
Sent: 13/05/2020 7:42:25 PM
Subject: Application No DA2020/0389 17 Anzac Ave Collaroy
Attachments: Concern and issues about the development - JTversion.docx;

Attention Tony Collier
Re development proposal DA2020/0389
17 Anzac Ave Collaroy

Dear Sir

Please find attached our submission requesting council to consider our concerns and hopefully make some adjustments to the plans.

We understand that you will put the submission on the web site but ask council to ensure the privacy of information such as name, address, and email address are blacked out or censored to protect against identity theft, harassment and ensure our privacy.

Could you please acknowledge receipt of our submission?

Thank you

Ken and Frances Taylor
15 Anzac Ave
Collaroy

To whom it may concern,

**Re: concerns relating to the proposed development of Lot 51 DP 703721/17
Anzac Ave Collaroy (Application no. DA2020/0389).**

By way of introduction, my name is Kenneth Taylor, and my wife, Frances Taylor and I own and reside at 15 Anzac Avenue Collaroy. This location has been in our family since the early 1960's. It has been our home since 1981 and we have nothing but the best interest of this community at heart. While we are not against change in the community and we accept that a development will be built on this site, we believe the application is simply too large and that the proposed scope will come at the loss of our essential amenities.

Our main concern is the 18 square metre café with outdoor seating on the SE corner which is beside two of our bedrooms and right on our boundary. This must be removed as it affects our amenities and does not meet the Warringah LED 2011 objectives. This shop is less than 1% of the total development.

The proposed development will also impact the safety and functionality of the local businesses and council facilities that already exist in the immediate area due to increased traffic (both pedestrian and vehicle) in an already congested area that is struggling to cope.

The letter enclosed expands on the following list of grievances affecting the loss of our amenities that we implore you to seriously consider in assessing the proposed development:

- 1) Contravening standards to the current Warringah LED 2011 planning statements
- 2) Severe impact to the privacy and existing amenities of neighbouring properties
- 3) Driver of noise pollution for neighbouring properties and residents
- 4) Insufficient parking to meet both commercial and residential requirements
- 5) Major cause of pedestrian and traffic congestion in a location that is already struggling to cope

The letter also outlines a number of solutions that we propose to immediately alleviate many concerns and minimise the negative impacts of others. An overview of solutions includes:

- Proposed residential properties
 - o Reducing the proposed number of units in the block to achieve feasible sized units without casting shadow on neighbouring properties
 - o Reconsider the positions of patios and windows to maintain the privacy of, and reduce the noise inflicted on neighbouring properties
 - o Explore viable parking solutions without the use of a car stacker system.

- Commercial units in the block
 - Reducing the proposed number of commercial units in the block – specifically removing a commercial unit on the eastern boundary
 - Reconsider the trading hours of the shops to reduce the impact of noise on neighbouring properties across 24 hours

Furthermore, below is a list of conditions for consent to be added to the building approval:

- A condition to limit the hours of operation for the shops to be no more than 8 hours of business trading on weekdays, and no or limited trading on weekends trading.
- A condition to ensure no removal or changes are made to planned landscaping and vegetation in the approved plans in the future
- A condition to ensure the continuous maintenance of the approved vegetation, garden, and street-side spaces after completion
- A condition to ensure there is no fixed or non-removable advertising on the street-front and eastern-facing exterior walls or boundaries
- A condition to ensure there is no seating (fixed or non-fixed) on the street-front and eastern-facing spaces or boundaries for commercial units
- A condition to ensure developers, strata, and future residents cannot change the planned position, size, or the translucent or opaque glass materials of the proposed non-see-through windows on the eastern facing walls to protect the privacy of neighbouring properties

As the nearest and most affected neighbour, these concerns are of great important and severity to us. We ask that you take them seriously. Per the letter we received from the Northern Beaches Council on 24 April 2020, we expect that this letter be formally acknowledged and addressed in the assessment report prepared by the council as part of the assessment process.

Both Frances and I are willing and available to discuss the following concerns and proposed solutions concerning the proposed development at 17 Anzac Avenue, Collaroy on request. We look forward to being advised of the outcome of this development application.

1) **Contravening standards to the current Warringah planning statements**

According to the Warringah LED 2011, it is a priority of the council to minimise conflict between R2 low-density residential properties and B1 mixed local businesses (the proposed development). The current application **contravenes the ability to minimise conflict between land uses in the zone and adjoining zones, and ensure the amenity of any adjoining or nearby residential land uses.**

The current proposal - six 3-bedroom units; one 1-bedroom unit, and two commercial units (9 units total) – does not ensure the amenity of our nearby residential land use. Its sheer scale will cast shadow on our home, impacting the functionality of our solar hot water system; the position of patios and windows of

residential units impinge on the privacy of interior and exterior spaces on our land; and, unspecified hours of operation for two commercial units will result in noise and further increase congestion of spaces outside the property such as double parking across our driveway – which is already a constant safety hazard.

