
Sent: 18/11/2021 1:30:01 PM

Subject: Submission to Amended Plans for DA 2020/0431 1129-1131 Pittwater Road
Collaroy

Attachments: Objection letter final 18 Nov 2020.pdf;

Attention – Development Assessments (Thomas Prosser)

Please find attached a submission prepared by Ingham Planning Pty Ltd on behalf of the Owners Corporation SP 58961 1-5 Collaroy Street, Collaroy in relation to the above development application DA 2020/0431 (amended plans). I would appreciate confirmation of receipt of this submission.

Regards Nick Juradowitch Ingham Planning Pty Ltd 18/11/21 0412 617560



Our Ref: 20082

18th November 2021

The Chief Executive Officer
Northern Beaches Council
PO Box 82
MANLY NSW 1653

Attention Mr. Thomas Prosser

Dear Sir

Re: Submission to DA 2020/0431 Amended Plans for a 4 Storey Mixed Use Building (2 commercial units & a boarding house) at 1129-1131 Pittwater Road, Collaroy

This submission relates to the recently submitted amended plans for DA 2020/0431 proposing demolition of existing buildings at 1129-1131 Pittwater Road, Collaroy and construction of new 4 storey mixed use building comprising basement car parking, 2 ground floor commercial units, 23 boarding house rooms and 2 common rooms on levels 1 and 2 and a 3 bedroom caretaker's unit on Level 3.

Our submission is lodged on behalf of the Owners Corporation of SP 58961, which comprises a strata-titled apartment complex at 1-5 Collaroy Street, Collaroy. Our client's property adjoins the development site to the west and provides vehicular access to the development site via a right-of-way (ROW) which extends north from Collaroy Street, through our client's ground floor car park.

The amended plans primarily relate to the top floor level of the proposed building to reduce view impacts on neighbouring residential properties. The top floor manager's residence has been reduced in size by providing increased side setback and removing the roof terrace area on the southern and northern sides of the manager's residence so that balustrading and planter boxes can be removed in these locations. Other changes to the plans entail relatively minor internal re-configuration, for the most part within the central southern portion of the proposed building. We note that the proposed building retains a non-compliant maximum building height and continues to rely on vehicular access through our client's ground floor level car park.

The changes to the design of the top floor level reduce view impacts and now provide for reasonable view sharing from the north-facing north-eastern apartments of our client's apartment building at 1-5 Collaroy Street.

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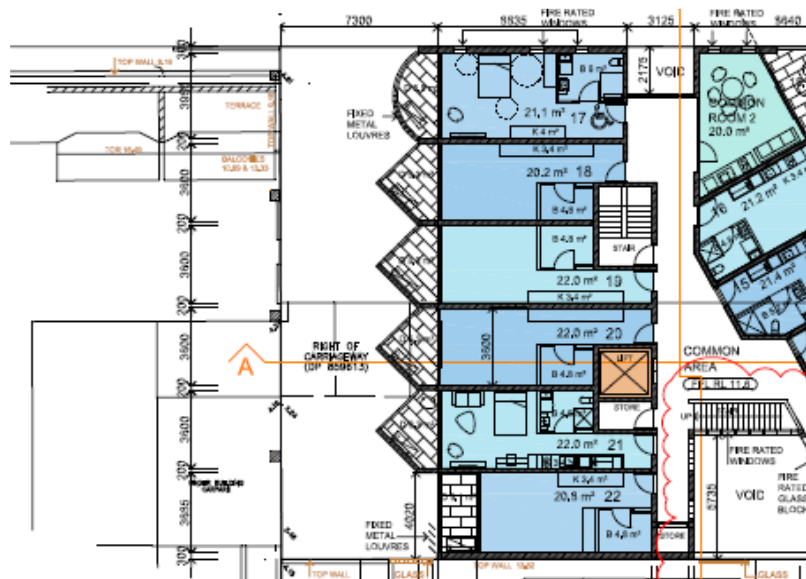
Aural and Visual Privacy Impacts

In our previous submission we raised concerns in relation to aural and visual privacy impacts of the west facing boarding room balconies in the northern half of the proposed building. The eastern elevation of the northern portion of our client's apartment building extends along the rear boundary of the development site, as shown below in **Photo 1**. The 4 northernmost balconies of the proposed building (2 on Level 1 and 2 on Level 2) are adjacent to the eastern side of the glass balustraded balconies of the north-eastern units in our client's apartment building and the east facing windows of the top floor Unit 44. **Figure 1** further below, shows the location of the west facing balconies proposed for the boarding house room along the western elevation of the proposed building.

