

June 10, 2024

39 Drift Court
Kingscliff NSW 2487

**Re: OBJECTION TO THE UNITING KINGSCLIFF REDEVELOPMENT (SSD-47105958)
BY UNITING AGED CARE APPLICATION**

I write objecting to the DA of the plans for Uniting Kingscliff's development of the area of land which backs onto our residential property at Lot 19 Drift Court (No 39 Drift Court).

My main concerns in relation to the Uniting redevelopment are as follows:

- Overshadowing and we will stand to lose a lot of sun in not only our yard but our house as well;
- Uniting claims of 90% sun in our yard is retained which I completely don't agree with and I ask that they prove their claim;
- 10 hours sun in our living area have been drastically reduced with current design plans;
- Bulk and scale of your redevelopment being 4 storeys not in keeping with the surrounding homes; which are either 1 or 2 storeys;
- Artist impressions are terribly deceiving hiding all the 4 storey buildings behind trees (mainly) or other buildings of parts of buildings not giving the correct impression of the size of the buildings in relation to existing ones in comparison;
- Noise that will come from the massive number of residents in the buildings once completed whether walking by our back fence or in pools or, and where their balconies will be located and noise coming from the residents, as well as the noise from not only one air conditioning unit but multiple air conditioning units;
- Not keeping with streetscaping and all that you will see when driving up our street are the masses of units directly in view and directly devaluing of our properties;
- Totally out of keeping with our street character when all you will see driving up Drift Ct will mean ultra high density apartments will tower way above our homes and completely overshadowing current residents;
- What you intend to do with visual pollution of a night-time for having multiple units so close to our residences. What you intend to do to minimize with the turning on and off of lights of a nighttime;
- Traffic concerns both on site (underground carpark noise) and ventilation of carpark fumes.
- What you intend doing to manage traffic for not only residents once the project is finished, but also for the massive number of contractors working on the site for the years of proposed construction and this will potentially gridlock the streets;
- Suppression of noise for the masses of not only rooftop airconditioning units but also the suppression of noise for the generator on the RAC building;
- Your basement venting and where that will be made;
- The implication of flooding is a great concern;
- Noise made from residents and their invited guests in your development once its completed.
- Our gardens, backyard grass and trees will suffer with shade.

Overshadowing

We are so much more affected than any other block in our street for we have not one but two boundaries that back on the Our northern boundary is 24.77m but also my western boundary fence of 15.8m also backs onto your proposed development.

The two yard areas we have are a north-eastern yard, affected by block F building to the north and a north western yard, affected by RAC building to the west.

In the Development Application Uniting actually states on the shadow diagrams that

“... Property Number 39 from 11am to 2pm more than 90% of principal area of private open space get sunlight”, yet there is no evidence to confirm this.

Our property will be extremely affected by shade from 2 sides, from Building F to the north and the RAC Building to the west. We are more affected than all the other properties for we have 2 boundaries that in fact give us 2 distinct yard areas. There is the western yard which has the pool, and the northern yard that has many fruit trees in advanced state of growth, 2 raised garden beds where we grow our own vegetables and our only grassed area.

The lack of consideration given by Uniting and the provided means that I will lose considerable amounts of sun in my home to what I achieve now and there is a lack of data to support how much I will potentially lose.

Each and every day we get full streaming sun from dawn to late afternoon in our living area. After doing my own sun shadow modelling I don't believe we will get any sun in the morning for the dining room till maybe 10am however by midday it's all but gone from inside the room and as the sun is high its only really at door ground level. We will stand to lose all that streaming sun that we enjoy in the mornings and it streams all through the dining to the lounge room but all that's gone. We cant even sit on the outside patio for breakfast for the sun is also replaced by shade.

The prescribed rules of shadow diagrams suggest that for neighbouring properties there should be three hours of sunlight between 9am and 3pm on June 21 over a portion of north-facing living areas (decks, living rooms, bedrooms, kitchens etc.) and we are seriously questioning that. We believe we may get no sun or very little sun in our dining room (compared to 6 hours of sun every day even in winter) Maybe 3 hours on our back deck at best compared to compare to close to full sun from sunrise to sunset, and we have lost sun to the lounge room to instead of 5 hours down to 2 or 3 hours (sometime between 2 and 3 hours but by 3pm we are definitely in full shade.

