

Submission re: DA2021/2362, 1105 Barrenjoey Rd Palm Beach

We are the owners of Unit 19 at 1097-1101 Barrenjoey Road / 39 Iluka Rd, Palm Beach (the 'Iluka Resort' apartments). Our unit is on the top floor of the north side of apartment block, directly next to the proposed development.

We are very opposed to this development as it currently stands, for the reasons we outline below. It will have significant impacts on the amenity, commercial value, and personal enjoyment of our apartment - and is far out of alignment with the character of Palm Beach as a suburb.

We highlight these development facts as laid out in the submission:

- **Height:** The proposed development has a significantly increased height (an extra 1.76m [+14%] above the current building, and 2.46m [+28.9%] above the existing height limit for the area).
- **Footprint:** The proposed building footprint means the setbacks are significantly closer to the edges of Iluka Rd and Barrenjoey Rd (e.g. on Iluka Rd ground floor a 1m setback is proposed vs 3.5m Council designation).
- **Geotechnical:** The geotechnical report calls out challenges with excavation / construction of the basement, in fragile building conditions: - "the high water table and the weak soil and bedrock profile which provide somewhat limited support potential for footing systems". The investigation recommends that: "Prior to demolition, a dilapidation report should be completed, both externally and internally, on the adjoining property located to the south of the site as well as the surrounding roads".
- **Construction process:** There is no information provided on the construction process and the impacts this will have on neighbours such as duration, traffic flow, parking, noise and so forth.
- **Council assessments:** The Northern Beaches Council has already issued assessments of a number of elements of this development and come back with a 'not supported' position. This includes traffic management, landscaping, waste management and water management. These will have direct impacts on neighbouring properties, not just the residents of the new development.

We identify the following development impacts specific to our apartment and Iluka Resort apartments:

Significant loss of views

The proposal, due to its extended footprint to Iluka Road and Barrenjoey Road, coupled with the proximity to the balconies and living areas of Iluka Resort apartments, will result in a devastating loss of views (including Pittwater, tree lines and open sky) for our apartment. View loss impacts our enjoyment and use of the apartment, and the enjoyment of guests and therefore commercial returns from our apartment as a holiday rental.

The view loss is beyond that of the outlook - the proposed development would ensure a 'built in' outlook for our apartment, resulting from butting up against a large wall where we previously enjoyed open space - this would be visible and felt both from inside the

apartment in seated and standing positions, on both the west-facing (Iluka Road side) and east-facing (Barrenjoey Road side) balconies.

Attached are mock-ups of the expected view loss from our apartment.

Given the severe impact, we are requesting that the applicant provide height poles certified by a registered surveyor that clearly indicate the horizontal and vertical extent of the proposal. We also request view loss analysis by the developer - for this proposal and any future amendments to the development proposal. This is essential to ensure that view loss does not occur as a result of the development.

We recognise also that these view loss impacts would be similarly shared by all apartments on the northern side of our block.

Loss of privacy

The proposed development includes new balconies and living areas which are much higher and closer to Iluka Resort apartments. The proposed balconies intrude on the common space of Iluka Resort apartments, including the pool and BBQ area. These are very popular spaces with our guests, and to have others overlooking their children playing in the pool is inappropriate and raises safety and privacy concerns.

We recognise also that these privacy impacts would be similarly felt by all apartments (and owners / guests) in our block.

Geotechnical problems

As noted above, the geotechnical report raises a number of issues related to excavation and construction of the proposed basement. As owners in the apartments which currently share a wall with the existing building at 1105 Barrenjoey Rd, we are very concerned about the impacts.

The acknowledgement of 'possible future claims' is of particular concern. The underground movement could cause major damage to Iluka Resort apartments. If the development is approved, what will Council do to ensure the developers can deal with these future claims? This is already an issue in Sydney (for instance, the Mascot Towers example) and it would be inappropriate not to include provisions to manage this risk.

