

From: Natalie Parkinson
Sent: 10/01/2022 9:19:11 PM
To: Council Northernbeaches Mailbox
Subject: Submission: 1851 Pittwater Road, Bayview (DA Application DA2021/2232)
Attachments: Attachment 1 of 3 - Submission Letter.pdf; Attachment 2 of 3 - owners signatures objecting.pdf; Attachment 3 of 3 - Survey Plan Reference no. B04735.pdf;

Attn: Adam Mitchell

Please find attached following documentation regarding Development Application DA2021/2232 for 1851 Pittwater Road, Bayview;

- Attachment 1 of 3: Submission letter
- Attachment 2 of 3: Owners signatures objecting
- Attachment 3 of 3: Survey Plan Reference no. B04735

Regards,
Natalie Parkinson
9 Vista Avenue, Bayview


Please refer to attached signatures (attachment 2) of residents who collectively object to the proposed dual occupancy at 1851 Pittwater Road, Bayview, due to the following points;

- **Proposed development does not comply with requirements of Covenant H566786**

As noted within Survey Plan Reference no. B04735, drawing no. B04765-1 (REV B), prepared by Project Surveyors dated 24/08/2020 (refer to attachment 3), as submitted to Council, Covenant H566786 notes;

"H566786 COVENANT, WHICH STATES THAT NO BUILDING OR STRUCTURE WILL BE ERECTED NORTH OF A LINE PARALLEL WITH AND 9 FEET (2.743M) SOUTH OF THE LINE MARKED X-Y ON THE SAID PLAN"

The Statement of Environment Effects, as submitted to Council, notes;

"the footprint of the new building is essentially on the same footprint as the existing dwelling"; and

"the architectural design of the attached dual occupancy has considered the site's opportunities and constraints".

The architectural plans, as submitted to Council, show the proposed dual occupancy is not within the footprint of the existing dwelling and has not considered the constraints of the site as it does not comply with the requirements set out in Covenant H566786.

- **Proposed access during construction to the development is noted be off Vista Avenue**

Vista Avenue is a small, narrow residential cul-de-sac that has limited parking and would not be able to facilitate the increased volume of work trucks, concrete trucks etc.

Garbage collection within Vista Avenue is missed regularly due to the trucks having difficulty accessing bins and navigating the street due to the number of cars parked in the street.

A portion of the existing driveway to the site is not owned by 1851 Pittwater Road – do they have right-of-way to use this as an access driveway to the subject site?

The affected residents of this development request that access to the site during construction is done so via Pittwater Road.

- **Off-street parking for the proposed development**

Vista Avenue has a lack of suitable off-street parking, particularly within the front of numbers 8, 9 & 11 Vista Avenue and 1853 Pittwater Road due to the cul-de-sac.

The Statement of Environment Effects, as submitted to Council, is requesting an exemption to Development Control Plan B6.3 *"Off-street Vehicle Parking Requirements"* where only three (3) off-street spaces are proposed to facilitate 2 dwellings.

"The proposal provides for three (3) formalised spaces. A variation is sought for the one deficient space. The variation is a minor technical variation as an additional vehicle can be stacked parked in front of the garage of dwelling No.2 without impeding the ability of cars from either dwelling being able to enter or leave the site in a forward direction. Therefore, while this stacked space is not a formalised space, it presents the opportunity for four cars to be safely parked on the site and to enter and leave the site in a forward direction to ensure safety"

This is not a *"minor technical variation"* and compliance with B6.3 should be complied with as it notes the development is to provide *"the opportunity for two family groups to live independently on the one large site"*.

The Development Application should be modified to specify access to the property via Pittwater Road either directly off Pittwater Road, as demonstrated at 1855 Pittwater Road (refer to photos 1 and 2) or via the private driveway which is accessed by the residents of 1843 – 1849 Pittwater Road (refer to photo 3).

The primary residents affected by this application only became aware of the proposed dual occupancy after seeing a yellow Council notification sign strategically hidden down at the end of the driveway and not in prominent view as it should be.



