

24 May 2022

DA No: 2021/1841

The General Manager
Northern Beaches Council
P.O. Box 82
MANLY NSW 1655

Attn: Anne-Marie Young

Dear Anne-Marie,

DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT.

7 & 8 CORONATION STREET, MONA VALE

We are the owners of No.28 Cook Terrace Mona Vale and have prepared a further submission in response to Council's notification letter dated 9 May 2022. Our property is located directly to the south of the subject site.

Having inspected both the site and the amended documentation submitted in support of the application we have formed the opinion the amended plans fall short in addressing our original submission dated 27.10.22 and our objections to the development still stands.

Additional Comments

1. Height Poles / View loss

We note the erection of height poles at the original proposed height. It is requested that height poles be updated to represent the proposed height as shown on the amended plans to assist with assessing view impacts.

A review of the amended plans indicates the applicant has lowered the roof. The applicant has also positioned additional angled solar panels (with no RL's shown on plan) in the view line corridor.

The positioning of the angled solar panels reverts the development back to the original roof heights resulting in the same nett effect of view loss. Solar panels can be positioned on lower front roofs.

A view analysis report has still not been provided with the application, to indicate views currently available when view from Cook Terrace properties or the likely impact of the proposal on such views. There is insufficient information provided by the applicant on how the proposal seeks to achieve equitable view sharing and view retention.

2. Conflict of information shown in architectural plans.

There is a conflict in the architectural plans on what is the finished material of the upper roof forms. The site plan indicates a metal roof form with solar panels and the section plans indicates a concrete form / roof pebbles with solar panels. Clarification is requested.

3 Parking in Coronation Street.

The proposal to alter the bus stop location in Coronation street and the introduction of a pedestrian refuge island, a kerb extension on the northern side of the road, a rotating of the existing 90 degree parking between Gate 3 and the refuge island to 60 degrees, together with a no stopping restriction will impact parking availability in an area of high community usage.

To rotate the existing 90 degrees parking to a 60 degrees, will make it extremely difficult for vehicles travelling from east to west along Coronation street to access 60 degrees angled parking effectively. Together with poor view lines on the crest of Coronation street and navigating the pedestrian refuge island, bus movement and people crossing has the potential for accidents.

In summary we list our concerns, and as detailed within the original submission dated 27.10 22.

1. The proposal is inconsistent with the Desired Future Character of the Mona Vale Locality. (A4.9 - Mona Vale locality)
2. The proposal is inconsistent with the Northern Beaches Housing strategy adopted by Northern Beaches Council, dated 27 April 2021.
3. The proposal does not comply with Clause 50 SEPP HSPD – Density & scale.
4. The proposal does not comply with the Draft Housing SEPP which precludes this form of Housing from within the R2 Low Density Residential zone.
5. View impacts.
6. Privacy impacts.
7. Excessive excavation impacts.
8. Noise impacts.
9. Landscape impacts.

Additional Comments dated 24.5.22.

1. Height Poles / View loss
2. Conflict of information shown in architectural plans.
3. Parking in Coronation Street.

Yours sincerely

Mark Wysman

27 October 2021

DA No: 2021/1841

The General Manager
Northern Beaches Council
P.O. Box 82
MANLY NSW 1655

Attn: Anne- Marie Young

Dear Anne-Marie,

DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT.

7 & 8 CORONATION STREET, MONA VALE

We are the owners of No.28 Cook Terrace Mona Vale and have prepared a submission in response to Council's notification letter of 19 October 2021. Our property is located directly to the south of the subject site. Having inspected both the site and the documentation submitted in support of the application we feel it necessary to raise a number of concerns in relation to the current proposal.

In summary we list our concerns, and as detailed within this submission.