Demolition and construction works

The proposal seeks to demolish everything on the existing site. The only information provided to date in relation to demolition appears to be Drawing No. DA002 Issue A and a general statement in the Statement of Environmental Effects (SEE) that appropriate measures are to be undertaken to address demolition impacts in line with Part 8B of the Development Control Plan (DCP).

These do not provide any level of detail to assess the impacts on our property, including timing, duration, days/hours of work, dust, noise and vibration levels, etc. This construction will negatively impact our enjoyment of the apartment, and the quality of life for our tenants and therefore the commercial returns from our apartment as a holiday rental.

More traffic and parking congestion

Traffic impact plans lodged for the DA suggest that 'only 3 extra car trips will be added in the morning peak and evening peak times', based on very conservative methodology. However any resident of Palm Beach in the warmer months has experienced the frustrations of getting in and out of the suburb via the one lane road, with its seasonal visitor popularity.

The proposed plans violate planning allowances in bedroom allocation and required underground parking spaces (current Northern Beaches Council planning stipulates that a 2 bedroom apartment must have 2 car spaces). This development circumnavigates this by showing 'media rooms' on the plans in what will practically be used as bedrooms. Allocated retail parking would be for retail owners/operators only; customers would have to park on the bordering Barrenjoey and Iluka Roads, or others nearby.

Hence the modelling from the development submission around traffic and parking impact is intentionally incorrect and understating the real change.

Increased noise and waste from building amenities, retail operations, and foot traffic

The over-development will invite opportunities for new retail tenants, likely needing higher visitor traffic to make these commercially attractive. This suggests operations such as cafes, bars, food outlets and others that may trade for extended hours, generate more noise (via patrons, music, and general operations), and add waste impact to the streetscape. Council has already submitted a waste referral response which deems the waste management approach unacceptable.

On the other hand, more retail space is not needed in Palm Beach; there are already a number of vacant retail spaces in the suburb due to the sometimes challenging economics of retail in a highly seasonal location. More empty retail will just drag down the ambience of the area.

We outline the effect of these development impacts:

Economic implications for owners at Iluka Resort apartments

We use our unit as both a holiday home and an investment property, which provides income from short term rentals, predominately serving the tourism and hospitality markets. A significant proportion of our clients are repeat visitors. Anything which interrupts this market, such as the demolition and construction components of the proposal, will lead to a loss of income for the duration of the demolition and construction. In the longer term, the impacts of the over-development when completed will impact the enjoyment and benefit we get from the apartment, our apartment's short-term rental appeal as holiday accommodation, and any future re-sale value we want to realise.

Character implications for Palm Beach

We are for positive development of Palm Beach that enhances the beauty and amenity of the suburb for residents and visitors, but one that is carefully managed and thought through - and not serving unsustainable commercial interests.

If approved, these over-development features will provide a benchmark for what is considered reasonable and permissible for future developments in the area which we believe is an important consideration to the future enjoyment of this beautiful suburb.

Requests to Council

We ask the Council not to approve (with or without conditions) the proposed development. If the applicant submits updated plans that take into account outlined concerns and address the scale and impact of the development, we look forward to providing further feedback.

We also ask that for any resubmission of this DA / new DA for this address that Council required the applicant to provide height poles certified by a registered surveyor that clearly indicate the horizontal and vertical extent of the proposal. We also request a **view loss analysis** by the developer which considers surrounding buildings, not just the park across the road.

