

TULLOCH

Bill Tulloch BSc [Arch] BArch [Hons1] UNSW RIBA RAIA

SUBMISSION TO NBC DDP
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RE: DA 2022: 73 Marine Parade Avalon Beach

I act for:

- o Garry and Susan Farrell [Courcheval Pty Limited], 71 Marine Parade Avalon
- o Paul Miniter, 75 Marine Parade, Avalon

I am instructed that the neighbours object to this DA, and wish for the DDP to impose additional conditions of consent, or seek further amended plans to resolve these matters, or refuse the DA.

I refer the DDP to earlier objections.

I have read the Assessment Report.

I am concerned that the amenity loss from the proposed development remain:

1. **Excessive Excavation**, with no consideration of the structural stability of neighbouring property over St Michael's Cave
2. **Privacy**, with excessive glazing facing side boundaries, and decks without any privacy devices deployed
3. **Overshadowing**, with solar loss not being minimalised due to non-compliant built form outside the side envelope controls, and excessive eaves
4. **Excessive Bulk & Scale**, due to non-compliant built form outside the side envelope controls, and excessive eaves
5. **Side Boundary Envelope**: excessive built form in zones that exceed the control

A compliant building design would reduce the amenity impacts identified.

Amend the proposed development as follow:

1. Excavation: Complete geotechnical survey of St Michaels Cave to assess risks of failure, and identify additional risk mitigation concepts such as reduction of excavation or reduction of vibration levels to boundary to <2mm/sec. Reason: Geotechnical Risks Undefined, Excessive Excavation, Excessive Fill, non-compliance to SEPP, LEP & DCP controls.

2. Side Boundary Envelope: 3.5m side setback to the proposed kitchen wall. Reason: Visual Bulk, Building Envelope non-compliance
3. Side Boundary Envelope: 3.5m side setback to pool deck wall and roof above. Reason: Visual Bulk, Overshadowing, Building Envelope non-compliance
4. Overdevelopment: Reduce Master Bedroom Deck to a maximum of 2.0m in depth, increasing green roof zone. Reason: Overdevelopment, Visual Bulk
5. Overdevelopment: Reduce Living Room Deck to a maximum of 3.0m in depth, increasing green roof zone. Reason: Overdevelopment, Visual Bulk
6. Eaves: Reduce eaves to 0.5m in all locations. Reason: Overdevelopment, Visual Bulk.
7. Privacy: Increase sills to all windows facing the side boundaries to a minimum 1.7m above FFL at each floor level [W2, W3, W4, W5, W6, W7, W11, W12, W14, W15, W16, W17, W19, W20, W22, W24, W28, W29, W31, W36]. Obscured glass to all bathrooms. Privacy screens to all glass facing side boundaries. Reason: Privacy
8. Privacy: 1.7m privacy screens to all decks and balconies at all levels facing the side boundaries. 1.7m privacy screens to the proposed pool facing the side boundary. Privacy screens shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development. Reason: Privacy

**Bill Tulloch BSc [Arch] BArch [Hons1] UNSW RIBA RAIA
7 July 2022**

Peter Horton
Director and Principal Coastal Engineer

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St Michaels Cave, evident in Figure 2, Figure 3 and Figure 4, was described by Coffey & Partners (1987) as having formed from weathering of a vertical dolerite dyke and along a horizontal siltstone bed below the present cave floor level. At that time, the cave extended about 110m into the cliff face, with a height of up to 15m and width of up to 10m. It is understood that rocks regularly fall from the roof of the cave (Morcombe, 2017). It does not appear that the cave has affected cliff stability at the subject property, but this is a matter for the geotechnical engineer to assess.



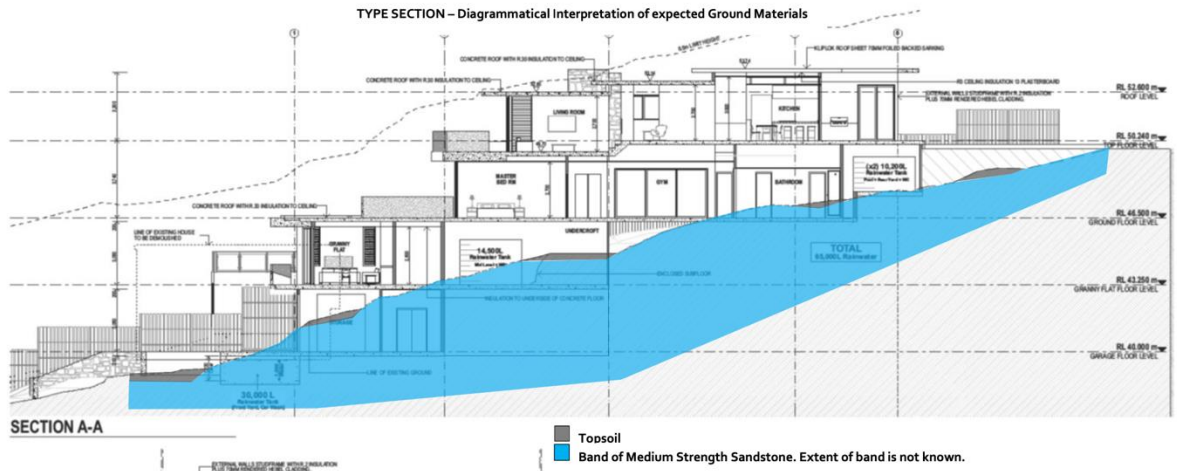
Figure 2: Zoomed aerial view of subject property on 6 April 2016



Figure 3: Oblique aerial view of subject property (at arrow), looking NW, on 13 April 2020



Figure 4: View of cliff face and rock platform at subject property on 7 April 2018, looking NW, with approximate lot boundary depicted, and St Michaels Cave visible in background at "A"



Ben White's Geotec Report Sketch