

17-19 Forestville Avenue  
FORESTVILLE 2087

Adam Croft

Assessing Officer

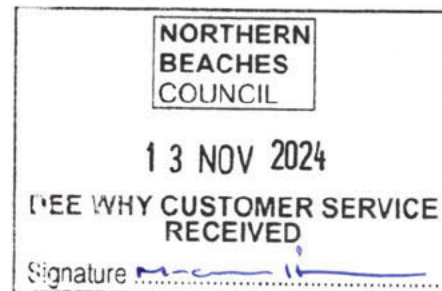
Northern Beaches Council Planning Dept.

Northern Beaches Council

725 Pittwater Rd

DEE WHY NSW 2099

13 November 2024



Dear Sir,

**DA 2024/1303 Forestville RSL**

I am the Chairman of the Strata Committee of SP68546, being the Over 55's complex immediately adjacent to part of the northern boundary of the land upon which the redevelopment is proposed to occur.

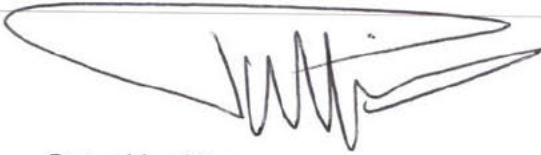
I am therefore lodging this submission on behalf of the 14 lots in SP68546 and request it be considered as 14 separate submissions, on the basis that each Lot is entitled to make a submission.

Whilst, we have concerns about the whole concept of the redevelopment and its impact on the community, we have specific concerns over the adverse impact on our complex as a whole, or parts of it as may be more particularly affected, due to closer proximity to proposed buildings.

I therefore attach a paper outlining our concerns and objections for consideration.

Given the importance of the affect on our complex, our Strata Committee members would want to talk through the various matters raised with you as soon as possible, so that any amendments or additions to our submission can be canvassed and submitted.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'Peter Hopkins', enclosed within a hand-drawn oval shape.

Peter Hopkins

Strata Committee Chairman

6/17-19 Forestville Ave

FORESTVILLE NSW 2087

Tel: [REDACTED]

Email: [REDACTED]

## **The owners of the 14 townhouse units in SP68546**

### **Concerns and Objections to DA 2024/1303 lodged by the Forestville RSL**

#### **Right of Carriageway over Lot 31 in DP626916**

The residents of the 14 units within SP 68546 (We, Us) have a right of carriageway through Lot 31 DP 366454 pursuant to a Deed dated 23 August 2001. A copy of the Deed and attendant plan is attached which shows the right of carriageway passes directly through the proposed building on Lot 31.

The copy of the Deed as attached is on Council files under the DA 2000/5118 and attendant building plans and formed part of the required conditions for that DA to be granted.

We have not been approached or agreed to the building over this Right of Carriageway, or in any way that Right of Carriageway being extinguished and do not agree to it being extinguished.

#### **Building Height and R2 zoning and Set Backs**

The Lots 31 in DP 6366454 and 11 in DP626916 for proposed redevelopment are governed by R2 zoning.

Whilst it is recognised that the State Government made changes to permissible structures and heights in early 2024, the R2 zoning has not been amended to allow structures, residential or otherwise, of three storeys on the lot(s) to be redeveloped.

The three storey height will present an extremely large unsightly wall of concrete to lots 12-14 they face in SP68546. At only 9 metres set back is therefore just too close.

We object to the three storey buildings in both Lots of the proposed redevelopment, and if it is to be three storey, then the third storey should be further set back by 6 metres, making 15 metres in total where the building faces SP68546. Thereby reducing the overbearing visual impact of three storeys against lots in SP 68546..

Further, the proposed RSL club is proposed to be built directly against the western boundary. Is there not a required setback?

The residential units above the club are a separate consideration to the club level and should surely be governed by zoning rules pertinent to their use and be set back like the other separate residential units.

The RSL DA claims that no one will be adversely affected by the height of the combined club and two floors of residential units above being over the 9.5 metre height limit permitted under R2 zoning. But people will be affected and the objective of the 9.5 metre height limit was set particularly for that to be prevented.

We require that the regulated height limits be observed as intended to absolutely avoid any adverse effect.



