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**From:** Kim Burgess  
**Sent:** 29/08/2023 3:31:29 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** TRIMMED: DA2023/0976 - 20-22 MACPHERSON STREET,  
WARRIEWOOD  
**Attachments:** Submission against Development 20-22 Macpherson St.pdf;

Dear Northern Beaches Council,

Please see attached my objections to the above development.

Kind regards,

Kim Burgess  
32/26 MacPherson Street Warriewood 2102  
M [REDACTED]

28 August 2023

To whom it may concern

**RE: DA2023/0976 PROPOSED SUBDIVISION INTO 53 LOTS AND  
THE CONSTRUCTION OF 53 DWELLINGS  
20-22 MACPHERSON STREET, WARRIEWOOD**

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I am an owner of adjoining Glen Eagles Complex (Unit 32) at 26 Macpherson Street, Warriewood and I immediately adjoin the Flower Power site on the north western boundary.

I submit herewith my objection to the proposed development of 53 lots and subsequent construction of 53 dwellings. Lots 35 to 41 will adjoin the boundary line of my property with a 4m setback to the two-storey dwellings.

While I am not against a development at 20-22 Macpherson Street, I strongly object to the proposed development for the following reasons:

- **Increased traffic and parking on Macpherson Street:** As the developer proposes only 27 on-street parking spaces within the development and 15 of the 53 units having only a single garage, there will be an overspill of on-street parking into Macpherson Street which is already at capacity. It is already extremely difficult to pull out of Glen Eagles as sight distances are only as far as the vehicle parked adjacent to a driveway which then creates a hazard to both drivers pulling out of a driveway and for those driving along Macpherson Street. The proposed development of 53 units will only make this worse.

Further, the traffic arrangement within the development site relies on a “no parking” control on waste collection days for the on-street parking to ensure there is sufficient space for traffic to pass waste vehicles. This arrangement will cause further undue capacity on Macpherson Street and will create a safety hazard within the development as no doubt vehicle owners will forget to move their vehicles on collection day.

- **Biodiversity and landscaping:** The site is in the R3 Medium Density Residential Zone and adjoins the RE1 Public Recreation Zone. The Terrestrial Biodiversity Map affects approximately one third of the subject land which is classified as an Environmentally Sensitive Area as shown in the figure below. While the development has attempted to recognise this area and has provided some planting, the proposal is still inadequate. The developer has included the rear and/or front yards of Units 18-29 and Units 36 and 37 and Driveway 2 within the Environmentally Sensitive Area where the area should be left free of development.

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Glen Eagles Complex  
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M [REDACTED]

E: [REDACTED]

Further, only 16% of the remainder of the site will be shaded by tree canopy where the figure should be 40% in accordance with the private open space areas. The proposed landscaping within the lots is not adequate to achieve mature vegetation, particularly the units with a wooden rear deck.

#### Terrestrial Biodiversity Map – Environmentally Sensitive Land



- **Density:** Council’s application documents do not include the Prelodgement Meeting Notes from either the Council prelodgement meeting or the Design and Sustainability Advisory Panel Meeting Report however the developer has addressed some of the comments in the Statement of Environmental Effects (SEE) and I comment on those below:
  - Council was concerned with the proposed lot sizes and asked the developer to consider scaling down the number of lots and increasing lot sizes. The SEE response by the developer states that diversity of lot sizes is achieved with a mixture of 13 typologies with lot sizes ranging between 194m<sup>2</sup> and 601m<sup>2</sup> however the drawings show that there are 29 lots under 200m<sup>2</sup> (the smallest being 168m<sup>2</sup>), 19 lots are between 200m<sup>2</sup> and 300m<sup>2</sup> and only 5 lots being over 300m<sup>2</sup>. This is hardly a diverse range of lot sizes with over 50% of the lots being under 200m<sup>2</sup>. The Design and Sustainability Advisory Panel also considered this excessive.

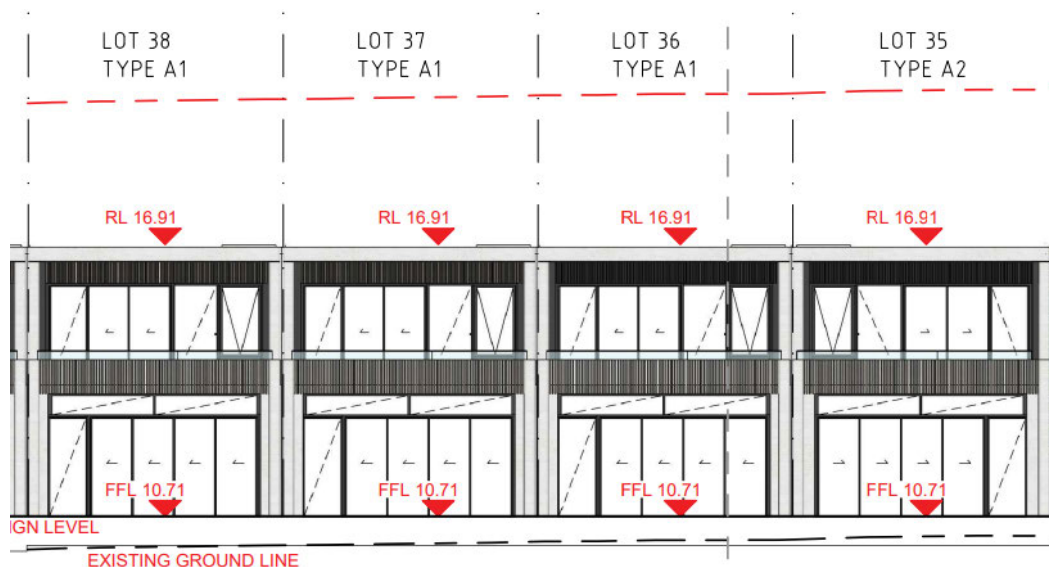
Kim Burgess  
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M [REDACTED]

