
Sent: 2/09/2020 2:00:43 PM

Subject: Submission #8: Buckle & Dorsen. 41-43 Beach Road Collaroy NSW 2097 DA
2019/1522

Attachments: WS #8 41 Beach.pdf;

SUBMISSION: BUCKLE & DORSEN
a written submission by way of **further** objection to DA 2019/1522

29 & 35 Beach Road
Collaroy
NSW 2097

31 August 2020

Chief Executive Officer
Northern Beaches Council
725 Pittwater Road
Dee Why NSW 2099

Northern Beaches Council
council@northernbeaches.nsw.gov.au

Dear Chief Executive Officer,

Re: 41-43 Beach Road Collaroy NSW 2097
DA 2019/1522

WRITTEN SUBMISSION: LETTER OF OBJECTION
Submission #8: Buckle & Dorsen

We refer Council to our Submission #6 & #7.

This Submission addresses the Applicants amendments within:

Schedule of changes for the proposed modifications DA Amendment "F"

The Applicant has submitted drawings showing an additional 1.6m high Privacy Screen set 0.9m back from the boundary. This, we assume, is to overcome the poor privacy from the open pool concourse, and other poor privacy outcomes, that faces south towards our properties. These devices do not resolve the acoustic privacy issues from the proposed pool zone.

The 1.6m high privacy screen will just add further to the visual bulk, by adding not only the 1.2 metal boundary fence, but now an additional 1.6m high solid privacy fence.

The 1.2 metal fence when viewed at an angle will simply read as a solid fence, and simply add 1.2m of bulk to the 3.2m high sandstone wall. This remains totally unacceptable.

Both the 1.2m and 1.6m high fences and privacy screens need deletion, with the privacy problems dealt with at the source of the problem which is the non-compliant southern boundary wall.

The Clause 4.6 Variation request has once again failed to address the neighbours' amenity losses caused by a non-compliant envelope and poor design.

The shadow diagrams continue to present concern to their accuracy, and we will prepare our own if these matters are not rectified, as we did for the inaccurately portrayed southern boundary.

In summary:

1. We ask Council to delete both 1.2m high fence and 1.6m high privacy screen, and to resolve the privacy issues at the alignment of the proposed building by full height walls to the open pool concourse, obscured glass to windows, and privacy screens as required, and previously referred to in earlier Written Submissions;
2. Clause 4.6 has not addressed the fundamental amenity losses of neighbours, and cannot be relied upon;
3. Shadow Diagrams are difficult to believe, in that a new 1.6m high privacy screen is added to a height nearly 5m above the southern boundary, but with a side setback of 0.9m, that the Applicant suggests has zero solar loss effect. The significant loss of solar access to the solar panels has not been addressed.

We continue to ask NBC to **REFUSE** this DA due to:

- Visual Bulk
- Poor Urban Design Outcomes
- Overshadowing
- Privacy
- View Loss
- Excessive Excavation
- Landscaping
- Subsidence
- Structural Stability

Our main concerns relate to the southern wing facing our properties:

1. Increase southern side setback of the southern wing by 2m on both levels
2. Delete all basement zones under the southern wing, and all other basement zones save for a 36sqm double garage and turning table at the base of the proposed basement ramp
3. Delete 1.2m fence on top of c. 3.2m high sandstone retaining wall to south and east boundary zones & delete 1.6m high privacy screen 0.9m setback from the southern boundary
4. All windows in the southern elevation to have obscured glazing
5. All privacy screens in the southern elevation shall be fixed and full height, and of horizontal louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development, or glass to be fitted with obscured glazing.
6. The elevated roof to the south-west of the southern wing must be made totally non-accessible

7. The proposed sliding doors of the southern wing that open from the pool deck zone, be deleted, these doors to be replaced with a solid, full height, acoustic wall.
8. Additional trees and scrubs to be positioned within 3m of the proposed southern façade to screen the building, whilst protecting all views and solar access, whilst mitigating the built form and providing better privacy.

Reasons: Visual Bulk, Overshadowing, Privacy, View Loss, Excessive Excavation, Landscaping, Subsidence, Structural Stability

We also ask NBC to consider these additional Conditions in any future Consent

Conditions of Consent

Compliance with other Departments, Authority or Service Requirement

Prescribed Conditions

General Requirements

Approved Land Use

Nothing in this consent shall authorise the use of the site as detailed on the approved plans for any land use of the site beyond the definition of a dwelling house, as defined within the LEP. Any variation to the approved land use and/occupancy beyond the scope of the above definition will require the submission to Council of a new DA.

Conditions to be satisfied prior to the issue of the CC

Amendments to the approved plans
 Structural Adequacy & Excavation Work
 Compliance with standards [demolition]
 Compliance with standards
 External finishes to Roof
 Stormwater Disposal
 Geotechnical Report Recommendations to be incorporated into designs and structural plans
 Construction Traffic Management Plan
 Boundary Identification Survey
 Tree Protection Plan
 Erosion and Sediment Control Plan
 Engineering Assessment
 Engineers Certification of Plans, including all retaining walls
 New Landscaping
 Design Impact on processes and public/private amenity
 Mechanical plant location
 No excavation within 1m of boundary
 Vibration not to exceed 2.5mm/sec at boundary, with halt at 2.0mm/sec
 Protection of Neighbours assets
 On slab landscape planting and associated works

Plant room and equipment for operational conditions - Noise and vibrations

Conditions that must be addressed prior to any commencement

Pre-Construction Dilapidation Report
Installation and maintenance of sediment and erosion control

Conditions to be complied with during demolition and building works

Removing, handling and disposing of asbestos
Demolition works – asbestos
Property Boundary levels
Survey Certificate
Installation and maintenance of sediment controls
Notification of Inspections
Traffic control and management during works
Vehicle Crossings
Waste Management during development
Building materials
Geotechnical issues
Rock Breaking
Protection of rock and sites of significance
Aboriginal heritage
Protection of adjoining property
Vibration not to exceed 2.5mm/sec at boundary, with halt at 2.0mm/sec
No excavation within 1m of boundary

Conditions which must be complied with prior to the issue of the OC

Post Construction Dilapidation Report & Making Good of all Defects
Final Survey Certificate
Certification of Structures
Retaining Wall
Geotechnical Certificate
Landscape Completion Certification
Required Planting
Positive Covenant and Restriction as to User for On-site stormwater disposal structures
Condition of retained vegetation
Stormwater disposal
Geotechnical certification prior to occupation certificate
Installation of solid fuel burning heaters: No approval is granted for the installation of a solid/fuel burning heater.
Tree planting
Required Planting
Acoustic treatment of pool filter
Noise Nuisance from plant
Lighting Nuisance

Swimming pool requirements
Works as executed drawings
Garbage and Recycling Facilities
Fire Safety Matters
Privacy Screens and privacy obscured glass Certification to accord to DA plans

Ongoing Conditions that must be complied with at all times

Approved Land Use
Solid fuel heater: prohibited
Landscape maintenance
Maintenance of stormwater treatment measures
Retention of Natural Features
No additional trees or scrub planting in viewing or solar access corridors of neighbours
Control of weeds
No planting environmental weeds
Maintain fauna access and landscaping provisions
Works to cease if heritage item found
Noise Nuisance from plant: Plant room and equipment for operational conditions - Noise and vibrations
Swimming pool filter, pump and AC units [noise]
Outdoor lighting
Lighting Nuisance

Yours faithfully,

Mrs Jan Dorsen
35 Beach Road
Collaroy

Mr & Mrs Bill & Victoria Buckle
29 Beach Road
Collaroy