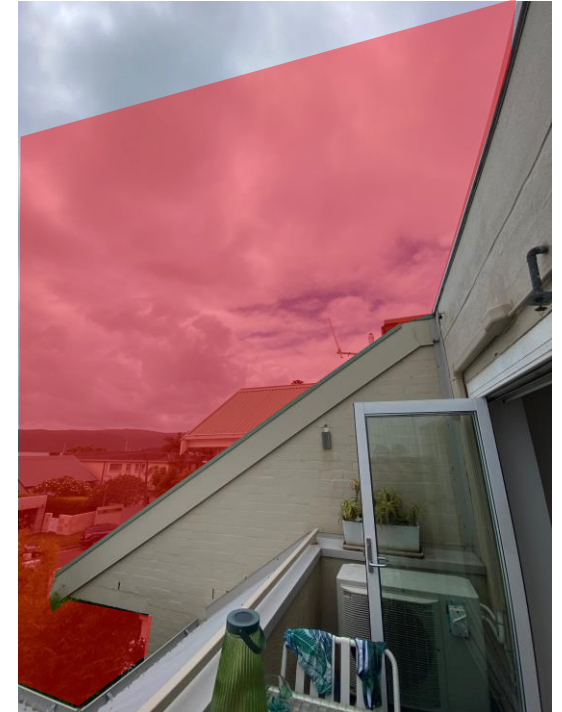
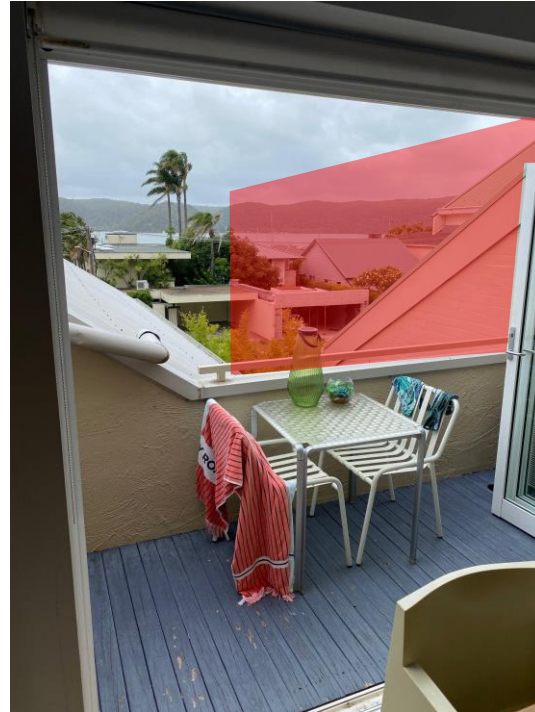
Thank you to Council for the opportunity to provide input into the development process.

Will Jenkins and Aleksander Rzadkowski

19/39 Iluka Rd Palm Beach

Anticipated view loss – Apartment 19/39 Iluka Rd (Iluka Rd side)

Reflects approximate view impact from proposed 1.76m height difference between Iluka Resort and current building at 1105 Barrenjoey Rd, and proposed extension of the development beyond current building envelope towards Iluka Rd



Source: From inside 19/39 Iluka Rd

Anticipated view loss – Apartment 19/39 Iluka Rd (Barrenjoey Rd side)

Reflects approximate view impact from proposed 1.76m height difference between Iluka Resort and current building at 1105 Barrenjoey Rd, and proposed extension of the development beyond current building envelope towards Barrenjoey Rd