## **Loss of Privacy**

In the event that three stories are permitted (and even for two storeys) the residents of Lots 12 to 14 (and to some extent 10 and 11) in SP68546 are overlooked by balconies of living and/or other rooms.

The set back is stated as 9 metres, but that is to the wall of the proposed buildings, not the front edge of the balconies. It should be to the front edge of the balcony at very least.

Whilst it is observed that there can be a mitigation of this loss through tree planting, it would take many years for suitable trees to achieve this once planted. Also, once matured, privacy will be lost as mature trees eventually fail to provide the required cover. Also trees of suitable height and foliage cover will cause leaves to continually block gutters on the lower buildings in SP 68546.

We object to the apparent loss of privacy from two storeys, let alone three. See also Set Backs referred to in the note above.

## **Excavation for underground car park and the underground car park generally**

It appears that it is intended to excavate and build an underground car park backing onto SP 68546 at the side of unit 14.

Particularly, if the excavation will be absolutely against the foundations of Lot 14 in SP68546, being the end townhouse of a building comprising Lots 12-14 in SP68546, there is the significant risk of damage to Lots 12-14 both during construction and many years after the construction is complete through potential movement and subsidence. Let alone the noise, vibration and disturbance generally during construction.

We will then require that satisfactory design, procedures, mitigation of noise, vibration and disturbance, together with long term indemnities (10 years) from both the builder and the Forestville RSL itself will be provided that We judge to be satisfactory and put in place wholly at the cost of the Forestville RSL.

What exhaust system will be put in place to dissipate fumes, where will the pollution go to and what noise will be created by the system?

We require that this be seriously addressed and a proposed solution be agreed by Us.

## **Noise, dust and dirt and Lighting**

This relates to noise during demolition, construction and landscaping right up to occupations of all buildings.

We require noise containment and any temporary lighting during demolition and construction be managed and maintained satisfactory to Us at all times.

The demolition, construction and landscaping will create a lot of dust and dirt which will at times drift over to various lots in SP 68546.

We require that steps satisfactory to Us be taken to minimise during demolition and construction the dust and dirt affecting various lots in SP 68546 - more succinctly lots 1 through 5 and 10 through 14.

We require that external house and window washing be carried out on the above Lots in SP 68546 every six months during demolition of the existing club premises and during construction of the separate residential buildings and upon the final completion of all construction.

We note that it is intended to create an "Active" Picketball recreation area directly abutting Unit 14 within SP68546. We require that any recreation activity should be "Passive" so as to ensure there is not a noise issue created, including that only over 55 residents participate in those activities.

We note that lifts will be installed and note that the completed buildings will have exterior lighting.

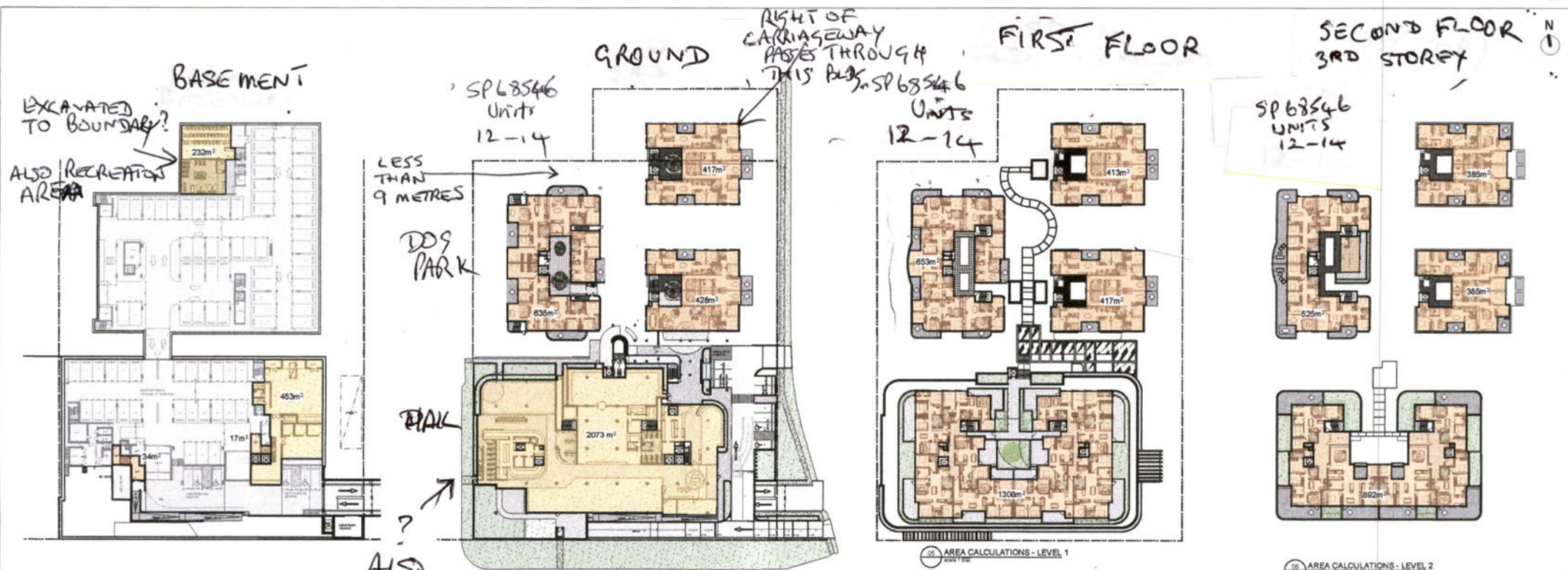
We require that there be no lift noise that travels to SP 68546 and that We are shielded from external lighting that would otherwise shine on or illuminate lots in SP 68546.