Photo 1: 1855 Pittwater Road, Bayview

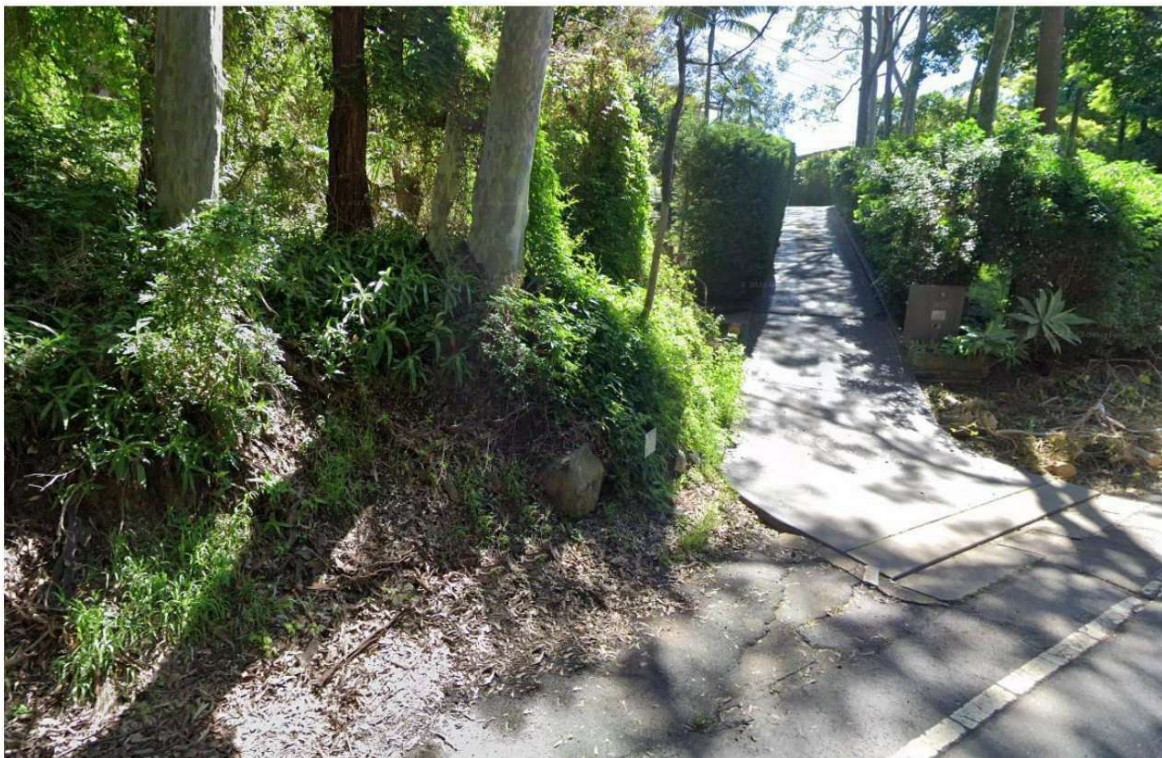


Photo 2: 1855 Pittwater Road, Bayview



Photo 3: Private driveway facilitating 1843-1849 Pittwater Road



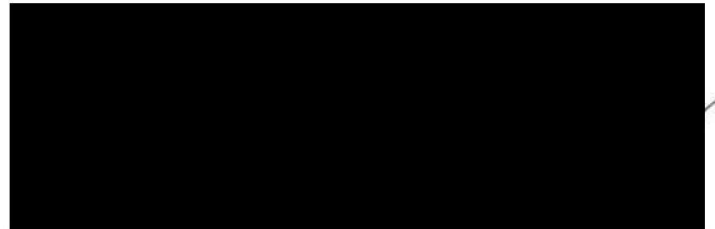
Owner of 1 Vista Avenue, Bayview



Owner of 7 Vista Avenue, Bayview



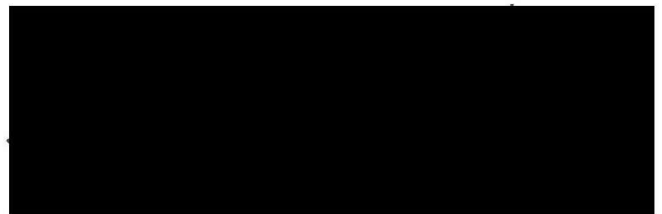
Owner of 2 Vista Avenue, Bayview



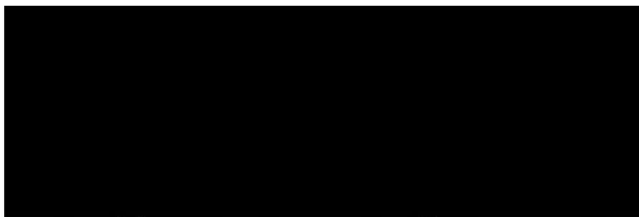
Owner of 8 Vista Avenue, Bayview



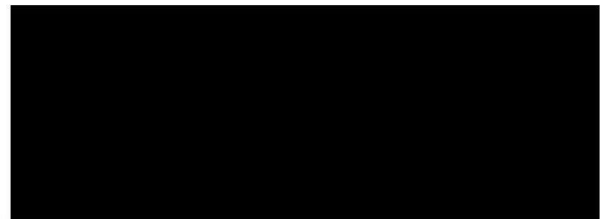
Owner of 3 Vista Avenue, Bayview



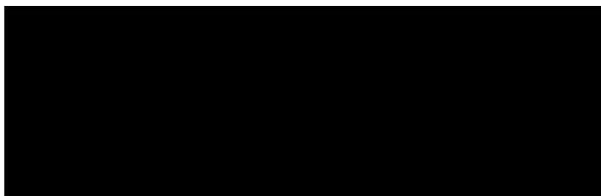
Owner of 9 Vista Avenue, Bayview



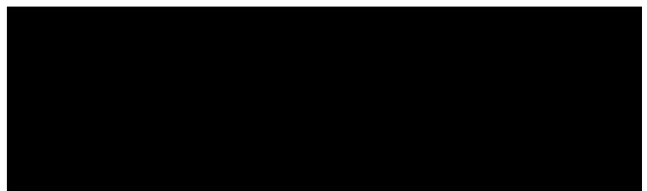
Owner of 4 Vista Avenue, Bayview



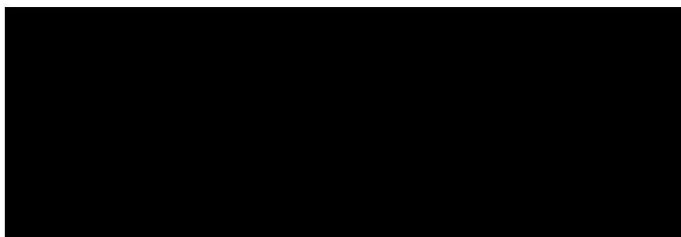
Owner of 11 Vista Avenue, Bayview



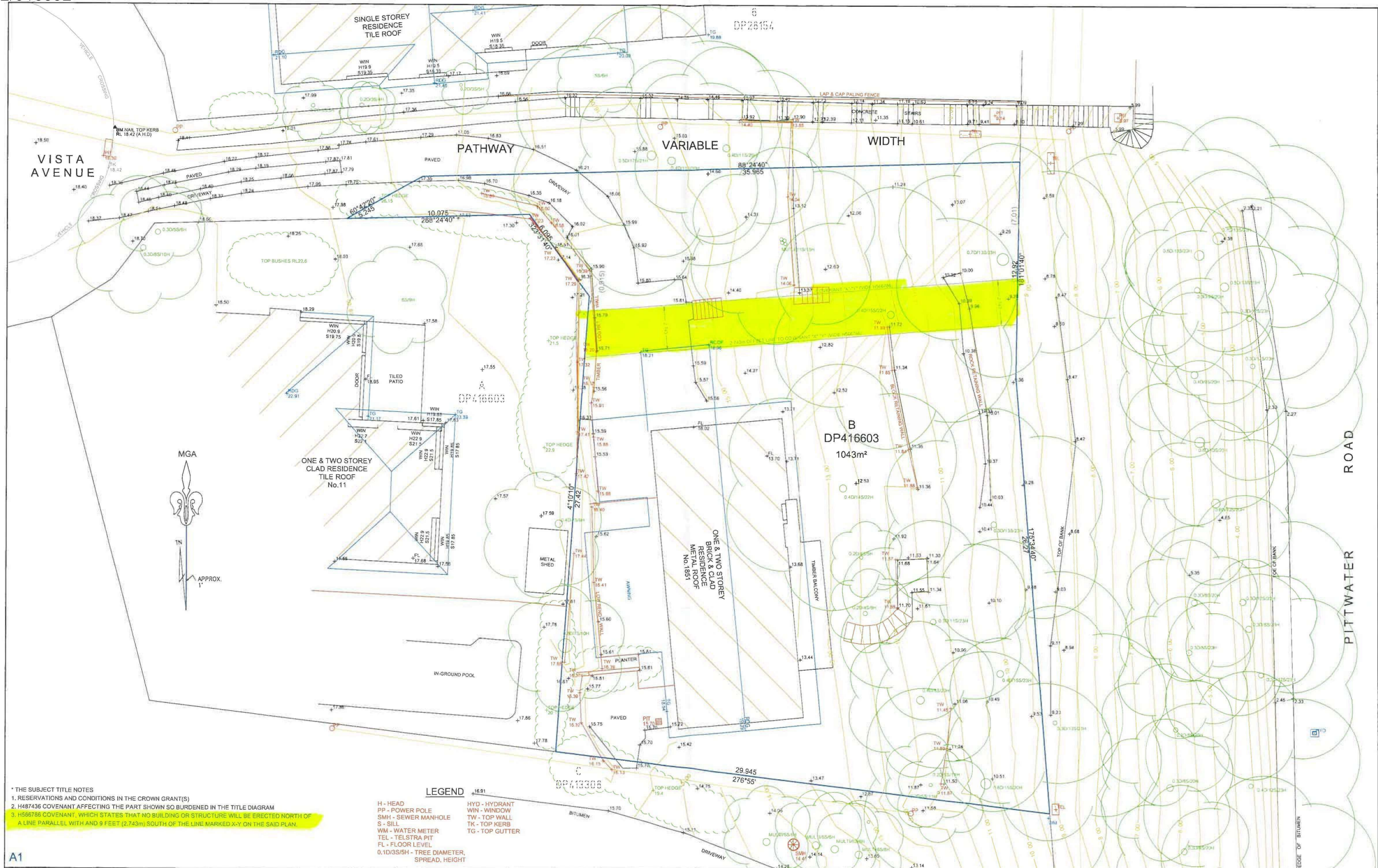
Owner of 5 Vista Avenue, Bayview



Owner of 1 Kamilaroi Road, Bayview



Owner of 6 Vista Avenue, Bayview



* THE SUBJECT TITLE NOTES
1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. H487436 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