All the pics below were taken 24 June 2023 (winter solstice)

9am dining room currently has streaming sun from sunrise till now. Lounge room which currently gets streaming sun till 9am will get only shade till 9am after construction. Patio as well, full shade and Ppool also in full shade.

9am



10am, we might get some sun but its hard to tell for full shading cross sections should have been done for internal views of properties affected. Some sun on patio and sun returning to pool, maybe. We did supply our house plans and photos of what we thought to be affected loss of sunlight to all rooms to John Martin from Uniting in July last year for them to provide cross sections and they were passed on to Ethos Urban and even though they thanked us for our work they said they will get back to us but never did.

10am



11 am we might get this same amount of sun if we are lucky depending on whether any rooftop changes made for shade protection for Building F

11am



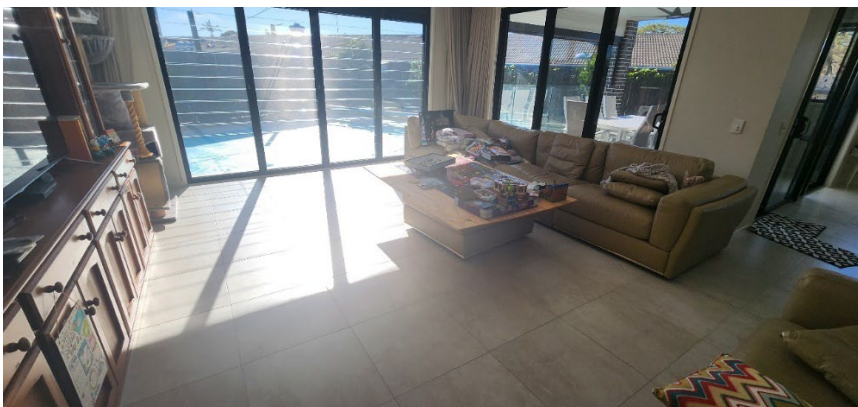
Lounge room 1pm sun starts to come in

1pm



2pm sun streaming in Lounge, it's a great room in winter all day till the sun sets

2pm



3pm lounge is full of sunlight but will be short-lived for by 3.15 we will be in full shade

3pm



By 4pm all sun in our lounge room, pool, patio and dining room is all gone and replaced with total shade from RAC Building. We will be losing all this sun (below)

4pm



Currently in our living room even in the middle of winter we get up to 10 hours of sunlight streaming into our living and dining room. When the building is finished as we are greatly affected by both Building F and the RAC Building. Is disgusting and its quite distressing considering how affected we are with sunlight loss in not only our house but to our backyard as well

In our backyard we have a 12m² raised vegetable bed in the north eastern part of the yard that will be in full shade with only 2 hours of sun later afternoon for perhaps 2 hours at most but its not warm sun but rather late afternoon sun and nothing will grow in that garden bed. Surely Uniting should be made to have to either move building F further away from our northern boundary or to lower the height of the building allowing us more natural sunlight. Nothing there will grow at all and it's the same with the grassed area to the yard which, for that type of grass, Sir Zoysia Grange needs 4 hours of direct sun. And there are established fruit trees that will also in full shade.

We note as well that there are shadow diagrams in the Uniting DA however they are inconsistent. The implication is that overshadowing diagrams should be to scale and where properties are highly affected they should be in greater detail, and where overshadowing occurs then the building/s that overshadow the affected properties should be stepped back to allow not a great loss of sunshine on those affected properties.

Uniting should have to reproduce accurate overshadowing diagrams so that existing properties aren't affected and if they are then they should modify their buildings accordingly so as minimize overshadowing.

Then by 3pm our pool area to the western side of the house will be in full shade together with our entire living area, dining area and patio. Pictured is our pool area in June 2023 (heated), my daughter in the photo. If Uniting's project goes ahead it is likely that at this time of day our pool would be in full shade and most of the blue sky above the fence would be replaced with units.



