
Sent: 10/03/2020 12:04:42 PM
Subject: DA 2020/0103 30 Fairlight Street -OBJECTION
Attachments: Berry St DA objections1.docx;

Peter & Viviana Adams
Unit 3
1 Berry Avenue
FAIRLIGHT NSW 2094

10 March 2020

Mr A Keller
Planner
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Email: council@northernbeaches.nsw.gov.au

Dear Alex

PROPOSED DEVELOPMENT AT 30 FAIRLIGHT STREET FAIRLIGHT 2094
DA 2020/0103 BY APPLICANT CASTEL 240 PTY LIMITED

Thank you for the opportunity to lodge objections to the development of 30 Fairlight Street which is directly below my unit – our small complex of 4 units of which I am an owner of Unit 3 will be the most impacted by this building development.

SEPP 65 Design Verification Statement is a misleading report as description of development as 7 residential units over 4 floors is really a FIVE storey poorly designed and unattractive box – comprising of lower basement car parking, 3 floors of 2 x 2 bed units and an upper level 3 bedroom unit – penthouse. This development would look better in Dee Why than charming Fairlight. **The developer and architect's goal was to get as much income raising floor space at the cost of good design and aesthetic appeal.**

It is an over development of what is a single dwelling house block. The available square meterage is really only suitable for a duplex or, at best 4 units. This is by their admission in SEPP65 – Issue A a R1 zone and such 0.75:1 is allowable however, this proposal 1.01:1 – way too much.

Developers greed over residents' quiet enjoyment.

Loss of street scape which has a mix of original bungalow dwellings dating back to 1910 and a neighbouring stepped back unobtrusive unit dwelling. A pleasant blend of old and new. Proposed development will result in loss of street appeal and does not add any merit to the Tower Hill precinct. The fact that there are considerable units around, supports the need for LESS imposing and ugly structures to soften the landscape. The adjacent layered unit development shows that low impact development is achievable.

I note that the actual height of this proposed 'block' has been glossed over and no height impact on surrounding structures has been illustrated to show actual impact. **No height poles have been erected to give neighbours a 'feel' for the impact the height will make on the blocking of views and over shadowing accurately.**

A report submitted to Council suggests that the existing vegetation is currently impeding views and their subsequent removal will provide unobstructed views not previously had, only to now look straight into the bedroom windows and rear balconies of units. **It is not clear how much air conditioning plant and lift motors will be located on the roof and if so how much more of the height limit will be exceeded? Also, the noise factor of this equipment against acceptable EPA standards.**

Richard Lamb & Associates on Page 4 of their Private Domain Visual Catchment notes states "1 Berry Avenue features roof terraces that potentially overlook the site from the North. The existing views appear to be significantly screened by vegetation in the rear landscape of the subject site, which extends to levels high than

the eye height of viewers at 1 Berry Avenue, as a result of which the proposed demolition of the vegetation to make way for the proposed development is likely to result in initially increased availability of view. There appears to be a minor risk of any additional view loss caused by the top floor of the proposed building in views from the roof terrace of the middle level of 1 Berry Avenue". **WE REPLY** This comment is totally absurd as we enjoy magnificent water & horizon views interspersed with beautiful trees & **attach photos from our balcony to prove it.** Height poles will confirm the Penthouse level is unacceptable to any fair minded Council as it will prove invasive to neighbours & totally non-compliant.

Firstly, lets state about the Architects' plans – there are inaccuracies. 1 Berry St is a 2-3 storey apartment building comprising of 4 units (NOT 5). This is going to be the most impacted site, and yet the architect can't get these specifics right.

I would like the Council to review and check that there is enough open space, it does not look like there is sufficient and from 65% water absorbing land to less than 20% is considerable. Planting will be of unsubstantial planter boxes.

The plans exceed the 11 metre height restriction on the southern elevation. Remove the top level.

Currently there is a water run-off issue in the Berry Street area and Sydney Water has been required to address the problem of flooding during heavy downpours as there is no green space to absorb water, it all just runs off to the neighbouring properties below and ultimately to the stormwater. With the amount of run off their basement parking will get flooded. Our retention tanks and pumps cannot cope with the run off due to the quantity of hard surfaces.

Retention wall at rear of property bordering 1 Berry Ave. Is this to be replaced, what happens whilst the excavation is on, new fence??

