
Sent: 7/02/2022 12:44:56 PM

Subject: DA2021/2362

Attachments: DA2021-2362 Letter of Objection Clancey and Hertogs.pdf;

Please find attached our letter objecting to DA2021/2362 (1105 Barrenjoey Road and Lot CP SP87022 43 Iluka Road Palm Beach.

Regards,

Garner Clancey and Nichole Hertogs

SUBMISSION TO DA2021/2362 – DEMOLITION WORKS AND CONSTRUCTION OF A SHOP TOP HOUSING DEVELOPMENT AT 1105 BARRENJOEY ROAD PALM BEACH

We are the owners of Unit 14 at 1097-1101 Barrenjoey Road Palm Beach (39 Iluka Road Palm Beach - Iluka Resort). Our unit is on the first-floor on the northern side of Iluka, placing it directly adjacent to the proposed development. Our unit is used for both personal use and short-term rental accommodation. It is our only investment property and as it stands, we would expect that the proposed development would negatively impact any short-term rental returns and any future re-sale. These potential losses are very material for us.

We are totally opposed to the development as it is proposed. The proposed development will have significant adverse impacts on our unit and the complex, and place considerable additional pressure on limited local parking in the surrounding area. The new development is much larger than the existing one (1.76m higher, and with setbacks significantly closer to the edges of their block) which affects views, light / solar access and privacy for all apartments and shared amenities (including the pool).

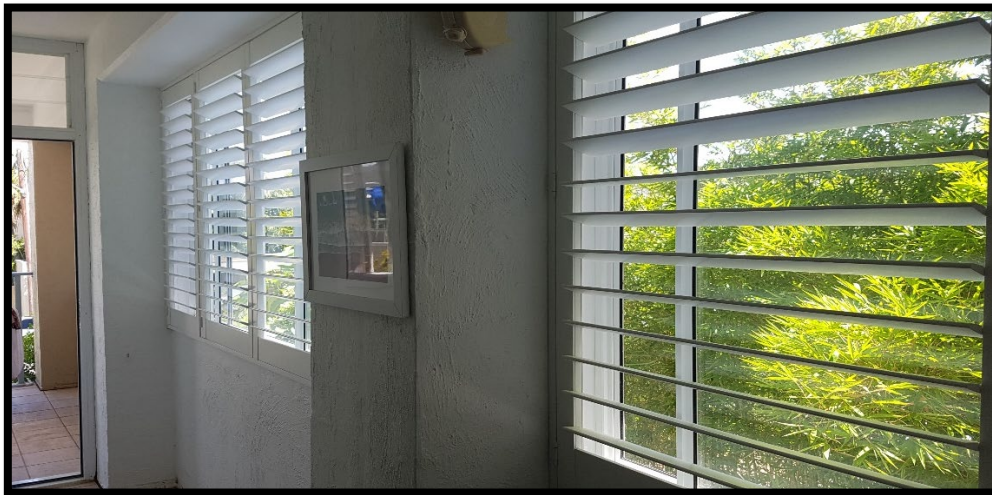
We understand that the proposal seeks to exceed the Local Environment Plan (LEP) height limit by up to 2.46m and will significantly extend the current building footprint closer to the edge of the property. This will greatly limit the solar access along our northern balcony and sun/playroom, which currently provides light to the main bedroom and the unit more generally, and severely limit water and other views to the north. Figure 1 is a recent photo taken from Iluka street toward our unit. We understand that the area indicated below will be built out by the new proposal.

Figure 1: View from Iluka Street toward Unit 14 Iluka Apartments (noting the growth in front of our balcony has not always been so high or prominent)



If this area is built out by the proposed development, light into and views from our unit will be completely obscured. Figure 2 shows the current solar capture (even with more recent growth of the trees on the adjacent property) and the views along the northern edge of our unit.

Figure 2: Current Solar Capture from Unit 14



Windows and shutters along the northern edge of our unit allow for cooling breeze to enter the unit. We would expect energy use and costs to increase through increased use of lighting and air conditioning should the proposed development proceed as planned.

We also note a number of additional general concerns:

- The proposal to excavate a significant area below ground to provide carparking gives us major concerns. We understand that a geotechnical investigation report noted the ‘high water table and the weak soil and bedrock profile’. This is of great concern.
- Noise is likely to be significantly increased with the proposed car park ramp located adjacent to our unit. Noise from the opening and closing of the roller shutter and vehicles entering and exiting the proposed development will negatively impact us. There is also potentially additional noise from retail premises, though it is difficult to assess the impact on those units facing Iluka Street at this time.
- Information regarding potential demolition work is vague, with little detail regarding timing, duration, days/hours of work, dust, noise and vibration levels, etc. This work will clearly have significant negative impact on any short-term rental or personal use of the unit during this period.

Overall, the development is too big and imposing, and will be unreasonably large compared to all the surrounding properties. This is predominantly due to the building having minimal setbacks from the street all the way around, and having all the floors of the building go right to the edge (eg. the 1st floor doesn’t step back from the ground).

We strongly urge Council not to approve, nor approve with conditions, the proposed development in its current form, for the reasons outlined above. Thank you for the opportunity to provide our feedback at this time. We may provide additional feedback in response to any further documentation, should it be provided.

Garner Clancey and Nichole Hertogs

7 February 2022