We note that there will be a children's playground adjacent to the present dog park. There is already a lot of nuisance noise from this dog park facility. It is observed that the proximity of the proposed children's playground in the redevelopment will likely exacerbate the noise from the dog park in that noise from and activity in the children's playground will entice even more poor uncontrolled behaviour and noise from dogs in the dog park and their owners.

When the dog park was proposed, a petition was delivered to the Council objecting to its location for the above reasoning. This was apparently ignored and now the current owners of many of the lots in SP 68546 are adversely affected at various times (even from 7 am in the morning) by barking dogs.

We request that the dog park be moved to a location away from immediate Over 55's residencies – both current and future.





03 AREA CALCULATIONS - BASEMENT 1/2  
SCALE 1:500

04 AREA CALCULATIONS - GROUND FLOOR  
SCALE 1:500

05 AREA CALCULATIONS - LEVEL 1  
SCALE 1:500

06 AREA CALCULATIONS - LEVEL 2  
SCALE 1:500

Forestville RSL - Building AREAS		
	GFA	PSA
SITE AREA	9074	
SENIOR TOTAL GFA	6745	0.75:1
CLUB AREA GFA	2263	0.25:1
TOTAL	9008	1:1
Club Building		
B5	130	
B3/B4	40	
B1/B2	685	
G	2073	
	2263	
Retirement Living - Club		
B1	GFA	
1	1308	
2	952	
	2251	
Retirement Living - Building 1 - GFA		
B1	GFA	
G	252	
1	428	
2	417	
	385	
	1462	
Retirement Living - Building 2		
G	GFA	
1	417	
2	385	
	1219	
Retirement Living - Building 3		
G	GFA	
1	635	
2	525	
	1813	



07 AREA CALCULATIONS - BASEMENT 3/4  
SCALE 1:500



08 AREA CALCULATIONS - BASEMENT 5  
SCALE 1:500

DA

This drawing is protected by copyright.

THIS DEED is made the 23<sup>rd</sup> day of August 2001.

BETWEEN: FORESTVILLE RSL CLUB LIMITED ABN 15 000 970 132 of Melwood Avenue, Forestville in the State of New South Wales ("the Vendor")

AND: SCHOOLS 2000 PTY LIMITED ACN 075 594 517 of 15 Altona Avenue, Forestville in the said State ("the Purchaser")

WHEREAS:

- A. The Purchaser has contracted to purchase the properties 17-19 Forestville Avenue, Forestville and 9 Riverhill Avenue, Forestville being Lots 17 & 32 in Deposited Plan 25145 and Lot 33 in Deposited Plan 494282 from the Vendor ("the Property").
- B. The Vendor has agreed to provide a right of carriageway through land owned by the Vendor being Lot 31 in DP 366454 subject to certain limitations as hereinafter set out.