The sun on the pool I believe disappears at around 2.30pm and the lounge from 3pm it plunges quickly from a room bathed in sunlight to full shade. Again there is a lack of evidence on this.

And not to mention as well, that no doubt the shade component will be way greater during construction with rooftop barriers which will be covered with shade cloth as they are on other sites these days.

Bulk and Scale

There is a 3-story height limit in this area of Kingscliff. There are of course the designated medium density zoned sites on Kingscliff Street and Marine Parade which you can, with limitations put on a 4th storey however **DEFINITELY NOT IN THIS RESIDENTIAL AREA OF KINGSCLIFF**. Not in the West Kingscliff area, where your development will affect so many one- and two-story current residents. When we went to build our house just 6 years ago, I was limited to a 2-story building, whilst your proposed redevelopment on the Uniting site is proposed to be a 5 massive, 4 storey residential apartment buildings and a high care aged care buildings around us.

Misrepresented Artist Street Impressions

Uniting DA I feel has misrepresented the street views for this is the proposed view as presented in the DA. The photographer has noted the following relating to the photomontage: "to illustrate the typical close range western viewing from the new subdivision east of the site."



As the comment says its this illustration is from the subdivision to the east so this is the western view so looking west from this property you should not be able to see not one building but 2 others that are missing from the image, for you should also be able to see building RAC (between building F and 39 Drift Court) and you should be able to see Building C between 39 Drift Court roofline and 37 Drift Ct roofline. I stated earlier that 39 Drift Court is the worst affected property for overshadowing and that's how badly we are affected by seeing 3 buildings from in front of our property. Uniting therefore cannot use this as an image for it is wrong and Uniting should have to reproduce it so it is a correct interpretation of what buildings you will see. Its disgusting if they get away with such incorrect detail missing in their images.



Uniting has misrepresented the character of West Kingscliff in the Locality Plan, breaking all the rules with 4 storeys for there is not one four-storey building in this location. Or even a three-storey building. Uniting want to wreck our lifestyle here by putting up six, four- storey residential buildings which will look totally out of place here.

In their website it states that “we are proud to be a part of the Kingscliff Community, investing in its long-term growth, while making sure the development is in keeping with the evolving character and natural charm of Kingscliff”.

With my husband being a member of the Kingscliff Ratepayers Association, the community doesn't want this development, for the 4 storey buildings will tower over everyone else's single and double storey homes by at least 6 metres and the whole project is, ultimately grand scale upmarket residential apartment project hiding behind the façade of a seniors aged care home. In fact the aged care building is only able to cater for 8 more beds over the existing facility.

Noise

Noise will be a continual issue both during the years of construction and inconvenience to our generally quiet lifestyle we have currently and also on completion I would expect at MINIMUM that our boundary fencing to be acoustic for we will have a high amount of pedestrian traffic over our back fence and noise will be ongoing from the recreation areas, people going to and from the café, to and from the fire pit, the outdoor pizza oven and the residents using the pool (we are the closest neighbour) and it says that 80 persons will use the pool daily and another 40 of an evening. This alone is 120 people daily using the pool. There is also just the general noise from 200 adjoining neighbours and their friends and family, and even from the RAC building balconies one of which is for the dementia floor, backing onto our property. Noise will be constant, no doubt day after day, 7 days and nights a week.

Not fitting into the neighbourhood

This redevelopment will be certainly an eyesore. It simply will not fit in. It will certainly damage Kingscliff's laid back family orientated lifestyle in this area of Kingscliff. Yes there are 4 storey buildings in Kingscliff, but these have only recently been approved over the last 10 years and they are only located in Marine Parade and to a lesser extent Kingscliff Street, for these streets are zoned for units. West Kingscliff does not allow 3 storeys or 4 storeys in the past. Directly backing this site are 59x 2 storey townhouses, units and houses and 55 single storey properties (duplexes, townhouses and houses). That's a total of 114 properties that are either single or double storey that will be directly affected by this overdevelopment of the site whereby they lose out visually or by overshadowing and noise and loss of privacy.