Source: From inside 19/39 Iluka Rd

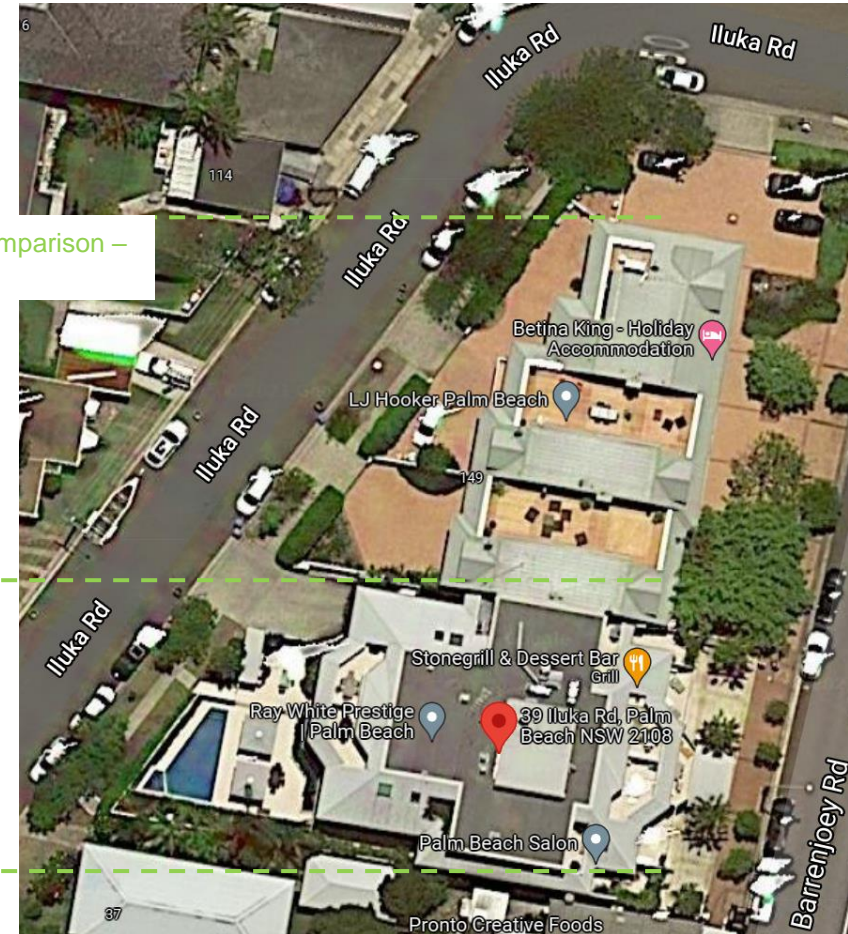
Building envelope comparisons – from above