Parking spaces – is this correct; the spaces are way too small and some unnegotiable, larger cars will park on street where road parking is at a premium already. Two bedroom apartments rarely only require one (1) car space, inhabitants usually have two cars attached to each apartment, so where does the second vehicle park, the already overcrowded Fairlight Street?

There will be extensive excavation (6.6m to 1.5m) for the basement garaging with rock hammer/breaking machinery the cost for which to the developer is an unknown and would be an on charge, as an excavator cannot quote for what is not seen. A developer looking to save money would be tempted to maybe not excavate as per the plans, which in turn raises the height of the total building.

The photomontage is misleading. On first glance it looks like a 3 storey complex, and using the low angle from underneath hides the ground floor. The garage doors implies that parking is at ground level, whereas it is underground. The photo does not show that the proposed development is another level above the adjoining sites. There is nothing charming, inviting or of good design that contributes to the streetscape.

If this development goes ahead as is, my property will drop in value due to loss of water views and district outlook. I am also anxious about the impact on the wildlife that currently enjoy the wooded spaces of that site & our enjoyment of their presence.

Solar – can't have, as panels would increase height above permissible. Not very green.

It is noted that all current landscaping is to be removed during demolition and later extensive planting and larger trees introduced is proposed – this will undo the benefits of passive solar provisions made in the BASIX report.

From the above comments you can see we are against this development as it is non-compliant in so many ways. Not even height poles & stringlines erected by this developer to give neighbours the opportunity to quantify what the rectangular box will do to our lovely suburb. The penthouse floor has to go if this development has to proceed.

Many thanks

Peter & Viviana Adams







All photos taken from upper level balcony of Unit 3/1 Berry Ave.

Peter Adams

T: [02 9279 1888](tel:0292791888) | F: [02 9290 2430](tel:0292902430) | M: [0412 491 591](tel:0412491591)

E: peter@leasebank.com.au

P: GPO Box 4594 SYDNEY NSW 2001

This e-mail and any attachments to it (the "Communication") is confidential and is for the use only of the intended recipient. The Communication may contain copyright material of Leasebank (Australia) Pty Ltd ACN 078 312 302 ABN 39 078 312 302 ("Leasebank"), or any of its related entities or of third parties. If you are not the intended recipient of the Communication, please notify the sender immediately by return e-mail, delete the Communication, and do not read, copy, print, retransmit, store or act in reliance on the Communication. Any views expressed in the Communication are those of the individual sender only, unless expressly stated to be those of Leasebank. Leasebank does not guarantee the integrity of the Communication, or that it is free from errors, viruses or interference. Unless specifically indicated, this e-mail does not constitute formal advice or commitment by the sender or Leasebank or its subsidiaries. To unsubscribe from receiving further commercial electronic

messages from the sender, please reply by return e-mail and insert your name and the word "unsubscribe" as the subject field.

Peter & Viviana Adams
Unit 3
1 Berry Avenue
FAIRLIGHT NSW 2094

10 March 2020

Mr A Keller
Planner
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Email: council@northernbeaches.nsw.gov.au

Dear Alex

PROPOSED DEVELOPMENT AT 30 FAIRLIGHT STREET FAIRLIGHT 2094

DA 2020/0103 BY APPLICANT CASTEL 240 PTY LIMITED

Thank you for the opportunity to lodge objections to the development of 30 Fairlight Street which is directly below my unit – our small complex of 4 units of which I am an owner of Unit 3 will be the most impacted by this building development.

SEPP 65 Design Verification Statement is a misleading report as description of development as 7 residential units over 4 floors is really a FIVE storey poorly designed and unattractive box – comprising of lower basement car parking, 3 floors of 2 x 2 bed units and an upper level 3 bedroom unit – penthouse. This development would look better in Dee Why than charming Fairlight. **The developer and architect's goal was to get as much income raising floor space at the cost of good design and aesthetic appeal.**

It is an over development of what is a single dwelling house block. The available square meterage is really only suitable for a duplex or, at best 4 units. This is by their admission in SEPP65 – Issue A a R1 zone and such 0.75:1 is allowable however, this proposal 1.01:1 – way too much.

Developers greed over residents' quiet enjoyment.

