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**Sent:** 17/05/2020 2:35:07 PM

**Subject:** WRITTEN SUBMISSION: LETTER OF OBJECTION NO.2: BUCKLE. RE DA 2019/1522.

**Attachments:** The Chief Executive Officer Bill and Victoria Buckle.docx;

Please find attached our written submission as outlined above.

Kind Regards,

Bill and Victoria Buckle.

The Chief Executive Officer  
Northern Beaches Council  
724 Pittwater Road  
Dee Why  
NSW 2099

Bill and Victoria Buckle  
29 Beach Road  
Collaroy  
NSW 2097  
15/5/2020

Cc: Anne-Marie Young, Planning Division.

RE: DA2019/1522 41-43 BEACH RD COLLAROY NSW

WRITTEN SUBMISSION: LETTER OF OBJECTION #2, BUCKLE

We refer to our initial submission dated 28/1/2020 prepared by Boston, Blyth, Fleming Town Planners on our behalf. This submission adds further to that original submission.

Height poles have recently been installed on the site in question and this submission addresses further concerns about this proposed gross overdevelopment on the iconic Collaroy Headland.

The key issues we continue to object to were all identified in Council's Pre-Lodgement Advice dated 26/2/2019 and have not been addressed in the DA as submitted.

**1. EXCESSIVE BULK AND SCALE:**

The enormous scale and bulk of the proposed building along the full extent of the Southern boundary is totally at odds with Built Form Control D9 Building Bulk, and unreasonably impacts the amenity to our open spaces front and rear in terms of overlooking, overshadowing and visual dominance. The effect is almost 3 storeys of built form towering overhead. The same impact is apparent on the Public Amenity of Collaroy Headland viewed from Fisherman's Beach and the headland itself. The proposed fence along the Southern boundary at 5.2 metres high further exacerbates the visual dominance, as does the significant building bulk on the South Eastern corner of the site.

A full set of photomontages must be produced accurately from the certified survey, and the as drawn plans and elevations to properly illustrate the proposed structure.

**2. NON-COMPLIANT WITH REAR SETBACK:**

The proposed structure does not comply with Built Form Control B9 of the DCP because the elevated rear balcony at a height of 8 metres above the ground level of our property encroaches 56% over the rear setback. This results in unreasonable visual and acoustic privacy impact to our property. The height, bulk and non-compliance with the rear setback would visually dominate both our indoor and outdoor living areas and also the public amenity of the beach and headland reserve.

**3. UNREASONABLE OVERSHADOWING:**

The proposed structure would result in total overshadowing of our private open spaces, swimming pool and roof solar panels:

(1) Private Open Space:

The proposal does not satisfy Built Form Control D6 of the DCP Access To Sunlight. The increased overshadowing of our North Western private open space and swimming pool does not comply with the requirement to allow at least 50% of the area to receive a minimum 3 hours sunlight at June 21<sup>st</sup> between 9am and 3 pm.

(2) North Facing Windows:

These windows provide light and warmth to the 2 bedrooms on the second level of our home. The proposed structure would result in complete shadowing of all windows and the balcony on the North East corner of our home from 9am for the balance of daylight hours.

(3) Solar Panels:

In an effort to reduce the carbon footprint of our home and to comply with BASIX requirements, we have made a significant investment in a Photovoltaic Solar Panel system with Battery Storage. The proposed structure would result in significant overshadowing of the solar panels which will reduce the output of this system by more than 35%. It also contravenes Built Form Control D6 Access to Sunlight as it fails to allow reasonable access to sunlight to our open spaces and windows, and hinders our use of solar energy in our home.

(4) Privacy:

The proposed structure would impact our visual and acoustic privacy along the full extent of our northern boundary and does not comply with Built Form Control D8 Privacy. Both our open spaces, front and rear, and our Northern bedroom windows would lose visual privacy as each would be overlooked by the towering structure above from the numerous windows on the Southern elevation and the non-compliant elevated rear balcony over the setback line.

CONCLUSION:

The proposed development would significantly impact our property because of the enormous Bulk and Scale which would create overshadowing, loss of privacy and detrimental effect on our visual and acoustic amenity. It would also negatively impact the Public Amenity of Fisherman's Beach and the Collaroy Headland.

The proposed development fails to comply on building envelope, building height at the South Eastern corner of the structure, building bulk, rear setback, privacy, access to sunlight and overshadowing. All of these concerns were identified by Council in the Pre-Lodgement Advice at a meeting with the applicants on 26/2/2019, and have not been addressed by the applicants in the DA as submitted.

We strongly request that the Development Application be refused and the applicants be directed to resubmit a proposal that is both fully compliant with the LEP and WDCP and is sympathetic with the character and public amenity of this iconic location.