

**Application number DA2021/1408
16 Addison Road, Manly NSW 2095**

4 September 2021 FEEDBACK

**From the
Owners of 20 Addison Road, Manly NSW 2095
Ross Sterrantino & Vivien Sterrantino**

Please note we have not had any direct communication or information from the owners of 16 Addison Road on the proposed new building. Therefore, we have many questions.

We also do not have a line of communication open with the owners of 16 Addison Road, and therefore have included here the questions we would raise with the owners of 16 Addison Road. Given the extensive demolition, excavation and construction, it would be appropriate for the owners of 16 Addison Road to provide a lot more detail on the proposed development to the owners of the adjacent 20 Addison Road property.

We are using the terms:

- upper level (First Floor)
- middle level (Ground Floor)
- lower level (Lower Ground Floor)

to describe the three different levels of the proposed new building at 16 Addison Road.

1. Boundary lines – fences, walls or retaining walls

We need a lot more information and clarity about the boundary line fences, walls or retaining walls that are intended to be erected or altered in the new development application at 16 Addison Road. We need to know about the height above current ground level, as well as the depth beyond current ground level, what the walls/fences will be made of, and the exact location of these walls/fences.

At present if we start at the existing car spot for 16 Addison Road, there is an existing concrete wall between 16 Addison Road and 20 Addison Road. This concrete wall extends between the two properties, and is connected to the portico feature at the front door of 20 Addison Road. This wall and portico are essential as they also support the roof of 20 Addison Road. The concrete wall becomes a retaining wall as it extends towards the harbour end of the houses. We need to be certain these walls will remain safe and secure and intact.

The new development application of 16 Addison Road shows there will be an excavation as part of the demolition of the existing house at 16 Addison Road, and therefore that the lower level (of the future three level house) will be below the current ground level.

We would like more information about the amount of excavation along the property line between 16 Addison Road and 20 Addison Road. How close to the existing walls/retaining walls will it be? How high will it be? How far deep will it be?

We would like to know if there will be a wall or retaining wall erected on the 16 Addison Road side of the boundary line to ensure there is no land slippage of 20 Addison Road into the new excavation on to the property of 16 Addison Road.

If we go to the new area that is called the "terrace" adjacent to the new car port proposed at 16 Addison Road, this will be positioned in a demolished area of the existing house at 16 Addison Road (roughly the

Application number DA2021/1408 - 16 Addison Road, Manly NSW 2095
From the Owners of 20 Addison Road, Manly NSW 2095

old kitchen area). At present there are windows that look out from the dining room at 20 Addison Road and one can see into the kitchen at 16 Addison Road. We would like to know whether 20 Addison Road will be able to see into the new "terrace" area adjacent to the car port at 16 Addison Road. If there is a new wall, retaining wall or fence intended between 16 Addison Road and 20 Addison Road at this "terrace" location, please provide detail on the location of this new wall or fence, the proposed height, and what material it will be made of, as well as how far deep will it go beneath current ground level. We understand there are council rules on the height of such walls from natural ground level, and this is an important consideration. The current concrete wall is a decorative feature and is only about 1.4 metres high, allowing ample light to the houses on both properties.

We are also concerned about the ambient light we currently have in the dining room in 20 Addison Road that will be near the new "terrace" adjacent to the car port in 16 Addison Road. The new construction on 16 Addison Road will add another level to the height of the building and is likely to impact the ambient light we have in the dining room in 20 Addison Road. And if there is any new wall or fence erected by 16 Addison Road, then it may also impact the ambient light we receive in the dining room in 20 Addison Road. We would like more information about the changes to 16 Addison Road in this location and likely impact to this part of our house at 20 Addison Road. Has an analysis of the impact on light at this part of the house at 20 Addison Road been conducted and can you provide any information to the owners of 20 Addison Road?

The development application reports include mention of existing retaining walls along the boundary between 16 Addison Road and 20 Addison Road. It mentions there are some potential weaknesses in the existing retaining walls. It also mentions the possibility of reinforcing the existing retaining walls during construction ("temporary batters" page 8 Geotechnical assessment) and mentions putting some on the neighbour's property. What neighbour are you referring to? If you are referring to 20 Addison Road, then you need to provide a lot more detail about the intended plan for the existing retaining walls. What walls will have the batters? What do they look like? How long will they be there?

Is there a plan to change, enhance, remove, replace, or alter in some way the existing walls or retaining walls along the boundary line between 16 Addison Road and 20 Addison Road? If so, please provide additional information to explain and describe the proposed changes.

