
From: Adam Susko
Sent: Wednesday, 29 June 2022 3:25 PM
To: DA Admin Mailbox
Subject: FW: Submission re: DA2021/2362 1105 Barrenjoey Rd, Palm Beach

Can this please be registered as a submission against DA2021/2362

Thank you

Adam Susko
Principal Planner

Development Assessment - North Team
northernbeaches.nsw.gov.au



From: Maxmackay
Sent: Wednesday, 29 June 2022 1:24 PM
To: Adam Susko
Subject: Fwd: Submission re: DA2021/2362 1105 Barrenjoey Rd, Palm Beach

FYI

Sent from my mobile

Begin forwarded message:

From: Maxmackay
Date: 29 June 2022 at 12:55:37 pm AEST
To:
Subject: Submission re: DA2021/2362 1105 Barrenjoey Rd, Palm Beach

Submission re: DA2021/2362

1105 Barrenjoey Rd, Palm Beach

We are writing to you in regard to the proposed development at 1105 Barrenjoey Rd, Palm Beach.
We are the owners of [REDACTED]

Our Unit is on Level 1 on the north-east side of the apartment block, directly next to the proposed development.

Having reviewed the plans and documents provided, we are opposed to this development in its current form. We also wish to acknowledge the submission to council of Jenkins and Rzadkowski which identifies development impacts specific to our apartment and Iluka Resort apartments, and we submit the following summary of our concerns.

Overshadowing

The proposed development results in a substantial overshadowing of the Iluka Resort Apartments. For Unit 12, impact of loss of solar access would be devastating. Supporting documents (mock-ups of expected view loss) of Jenkins and Rzadkowski submission best illustrate the built aspect of the brick wall abutting balcony of Unit 12 - palms shown in photo would not survive loss of sunlight.

Direct Impact of overshadowing Unit 12

Unit 12 would not receive compliant levels of solar access as the proposed development will reduce light from 4 hours per day to zero between 9 and 3, in summer and winter.

Balcony to Unit 12 has a north aspect and currently has uninterrupted solar access. Unit 12 would lose all existing northern light as well as all eastern light - morning sun is partially blocked by headland to east and combined with the extensive brick wall of the proposed development there would be zero eastern solar access.

At the meeting on 23 June 2020, Council/Commission observed existing light (solar access) for Unit 12 - building planner representing Iluka Resort Apartments - Mr Doyle, noted natural shadow direction from Palm Beach Wine Company is directly north to south. Thus the shadow diagrams supplied by the architect in support of the proposed development are wrong. Accurate shadow diagrams, would show the significant loss of solar access for Unit 12, as a direct result of non-compliance with development controls (setbacks) on Barrenjoey Road.

Significant loss of views

The proposal will have a significant impact on views to Unit 12.

Unit 12 currently has a view corridor north towards Palm Beach Wine Company and east toward the headland. Non-compliance with development controls of the proposed development would result in view on balcony 12 to be reduced from 90 degrees to 15 east and 100% loss to north.

The proposal, due to its extended footprint to Barrenjoey Road, coupled with the proximity to the balcony of Iluka Resort apartments, will result in a devastating loss of views (including tree lines, headland and open space) for our unit. View loss impacts our enjoyment and use of the apartment, and the enjoyment of guests and therefore commercial returns from our apartment as a holiday rental.

The view loss for our unit would be extreme, and additionally, our sense of a liveable space would be lost - sitting on our balcony, where we now admire the long view corridor north and headland and trees to the east, we would (with the proposed development) now sit facing a brick wall. The proposed development would ensure a 'built in', dark 'tunnel-like' feel and outlook for our apartment, resulting from butting up against a brick wall where we previously enjoyed open space, light and cross-breezes.

Will Jenkins and Aleksander Rzadkowski submission endorsement

We refer to the submission of Will Jenkins and Aleksander Rzadkowski - we feel this submission accurately aligns with our sentiments in relation to the proposed development and highlights many of the adverse impacts that would similarly adversely affect Unit 12. Jenkins and Rzadkowski state in their submission: "we recognise ... that these view loss impacts would be similarly shared by all apartments on the northern side of our block."

In particular, we feel that the mock-up pictures of the expected view loss in the Jenkins and Rzadkowski submission are most relevant to us- showing the impact of the proposed build on Unit 12.

