
Sent: 3/09/2021 12:46:10 PM
Subject: FW: Submission re DA2021/1166
Attachments: 03092021 Submission re DA 2021 1166.docx;

Sent: Friday, 3 September 2021 9:39 AM
To: Council Mailbox <council@northernbeaches.nsw.gov.au>
Subject: Submission re DA2021/1166

DA2021/1166

Attention: Adam Mitchell

I have attached my submission in relation to the development application 2021/1166 (142 Ocean Street, Narrabeen).

SUBMISSION RE: DA2021/1166

142 Ocean Street, Narrabeen

I am a long term resident at 144 Ocean Street, Narrabeen.

I refer to the 'Report – Statement of Environment Effects' lodged by the applicant and my comments relate to that document.

In that regard I refer to:

(I) Page 23 Table 5.5 headed Warringah Development Control Plan (WDCP) -B3 Side Boundary Envelope

The applicant states that they comply with the respect to the control B3 Side Boundary Envelope control.

I refer to the one of the **objectives** of the WDCP which is:

To ensure that the development does not become visually dominant by virtue of its height or bulk.

The **Requirements** of the WDCP are that:

1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from the height above ground level (existing) at the side boundaries of:
 - **4 metres;** or
 - 5 metresas identified on the map.
2. On land within **the R3 Medium Density Residential zone**, above and below ground structures and private open space, carparking, vehicle access points, **balconies, terraces, and the like shall not encroach the side boundary envelope.**

I now refer to the applicant's document: Plans – Master Set, Apartment 3, Section BB (page 8 of 12). This diagram indicates that the side boundary envelope encroaches the balcony and rooftop terrace.

This indicates that the 'B3 – Side Boundary Envelope' does not comply as it neither meets the Objectives or Requirements of the WDCP.

(II) Page 23 paragraph 5.5 headed Warringah Development Control Plan (WDCP) – B5 Side Boundary Setbacks

The applicant has requested a variation to side boundary setbacks on the basis of existing narrow width and states that the proposed setbacks are considered to be consistent with the setbacks of surrounding development.

However, I refer to the approved development (refer DA 2019/1512 – Development Application Assessment Report) of the adjoining property at 140 Ocean Street. The site is a similar size site (957.4m²) and it complies with the WDCP side boundary envelope and 4.5 metre setbacks for both the northern and southern boundaries.

(III) Page 28 - D9 – Building Bulk

At paragraph 3 of their statement the applicant states:

"The proposal complies with the Council's building height together with the applicable building envelope and on this basis it is submitted provides for an appropriate building bulk."

However as previously stated this proposal does not appear to comply with the side boundary envelope. The bulk building would need to be reduced in order to meet the WDCP objective **'to minimise the visual impact of development when viewed from adjoining properties.'**

In conclusion, the DA submitted to Council appears to be an overdevelopment of the site. This is supported by the apparent noncomplying issues as stated above.

The residents of adjoining properties in Ocean St and Lagoon streets would be adversely affected by the noncomplying issues with boundary setbacks, side boundary envelope, bulk building, privacy and overshadowing.

On this basis I submit that the proposed development application should not be approved in its current form.