If it was 3 storey then that's different and we can live with that but 4 storeys is over-development on this site. If it were Marine Parade or Kingscliff Street then that's totally acceptable but not for this mostly one, and two storey residential area of west Kingscliff not on.

Streetscaping and visual pollution

4 storeys will tower over our property, and it will be an eyesore, and no doubt devaluing not only our property but every 114 properties that has a boundary that backs onto the Uniting Proposed Development.



Above left is the view loss that we will have in our backyard and above right shows our home to the right and the massive RAC building to the rear. Our pool is between the RAC building and our living area to the rear.

Backing onto our yard are 36 high care rooms and 10 dining and lounge rooms but nothing has been done to indicate any light suppression from turning on and off lights or what sort of lighting there will be in the gardens surrounding the building. I can only hope that more thought to be put into the lighting considerations of surrounding residents compared to the carpark lighting currently where, when they were changed over to LED, they turned off 4 out of the 6 carpark lights are turned

off instead of coming to a solution. Uniting's track record in the past hasn't been good at handling issues like trucks coming all hours of the day and night only just recently been managed and noisy air conditioning motors, all disrupting neighbours.

Traffic

This is a very big concern with Beach Street or even Lorien Way its hard to find a carpark of morning or afternoon. Not only will these streets suffer but the entire area of West Kingscliff will suffer being gridlocked during construction and peak contractor employment times with the 440plus vehicles clogging ALL SURROUNDING STREETS.



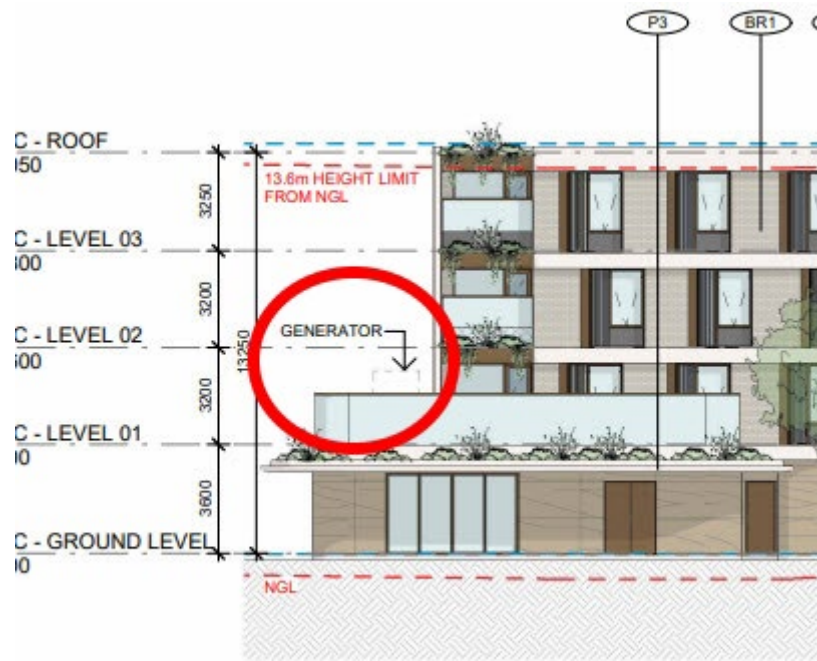
Above Beach Street, looking almost deserted, eastbound. It's never like this. Below how the street looks typically every day when you can't get a park, however this pic taken westbound.



Lorien Way will be the most affected for it is the local bus route and at on every timetable two busses pass each other in Lorien Way which wont be able to happen if cars park on both sides of the road.

Noise Suppression

On the rooftops there will be multiple air conditioning units and lift shafts. I have concerns about noise suppression systems that may not be installed here to shield us from the noise. There is also a generator housed on the RAC roof end balcony and it seems there is no noise suppression to this, apart from a glass balcony fence and this must be addressed now and not left till such time as the building is completed.



