
Sent: 6/10/2020 3:48:56 PM

Subject: DA2020/0455 - WRITTEN SUBMISSION - NB LOCAL PLANNING PANEL -
WED 7 OCT @ 1PM

Attachments: letter.pdf; DA2020 0455 Submission WRIGHT&MING-LAI.docx;

In accordance with your email and letter dated 30 September, 2020, please find attached our further Submission in relation to the Planning Panel meeting due tomorrow.

This was not able to be lodged via the DA Application links online and so has been emailed accordingly.

RE: DA2020/0455 – Submission attached.

Regards,

Vicki Wright & Phillip Ming-Lai

Unit 8, 48 Golf Avenue

E: vicki@withoutfurtherado.com.au

M: 0407 955527



30 September 2020



Vicki Fiona Wright
Po Box 988
MONA VALE NSW 1660

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Dear Sir/Madam,

Application No. DA2020/0455
Address: 50-52 Golf Avenue Mona Vale
Description: Demolition works and construction of a residential flat building

I wish to advise that the above development application will be referred to the next meeting of the Northern Beaches Local Planning Panel (NBLPP), to be held on **Wednesday, 07 October 2020** commencing at **1.00pm**.

The assessment report is available via the [Application Search](#) function on Councils website. The public meeting will be livestreamed via a 'webcast' link on the [agenda page](#) on the day.

Due to recent directives received and the current health risks associated with public gatherings, this meeting will be held remotely via teleconference.

There are two options should you wish to address the Panel on an application:

1. To address the Panel via teleconference/phone, you must register by email to carly.sawyer@northernbeaches.nsw.gov.au no later than 4.00pm the day before the meeting. Your contact number will be required for registration. Once the Panel are ready to address your item, you will be contacted via the phone number provided. Speakers will be limited to 3 minutes, with the time extended at the discretion of the Chairperson.
2. Alternatively, you may lodge a written submission no later than 4.00pm the day before the meeting. Please note the submission must not exceed 2 pages.

Should you require any further information please contact the undersigned during Council's business hours on 1300 434 434.

Yours faithfully,

Carly Sawyer
Senior Administration Officer

RE: DA2020/0455
50-52 GOLF AVENUE, MONA VALE
NB Local Planning Panel – Wed 7 Oct @ 1pm

We would once again like to raise our concern before the Panel in consideration of Council's Assessment Report and their apparent recommendation for Approval of this DA.

We ask that our specific concerns raised here be read in conjunction with our earlier Submission.

We would therefore firstly like to lodge our strong objection to Council's apparent acceptance of a third-level roof-top apartment and terrace [being B-2.01]. This should be removed.

Whilst Council asserts that current "development standards are permitted to be varied", this DA has cleverly sought to include this additional apartment to the rear of the site, thereby with no adverse impact to streetscape, but in so doing they have sought to knowingly breach both height and density controls for the obvious purpose of maximising profit.

Perfectly understandable, but *not* when taking into account the loss of use and enjoyment within our home, at Unit 8, Level 1, 48 Golf Avenue or the common area use of our drying facilities for the building as a whole.

Council's Assessment Report specifically notes that the **"extent of the impact is greatest for the rear Level 1 (northern) within No 48 Golf Avenue. THIS IS OUR APARTMENT.**

Our concerns remain as per our original Submission, but now with particular reference to:

Solar Access/Overshadowing impacts:

[Page 9] Council refers to our concerns for the rear common open space (drying *courtyard*) located on the northern boundary of No. 48 Golf Avenue. Let me first note that this is not a 'courtyard' – implying it is concreted or a hard-surface. This is a landscaped garden area with a grass lawn and two Hills Hoist drying lines. It therefore requires maximum sunshine to both maintain the gardens and more importantly, service the drying area for twelve apartments.

The Council asserts that on 21 June (mid-winter) this external drying area will get direct sunlight between 11am and 1pm. That is only *2hours*. [refer Solar Study DA614].

More importantly, and not stated, is what are the current mid-winter hours of sunlight ?

How many hours of sunlight will now be **lost** as a result of overshadowing from this development?

Needless to say, this information is not provided.

Also still not provided, although previously requested, are any shadow elevation diagrams in respect of 48 Golf Avenue and our northern boundary windows.

Alex Keller from Council actually carried out a site inspection of our apartment on Fri 21/8/20 and mentioned that this should be considered. We have seen none.

He was able to see first-hand the impact this additional height will have in obstructing our sunlight across all SIX windows on our northern boundary.

He also considered at the time whether there may be some consideration given to re-siting the roof-top apartment further forward to minimise the impact of over-shadowing. No changes have been made in this regard and it has not been mentioned within the Assessment. Why not?

View Sharing:

When discussing both the southern and northerly views, Council clearly states that “an alternative view is available from side bedroom windows on the norther elevation at Level 1 – see Insert 1 (ie Figure 3)” –[Page 61]. It also states “**and will be obscured by proposed Unit B-2.01**”.

Again, Alex Keller would have clearly noted this on his inspection. However, not only will our bedroom views and open-aspect be obliterated by this proposed roof-top development, but we will also now over-look (and be over-looked) by the roof-top unit B-2.01 from ALL windows on our northern boundary – being three bedrooms, kitchen, laundry and bathroom.

It should also again be noted that the trees clearly shown in the fore-front of Figure 3 [Page 60] are to be removed as part of this development. This relates particularly to the original DA [SEE Appendix B, View Loss Analysis - see pages 18-19] where the applicant implies that these trees will screen our view of the new roof-top development. That is completely misleading.

The trees both centre and right of these photo's are to be removed as part of the development.

Yet, under Principal No 3 – Extent of Impact, we find it hard to understand how Council deem this to be only a **moderate** impact?

We are set to lose our sunlight and view sharing across all SIX northern windows and with little tree coverage will gain a full and uninterrupted view of this roof-top apartment and terrace, whilst losing our own open northerly aspect.

We would suggest that the impact is deemed “**moderate**” **only** because we are just one apartment, with one voice, thereby with apparently very little influence in this overall process. The addition of this roof-top apartment does not directly impact any other apartment or neighbouring property to quite the same extent.

In summary,

We purchased our apartment in 2015 with the full knowledge that the neighbouring ‘aged-care’ centre at 50-52 Golf Avenue may at some future time be extended or re-developed. We researched council guidelines at that time and felt that the 8.3m (two-storey) height limits advised by council were perfectly reasonable considering our neighbouring properties and location. We purchased on that basis and in the expectation that we would not/could not be built-out or fully overlooked along our northern boundary where our windows are located. Our enjoyment of the open-ness, northern sun and district views would not be unreasonably affected if those guidelines were adhered to.

By seeking to include an additional roof-top apartment to the rear of the site and away from the streetscape, these developers aim to profit from their “moderate” breaches of height and density. We however strongly urge the Panel to reject this Application as it stands and propose that the development retain the required height and density of 13 two-storey apartments.

Vicki Wright & Phillip Ming-Lai
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