
Sent: 14/10/2018 5:16:45 PM
Subject: DA2018/1548

11 October 2018

Attention: Assessing Officer Mr Adam Urbancic

Dear Sir,

Re DA 2018/1458 Integrated Waterfront Development
24 Bona Crescent, Morning Bay

I am the owner of 22 Bona Crescent, Morning Bay which is the property to the immediate west of the above property and have lived here for 19 years.

I have a series of issues which are addressed in this email and relate to:

- 1) Boatshed design function and location,
- 2) Soil on site, tree retention and water runoff
- 3) Foreshore access, and
- 4) Jetty ramp and length.

Reference is made in this email to the following documents:

- a) Jane Jobson's submission dated 9/10/18 referred to as "Jobson's submission",
- b) West Pittwater Community Association submission dated 10/10/18 referred to as "WPCA submission", and
- c) The Council's document Natural Environment Referral Response-Coastal dated 3/10/18 referred to as "Council's NERR document".

!0 BOATSHED DESIGN, LOCATION AND FUNCTION

1.1 Design and Function

Background

Council's NERR document states inter alia

"At no time shall the boatshed be utilised or converted to provide for residential habitation. The boatshed must not be used for any other purpose than the storage of small boats, light watercraft and boating and marine equipment"

The problem

The boatshed features full length clear glass opening sliding doors along the full western wall thus affording those in the boatshed direct and full views into my bedroom and living areas. As per Jobson's submission my concern is that the owner regards the boatshed and its associated proposed bathroom under the house as increased living/bedroom space.

This view into my house from the boatshed is unacceptable.

Recommendations

A) The western wall of the boatshed be fixed and of the same material and design as the eastern wall of the boatshed. If the purpose of the boatshed is as per the Council's above requirement this should not be problematic for the owner,

B) Given there are a long list of failures by the owner to comply with the Council's DA conditions for the house (DA 2018/0022)

one of which is referenced later, it is recommended Council state the above requirement (and indeed the full section from which the above statement has been extracted) of the Council's NERR document in any construction approval.

1.2 Location

Background

Jobson's submission states a preference for the boatshed to be moved west towards my property by an unstated distance with the view to;

- a) retaining her existing views of the jetties to the west from the north west window of the living room,
- b) supposedly reducing the number of trees to be removed along the foreshore line, and
- c) restoring the westerly sunshine through this window.

Comments

Re b) The foreshore trees are spaced along the foreshore and the tree count by Jobson is simply wrong. If the

boasted were to be located with its front wall on the MHWL with a walkway beyond the impact on trees is similar regardless of boatshed location.

In addition the document "Plans-Boatshed Photomontage" dated 11/4/18 clearly shows that trees are located evenly across the property at the foreshore.

The problem

I am not in any way supportive of the boatshed being moved west as per Jobson's submission because such would heavily impact my property and me.

Proposed solution

I understand it is not necessary to offer a solution but believe that moving the boatshed about two metres south i.e. towards the owner's house would solve all locational issues i.e.

- a) Fully restores Jobson's views from the N/W window of her living room,
- b) Fully restores westerly sunshine entering this window,
- c) Totally resolves the destruction of foreshore trees matter as raised by Jobson,
- d) As the boatshed shifts south not west my privacy concerns are met (the western wall of the boatshed should be fixed and non transparent as sought above),
- e) Would be in line with the other boat sheds at the western end of Morning Bay i.e. set back from the MHWL. Boatsheds at the eastern end of the bay tend to be closer to the MHWL as the land is more hilly there.
- f) Would allow pedestrians to walk along the foreshore. This matter is dealt with later in this submission and by others including Jobson and the WPCA.
- g) On the basis that the boatshed is simply moved south and remains at the same height (i.e. floor at 2.5 metres) then I would not be seeking height poles as per item 4.2 of the Jobson submission.

2.0 SOIL ON SITE, TREE RETENTION AND WATER RUNOFF

These matters are raised in this submission as there is an enormous quantity of soil currently between the site of the house and the foreshore

i.e. largely in the area of the property to which this DA relates. The soil is from the excavation for the house and waste disposal area at the rear of the block.

It covers virtually the complete area from the front of the house to the foreshore trees save for the temporary construction shed built on the eastern boundary.

The soil is up to 2 metres in height.

It surrounds the only substantial tree in front of the house Tree T29 on earlier drawings.

There has been ample documentation referring to tree preservation e.g.

- a) Growing My Way Tree Services 9/17 submission page 57,
- b) Council's Referral Response-Biodiversity document dated 29/3/18, and
- c) Council's Notice Of Determination dated 20/6/18.

In summary what is required is a fence around the tree, a certification that such is in place before construction has commenced by a consulting arborist, and no excavated material can be placed in this area.

There is no fence around the tree, surely then no arborist's certification and excavated soil is right up against the base of the tree and is between 1 and 2 metres high under the tree canopy. Such is probably higher near this. Further a shed has been constructed (possibly the required onsite toilet) one metre from the base of tree T29.

There are problems with the treatment of virtually all trees to the south of the house as well.

My particular concerns regarding this application are;

- 1) The health of the tree T29, and
- 2) That this huge amount of excavated soil is actually removed from the site and is not wholly or in part used to build up the level of the site.

Simply put the site is a known watercourse and I do not want surface water from this property coursing on to my property.

Recommendation

That any approval for the boatshed include a requirement that this soil be removed from the site before construction of the boatshed/Jetty commences and resultantly all areas from around the house to the boundaries are as presented in the application. This is necessary given the above failures.

3.0 FORESHORE ACCESS

Problem

The location of the boatshed prohibits pedestrians walking along the foreshore.

Comment

There is a poorly maintained fire track at the rear of the Morning Bay properties but it only facilitates access to the beach from the eastern end of the bay. There is no other way to access the sandy beach at the western end of the bay than via the foreshore so the fire track cannot be seen as a solution.

I agree fully with the comments made in the well articulated Jobson and WPCA submissions on the matter of foreshore access.

Solution

As indicated earlier moving the boatshed south removes this problem. I agree however that the deck on the northern side of the boatshed as currently designed should be seen as part of the boatshed and any deck should be south of the MHWL and if such is required by the owner then the boatshed would need to be moved more than the 2 metres suggested.

4.0 JETTY RAMP AND LENGTH

4.1 Jetty ramp

The jetty design features a fixed ramp of 1.2 metres in height near the MHWL.

This is to access the decking areas of the boatshed.

No jetty in Pittwater has such a fixed ramp. Jetties should remain at one height save for a necessary ramp to a floating pontoon.

The fixed ramp is unnecessary if the boatshed is moved south as recommended.

4.2 Jetty Length

I fully support the well articulated Jobson and WPCA submissions on this matter i.e. the jetty should be 2 metres shorter. These submissions do not need amplification.

This matter should not be difficult to redress as it is only by governmental error a longer jetty was proposed.

For the record the sea grass around my jetty and pontoon is extensive.

Taking the time to retrace the approval steps for the proposed jetty length should not impact construction of the house as the owner has had a temporary jetty constructed which incorporates 2 pontoons and presumably without approval.

Regards,

Ian Mattiske
22 Bona Crescent
Morning Bay