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**From:** [REDACTED]  
**Sent:** 4/12/2023 5:57:59 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** TRIMMED Submission regarding DA2023/1395  
**Attachments:** Objection letter.docx;

Dear Northern Beaches Council

Please find attached my letter of objection concerning DA2023/1395

Could I please request that certain personal information (including Given name, Family Name, Phone number, email address) be redacted

Please let me know if you have any questions

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

Dear Adam Croft,

**Re. DA2023/1395 (1010 – 1014 Pittwater Road, Collaroy NSW 2097)**

I am a resident at [REDACTED] and wish to make a submission in response to the above proposed development. Please see below my objections:

**1. Building height and overshadowing**

1.1 The proposed development does not comply with the 'height of buildings' objectives contained in Regulation 4.3 of the Warringah Local Environmental Plan 2011 ('WLEP 2011'), as follows:

1.1.1 The proposed development being 13.93 metres in height is incompatible with the height and scale of surrounding nearby development. One example, is the nearby 'Reef Apartments' which adheres to the 11 metre height regulation.

1.1.1.1 The building form and bulk is not agreeable with the existing character of development in the immediate Collaroy Basin area; neither is it agreeable with the desired future character being established by the built form controls.

1.1.1.2 The application fails to provide for a compatible development in accordance with F1 (4) of the Development Control Plan ('DCP'); as it reduces the amenity enjoyed by adjoining residents (discussed further in Point 1.1.2 below with regards to my courtyard apartment).

1.1.2 In particular, there is a significant adverse impact from this development in line with s.4.3(1)(b) of the WLEP 2011 as outlined below:

1.1.2.1 **Loss of privacy:** The proposed structure is four storeys high with a large number of windows and terraces of proposed units facing directly into and overlooking into my courtyard. To optimise the privacy of occupants at the rear of 26 Ocean Grove, proposed balconies and terraces should not be 'corner terraces' but rather only have a 180 degree aspect towards the East. Windows facing toward 26 Ocean Grove should at the very least be designed as offset windows; in addition to the use of pergolas to minimise overlooking into my courtyard as illustrated in D8 of the DCP.

1.1.2.2 **Acute loss of solar access:** My property is on the ground floor level, with a south facing courtyard and west facing bedroom windows. As these are the only window orientations I have available, my property already has limited sunlight available. When considering the height of the proposed structure and the inadequate setback to 26 Ocean Grove, the proposed development would overshadow and effectively block mostly all natural light from all aspects of my property; particularly from the two west facing bedrooms (where one window will be completely blocked and the other significantly solar limited).

1.1.2.3 **Visual impact:** My ground floor apartment is in a unique situation whereby the development borders both sides of my property. When combined with the inadequate setbacks as discussed in point 2 below, the building(s) will become significantly dominating and imposing upon my apartment. This also goes against Clause B2 of the DCP with regards to ensuring the development does not visually dominate and maintaining a reasonable level of amenity to adjoining properties.

1.1.2.4 **Disruption of views:** The excess height of the building can be seen by the rear facing apartments in the top floor of my apartment building; which will impair the amenity and utility of residents balconies.

## **2. Unreasonable set back to 26 Ocean Grove**

- 2.1 The inadequate setbacks of this proposed development adversely impacts upon the amenity of the adjoining courtyards and private open spaces in 26 Ocean Grove. As Council have noted a minimum of a three-metre separation distance between the proposed development and 26 Ocean Grove to allow for visual relief, the application fails to adhere to this minimum.
- 2.2 My strong objections to having inadequate setbacks at all levels of the structure, particularly toward 26 Ocean Grove include:
- 2.2.1 **Visual domination:** The visual impact of such a large structure, with an inadequate and zero setback, significantly imposes upon my small ground floor apartment. Furthermore, the proposed development would have multiple terraces that sit on the boundary line to my courtyard; which is not compliant with B5 of the DCP which provides for an adequate separation of buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.
  - 2.2.2 **Solar access:** The significant loss of sunlight and natural ventilation into my apartment, given that all windows and outdoors of my apartment are directly adjacent to the development. Without a bare minimum of at least a three metre setback, there is no relief provided to allow for sunlight.
  - 2.2.3 **Lack of landscape plantings:** Against the front part of my courtyard at the rear of 26 Ocean Grove, since there is zero setback provided for, there are no plantings proposed to reduce the visual bulk of the building in line with D9 of the DCP. Tree plantings should not only be required to soften the built form, but are essential in addressing privacy and screening concerns as illustrated in D8 of the DCP.
  - 2.2.4 **Noise:** I have concerns with regards to the increased noise generated from:
    - 2.2.4.1 The 'noise bounce back' from a busy Pittwater Road; particularly given the inadequate setback to the rear of 26 Ocean Grove; and
    - 2.2.4.2 The collective resident noise from the proposed outdoor roof top terrace; which is in close proximity to my main bedroom of the property. This is in opposition to Paragraph 5 of D3 of the DCP; which requires locating noise sources away from the bedroom areas of adjoining properties to minimise impact.
- 2.3 The proposed development's inadequate side setbacks, which make the building wider than it should be, has inconsistent bulk and scale with all adjoining developments in accordance to D9 of the DCP.
- 2.4 The proposed scale is incompatible with the established and desired future character of the Collaroy Basin, as it fails to allow for an appropriate massing and spaces between buildings – in particular to the detriment of the amenity of my ground floor apartment and all the apartments to the rear of 26 Ocean Grove.

## **3. Tree preservation and protection**

- 3.1 The proposed development breaches into SRZ and Tree Protection Zone ('TPZ') of T12.
- 3.2 The application fails to preserve trees pursuant to E1 of the DCP; in particular a large established Cook Pine tree located close to the boundary of 26 Ocean Grove. This mature tree has thrived in its natural habitat and is home to local biodiversity. Given the development is so close to the Cook Pine tree, and the possibility of having branches cut back, there is not only a survival risk of the tree but a risk of nearby property damage and personal injury.