2. Landslide risk – demolition, excavation, construction

This point is partly linked to the concerns on the boundary line and retaining walls that are currently present between 16 Addison Road and 20 Addison Road (as mentioned in point 1 Boundary lines.)

The reports mention the potential for a landslide risk, due to the plan to excavate a lot of material from 16 Addison Road, and that this is of particular concern on the side of the house facing the harbour, as well as the land between the house and the harbour side. This is partly due to the current terraces in place in these locations, and the aging retaining walls between 16 Addison Road and 20 Addison Road. The report makes some suggestions on the appropriate tools to use to excavate to minimise upsetting the balance of the existing terraces, however we are very concerned that the report seems to indicate that the excavation may cause a landslide. We would appreciate further information on this, as well as steps that will be taken to minimise the risk of landslide during the demolition work, excavation or new construction – either from 16 Addison Road on to 20 Addison Road; or from 20 Addison Road on to 16 Addison Road.

We will need to be kept informed of any risks or damage that may become apparent during the work, so as to ensure that no one on the property 20 Addison Road is put at risk.

Is there a plan on what will happen if the existing retaining walls fail and need to be replaced? Will this cost be incurred by the owners of 16 Addison Road? The existing retaining walls provide the support for the existing terraces for 16 Addison Road, and have been in place for over 50 years, therefore they are strong and reliable, and we would be concerned about any activity that could upset the stability and reliability of these walls.

We are concerned about why this new building is being allowed to be closer to the harbour shore line, particularly given all the concerns about land slippage or the potential for a landslide at the harbour end of the property. It is important to consider this for safety reasons. Please consider that the present house construction is relatively lightweight at the moment (weatherboard) and this may explain the relative stability of this property over time. Whereas if a heavy three level glass, concrete and steel structure is built on this weaker soil area, then it may put the inhabitants at greater risk of a landslide. While Australia has been in drought for many years, the heavy flooding rain in early 2021 could become more commonplace, and is the type of unforeseen factor that could impact the stability of a heavy glass, concrete and steel structure if the ground beneath the structure is not solid sandstone. (We think the rear of the house will be stable as that area is solid sandstone. But the front of the house near the harbour extends over artificial terraces that may be less stable.)

3. Excavation amount

We are concerned about the level of excavation along the boundary line and whether this will put the property of 20 Addison Road or inhabitants at risk, and we are also concerned about any damage or removal of any structures along the existing property line. We need more information and clarity on these issues.

We are concerned about “over excavation” as we have witnessed overzealous excavation crews remove beyond the actual property line before and creating deep pits that are not refilled. This is one reason why we are asking questions about the amount of excavation and the alterations planned, in particular along the boundary line.

4. Proposed height of the building and set back limits

We understand the council provides certain set back limits from the boundary line, and we are not sure if the proposed building is adhering to the guidelines. It may be that there are different set back limits depending on where natural ground level is, and that it differs at the differing heights of the building. We would like more information on this, as we would have thought the building needs to maintain those set back distances from the boundary line.

Is the size of the building within the limits prescribed by council?

Is the height of the building within the limits prescribed by council?

We have heard that the storage room in the carport is current too close to the boundary or on the boundary? Does this mean it infringes on the property/boundary line of 20 Addison Road? If so, we object to any built structure on the boundary line.

5. Boatshed

The plans show a new proposed boatshed that would be built in an area close to the harbour foreshore, and we are not sure whether such a structure is permissible within the proposed distance to the harbour foreshore (according to the Coastal Managements SEPP).

6. Dilapidation report

The report mentions conducting a dilapidation report for the adjacent properties to allow a comparison to be made of the adjacent properties before any work commences, to after the work has been done (the work being the demolition, excavation, construction etc. proposed for 16 Addison Road).

We would like to know when this dilapidation report will be done for 20 Addison Road, and please note we will also need a hard copy and an electric copy of this report for 20 Addison Road for our records.

We think it would be appropriate to have a dilapidation report before any demolition, prior to the commencement of excavation, prior to construction, and post construction, to provide a complete picture of the level of potential damage brought about by this development proposal.

7. Impact on the view and privacy concerns

The diagrams Ref 18010 1.2 A (from Plans – Master Set) shows a line of sight from 20 Addison Road towards the new dwelling to be erected on 16 Addison Road, and this line of sight considers the view from the room at 20 Addison Road that is closest to 16 Addison Road.