NOW THIS DEED WITNESSES:

1. The Vendor hereby agrees to grant to the Purchaser a right of carriageway as shown in the plan annexed hereto and marked "A" upon completion of the State Environmental Planning Policy No. 5 Development which the Purchaser proposes to construct upon the property.
2. The right of carriageway shall be limited to pedestrian and wheelchair access for the benefit of the future residents of the SEPP 5 Development only.
3. The land having the benefit of the right of carriageway shall be the property.
4. The land having the burden of the right of carriageway shall be Lot 31 in Deposited Plan 366454.
5. The Vendor shall execute the relevant Real Property Act Form and any other documents necessary to give effect to this Deed upon completion of the said State Environmental Planning Policy No. 5 Development and shall produce Certificate of Title Folio Identifier 31/366454 at the Land Titles Office when requested to do so by the Purchaser.

IN WITNESS whereof the parties have executed this agreement to take effect as a deed the day and year first hereinbefore written.

THE COMMON SEAL of FORESTVILLE )  
RSL CLUB LIMITED was hereunto )  
affixed pursuant to a )  
resolution of the Directors in )  
the presence of: )

X.....  
Director

.....  
Secretary



- 2 -

THE COMMON SEAL of SCHOOLS )  
2000 PTY. LIMITED was hereunto )  
affixed pursuant to a )  
resolution of the Directors in )  
the presence of:

... *J. Bacich* .....  
Secretary



*B. Bacich* .....



OF RIGHT OF CARRIAGEWAY 1 WIDE WITHIN LOT 31 D.P.366454  
 FOR SEPP 5 RESIDENTS ONLY (DEVELOPMENT APP 5118DA)  
 Scale 1:250