1. The proposal is inconsistent with the Desired Future Character of the Mona Vale Locality. (A4.9 - Mona Vale locality)
2. The proposal is inconsistent with the Northern Beaches Housing strategy adopted by Northern Beaches Council, dated 27 April 2021.
3. The proposal does not comply with Clause 50 SEPP HSPD – Density & scale.
4. The proposal does not comply with the Draft Housing SEPP which precludes this form of Housing from within the R2 Low Density Residential zone.
5. View impacts.
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Detailed Submission

1. **The proposal is inconsistent with the Desired Future Character of the Mona Vale Locality. (A4.9 - Mona Vale locality – Pittwater 21 DCP)**

In our local survey of the locality in the same zone east of Pittwater road and south of Coronation street, we could not find any precedent. Specifically, the built form is inconsistent with a 'low-density' residential environment and has the appearance of a medium density apartment block rather than as a dwelling house.

The proposal is incompatible with the current built form characteristics (one and two-storey dwelling houses) & allotment pattern sizes of (680 - 780 m2).

The proposed development (8 units) together with excessive excavation works up to 7 metres to accommodate 16 cars, a level of storage and the consolidation of two (2) lots into a one (1) larger lot, is inconsistent with the existing allotment pattern sizes and the desired future character of the area.

Mona Vale Locality statement

'Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.'

Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations.

Any dual occupancies will be located on the valley floor and lower slopes that has less tree canopy coverage, species and habitat diversity and fewer other constraints to development.

Any medium density housing will be located within and around commercial centres, public transport and community facilities.'

2. The proposal is inconsistent with the Northern Beaches Housing strategy adopted by Northern Beaches Council, dated 27 April 2021.

The Housing strategy endorsed by Council, details that any seniors housing developments are to be restricted from R2, B1, B2 zones, outside a 400 metre radius of local centres. The development is clearly located outside a 400m radius of a local centre (Mona Vale local centre) and should not be supported.

3. The proposal does not comply with Clause 50 (b) SEPP HSPD – density & scale.

*(b) **density and scale:** if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,*

Floor space ratio objectives are as follows: - (PLEP 2014 Definition)

(a) to ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality.

(b) to minimise adverse environmental effects on the use and enjoyment of adjoining properties and the public domain,

(c) to minimise any overshadowing and loss of privacy to neighbouring properties and to reduce the visual impact of any development,

(d) to maximise solar access and amenity for public places,

(e) to minimise the adverse impact of development on the natural environment, heritage conservation areas and heritage items,

- (f) to manage the visual impact of development when viewed from public places, including waterways,
- (g) to allow for the reasonable sharing of views.

Permitted - FSR 0.50:1 = 766.50 m² (6 Units)

Proposed - FSR 0.654:1 = 1004.00 m² (8 Units)

The FSR non-compliance is 237.50 m² and is well over the density & scale standard applicable under the SEPP for the site. This effectively calculates to an additional yield of 2 dwelling units over the density control under the current SEPP HSPD.

When considering amenity impacts (view & privacy) to properties located in Cook Terrace, No's 28, 28a, 30, 32, located directly to the rear of the development, there is a clear non-compliance with the standard under the SEPP HSPD. The development should not be supported as it does not satisfy the objectives of (a) (b) (c) (f) & (g) of the Floor Space Ratio (FSR) as defined under Pittwater LEP 2014.

4. **The proposal does not comply with the Draft Housing SEPP** which precludes this form of Housing from within the R2 Low Density Residential zone. The Draft Housing SEPP is likely to be gazetted within the next few weeks. Again, the planning SEPP also reinforces the NSW Government's & the community's position, on not permitting this type of development in existing R2 Residential zones.

5. View impacts - Clause C1.3 View Sharing of Pittwater 21DCP

Properties located in Cook Terrace, No's 28, 28a, 30, 32, are existing 1 and 2 storey detached dwelling houses which are orientated to the north to take advantage of solar access, prevailing breezes and views across Mona Vale Golf Course to the Mona Vale basin, Pittwater waterway basin, headland/foreshore to the north west, north and north east.