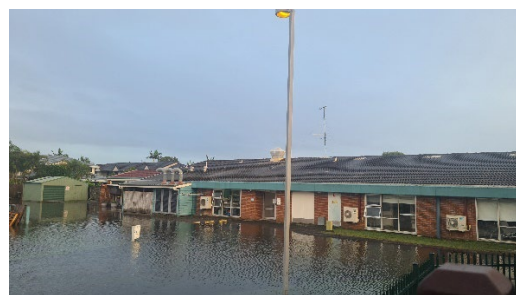
Noise coming from the residences from the multiple units that surround us is a concern as well especially in summer when many may congregate around the main pool or café and also the residents balconies and also the dementia ward will be located right at the rear of our property, less than 30m from the house.

Basement carpark venting

I have concerns of carpark venting and how that is going to happen particularly when most of it is underground. No indication of this in the DA

Flooding concerns

There is no doubt a lot of concerns I have for in the last rain event floodwater made it to the Uniting rear doors. My concern is where will that floodwater go?



In this rain event Lorien Way was flooded as well, floodwater not coming up from the surface but rather coming up the stormwater drains.



Lorien Way 29/2/22

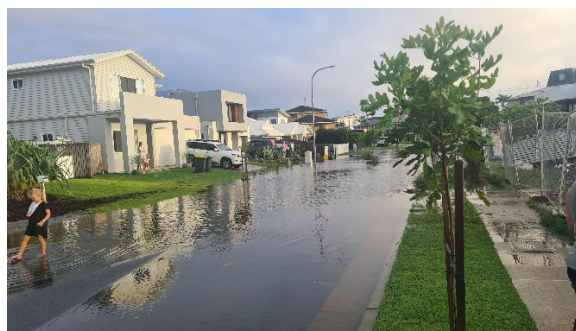
This is the main access street to the Uniting
During this flood event Lorien Way was closed.



Southern end Beach Street 29/2/22



Drift Court – Southern End- Tue 29/2/22



Drift Ct- Eastern End 29/2/22



Drift Court flood line from debris 29/2/22



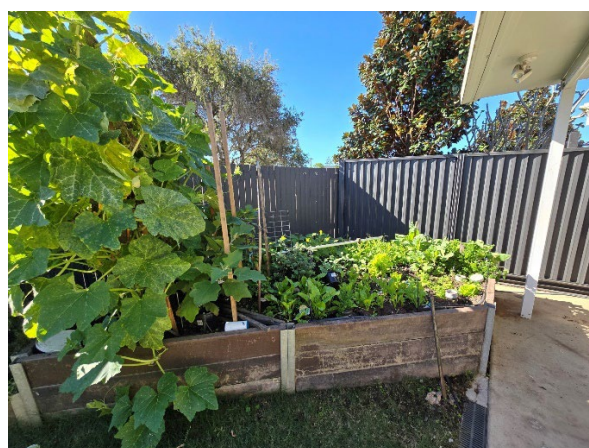
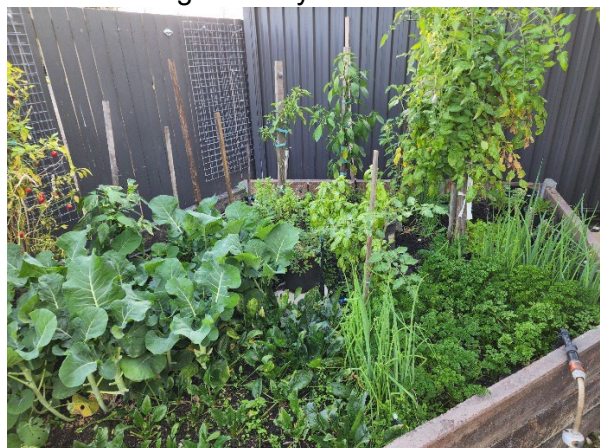
Monday night 28 Feb 7.30pm

Uniting's DA plans show that floor level will be at or above Drift Court, whilst to the east of the development Beach Street and Lorien will be much lower. The difference in height of 6 Beach Street and Uniting development will be approximately 1.2m so Uniting will be floodproofing themselves of any potential to flooding their ground floor at the expense of the local surrounding streets. If a flood like this as shown in the photos more water will be in Drift Court and Beach Street and Lorien Way, whilst Uniting will be at a higher site elevation than everyone else. Drift Court interestingly is way more elevated than Uniting Aged Care and even though Uniting Aged Care flooded due to a low level site, Drift Court is at least 1-2m higher however the flooding came about due to not overwater flooding but rather coming up stormwater drains that couldn't cope with the amount of water.

