
From: karen Buckingham
Sent: Monday, 30 May 2022 3:33 PM
To: Planning Panels - Northern Beaches
Cc: Sue Donald; Tony Donald
Subject: Submission to close meeting of NSLPP - DA2021/2435 - 40 Hillcrest Avenue, Mona Vale
Attachments: Submission to NSLPP closed meeting - DA20212435 - 40 Hillcrest Avenue.pdf

Categories: NBLPP

Please find attached a written submission regarding the assessment report for the above DA.

Please can you confirm receipt by return e-mail.

Kind regards,

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30 May 2022

By e-mail: planningpanels@northernbeaches.nsw.gov.au

FAO: Northern Beaches Local Planning Panel

Dear Panel Members

**Submission to the Northern Beaches Local Planning Panel re: DA2021/2435
40 Hillcrest Avenue, Mona Vale, NSW**

This submission is prepared further to Council's letter dated 25 May 2022 advising that the subject DA is to be heard by a closed Panel meeting on 1st June 2022.

The rationale set out in the associated objection letters prepared on behalf of my clients are not repeated in this submission, but it is requested that the Panel have due regard to stated non-compliance with the LEP and DCP controls and resulting impacts on neighbouring amenity that would arise from the proposed development, particularly if the first floor balcony is not deleted from the approved stamped plans, either by amendment or condition. In summary, this submission addresses the following points:

- Support -in principle, for the proposed recommendation to remove the first floor balcony from the approved, stamped plans.
- Request - that the first floor balcony is deleted from the approved, stamped plans via an Amended plan and supported by a condition to ensure that the rear roof area remain non-trafficable in perpetuity.
- Request – that the deletion of the first floor balcony include the removal of the hipped roofed over the deleted balcony in the amended plan.
- Add- a requirement to Condition 8, that the flat roofed area over the BBQ area below remain non-trafficable in perpetuity.
- Add – a requirement to Condition 8, that the windows to the main bedroom to remain windows restricting access to the flat roofed area in perpetuity.
- Add – a requirement to Condition 8, that the hipped roof over the deleted balcony be removed and the hipped roof terminate at the main bedroom rear elevation.
- Add additional conditions as set out in the objection letter dated 16th January 2022.

Support, in principle for the Assessment Report recommendation to remove the pitched roofed balcony at First Floor Level - It is respectfully requested that the Northern Beaches Local Planning Panel (NBLPP), support the removal (deletion) of the main bedroom balcony, as per the Assessment Report.

Request that Amended Plans be submitted and included under Condition 1 to show the deletion of the first floor balcony and hipped roof over - Condition 8 does address some of my clients concerns, but a

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condition to amended approved plans should not supersede the need to amend plans prior to determination, and for inclusion under Condition 1.

Request that Amended Plans or Condition 8 include the removal of the hipped roof over the deleted balcony - It is requested that the hipped roof over the first floor balcony be removed. The addition of a hipped roof over a flat roof would invite the use of the non-compliant roof area (deleted balcony) as a trafficable space and in turn, have the same impacts as the determination has sought to address. A hipped roof over a flat roofed area would also be visually prominent and appear as an obscure built form addition.

Request additions to Condition 8 - It is requested that to protect the privacy of neighbouring amenity and support the rationale for the removal of the first floor balcony, Condition 8 or the associated Amended Plan should have additional conditions (or bullet point additions) to include:

- Ensuring that the flat roofed area at first floor level off the main bedroom remain non-trafficable in perpetuity.
- That the full height windows are retained and designed to prevent direct access onto the non-trafficable roof space.
- That the hipped roof over the deleted balcony be removed.

Request to add conditions from pages 17-18 of objection letter dated 16th January 2022

- The roof area above the Cabana is to be a non-trafficable area and privacy screens or fencing should not be erected along the eastern boundary to facilitate the use of this roof area as a terrace or trafficable area in perpetuity.
- The window box serving the master bedroom on the eastern elevation is not to include glazing along this elevation.
- Planting along the eastern elevation should not grow to a height of more than 2 metres.

I thank you in advance for your consideration of the concerns raised in this submission and the objection letters dated 16 January and 16 April 2022.

Kind regards,

Karen Buckingham *on behalf of Mr and Mrs Donald*
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