Photo 1 - 1-5 Collaroy Street North-Eastern Apartments



Figure 1 – Plan of Proposed West Facing Boarding House Rooms & Balconies





Council's planning controls in the WDCP at Control D8 aim to ensure reasonable neighbour aural and visual privacy to habitable rooms and adjoining private open space. As noted above, the 4 northernmost boarding house western windows and balconies directly face towards the northern balconies of the north-eastern units in our client's apartment building and east facing windows Unit 44 on the top floor level. The 4 northernmost west facing balconies of the proposed boarding house rooms extend as close as 5m to the eastern side of our client's building, are orientated to view directly towards our client's balconies and do not include any west or northwest facing privacy screening.

Clearly there is inadequate separation distance to maintain reasonable aural and visual privacy to the balconies of the north-eastern apartments of No. 1-5 Collaroy Street. Typically, in the absence of privacy screening and noise amelioration measures, a separation distance of 12m and certainly not less than 9m would apply in such situations.

There is no requirement that boarding house rooms be provided with balconies. Where such balconies are provided, a balcony area of 4m² is considered adequate, with a depth of 1m. The proposed balconies to the 4 northernmost west facing boarding house rooms should either be deleted or reduced in size to 4m², with a minimum western side setback of 6m and privacy screening installed. Such screens should extend to a height of at least 1.8m and comprise either solid translucent glass or fixed vertical metal slats angled so that views are to the southwest, rather than northwest.

Intensification of Use of Right-Of-Way within 1-5 Collaroy Street

In our previous submission we raised concerns with respect to the proposal's reliance on the existing right-of-way (ROW) through our client's ground level carpark for vehicular access. The amended plans continue to rely on vehicular access via this ROW, which at its northern end narrows to 3.5m. Our concerns with respect to intensification of use of the ROW remain. We note that the Vehicle Swept Path plans provided with the amended plans seek to demonstrate that vehicles entering and leaving the development site can safely negotiate the right-of-way at the northern end, where it narrows to 3.5m.

The swept path analysis demonstrates how tight the turning movement is, and the analysis relies on a small encroachment outside the boundaries of the ROW, where the turning movement encroaches over the northwest corner of a strata lot car space, allocated to one of the units in our client's building. The swept path analysis leaves no margin for error for a less competent driver, or a larger vehicle and for a distance in the order of 25m, there is no opportunity for vehicles to pass each other.

Given the combined traffic generation of the development site and our client's apartment building, there is likely to be traffic congestion and conflict between vehicles entering and leaving the 2 sites, in the location where the ROW extends east into the development site. While this conflict may be mitigated to some extent, by a traffic control system within the development site, this will cause delay and inconvenience to occupants of the apartments at 1-5 Collaroy Street when they enter and leave their own carpark, which has been appropriately designed to accommodate two-way traffic movements.



Excavation to Site Boundary for the Basement Parking Level

The proposed basement carpark requires excavation to a depth of approximately 2.5m along the shared common boundary with our client's land. As shown in **Photo 1**, our client's building is supported by structural columns located along this boundary. Our client's is concerned that excavation for the proposed basement could compromise the structural integrity of these supporting columns.

It is essential that excavation for the proposed basement be undertaken in a manner that does not impact on the structural integrity of our client's supporting columns and the basement designed and constructed to ensure the ongoing structural integrity of our client's building. We consider there is insufficient information provided with the proponent's DA to satisfactorily address this issue.

Should the proposed development be approved, it is requested that any consent issued should be as a deferred commencement consent, with a requirement that full structural details be provided for the proposed basement and be accompanied by a structural engineer's report confirming that that excavation and construction methodology will not impact on the structural integrity of our client's building and the associated supporting columns along the shared common boundary.

Conclusion

While the revised plans reduce view impacts, our concerns relating to reduced aural and visual privacy, safety and congestion issues relating to proposed use of the ROW for vehicular access and potential adverse impacts of basement excavation and construction on the structural integrity of the existing supporting columns along the western boundary of the development site remain.

Having regard to the above it is requested that the subject development application not be supported in its current form and the proponent directed to obtain alternative vehicular access. Should it be determined that an approval be issued, such approval should be by way of a deferred commencement consent. The plans should be amended to either delete the 4 northernmost west facing balconies or reduce the size of these balconies, with a minimum western boundary setback of 6m and privacy screens included, as recommended. Additional detail is also required with respect to basement excavation and construction.

We trust that Council will give due consideration to the issues we have raised. Should you require any further information, please contact the undersigned.

Yours faithfully

Nick Juradowitch

Director Ingham Planning Pty Ltd