Figure 1 – EXISTING VIEW – LIVING / BALCONY – PRINCIPAL DWELLING

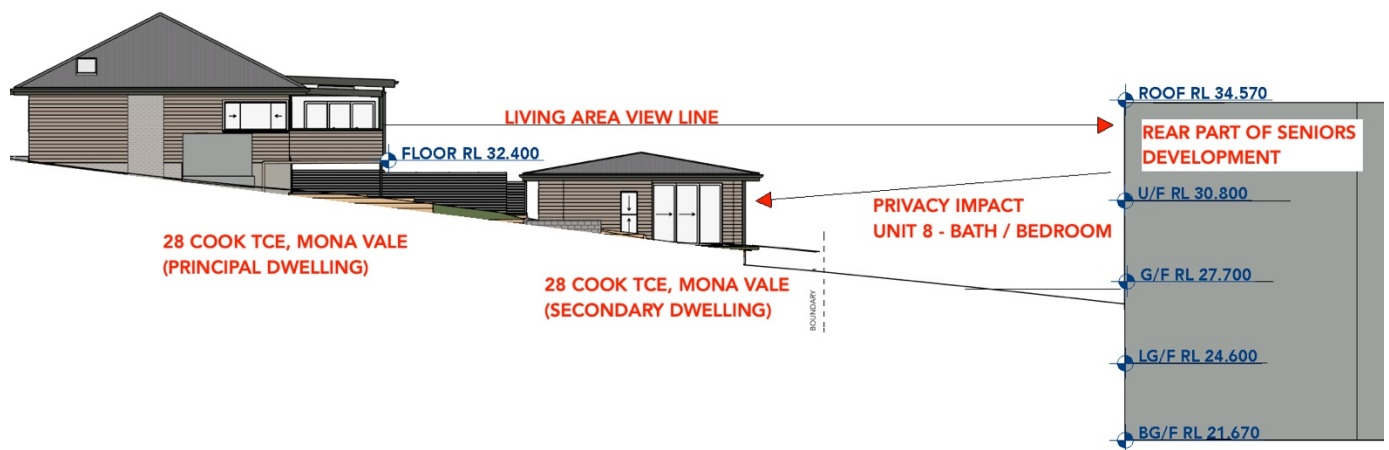


Figure 2 – VIEW IMPACT LINE – LIVING / BALCONY – PRINCIPAL DWELLING



Figure 3 – VIEW IMPACT – LIVING / BALCONY – PRINCIPAL DWELLING

A view analysis has not been provided with the application, to indicate views currently available when view from Cook Terrace properties or the likely impact of the proposal on such views. There is insufficient information on how the proposal seeks to achieve equitable view sharing and view retention.

Given the built form of the proposed development and the span of potential impacts across Cook Terrace properties, height poles are requested to be erected to determine likely impacts to views and compliance with Clause C1.3 View Sharing of Pittwater 21DCP.

6. Privacy impacts.

The upper floor level of the development (unit 8 - RL 30.80) are proposed 1800mm higher than the existing rear secondary dwelling floor level of RL 29.00 located 3 metres from the rear boundary.

The increased floor height together with the windows proposed in the southern wall of the bathroom & bedroom will enable direct viewing into the living

rooms and private open space area of the rear secondary dwelling of our property. All overlooking occurs from an elevated viewing angle. To address these privacy issues, we consider the following amendments should be enforced by Council:

1. Fixed obscure glazing or a highlight window to the bathroom and bedroom windows to a height of 1.7 metres above the floor level respectively.

