
Sent: 6/07/2020 1:32:50 PM
Subject: Attention Phil Lane, Council Planner
Attachments: 2A Obj AB + TL final.doc; 2A Obj AB + TL final.pdf;

Good Morning Phil,

Please find my letter of Objection to **Application# DA2020/0572**
Lot 1 DP 22361 2A Ruskin Rowe Avalon Beach

(word and pdf formats)

Thank you also for visiting our home last week.
If there is any change to the 9 July deadline, please let us know.

Regards

Adrian and Traudi

Adrian Boddy + Traudi Line
97 Avalon Parade
Avalon Beach NSW 2107
02 9973 2882; 044 737 6688
adrianboddy@bigpond.com

Northern Beaches Council

Re Application# DA2020/0572

Lot 1 DP 22361 2A Ruskin Rowe Avalon Beach — in response to the Northern Beaches Council Planner, Phil Lane's letter of 3 June 2020.

Thank you for the opportunity to view and critically respond to the above DA. We wish to express our objections to DA2020/0572 in the strongest terms.

Our property: #97 Avalon Parade, has a NW common boundary with the Applicant's. It is an eleven year-old, single-storey, timber residence with corrugated roof and an open carport. Our living room, kitchen, and main bedroom spaces look, and are directly accessible to a small (90 sq m) timber decked courtyard via three sets of sliding doors and one set of sliding windows.

Our home does not appear in the Applicant's drawn submission — apart from the diagrammatic site plan — where it is shown inaccurately.

Main Issues of Objection:

All paragraph references are cited in The Northern Beaches LEP – 21DCP and respond to the architect's 'Statement of Environmental Facts', March 2020; Section C — Design Criteria for Residential Development.

Our particular objections relate to:

1. The Guest Bedroom Pavilion.

'Guests' may be immediate family members. They may be known to the owner's family as in the case of friends; they *may also* be Bed and Breakfast customers — whose behavior is largely un-monitored, day and/or night.

1. C 1.5 Visual Privacy

Stated Objective: *'Direct views of private open spaces are to be restricted by vegetation/landscaping. Screen planting to achieve 3 metres in height should be provided along the side boundary of the proposed courtyard.'*

Our Comments: Good design should *never* rely on planting to solve a problem. Plants must grow, be maintained and replaced when they die. Each of the proposed three bedrooms is served with a set of full height, fixed and sliding glass (doors). From each, there is line-of-sight directly into our courtyard and main bedroom.

The Applicant's Courtyard? When was a space 3m x 20m ever a courtyard? Spaces of such proportions are directional, as in passages or corridors. There is no landscape plan for this space that is said to be so reliant on screening.

1. C 1.6 Acoustic Privacy

Stated Objective: *'Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.'*

Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary'.

Applicant's Comments: 'The location is generally a quiet residential area but care has been taken to locate bedrooms away from the heavier traffic flow on Avalon Parade. The existing pool equipment is located under the pool deck and this is to be retained with all pool equipment located in the same location. Air-conditioning units will be located in the service area near the laundry on the Ruskin Rowe side of the dwelling'.

Our Comments: Firstly, we are the party affected by the potential bedroom noise — given that sliding doors are likely to be open for ventilation. Yet it is the guest spa we have even *more* concern about. Guests could and would create as much noise as they like, with no interference to the Applicants. Yet there is no acoustic barrier to our property and we would be subjected to all manner of frivolity. Human activity is one thing; spa and a/c plant and equipment is another. Plans only show a clothes-line in the undesignated 'service core' on the Ruskin Rowe boundary. This location, remote from our boundary, is highly unlikely in reality.

Please note the Appended section(s) that illustrate the (offending) cone of vision (in pink) from any of the five full height glass windows and the access breezeway.

We draw particular attention to the plan of this 'Guest Pavilion' and ask:

Why are the Applicant's Guests actually our guests? These folk are presented with a blank wall to the vast new deck and site attributes; their rooms view our courtyard and sleeping zones. The plan is a clear expression of guest engagement with the Applicants!

2. The Gymnasium Pavilion.

C 1.5 Visual Privacy

Our Comments: See 'east' elevation (actually NE); louvres (marked CP – cement cladding?) have line-of-sight into our kitchen living space. We argue this is unacceptable.

3. Landscape: Refer **Arboricultural Impact Assessment**, Hannan, July 2019; and **Appendix E, Proposed Works Plan – PWP01**

Overall:

The Applicant's Engineering report: 'Creek Remediation Plan', shows the location of more than thirty-five bored building and deck piers. It also makes clear this drawing is 'preliminary only not for construction'. It asserts Trees 15, 18, 19, 28 and 29 are to remain intact. However, this drawing does not show the subfloor footings in relation to the SRZ and TPZs of the existing trees.

Given that E4 is the highest category for native tree preservation these two plans: all SRZ's and subfloor construction, must be superimposed and presented to Council as a drawing for construction — not a conceptual 'wish'.

Then there is the practicality of boring concrete piers into the ground. Can the contractor manoeuvre a 6 -12 tonne excavator on site without damaging the existing banks of the water course, trees and encroaching into the TPZ? What are the soil conditions? There is no structural engineer's statement or design included.

Surely it is prudent for Council to request such information prior to DA.