PLAN

P.03

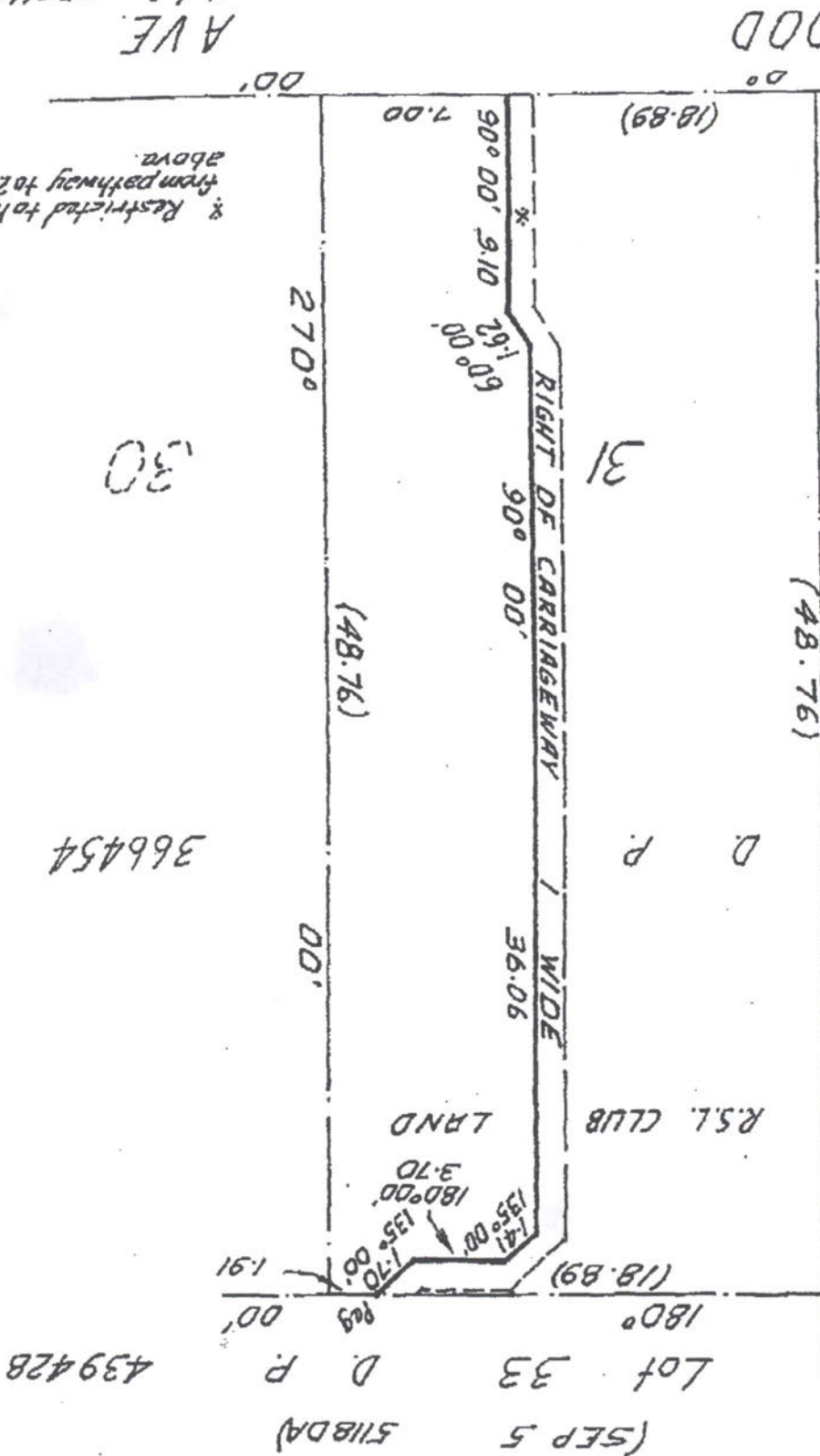
Aug 24 2001 14:11

Fax: 61-2-99754045

MANLY LODGE

Panish

W E JAMIESON RE PL



MELWOOD

AVE

Compiled from D.P.366454  
 R.L.B. 15-B-2001

\* Restricted to height  
 from pathway to 2.40  
 above

### 1.3 STAGING

**Stage 1:** Retain existing club and build new club facility and seniors living.

**Stage 2:** Demolish existing club and build new seniors' living apartments.

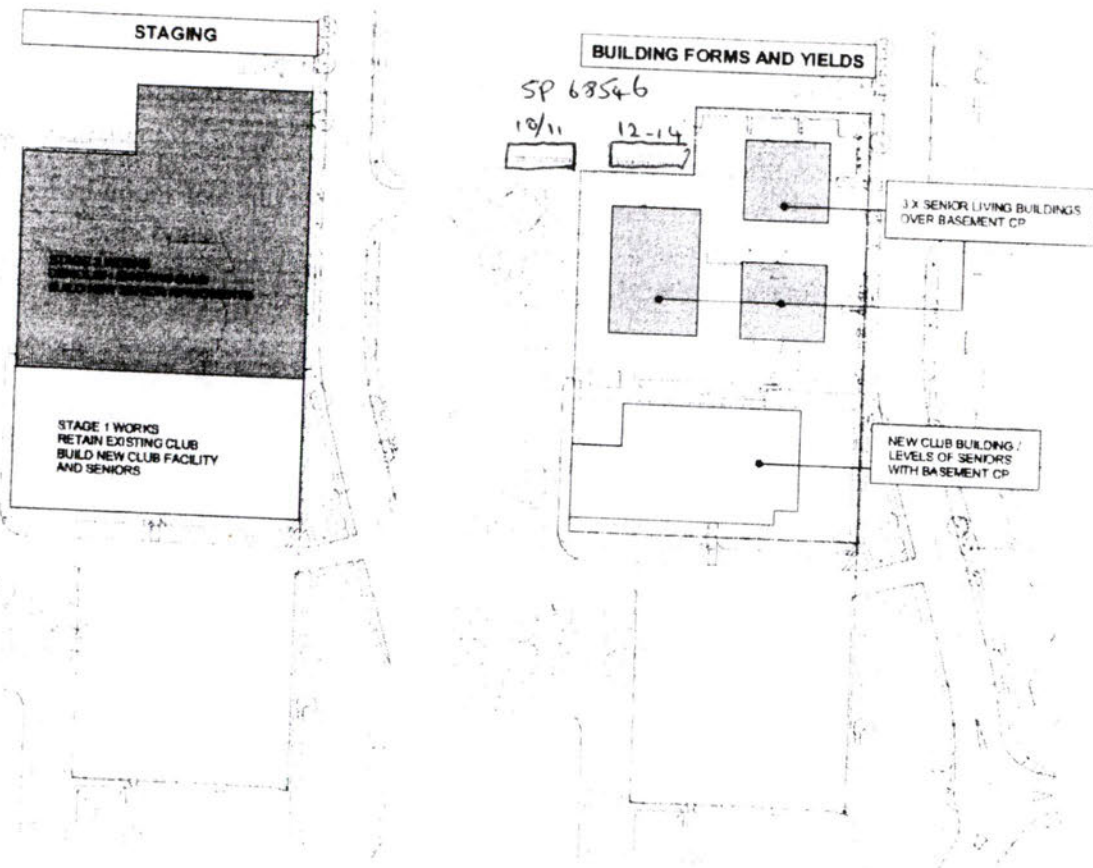


Fig 1.3.A Staging, built form and yields diagram



**Quattro Architecture**

Suite 129, Lifestyle Working, 117 Old Pittwater Rd, Brookvale NSW 2100

## 7.0 AMENITY

### 7.1 CAR PARKING

The Forestville RSL Redevelopment project includes a comprehensive carpark design to accommodate the needs of residents, visitors, and staff. The development features a basement carpark with a total yield of 189 parking spaces. 