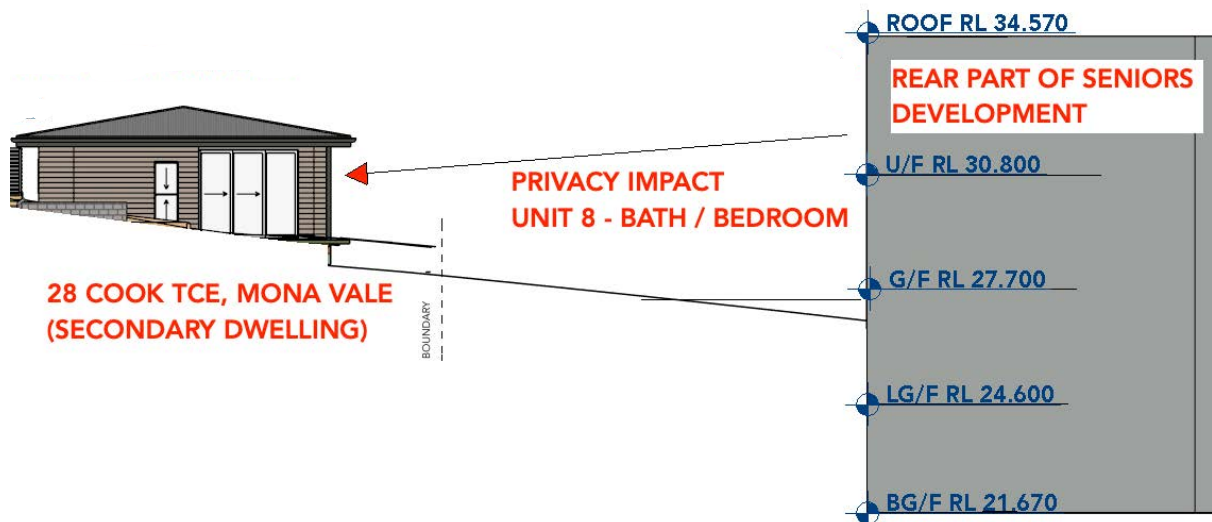


Figure 4 – PRIVACY IMPACT VIEW LINE – SECONDARY DWELLING

7. Excessive excavation.

The design of the development will require a seven (7) metre excavation & retaining works to an approximate height of seven (7) metres as calculated by survey levels provided. There is no precedent of this type of excavation depth south of Coronation Street, the need to excavate to this depth is again evidence that the built form is inconsistent with a 'low-density' residential environment as a dwelling house and inconsistent with the Desired Character of the locality.

A review of the application online has noted a Geotechnical report has been provided for such excavation depths in such close proximity to the boundary in accordance with Councils "Geotechnical Risk Management Policy for Pittwater.

In the likelihood of any approval we request that the Council consider applying the following conditions to the consent: -

- Prior to the issue of a Construction Certificate, the applicant is to supply to the accredited Certifier and relevant adjoining property owners with a dilapidation report on the adjoining dwellings No's 28, 28a, 30, 32 Cook Terrace, 6 & 9 Coronation Street, Mona Vale. The report is to be prepared by an independent qualified practising Structural Engineer (excluding land owner) with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to

become a corporate member and has appropriate experience and competence in the related field.

- Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.

