

Dear Committee,

Firstly, we would like to reinforce the difficulty of building on the 1110 Lot 3 site, which should now be evident in the additional Geotech memos.

We also ask why we are only now (at the 11th hour, after engaging our own Geotech for advice) able to get the information required to adequately assess the Geotech issues of this ambitious build. This only occurred because the applicant's Geotech team was asked to properly update the report following our own Geotech submission, to which they responded with **MAJOR** amendments and inclusions to their inadequate original report/s.

The Committee now has a deficient Council assessment report that relies on the old, inadequate Geotech report that did not:

- match the architectural plans,
- include the secondary dwelling, or
- include our Geotech recommendations/ submission, which was sent to Council a week before the assessment report was finalised.

The Geotech concerns of this site go to the heart of this bulky development, which was deemed by its own Geotech, Crozier to have **unacceptable risk to life & property** in the absence of adequate controls. We question how an out-of-date report that came to this worrying conclusion, was used as part of the basis for Council's assessment recommendation. This gives us little faith that the Council understands the complexities of the site and the controls required, should this development be approved in its current form.

Ultimately, this is a large, non-compliant development on a very difficult site, that has had inadequate and now rushed Geotech assessment.

We hope the Geotech issues will be properly considered by the Committee, with appropriate conditions added to any approval. However, we defer most of our concerns to our Geotech, Warwick Davies and his recommendations.

Below is a summary of issues arising post the assessment report.

1). New Geotech concerns for secondary dwelling – new and unacceptable risks

After reviewing the new Crozier report - which now includes the secondary dwelling - it has come to our attention that there is evidence of bedrock where the secondary dwelling is proposed, at the site of set-back non-compliance. This suggests the Boulder/s that extends across our property and 1102, also extends up to 1110.

Therefore, the proposed 4m excavation is even more concerning with respect to the stability of that Boulder/s - the majority of which is on our property, extending deeply down our boundary to underneath our house footings. See appendix for pictures.

The new Geotech report and its 11th hour suggestion of the need for "*a staged excavation and anchored shotcrete system installed during works to ensure stability of the excavation faces including the south boundary (our boundary) and adjacent boulders/trees*" **represents a new, unacceptable outcome and risk to our home**, and for a 84% non-compliant set-back, secondary, 'nice to have' dwelling - it should be denied.

There is also a proposal to cut into the same Boulder at 1102, which we are opposed to, given it presents the same Geotech issues.

Importantly, we also point out that the recent **Design Committee Meetings notes for the contentious 1102 apartment block development**

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/Document.aspx?id=nrHSNBAmItsV0A60ki4OEg%253d%253d&t=app>

point to the need to bring the residential apartment development back off the street, to reduce bulk and scale. The Panel expressed it has no issue with the proposal to amend the rear set back of that development, 3m towards the proposed secondary dwelling on 1110. This implies a fight between 1102 and 1110 over non-compliant setbacks, given there is not a huge amount of land between them. So, **any approval of this 84% non-compliant secondary dwelling will likely compromise the recommendations in that report.**

2) Non-compliant Landscape Control - beach of DCP Control & misalignment with E4 zoning

Due to the large size of the development, only a non-compliant 45% landscape cover is achieved. Using rudimentary rooftop planters of low depth and leaning on yet another deviation from policy to include the deck to get to 57% (still non-compliant) is dubious at best, particularly for an E4 zone.

Notwithstanding its imposing size, how can this development adhere with the objectives of the E4 zoning, particularly - *low impact residential development integrating with landform and landscape - retains or enhances foreshore vegetation* when it does not even comply with the DCP landscape controls?

Zone E4 Environmental Living

1 Objectives of zone

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

If there was compliance of the site set-backs, and a smaller footprint, that 60% is easily achievable. It just adds to the overall point (per our earlier submissions) that this development is far too large and inappropriate for that difficult terrain, E4-zoned land.

Summary

While we continue to argue the overall development is extremely ambitious for the land size and area, the non-compliant secondary dwelling is of more concern than previously thought.

If it is disallowed it would; 1) prevent issues around the structural integrity of the Boulder that runs underneath our home, 2) allow better adherence to DCP setback and landscape controls, and 3) not impinge on any positive development modification for the apartment block below, which is of great community concern.

We kindly request the Committee take these points into consideration, (along with our earlier submissions) as they were not considered in the assessment report.

Finally, we implore the Committee to please include the recommendations and safety controls suggested by our seasoned Geotech in any approval on this site.