84 residential car spaces distributed under the three residential buildings and club, ensuring convenient and secure parking for residents. Additionally, there are 105 club car parking spaces located in a four-level basement structure, designed to serve the new club facilities and accommodate visitors.

The carpark is easily accessible via ramps and elevators, providing seamless access to all areas of the development. Special provisions are made for accessible parking spaces, located near building entrances to minimize travel distance for those with mobility impairments. The carpark design also includes dedicated areas for bicycle parking, promoting alternative transportation options. Overall, the carpark yield is carefully planned to meet the requirements of the development, providing ample and convenient parking while maintaining the aesthetic and functional integrity of the site.

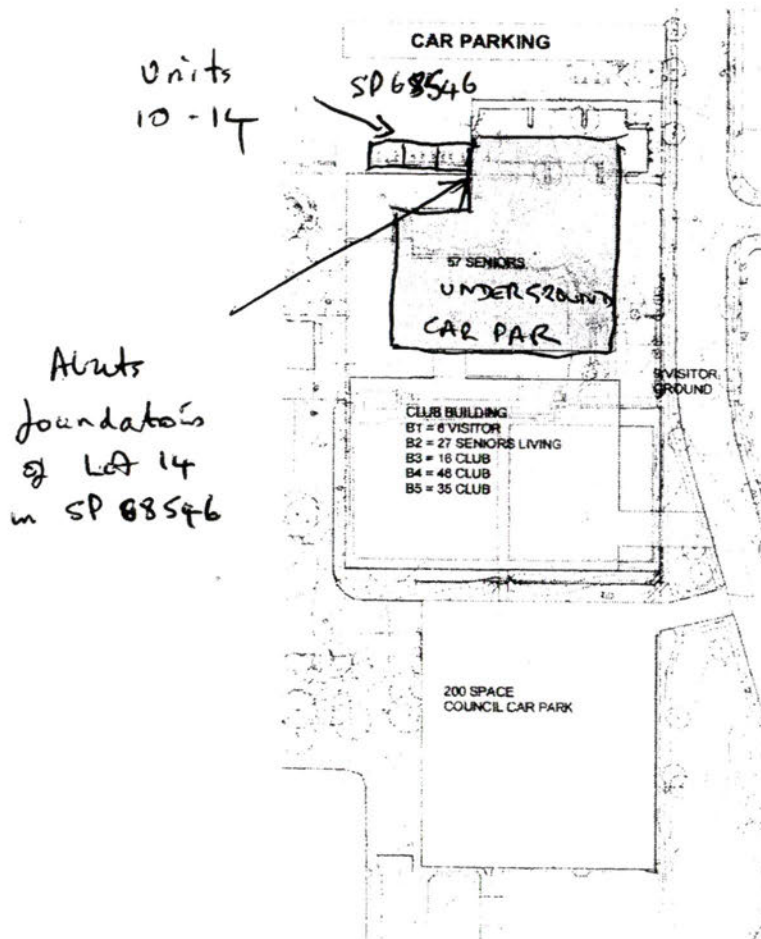


Fig 7.1.A Car park yield diagram