Some trees in detail:

p.6: Trees 6, 7, 12, 25 and 26 are to be removed... of these,

Tree 12 is a mature *Livistona australis* Cabbage Tree Palm with High Landscape Significance and High Retention Value. The tree is located within the proposed building footprint.

Tree 16 is a mature *Cryptocarya microneura* Murrogun with High Landscape Significance and High Retention Value. The tree is located within the proposed building footprint.

Our Comment: Given the E4 Zoning and its stated landscape values it is bewildering that these important trees are to be removed because of the 'proposed building footprint'.

Solution: Change the footprint in accordance with E4 values: To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.

4. Conclusion.

This is a 'complex' proposal: it is made up of eight pavilions loosely linked by a large timber deck that straddles the creek on an approx. 2500 sq m site.

The accommodation includes: six bedrooms and five bathrooms; the equivalent of a four-car garage + additional hard-stand; office, multiple living/dining spaces, gymnasium, kitchen + service rooms, (existing) pool and spa.

Of all these elements it is the three bed/two bathroom + open spa labelled 'Guest Accommodation Pavilion' that is totally unacceptable to us on the grounds of: **loss of visual and acoustic privacy** from all proposed rooms. See full height glass windows/doors in N (actually NW) elevation.

Loss of acoustic privacy particularly from the spa that is open and just 3 m from common boundary.

The Application argues that a 'landscaped courtyard' (3m x 20m) will solve the potential loss of our long-standing amenity. There is NO landscape plan for this area. Further: vegetation, whatever the species or height, offers almost zero acoustic attenuation.

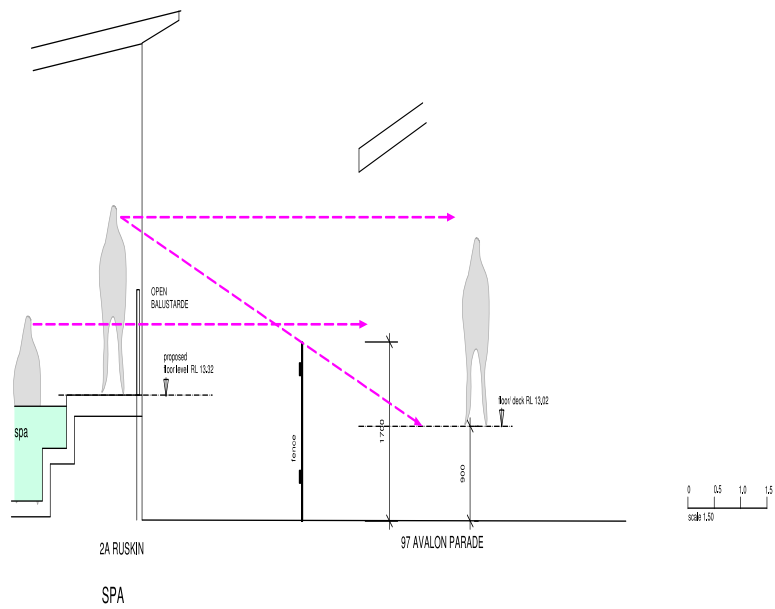
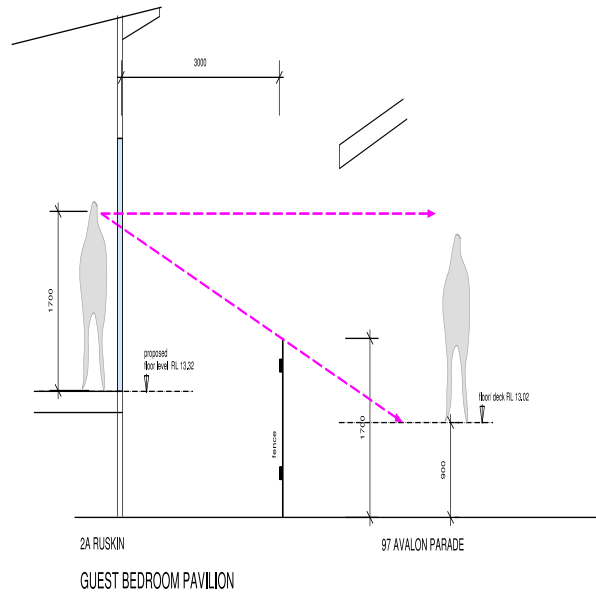
Possible Solution: take the 'Guest Accommodation' pavilion and flip the plan around its long axis. Consequences: Now the 'guests' can participate in on-site activities — their bedroom windows will face the centre of the new development.

We would then accept the blank wall (of the reversal) that is similar to the gymnasium. Visual and acoustic privacy solved!

It is unfortunate (or quite intentional) that this Development Application has not been discussed with us — as adjacent owners. The disregard of our amenity is further (perhaps intentionally) demonstrated by the lack of a common boundary elevation or section including our house and external space. Instead, we see disconnected snippets of a large garage; the guest accommodation and gymnasium each floating in ether: 38 metres of wall in total. Also absent is a section showing the Guest pavilion in relation to our deck and main bedroom windows and interior space.

2A Ruskin Rowe is a very large site and a new family home should be able to be designed with minimal, if any impacts on its site neighbours. However, in our view this scheme has significant negative impact on our long-standing amenity.

Adrian Boddy + Traudi Line, July 5th, 2020.



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