8. Noise impacts.

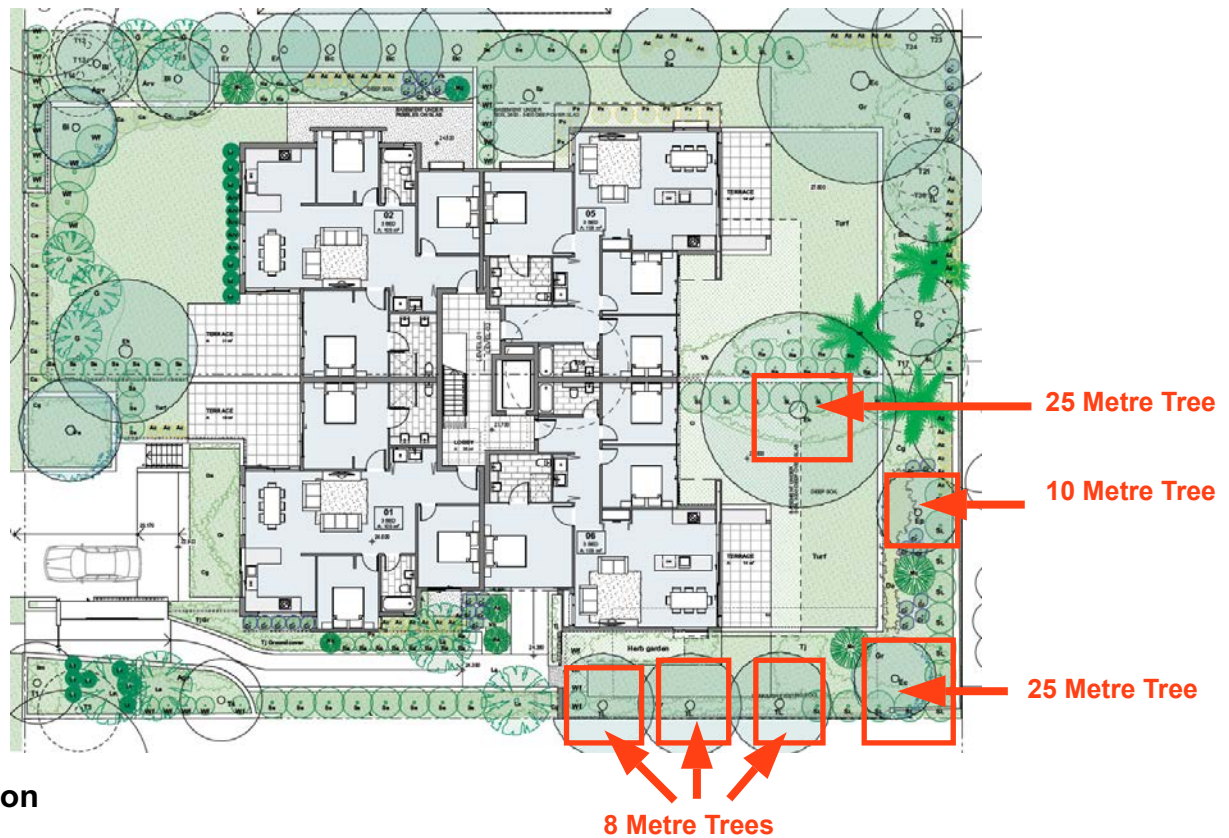
There is insufficient information provided on the position of all mechanical ventilation shafts (intake & exhaust) for the basement parking and storage areas proposed underground. The plans only indicate one (1) internal exhaust shaft adjoining the lift shaft, no intake shafts for fresh air are nominated on the plan. We are unable to determine the potential noise impacts to adjoining properties from the mechanical ventilation system required for this underground basement development.

9. Landscape impacts.

The landscape plan (see below extracts highlighted in red) shows new trees from 8 metres to a height of 25 metres to the rear of the development. These proposed tree sizes and locations will have a detrimental impact on current available views & access to sunlight from Cook Terrace properties. We request the landscape plan be amended to lower tree heights to no more than 4 - 6 metres to maintain equal sharing of views & prevent overshadowing of private open spaces into the future, in the likelihood of any approval.

Key	Botanical name	Common name	Mature Ht	No.	Pot Size
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Trees					
Eh	<i>Eucalyptus haemastoma</i>	Scribbly Gum	25m	1	100 litre
Ec	<i>Eucalyptus capitellata</i>	Stringy Bank	25m	3	100 litre
Ep	<i>Eucalyptus piperita</i>	Peppermint Gum	10m	1	100 litre
Er	<i>Elaeocarpus Reticulatus</i>	Blueberry Ash	8m	3	75 litre
Bi	<i>Banksia integrifolia</i>	Coastal Banksia	8m	2	100 litre
Sa	<i>Syzygium australe</i>	Brush Cherry	12m	1	100 litre
Bc	<i>Backhousia Citriodora</i>	Lemon Scented Myrtle	8m	3	75 litre
TL	<i>Tristaniaopsis Laurina</i>	Water Gum	8m	2	75 litre



Conclusion

The Seniors Housing Development has not been designed in accordance with Clause 50 (b) of the SEPP HSPD, with clause C1.3 Pittwater 21 DCP – Equal View sharing and is inconsistent with the Desired Future Character of the Mona Vale Locality in this zone.

Having given consideration to the planning principle established in the matter it is clear that the impact of the development on our property is both unreasonable and unnecessary under the circumstances.

We trust that Council will give due consideration to the matters raised in this submission. Please do not hesitate to contact me to arrange an inspection of our premises or to discuss any aspect of this submission.

Yours sincerely

Mark Wysman