Proposed



Source: Report_Bushfire

Current



Source: Google Earth 6.1.22

Building envelope comparisons – from renders provided

Proposed

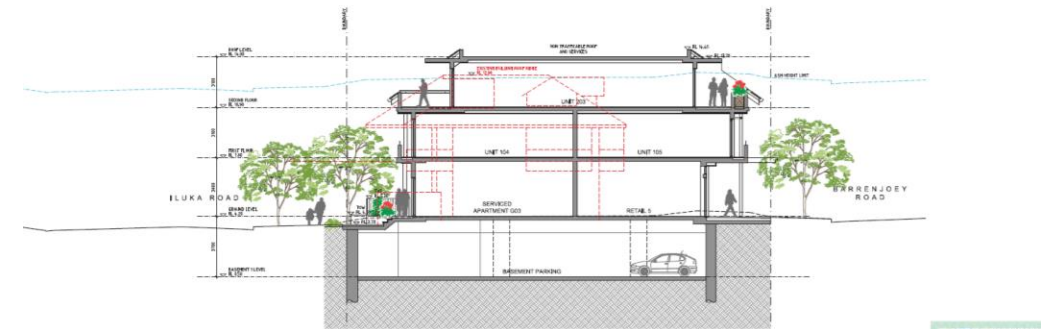


Source: Report_Bushfire

Side render views of proposed and current building in red dashed line



SECTION A



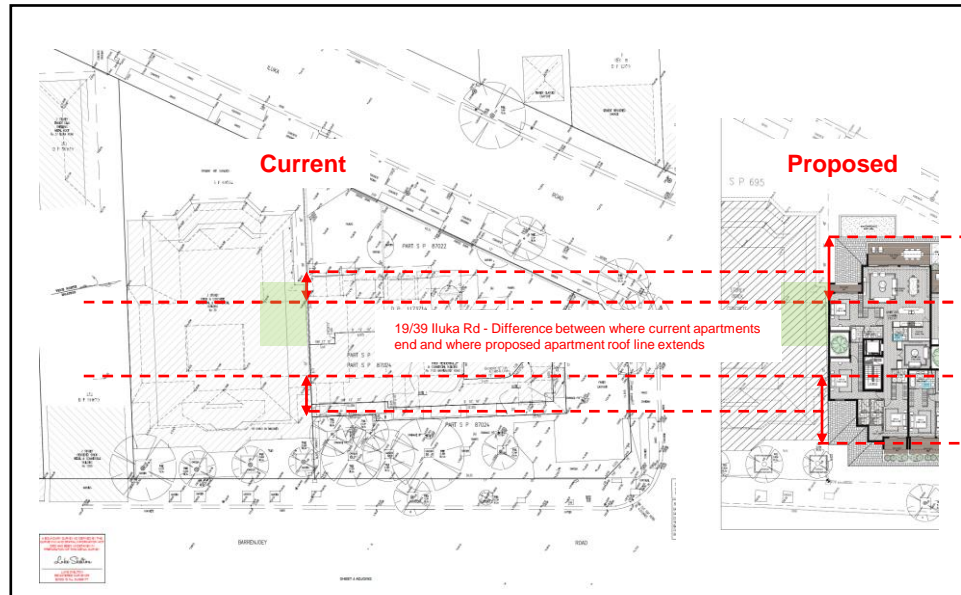
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Source: Plans_Master_Set

Height comparisons and building envelope comparisons

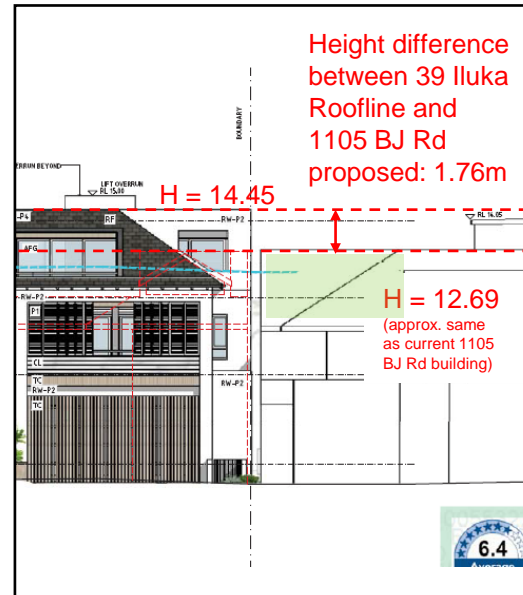
Apartment 19/39 Comparison

Comparison from above



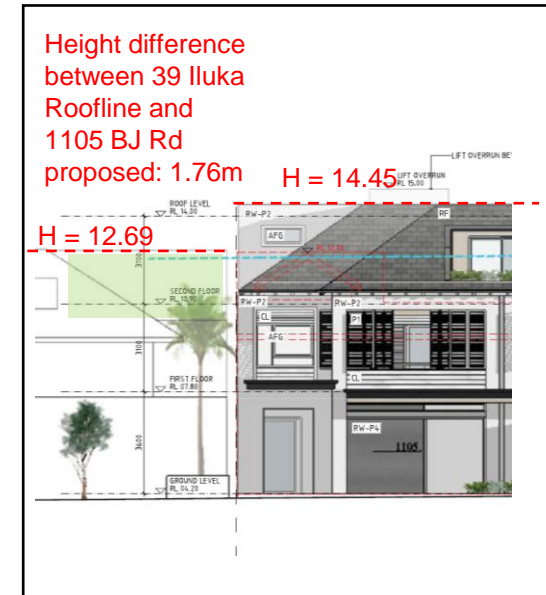
Source: Plans_Boundary Survey document

Comparison from Iluka Rd

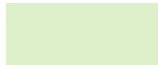


Source: Plans_Master_Set

Comparison from Barrenjoey Rd



Source: Plans_Master_Set

 = Apartment 19/39 approximate location