Given the severe impact, we are also requesting that the applicant provide height poles certified by a registered surveyor that clearly indicate the horizontal and vertical extent of the proposal - for Unit 12. We also request view loss analysis by the developer - for this proposal and any future amendments to the development proposal. This is essential to ensure that view loss does not occur as a result of the development.

Trees/ natural environment

Heritage palms (5m high - cabbage trees - *Livistona Australis*, native to Palm Beach area) on 1097-1101 Barrenjoey Road, have been on the site for more than 20 years, having been temporarily relocated during construction of Iluka Resort Apartments - likely to die if proposed development is approved in its current form. Increase in bulk (reduced setbacks) and height of the proposed development would significantly adversely affect these trees. Palms currently have solar access from set-backs and sloping aspect of current building height.

Existing potted palms on Unit 12 balcony presently 2m high and have been in situ for 10 years would also be likely to die from lack of light if proposal approved. These plantings serve as a 'green' privacy screen, mitigate traffic noise and heat and enhance enjoyment and amenity of the space.

7 existing trees (4m high approx 15+ years old), east side of development would be removed under the proposed development. These are deciduous and provide road noise mitigation as well as shade to current building in summer - when road is hottest and traffic busiest - they also allow light in winter - plus are visited by crimson rosellas in summer adding to amenity of area.

Importance of natural setting for this site self evident from existing bamboo hedge on south western side - 43 Iluka Rd - planted by owners (5 years+ old) plus *murraya paniculata* hedges (10 years+ old 3.5m high) on west edge of lot subject to proposal. Proposal is to remove all existing plants, trees and hedges. Proposed building will offer no natural and substantial aesthetic amenity (substantive plants) to neighbouring properties (just small- scale low planter boxes)

Economic implications for owners at Iluka Resort Apartments

Unit 12 currently operates as both a short-term rental and as valuable holiday accommodation for the owners. We have been enjoying visiting and staying in the apartment for 18 years. Unit 12 would incur loss of amenity and reduced rental returns as a holiday let if proposal approved. Important to amenity and value of Unit 12 is the availability of light and views. Departing from the planning scheme requirements would result in a substantial and significant loss of amenity, light, views and cross-breeze.

All lots in Iluka Resort Apartments would have amenity of pool and bbq area on Iluka Road diminished through loss of light and privacy from expansion as proposed.

Existing Iluka Apartments' forecourt is set back to capture light and allow al fresco dining. This forecourt would have significant solar access impact. Restaurant name reflects heritage palms. The forecourt would lose its current vision as a family-friendly place open to relaxed beach-side community visits. Northern beaches is a tourist destination and council does state that the vision is:

“Vision Northern Beaches - a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment. “

<https://www.northernbeaches.nsw.gov.au/council/about-northern-beaches-council/council-vision-and-values>

Parking

The proposed development would exacerbate existing parking issues on Iluka Rd. The new development has not allocated any additional parking for ground floor shops. Furthermore, apartments designated 1 bed plus ‘media rooms’ would actually function as 2 bed apartments and as such these should have 2 allocated car spaces per lot. If not, residents of proposed development will also consume more on street parking.

Further impacts to Palm Beach area

Existing building is already contemporary and fit-for-purpose offering shops and shop top accommodation - no existing materials proposed to be reused therefore climate impact is negative. New build to use new, carbon intensive materials - steel, glass and concrete. New development not in keeping with climate change mitigation principles.

No greater choice in improvement to affordable housing mix in area as smallest habitable proposed lots are 1+ bedroom and at present market rates would be at \$1million + for these.

Conclusion

We submit that compliance with development standards to ensure mitigation of loss of amenity, solar access and views are reasonable and necessary for Unit 12 - and are not met by proposal. Furthermore, a focus on retaining public open spaces and mitigating the impacts of climate going forward, combined with high levels of community opposition convince us that the proposed development will, if approved, not result in a net benefit for the area.

The NSW President of the Royal Institute of Architects has highlighted the importance of regulating volume, size and set-backs so that individual developments:

“Don’t dominate over a community’s sense of well-being.”

Thank you to Council for the opportunity to provide input into the development process.

Bronwen Mackay and David Mackay

Sent from my mobile