E: [REDACTED]

- Council pointed out that there is a high proportion of site coverage and an inadequate amount of vegetation. This can be shown particularly in Lots 27 to 34 and Lots 35 to 41 where there is a 3.5m front setback and a 4.0m rear setback. The private open space of these lots is only 24m<sup>2</sup> and consists of a timber deck and a small amount of landscaping. Lots 42 to 46 have even less private open space at 20m<sup>2</sup>. This is hardly adequate to address the wellbeing of future residents.
- The prelodgement meeting notes required a generous common area and allowance for vegetation. The proposal does not provide a common open space or a landscaped area for the enjoyment of residents. At 53 large dwellings that would obviously be suitable for families, the lack of open space within the development [REDACTED]. Adjoining developments both provide common areas for recreation.
- **Privacy and overlooking:** Lots 27 to 34 and Lots 35 to 41 all adjoin and overlook residential dwellings to the southeast and northwest. The rear setbacks to these lots are proposed at only 4m. This is inadequate to achieve some level of privacy both within the development site and adjoining dwellings.

The figure below is what I will see from my rear garden at just 4m from my fence.



You can see that the ground floor level of the dwellings will be raised above the existing ground level which means that from the rear private open space, Units 36 and 37 will be looking into my rear garden. Further, the amount of glass and the first

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floor balcony provided to these dwellings will severely impact my privacy. Likewise, I will also be able to look into the adjoining dwellings.

Privacy cannot be achieved by the proposed landscaping. The landscape plan shows that landscaping will consist of one small tree and 1.5-2m hedge screening. With an increased height of ground level, a 1.5m hedge will not provide screening to mitigate overlooking from the development.

The only way to achieve acceptable privacy is to set the buildings back by 6m and provide a vegetation screen able to achieve a height of greater than 2m. A reduction in the size of the balcony and the amount of windows overlooking the adjoining properties should also be considered

- **Shadowing and glare:** The shadow diagrams provided only show shadows between 9am and 3pm. You can see from the 3pm shadow that my property will impact the adjoining lot by creating a shadow across the rear private open space. Likewise, I will most likely be impacted from the shadow of the adjoining lots before 9am, thereby preventing morning sun from entering my dwelling in winter, which will in turn reduce the temperature in my dwelling and most likely increase my power bill due to having to turn on the heating.

Glare from the excessive windows on the upper floor will most likely impact my property late in the afternoon as the westerly sun starts to recede. This will cause an adverse impact as I will not be able to use my outdoor area and I will need to move inside with the window coverings closed. This would be an unacceptable impact to my own wellbeing.

It can be seen by the application documentation that that the developer has not adequately addressed parking, traffic flow, landscaping, density and overlooking.

It is recommended that the Panel making the decision on this development should refuse the development as it currently stands as it does not provide adequate parking, lot size and landscaping and does not address the wellbeing of future residents of the development nor adjoining residents.

A re-work of the proposal to reduce the number of lots/dwellings, provide adequate common open space and increase the number of parking spaces would be well received by the Warriewood community.

Kim Burgess  
Glen Eagles Complex  
32/26 MacPherson Street Warriewood NSW 2102

M [REDACTED]  
E [REDACTED]

Glen Eagles neighbours supporting the above issues.

TH 31 – Tarun Ghosh	TH 20 – Andrew & Amy Alexander
TH 32 – Kim Burgess	TH 26 – DJ & SG Manchester
TH 33 – Carol Kroger	TH 8 – J Mikaelian & K Hunter
TH 34 – Joana Carvalho & Joao Marinho	TH 25 - Kay Hamilton
TH 38 – Ruth Allaway	TH 5 – Sam & Debbie Carter
TH 41 – Ference & Kate Hajdu	TH 69 – Hilton & Kristy Sloane
TH 44 – Gaye Thompson	TH 45 – Michael Smalpage
TH 23 – Jan Selby	

We look forward to hearing from you soon.

Kind regards,  
Kim Burgess  
M [REDACTED]

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E: [REDACTED]