
Sent: 29/09/2022 7:49:58 PM

Subject: DA2022/0857 Demolition of an existing dwelling and construct new dwelling and swimming pool at 28 Goondari Road Allambie Heights

Attachments: Response #2 to DA2022-0857 Submission.docx;

To the CEO, Northern Beaches Council
Attn: Alexander Keller

Dear Sir,

Please find attached my submission in relation to ***the amended*** DA2022/0857.

Sincerely,
Daniel Gobeil

Response #2 to DA2022/0857 Submission

To the CEO, Northern Beaches Council

Attn: Alexander Keller

Regarding: DA2022/0857

I am writing to you in regards to the **amended submission**, DA2022/0857 for '[Demolition works and construction of a dwelling house including swimming pool](#)' at no. 28 Goondari Rd, Allambie Heights.

My name is Daniel Gobeil and I am the property owner at no. 26 Goondari Rd, which is the neighbouring property to the south of no. 28. We have been advised that the development proposal has been amended after concerns were raised by neighbours and council, and this amended proposal was meant to address some of these concerns.

Upon reviewing the amended proposal, it should be noted firstly that there is an official response by the applicants to the initial responses by Voyce and by Blackwattle Planning but it appears no response has been made to respond to the concerns raised by myself in the document titled "DA2022/0857 - Submission - Gobeil". It is my understanding of the DA submission process that all responses be acknowledged and addressed by the applicants.

With this in mind, we have reviewed the amended submission by the applicants, and with regards to the issues raised by our first submission, we would like to reiterate the following:

| Issue | Brief Description | Outcome After Revised Proposal |
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| 1 | Excavation will require removal of pool plumbing pipes underground and located in rock garden bed. | It appears that the revised plan has shifted the excavation for the garage over enough so that some of the pipes can remain and be built on top of with the new planter boxes, but the pipes further to the east which are to allow for solar heating are inside the rock garden bed which is still slated for removal. It is our opinion that this issue therefore remains unresolved . |
| 2 | Retaining wall for driveway will result in removal of the pool filtering equipment. | The revised plan still has an inaccurate depiction of the pool filtering enclosure dimensions, and although the shifting of the excavation off the boundary line will allow for some of the plumbing pipes to remain, there is not enough available room to relocate the pool filtering equipment. It is our opinion that this issue therefore remains unresolved . |
| 3 | Pool heating equipment omitted from the proposal. | The pool heating equipment is still omitted from the proposal and development would require removal of this equipment without a plan for a new location. It is our opinion that this issue therefore remains unresolved . |

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| 4 | Existing landscaping and stormwater drainage has been omitted from the plans, and development would see removal of these amenities. | The revised plan now has provisioning for new planter boxes which are serviceable from our side of the boundary. There is no mention of the existing stormwater drainage and if they will be removed or if they can remain. It is our opinion that this issue therefore remains partially unresolved . |
| 5 | Location of the proposed swimming pool is directly on the boundary with potential for noise issues and water damage to the house on #26. There is also no indication of where the pool filtering equipment will be located. | The revised plan shows the new swimming pool has now been shifted off the boundary as required, but it is still only meters away from the house and the master bedroom of #26. The pool filtering equipment is now shown as being located under the pool itself towards the front of the garage. It is our opinion that this issue therefore remains partially unresolved . |
| 6 | The elevation drawings of the pool raise privacy concerns as the sloping elevations of the foot path at #26 appear not to have been taken into account. | The revised plan does not provide a new elevation drawing, so it is unclear if the elevations of the new boundary treatment will provide sufficient privacy. It is our opinion that this issue is undeterminable . |
| 7 | There is no indication of stormwater control to the east of the pool as requested in the Geotech report. | The revised plan does not include any new stormwater control to the east of the pool. It is our opinion that this issue therefore remains unresolved . |
| 8 | The outdoor entertaining area is located directly on the boundary line and focused in a southerly direction. | The revised plan now allows for landscaping to assist with privacy along the southern boundary line, but the outdoor entertaining area still has a southerly focus. It is our opinion that this issue therefore remains partially unresolved . |
| 9 | Retaining wall for the top of the driveway is located on the boundary line causing safety concerns, and resulting in a negative impact to the street scape. | The revised plan does not include any changes to this design. It is our opinion that this issue therefore remains unresolved . |
| 10 | Excavation and construction directly on the boundary will limit or prevent access to some amenities on #26 during the construction period. | The revised plan still calls for development directly on the boundary. It is our opinion that this issue therefore remains unresolved . |

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| 11 | Construction of the garage walls and balustrade directly on the boundary line has potential for fall injury, or items falling onto swimmers in the pool at #26. | The construction has been shifted off the boundary beside the pool, allowing for a break in the overall height of the wall and allowing for landscaping to separate the pool and new construction. It is our opinion that this issue has been resolved . |
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Aside from these initial 11 issues previously raised, we have an additional 2 new issues we would like to raise:

| Issue | Description |
|-------|---|
| 12 | <p>What expectations will be imposed on us if the proposal is accepted and we are required to alter our pool plumbing/equipment, or in the worst-case scenario we have to remove the pool completely. Will we be expected to remove all our pool filtering and heating equipment for the entire duration of the build (from demolition to completion of the boundary structures)? This would require emptying the swimming pool, and then evaluate if the remaining space is adequate for the filtering equipment. If the outcome is that there is not enough remaining space to locate the filtering equipment, we would then have to remove/fill in the pool.</p> <p>At on point during the preparation of the proposal were these issues brought to our attention or discussed with us in any way. Given the potential impact, we feel this type of logistics discussion and resolution planning with clear expectations and accountabilities should have been done prior to the submission being tendered to council.</p> |
| 13 | <p>The addition of the new 900mm planter boxes along the southern boundary now complies with council's setback requirement, however it introduces a new issue. There is no access for maintenance or serviceability to these planter boxes from #28, and it appears it will be the responsibility of the residents at #26 to be responsible for this maintenance.</p> <p>While we could in principle agree to be responsible for this maintenance, it will pose an un-fair burden of responsibility to any future residents at #26 who may not wish to maintain planter boxes owned by #28. Much like the agreement between the previous owners of #26 and #28 to allow the encroachment of the pool facilities, this act of good faith does not carry over to future owners of either property.</p> |

We have concerns that remain un-acknowledged and un-resolved, as well as new concerns raised by the amended proposal, and we request these still be taken into consideration when making the development approval decision.

Respectfully,

Daniel and Caroline