
From: Michael Crebar
Sent: 26/06/2023 6:04:18 PM
To: Council Northernbeaches Mailbox
Cc: Stephanie Gelder
Subject: Fwd: Development Application Notice Submission No: DA2023/0689
Attachments: Council Submission - 7 New St DA Proposal June 2023 (1).pdf;

Please find our response attached for:

Development Application
No: DA2023/0689
for Lot 10 DP 9561, 7 New Street, Balgowlah Heights.
Planner: Stephanie Gelder

Please review our comments and concerns in relation to DA2023/0689 for 7 New St with reference to our own recently approved DA for 5 New Street (as building for our own DA will commence in Q4 of this year).

Thank you,
Michael and Susan Crebar
5 New Street, Balgowlah Heights NSW 2093

Response to Council Notice of Proposed Development

Re. 7 New St, Balgowlah Heights, DA2023/0689

Att: Stephanie Gelder, Planner
Development Assessment Team
Northern Beaches Council
E: stephanie.gelder@northernbeaches.nsw.gov.au | T: 1300 434 434

From: Mr. & Mrs. M.& S. Crebar | [REDACTED] | T: [REDACTED]
Address: 5 New Street, Balgowlah Heights, N.S.W.
Date: 20th June, 2023

We refer to Application Development Application No: DA2023/0689 for Lot 10 DP 9561, 7 New Street, Balgowlah Heights.

We the owners of 5 New Street Balgowlah Heights are generally in support of the development.

We lodge this submission in response to some of our concerns in relation to distances of room windows and bathroom windows from boundaries (visual and acoustic privacy), changes to retaining walls and fences along the boundary, and walls without articulation along the Eastern side.

We have also raised some concerns and requests to consider glare effects of large longitudinal solar panels and erosion concerns with proposed changes to the council front verge.

Please find our submission of concerns regarding this DA on the following pages of this document.

Regards,

Mr. & Mrs. M.& S. Crebar

Owners of 5 New St, Balgowlah Heights.

Our comments regarding the proposed DA of 7 New Street East are as follows:

1. Excavation of the western side of 7 New Street will change ground levels along the boundary between 5 New Street (our lot), and 7 New Street (lot of proposed DA).

1.1.

Within the DA proposal we ask that the developer provide details on the DA of retaining walls along the boundary; structure, location, heights, etc

1.2.

The excavation proposal affects the existing fence; we request the developer please document relocation of the existing fence onto the actual boundary within the DA application and master plan set.

Note: The existing fence currently stands 90mm further to the East than where it should be and is located solely on the property of 5 New Street.

As the DA proposes changing ground levels, building retaining walls on the boundary and construction of a new fence, we request that the developer please consult owners of 5 New St on the new fence design and finishes and ensure construction is on the divide of both lots as per the dividing fence act and finishes and materials are agreed.

2. 8 x East facade windows #s 17-25 proximity to boundary states 1540mm... whereas code requirement from side boundary is 3000mm.

This deviation from the code for a new build raises concerns for owners of 5 New St.

2.1.

Of particular concern are habitable bedrooms/dwellings W22 and W25 proposed to be newly constructed only 1540mm from the boundary.

Noise, music, privacy for neighbours is a concern at this proximity.

What reasoning is there for approval against the code?

If reasoning is sufficient for the council to deviate from the code, we request that the DA includes conditions to ensure visual and acoustic privacy measures on all windows within 3000mm of the boundary. No conditions are currently listed on the window specifications within the DA proposal.

Note that a 1800mm high fence is not sufficient for acoustic privacy and no garden beds for screening plants have been included to accommodate screening plants between the boundary and W22 and W25.

2.2.

Of particular concern are bathroom and WC facilities W23 and W24, currently only 1090mm from the side boundary.

How will visual and acoustic privacy of these rooms be met?

As per W22 and W25, these newly proposed rooms along the side boundary state clear glass and opening windows.

Distance, no privacy measures, openings, etc, creates the potential for noise, music, lighting etc affecting privacy of neighbours across the fenceline.

Distance, no privacy measures, acoustics might also become an ongoing concern for anyone using those rooms at such a close proximity to the boundary.

1090mm is not much of a distance.

The code reads 3000mm is the minimum distance for windows from boundaries.

We request that the DA includes conditions to ensure visual and acoustic privacy measures on all windows within 3000mm of the boundary.

3. Boundary screening for privacy from 5 New Street terraced rear garden and entertaining area is currently managed by trees/plants by both 5 New St, and 7 New St.

Our concern is that removal of 7 New St high planting and trees will create privacy issues for both neighbours.

Considering the proposed reduced proximity to the boundary of the newly built kitchen extension and entertaining area, the proximity of kitchen windows and walls to the neighbouring boundary are likely to create privacy issues for both neighbours.

3.1.

Kitchen windows on the Eastern facade of the proposed development, and the entire Eastern facade have no inner articulation.

The plans show one long wall at a length of 32140mm. The only articulation is a protrusion for bathroom and WC coming towards the fence (1090mm distance for those rooms).

We request that articulation of bedrooms/dwellings to 3000mm from the boundary be considered for privacy, and to meet the distance-from-boundary codes & articulation code.

4. Solar panels on the eastern side of the roof are extensive and will create glare and reflection.

4.1.

Might relocation to western side prevent glare into 5 New St and also provide more solar gain?

If the panels remain on the east we request conditions for the DA re. non-reflective (no glare) solar panel modules to eliminate glare into 5 New St dwellings, and the entertaining area in the backyard (raised area on backyard terraces).

5. Air conditioning unit is at a close proximity to the eastern boundary - consideration to noise of neighbours? We request consideration or a code regarding distance of new AC units to boundaries and neighbours be reviewed.
6. Proposed removal of council managed trees/plants on street verge;

Will the council provide retaining walls and erosion controls to stop effects on the driveway of 5 New St? (mud, dirt etc coming from the raised verge where trees and shrubs have been removed?)

If so, we request walls or management of erosion be considerate of turning circle and clearance required for fronts of vehicles managing the limited driveway access into 5 New Street. And reduce any potential for erosion of soil coming onto the driveway of 5 New Street.

7. Power lines access onto private power pole located on the north-eastern corner of 7 New Street;

Might the developer consider making this a shared power pole to manage connections to both the new developments of 5 and 7 New St and share costs of installing the pole and reconnection to power mains?

We welcome consultation for this option with the developer to reduce multiple power poles and cables lining the verge opposite the bushland and along the nature walk.