However, the diagram Ref 18010 1.2 A (from Plans – Master Set) does not consider the line of sight from the more eastern room on 20 Addison Road – the room called the “sun room”. The proposed extension will also be able to be seen clearly from the terrace of 20 Addison Road, this is the area on the harbourside in front of the existing building.

We are also somewhat concerned as it will be a three level clear glass structure and we may be able to see into their building throughout the day, including into the upper level master bedroom area. It looks like all three walls will be clear glass and therefore there may not be much privacy for the residents of 16 Addison Road. We are not sure whether it will be just the glass doors along the edges of the new three sided glass structure, or whether these glass walls will slide open, and whether there will be an outdoor terrace or any balconies at these locations that are not shown on the current plans. We need to know more about these details to understand where the residents of the new property will be visible and the impact on their privacy and our privacy.

The new footprint of 16 Addison Road extends closer towards the harbour (beyond the footprint of the existing house), and appears to extend beyond a certain distance from the harbour foreshore. We would be concerned if the proposed building extends into an area that encroaches on the permissible distance from the harbour foreshore.

We would suggest that the new proposed building on 16 Addison Road not exceed the footprint of the current building at the harbour end of the proposed house, particularly if the new proposed building crosses beyond the recommended distance from the natural harbour foreshore.

8. Window on the upper level facing towards the east in the master ensuite (bathroom)

We note the upper level master ensuite (bathroom) has a window that looks out over the terrace at 20 Addison Road. This terrace at 20 Addison Road is on the harbour side of the house, and is the primary outdoor area for the residents at 20 Addison Road. We are greatly concerned about the privacy of this terrace at 20 Addison Road.

We are concerned about this very large window in the master ensuite overlooking the private terrace of 20 Addison Road, not only because this is our private primary outdoor area, but also because it is the window to a bathroom and we don't want to see any people inside any bathroom at any time, as this would greatly negatively impact the residents of 20 Addison Road, and could cause trauma and distress. We are surprised at why this window is there at all. The side of the room facing the harbour is also glass, and we also note this bathroom will have a skylight, and therefore it will already have abundant natural light. Please also note the two front rooms of 20 Addison Road have large windows, and the room called the "sun room" at 20 Addison Road (this is the room facing the ocean on the eastern side) is at a height that it will be possible to look up into the new master ensuite on the upper level of 16 Addison Road, and thus we also have concerns about privacy for the residents at 16 Addison Road.

We would like to know if this will be a frosted window, or if it will be clear glass. If it will be clear glass we would continue to be concerned about privacy on our terrace, our primary outdoor area.

Perhaps the proposed window to the master ensuite on the upper level of 16 Addison Road that overlooks the terrace of 20 Addison Road could be removed entirely, and instead be a continuation of the stone clad proposed wall as per the remainder of that wall. Doing so will ensure that the residents of 20 Addison Road retain their privacy on the terrace, and are not subject to witnessing anything that occurs in the master ensuite at 16 Addison Road. There is glass on the side of that master ensuite room facing the harbour, and there is also a skylight, therefore there will be abundant natural light in that room.

9. Window on the lower level of the house (beneath current ground level)

We understand there is to be a window on the lower level of the new 16 Addison Road house facing 20 Addison Road, and that this window is required by council due to this room being a bedroom.

We would like to know more about the intended glass or curtains for this window, as we are concerned about looking straight into someone's bedroom and the impact on privacy etc.

10. Pipes – stormwater pipes and other pipes

We note that there are a number of existing pipes that will be tested and used in the new construction, and there will be new pipes for the new building, plus there will also be more pipes that siphon water from the roof to a rainwater tank, and this rainwater will later be re-directed into the house to use in the toilet flush system, and in the outdoor hoses.

It is imperative that none of these proposed pipes are constructed on the property of 20 Addison Road. It is also imperative that none of the pipes will have any water or fluid that will flow onto the property of 20 Addison Road. We need detailed and written confirmation of this.

The plans indicate the rainwater tank will be located adjacent to 14 Addison Road, but that this may change depending on circumstances as the excavation and construction occurs. We would like written confirmation that the rainwater tank will not be located adjacent to 20 Addison Road.

We have already mentioned we are concerned about the depth of the excavation and the possibility of land slippage, and we would be concerned that the overflow of water could undermine the soil, and potentially impact the stability of the houses at both 16 Addison Road and 20 Addison Road. This concern is one reason for these comments on pipes and water.