We ask that the proposal be amended to five 3-bedrooms units OR six 2-bedroom units, and one commercial unit (six or seven units total), with the commercial unit situated on the western boundary of the lot. This proposal reflects the site's development proposal that was approved in 2001. In reducing the total number of units, limiting the number of residents, and placing the commercial unit away from the nearest ground level neighbour (15 Anzac Avenue), the impact on our amenities would be lessened via lighter density and less direct noise.

The exclusion of the commercial unit on the eastern boundary was removed from plans approved by council in 2001 as a direct response to the Northern Beaches Council (the Warringah Council) planning objectives. By ensuring it is removed in this current application, the development will go a long way in minimising the conflict between land uses in the zone and ensure the amenity of nearby residential land uses. SE CORNER BOUNDARY STREET ACTIVATION P16 of the application shows our worst nightmare of table and chairs beside two of our bedrooms.

2) Severe impact to the privacy and existing amenities of neighbouring properties

- **Assurances of proposed vegetation remaining post approval:** As mentioned, we are not opposed to developments in the community – we simply require assurances that the proposed measurements in place to maintain our privacy such as suggested vegetation will remain in place once the development is approved. This concern stems from learnings from the latest residential development bordering our property – 1000 Pittwater Road. The proposed plans for that development had trees in place to protect our property from residents looking into our yard and northern windows. As soon as the building was finished however, the owners/strata committee removed the trees planted so residents could improve water views and attract potential buyers to the building.

The vegetation plan that is part of the proposed development at 17 Anzac Avenue does satisfy our requirements on the provision that they remain in place and are maintained into the future (minimum 25 years).

- **Location and angles of balconies and windows of residential units directly impede on our privacy and impact our personal safety:** The development of 17 Anzac Avenue has 3 balconies that will enable residents and visitors to look into both our back and front yards, violating privacy across our entire block. This is unacceptable. Furthermore, the first-level unit on the north-east side of the block has both balconies and windows that look directly into the master bedroom of our house. This directly impacts the personal privacy and physical safety of my wife and me.

- **The scale of the proposed building will affect the functioning of our solar hot water system and electricity generation:** We ask that the shadow diagram of the proposed development be reviewed as we see that the building will cast a shadow over our roof, causing the solar panels on our roof to lose functionality. Not only do we rely on the solar panels for our hot water which is essential, but we have opted for this solution to minimise our footprint on the environment. We are concerned the shadow will force us to consider expensive and environmentally detrimental solutions at the loss of our solar assets.
- **Effective drainage on 15 Anzac Avenue:** The eastern shop needs to be removed. The lack of setback has already cause drainage problem in our property due to poor planning of the original building plans. A major drainage pipe was removed and not replace. It ran from Anzac Ave to Ocean Grove along the B1 boundary. The current application does not address the drainage issues already created by previous poor development. Can drainage be address this time?
- **Loss of amenities due to visual pollution**
Advertising on the front and eastern walls of the building as well as on the street front (possible Neon lights would affect bedrooms), and popup signs and even umbrellas, tables and chairs near our front yard will visually affect our property and its value.
Landscaping does not meet the ratio set out in planning guides on the ground level in the Warringah LED 2011. Ground level landscaping appears to rely on the planting in our property.

3) Driver of noise pollution for neighbouring properties and residents

- **Noise policy for the proposed commercial and residential units:** Since the construction of the present commercial building at 17 Anzac we have experienced minimal noise levels from despite tenants violating the hours of operations on the building consent. We now have concerns about the hours of operation of both shops in the current application. Restaurants/ cafes as proposed in the application operate early in the morning or late at night. With a lack of customer parking, no employee parking and possible street seating, noise and loss of privacy to our front yard is a reality.
- **Permanent fixtures such as tables, chairs, umbrellas, advertising, will encourage noise 24/7:** The placement of tables and chairs in front of the Eastern shop will cause noise that will linger as patrons linger rather than leaving the area once a purchase has been made. This area boarder two of our bedrooms (SE corner boundary street activation p16 shows this in the plans. The current coffee shop on the corner of Pittwater Rd and Anzac Ave has clients from 5.00am causing noise pollution as they congregate on the sidewalk to chat.