Overshadowing our yard

The shadow diagrams that we have done indicate a SUBSTANTIAL LOSS OF SUNLIGHT predominately in the mornings but also extensive shadowing from 3pm. What quality of life will we have with our largest raised garden bed that after our detailed shadow diagrams we get only at most 2 hours of sun a day? Nothing will grow. In that garden currently there are 15 different types of

herbs and vegetables year round. We have also another raised bed however it is much smaller



Nothing will grow in this garden bed with it only getting 2 hours of late afternoon sun if Building F is constructed in its current position. Pictured here above left in winter 2022, and above right in winter 2024.

We have not one, but many trees that will suffer from extended overshadowing and in danger are 5 dwarf advanced fruit trees that may not survive with the overshadowing from building F

In our yard we decided to go with a quality Zoysia Sir Grange and as a minimum it requires 4 hours of full sun every day. It will most probably die with having very little sunlight in winter months from only 1pm till 4pm before its shaded again. We stand to lose too much sunlight in our yard and we are no doubt the most affected property by the Uniting redevelopment. Are we forced to remove the raised bed because nothing will grow in full shade and dig grass as it too won't grow and concrete the yard instead and one by one pull out the trees that will not get enough sun. This project cannot proceed in its current overdeveloped state and creating so much overshadowing our yard.

We planted dwarf trees because we didn't want them to grow too high but now their life will be affected by being in shade, being only half as tall; 4-5m in height at full growth as the unit building behind, a massive 16m+ building.

I do understand there to be a need for aged care in our area 4 storeys is totally out of character and development laws in Kingscliff where the project will tower over existing homes, and whilst am not total objecting to it however why couldn't one floor be taken off the top of each building. This will then make it 3 storeys and it should be 3 storeys at existing ground level then we might then regain more sunlight to our yard and house and we will retain some sort of pleasant living environment instead of being towered over by multiple buildings and being in shade every day.

My thoughts on the facts presented

Uniting should be made to reproduce ALL THE ARTIST IMPRESSIONS so that it is a true and correct image of the finished development and views from every street surrounding the project to for every affected property show the Kingscliff population of how dominating the buildings in the DA will be over the surrounding landscape and other current residences, not just hide them behind buildings or trees or objects as they please and of course redoing ACCURATE shadow diagrams for every hour of the day for every property affected from 9am to 5pm for EVERY ADJOINING OWNER as well as cross sections for loss of sun in every property for those properties that are affected. Surely this would be the minimum requirements before re-submission. There are too many inconsistencies and vital information missing from the DA. Why are there no cross sections of loss of sun in houses? Why are there no proper street views on this DA for every one of the 114

properties that area affected? There should be accurate photomontages for EVERY PROPERTY affected by this development on their boundaries. There are too many vital matters not produced for the DA to be considered. Then what happens after the development is built and our backyard becomes a barren wasteland where nothing can grow and we get no sun at all at the expense of a greedy developer that will be praised and boasting that they made \$250+million on this one project alone and they got away with it and then the Church go and do the same on another property that they own.

In Closing

We have a family of six people we are concerned for the amenity of our 4 children with our backyard being in so much shade and are concerned about all our children especially the youngest, a 10 year- old girl still in primary school, with them being safe even during construction time with the hundreds of workers that may be looking down into our yard both during construction. Then what happens when the buildings are finished and the elderly men that may reside in the high care RAC building, looking down onto her while she may be in the yard or the pool or even having friends over. This is actually deeply disturbing, come to think of it.

Yours faithfully

Linda Preston

39 Drift Court, Kingscliff (Lot 19)