reorganise waste management to minimise its amenity impacts on adjoining dwellings has not been reflected.

In its closing paragraph the Advisory Panel concluded: "Overall the proposal has poor amenity and poor, inefficient planning that does not adequately consider its relationship to adjoining development, aspect, privacy, solar orientation resulting in a design that is unnecessarily bulky and monolithic that cannot be easily rectified by small adjustments to the design of the buildings. These issues require a different approach to the overall site planning and arrangement of built form."

These issues cited in DA2020/1517 by the panel remain and have not been addressed in DA2021/2600. As a result, the developer should withdraw the application until a more efficient design is achieved.

Incomplete Plans

DA2021/2600 does not include comprehensive plans for lots A1-A7, or B1-B4. To assess the compliance of the development and its impact on adjoining properties we would stress that a complete picture of the application be sought, before a determination can be made.

Privacy and Amenity

Under the proposed plans, the development does not comply with minimum separation requirements. Unit D14 for example has a 12sqm balcony that would look directly onto private backyards, swimming pools and living areas on Bubalo Street. Units D12 and D17 have a side view into Bubalo St backyards providing visual and acoustic privacy concerns to multiple private open spaces. Young families live in adjoining properties. ADG controls are in place to prevent such issues which need to be considered in a revised set of plans.

The use of large gum trees to be planted in the private open spaces of the RFB's to provide privacy to surrounding lots on the Eastern and Western boundaries is not an efficient privacy solution. The landscaping plan reveals gum trees planted in close proximity to the drainage swale and south-eastern property boundaries. This will affect the solar amenity of these surrounding properties in addition to the solar amenity obscured by the uninterrupted large bulk and scale of the RFB that already impacts direct sunlight.

In addition gum tree's pose a landscaping and safety risk to be planted in private open spaces as they are very large canopy trees that have invasive root systems that can cause

foundational damage to buildings and retaining walls. They are also frequently known to shed large limbs after dry winters, in strong winds and storms that can cause personal injury to residents and damage to surrounding homes.

We would request that the choice of gumtree be reconsidered to a safer screening species.

We have serious concerns around the amount of natural sunlight that this excessively high building will block from an estimated 1pm in the afternoon in winter months. Absent from the plans is a shadow diagram that illustrates the impact of the development and landscape plan to the natural light of adjoining properties. We would request a detailed diagram to be made available to residents so that this impact can be considered.

Traffic Disruption

The developer claims there will be no adverse traffic disruption or congestion to Bubalo Street or Lorikeet Grove, however those of us who live here would assert that this simply cannot not be accurate. Bubalo Street only allows for one way traffic due to consistent cars parked on both sides of the road. With the addition of such a large number of residents, visitors and service vehicles Bubalo Street and Lorikeet Drive will turn into an unsafe bottleneck.

The proposal relies on a future developer providing another access way to Warriewood Road with no guarantee of when and how this would occur. With the addition of Pheasant Place becoming a cul de sac accessed from Lorikeet Grove and removing its access to Warriewood Rd, this will only increase the traffic to Bubalo St. It is not clear if this condition was considered within the traffic assessment report which risks its accuracy and reliability.

Responsibility should be made by this development by providing direct access to Warriewood Road. We see this as a far more pragmatic solution to the traffic congestion and lead to a better outcome for existing residents of Bubalo Street and Lorikeet Drive. As noted by the Manager of Transport.

We appreciate the opportunity to lodge our submission, and your consideration of the views included. We look forward to a result being found that is more appropriate and safe for the community as a whole and its existing rate paying residents.

Sincerely,

Lauren and Dan Watts