11. Landscaping and trees

The new landscaping plan for 16 Addison Road includes a number of new palm trees (*Howea fosteriana* – kentia palm) and we understand these may reach a height of 6 to 18 metres. We are concerned by the kentia palm tree that is proposed adjacent to 20 Addison Road at the harbour side (east) of the proposed building for 16 Addison Road. We are concerned this kentia palm tree will obstruct the view from 20 Addison Road towards the harbour, and would suggest that no tree be located there, due to the impact on the view of 20 Addison Road overlooking the harbour. (In the landscape document, this tree is noted as Double Trunk *Howea fosteriana* in pavement.)

We are also concerned by these same trees (*Howea fosteriana*) that are planned to be near the new car port/ new terrace for 16 Addison Road and adjacent to 20 Addison Road, as these trees drop large palm branches that have sharp edges and are time consuming to cut up for the green recycling system. Both the palm trees and seeds are likely to drop on to the property of 20 Addison Road, and this will require the residents of 20 Addison Road to clean them up regularly. (From our experience, we have had to sweep up the seeds from these trees every day, and it is very time consuming.) We would prefer a different tree that does not create such a mess be selected for the car port/new terrace location.

The council document suggests a number of replacement native trees and we would like more information about the likely height of these council proposed trees when they are mature. In other words, what is the predicted mature height of the council proposed native trees, as our first concern is the impact on the view, as well as on the amount of light we would have on the south-western side of the 20 Addison Road property.

It would also be good to know if there are any trees that are likely to develop an extensive or deep root system that are proposed to be planted near the boundary with 20 Addison Road, in case there is cause for concern in relation to upsetting the current built structures or pipes.

12. Antenna/aerials, satellite dish, solar panels, chimneys

We would like to know if there will be any antennas/aerials, satellite dishes, solar panels or chimneys planned to be located on the new proposed building for 16 Addison Road. How big will they be, and where will they be positioned?

13. Any noisy areas/machinery in the new building (meaning perpetual noise from the new house)

We noticed there is a “plant room” at the back corner of the lower floor on the side of 16 Addison Road that is near the property 20 Addison Road, and above this is a laundry room on the middle level of the proposed new building. We are concerned about any noisy machinery or things that might be used in these locations, as well as whether there are any air conditioning units that might be planned and the location and level of noise from these machines or devices. We would like to know about any machines for the new proposed building at 16 Addison Road that might have various running noises that would be heard within a short distance, and we would like to know the predicted noise levels.

14. Two laundries

We noticed there are two laundries in the proposed new building for 16 Addison Road. One is a laundry on the middle level, and there is also a laundry on the lower level. We also noticed there is a “Bar” in the centre of the lower level. We wonder whether it is intended for this bar to function as a semi-kitchen. If we think about the extra laundry and bar on the lower level, it suggests the intention may be to have the lower level as a separate residence, perhaps as a duplex with the upper and middle level as one residence, and the lower level as a second residence. Or perhaps it may be that there is an intention to

rent out the lower level, such as using Airbnb or some other type of arrangement. Has there been any discussion on the number of separate residences that are allowed based on the zoning of this property? Is there a restriction on the number of residences allowed? Is there a restriction on use to rent out the whole property or part of the property, such as for an Airbnb or some other type of arrangement? If there was an intention to allow short term rentals we would be concerned about excessive noise and possible misbehaviour or damage from short term rentals.

15. Insurance

We would like to know if there will be any financial restitution for any damage incurred to the property at 20 Addison Road due to the proposed changes at 16 Addison Road (due to the demolition, excavation, and construction). What is the amount of insurance in place for this proposed project? Is there a ceiling amount indicated for each of the adjacent properties? How long will it take for any remedy or financial restitution to occur for the owner of 20 Addison Road?

The extent of the demolition, excavation and construction is likely to cause physical damage to 20 Addison Road, including the physical house, any fences/walls/retaining walls, and particular concerns about the current concrete wall that connects to the portico and roof of 20 Addison Road. There may also be damage to the existing retaining walls along the property, and in particular the closer one gets to the harbour.

Is there any penalty to the owners of 16 Addison Road if the final actual building footprint, height, etc differ markedly from the proposed development plan?

16. Penguins

We are pleased to read the interest in relation to the local penguin colony, as we have noted that the fairy penguins easily climb over rocks and steps. The new staircase down to the new proposed pool is likely to be able to be climbed by penguins as they look for a burrow for their offspring. It will be important to listen out for the calls of the young offspring at night to know whether there are still young penguins present when any of the demolition, excavation or construction takes place.

We would appreciate the opportunity to have more detail as per our notes above, to provide a good understanding of the impact of this proposed development.