Loss of street scape which has a mix of original bungalow dwellings dating back to 1910 and a neighbouring stepped back unobtrusive unit dwelling. A pleasant blend of old and new. Proposed development will result in loss of street appeal and does not add any merit to the Tower Hill precinct. The fact that there are considerable units around, supports the need for LESS imposing and ugly structures to soften the landscape. The adjacent layered unit development shows that low impact development is achievable.

I note that the actual height of this proposed 'block' has been glossed over and no height impact on surrounding structures has been illustrated to show actual impact. **No height poles have been erected to give neighbours a 'feel' for the impact the height will make on the blocking of views and over shadowing accurately.**

A report submitted to Council suggests that the existing vegetation is currently impeding views and their subsequent removal will provide unobstructed views not previously had, only to now look straight into the bedroom windows and rear balconies of units. It is not clear how much air

conditioning plant and lift motors will be located on the roof and if so how much more of the height limit will be exceeded? Also, the noise factor of this equipment against acceptable EPA standards.

Richard Lamb & Associates on Page 4 of their Private Domain Visual Catchment notes states “1 Berry Avenue features roof terraces that potentially overlook the site from the North. The existing views appear to be significantly screened by vegetation in the rear landscape of the subject site, which extends to levels high than the eye height of viewers at 1 Berry Avenue, as a result of which the proposed demolition of the vegetation to make way for the proposed development is likely to result in initially increased availability of view. There appears to be a minor risk of any additional view loss caused by the top floor of the proposed building in views from the roof terrace of the middle level of 1 Berry Avenue”. **WE REPLY** This comment is totally absurd as we enjoy magnificent water & horizon views interspersed with beautiful trees & attach photos from our balcony to prove it. Height poles will confirm the Penthouse level is unacceptable to any fair minded Council as it will prove invasive to neighbours & totally non-compliant.

Firstly, lets state about the Architects’ plans – there are inaccuracies. 1 Berry St is a 2-3 storey apartment building comprising of 4 units (NOT 5). This is going to be the most impacted site, and yet the architect can’t get these specifics right.

I would like the Council to review and check that there is enough open space, it does not look like there is sufficient and from 65% water absorbing land to less than 20% is considerable. Planting will be of unsubstantial planter boxes.

The plans exceed the 11 metre height restriction on the southern elevation. Remove the top level.

Currently there is a water run-off issue in the Berry Street area and Sydney Water has been required to address the problem of flooding during heavy downpours as there is no green space to absorb water, it all just runs off to the neighbouring properties below and ultimately to the stormwater. With the amount of run off their basement parking will get flooded. Our retention tanks and pumps cannot cope with the run off due to the quantity of hard surfaces.

Retention wall at rear of property bordering 1 Berry Ave. Is this to be replaced, what happens whilst the excavation is on, new fence??

Parking spaces – is this correct; the spaces are way too small and some unnegotiable, larger cars will park on street where road parking is at a premium already. Two bedroom apartments rarely only require one (1) car space, inhabitants usually have two cars attached to each apartment, so where does the second vehicle park, the already overcrowded Fairlight Street?

There will be extensive excavation (6.6m to 1.5m) for the basement garaging with rock hammer/breaking machinery the cost for which to the developer is an unknown and would be an on charge, as an excavator cannot quote for what is not seen. A developer looking to save money would be tempted to maybe not excavate as per the plans, which in turn raises the height of the total building.

The photomontage is misleading. On first glance it looks like a 3 storey complex, and using the low angle from underneath hides the ground floor. The garage doors implies that parking is at ground level, whereas it is underground. The photo does not show that the proposed development is another level above the adjoining sites. There is nothing charming, inviting or of good design that contributes to the streetscape.

If this development goes ahead as is, my property will drop in value due to loss of water views and district outlook. I am also anxious about the impact on the wildlife that currently enjoy the wooded spaces of that site & our enjoyment of their presence.

Solar – can't have, as panels would increase height above permissible. Not very green.

It is noted that all current landscaping is to be removed during demolition and later extensive planting and larger trees introduced is proposed – this will undo the benefits of passive solar provisions made in the BASIX report.

From the above comments you can see we are against this development as it is non-compliant in so many ways. Not even height poles & stringlines erected by this developer to give neighbours the opportunity to quantify what the rectangular box will do to our lovely suburb. The penthouse floor has to go if this development has to proceed.

Many thanks

Peter & Viviana Adams







All photos taken from upper level balcony of Unit 3/1 Berry Ave.