3. H566786 COVENANT, WHICH STATES THAT NO BUILDING OR STRUCTURE WILL BE ERECTED NORTH OF A LINE PARALLEL WITH AND 9 FEET (2.743m) SOUTH OF THE LINE MARKED X-Y ON THE SAID PLAN.

LEGEND
H - HEAD
PP - POWER POLE
SMH - SEWER MANHOLE
S - SILL
WM - WATER METER
TEL - TELSTRA PIT
FL - FLOOR LEVEL
0.1D/3S/5H - TREE DIAMETER, SPREAD, HEIGHT
HYD - HYDRANT
WIN - WINDOW
TW - TOP WALL
TK - TOP KERB
TG - TOP GUTTER

A1

NOTES :
* BOUNDARIES HAVE BEEN DEFINED BY SURVEY.
* BEARINGS RELATE TO MGA NORTH ORIGINATING FROM SCIMS
* LEVEL DATUM IS AHD ORIGINATING FROM SSM14627 RL 2.719 LOCATED AT BAYVIEW PLACE.
* VISIBLE, ACCESSIBLE SERVICES ONLY HAVE BEEN LOCATED. THIS PLAN DOES NOT PURPORT TO SHOW UNDERGROUND SERVICES
* THE EXISTENCE OF UNDERGROUND SERVICES HAS NOT BEEN ESTABLISHED.
* EXISTENCE OF SERVICES MUST BE VERIFIED BY CONTACTING DIAL BEFORE YOU DIG (DBYD) 1100.COM.AU
* CRITICAL SERVICES MUST BE EXPOSED AND LOCATED
* NEIGHBOURING HOUSES, WINDOWS AND ROOF POSITIONS ARE APPROXIMATE ONLY.