- **Permanent Increase in noise due to high density ratio of application:**
- With seven units, and two shops the increase in noise from within these units will disturb our 3 bedrooms all on our eastern boundary. This application will increase our Neighbours by 300%. Some of these units have outside patios for entertaining again adjacent to all our bedrooms. Are there time restriction on the use of these patios offered in the application or will the strata plan put them in place for us and other neighbours.
- **Car stackers will generate an unreasonable amount of noise at all hours without being a feasible solution to the parking requirements of the building:** We are concerned about noise from the car stackers in the car park at night when they are adjacent to two of our eastern bedrooms at the same level. No visitor parking and only 1.5 car spaces per 3 bedroom units means that the proposed car stackers are insufficient for the proposed development.
- As mentioned above, a solution to alleviate these issues includes reducing the total number of total units to manage noise levels across the week. A potential solution to the car stacker noise and insufficient car spaces would be to remove the eastern-boundary commercial unit to use as additional car spaces for the complex as per the 2001 application.

4) Insufficient parking to meet both commercial and residential requirements

- **Parking does not account for patrons and staff to commercial units – nor are two units required for this area:** There are at least two empty retail units adjacent and within 100m of this proposed development on Pittwater Road. This application with two units is excessive and plans cannot provide parking for more than one commercial unit as it stands.
The application has inadequate car spaces: It may reach the minimum required by council but look at the area in which it is being placed. Look at the trade-off within the application. There is one disability parking space and no visitor's parking spots (the one spot cannot be both), only the minimum 1.5 spots per 3 bedrooms units. A 3 bedroom unit with two adults per room would require 6 spots. Two Adults with a teenager would require 3 car spots. The application should require more than 21 spots plus parking for the employees of the shops plus customer parking.
- **Parking on the street is a complete fabrication:** The application state 188 car spots within 150metres of the building. This includes clearway parking, and parking that does not exist in reality. This includes 49 spots for the park which are fully used and makes 25% of their imaginary spots.
- **Council has increased facilities without increasing parking:** Council has made this area a sort after location for recreational activities in the last few years by improving amenities for an ever increasing population, but council has failed to protect the

area from over use and have not provided adequate parking for all the current activities of the area. The council parking areas are too small.

996 Pittwater has 4 units with no parking, 4 shops with no parking. That means the 3 pizza shop cars are permanently parked in the street with 3 employees from each the coffee shop, Pizza shop and burger corner shop with no parking. The café staff and patrons park in Anzac Ave with all residence of 996 Pittwater Road.

This application has minimal parking, even using the car stackers and we believe the stacker will not always be used as they are inconvenient and not worth the extra time they take when running late. No parking for customers of the shops, no parking for staff of the commercial units and no visitors spaces for the 7 units along with and allocation of 1.5 spots per unit make for totally inadequate parking. Their parking statement is not true.

Major cause of pedestrian and traffic congestion in a location that is already struggling to cope

Parking on own property forced onto residents:

The 3 R2 residents near the application have all been forced to have extra car spaces on their properties. This application needs to do the same.

- Anzac Ave is now the main entry and exit point into and out of the basin area. The traffic lights on the corner of Anzac Ave and Pittwater Road have become a pinch point often causing traffic to back up to Beach Road compromising the safe entry and exit for local residents to their own property.
- **Uses of area:**
- The amazing opportunity this area offers has caused a deficiency in parking. Dog walkers and personal training start at first light as do the golfers and fishermen. Tennis coaching begins at 7.30am every day and continues to 11pm 6 nights a week. The coffee shop opens at 5.00am every day with patrons parking across driveways without any consideration for residents. Residents have requested the presence of Council Rangers to enforce parking infringements and rules around street seating that impedes pedestrians from walking along the path to the bus stop, all to no avail.
- The weekend sees an influx of dog walkers, families using the children's playground or simply picnicking in the park. Football games during the winter months, cricket in the summer all consume parking spaces. So too do people who leave their cars in the street to sell.

The Tennis academy has 3 small buses parked permanently in the car park. Surf clubs often leave trailers with boats in the street as do fishermen. Tourist, whale watchers, hang gliders and walkers all use the area opting to take up free on street parking as opposed to ticketed parking increasing the allocated parking area.

This application cannot be allowed with inadequate parking.

The area cannot afford to be over developed / used further without council increasing car parking facilities.

In conclusion this application needs to be scaled down, the parking needs to be reconsidered, and the measures to ensure privacy and noise pollution for neighbours needs to be assured for the future. In consulting a property expert, these issues will decrease the value of my property by \$750000.

There is a lack of setback on our Eastern boundary and a retail shop on that boundary that is in conflict with councils stated objectives where R2 and B1 zones meet.

The setback facing Anzac Ave needs to be increased from 3metres to 4metrs so as to lessen the building bulk and allow it to blend more favourable with the residential area it borders.

Thank you

Ken and Frances Taylor

15 Anzac Ave

Collaroy