* FLOOR LEVELS GENERALLY SURVEYED AT DOOR THRESHOLDS. INTERNAL ROOMS NOT SURVEYED.
* CONTOURS SHOWN ARE INDICATIVE OF LAND FORM. SPOT LEVELS SHOULD TAKE PRECEDENCE.
* REFER TO FACE OF PLAN FOR SUBJECT TITLE NOTATIONS.
* THIS TITLEBLOCK IS AN INTEGRAL PART OF THIS DRAWING AND SHOULD NOT BE REMOVED.

REFERENCE SYSTEM: GDA 2020
GDA 2020
SCIMS SURVEY MARK
DIAL BEFORE YOU DIG
www.1100.com.au

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REPRODUCTION WITHOUT WRITTEN
APPROVAL IS STRICTLY PROHIBITED
B TREE DIAMETER & DESCRIPTION UPDATED 24/8/20
REV AMENDMENTS DATE

CLIENT: MARJORIE GAMBLE
PLAN OF: 1851 PITTTWATER ROAD BAYVIEW
BEING: LOT B IN DP416603
SHOWING: GENERAL DETAIL AND SITE LEVELS
PURPOSE: ARCHITECTURAL DESIGN COUNCIL SUBMISSION
SHEET 1 OF 1

SCALE 1:100
JOB REF.: 804735
DRAWING No.: 804735-1
SURVEYOR: BRENDAN G. NATHAN M.
CHECKED: NATHAN M.
DATE: 11/08/2020
DATUM: A.H.D.
ORIGIN: SSM 14627 RL 2.719

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