
Sent: 2/06/2020 3:33:22 PM
Subject: DA2020/0458 Submission
Attachments: 4 Notting Lane Submission.pdf;

Hi Max,

RE: DA2020/0458 Submission
4 Notting Lane Cottage Point

Please find attached submission for DA2020/0458 by way of objection, together with supporting materials.

regards,
David & Emma Holmes

Maxwell Duncan

1st June 2020

Planning Assessment Team
Northern Beaches Council
725 Pittwater Road
Dee Why NSW 2099

**RE: DA2020/0458 Submission
4 Notting Lane Cottage Point
Objection**

Dear Mr Duncan,

As the owners of 3A Notting Lane, we object to the DA proposal for a number of reasons as detailed below. These primarily relate to privacy, boundary clearance, noise and environmental concerns.

Privacy and amenity - the proposed route of the inclinator extends the full length of our house.

The passengers awaiting boarding of the inclinator at proposed Station 2 and those on the inclinator will have direct visibility into our property through our south facing window as they wait/transverse on the inclinator, regardless of the screen to the North. (See Appendix 1)

Station 2 is also the front door of the applicant's house and the proposed removal of the fence would enable the residents and all visitors full view into our kitchen and living area.

Clearance to Boundary - the applicant has stated that his boundary is 820mm at the narrowest point from the sidewall of the house to the boundary.

The Byrne Survey, provided and undertaken by Council at the time of the sale of Lot 3 Notting Lane, stipulates this dimension to be 800mm. (see Appendix 2)

The applicant notes that the required clearance from the carriage to any structure is 225mm and the carriage itself is 600mm, an overall dimension of 1,050mm being required for safe operation.

It would be reasonable to assume that if we wanted to erect a fence on the boundary line we would be entitled to, in an effort to maintain some of our privacy, requiring the applicant to allocate the full required 1,050mm on his property.

Further to the proposed 160mm adjustment to the external wall of the house, an additional 90mm needs adjustment, an adjustment of 250mm overall. This would include the shifting of a wood burning fireplace to meet current standards. (See markup of Detail A attached - Appendix 3)

We also note that the boundary fence supporting structure (piles and metal angles) extend over 300mm into our property at several locations as well as other minor infringements along its length. At the pinch point as detailed in Detail A, the fence screen that we have erected sits beyond the 800mm as indicated on the survey and is therefore on our land.

Side Boundary Setback - the proposed works fall within the planning control 900mm side setback along the full length of our house. The subject property is generously wide at 25m so it is unnecessary to place the inclinator in the position which will most negatively impact us through loss of amenity, impact to privacy, noise disruption and increased risk of fire. This should be considered in any merit assessment.

Noise - the mechanical noise of the inclinator operation and the noise generated by the passengers utilising the inclinator will be 135mm adjacent to our boundary.

The proposed location of Station 1 is adjacent to our childrens bedroom, with Station 2 outside our living room window. The overall route passes our main entrance, living room, studio and lower deck area and is likely to be used at all hours.

Section 68 - Cottage Point is an area without reticulated sewerage, so the proposed pylons and footings will occur within the limited effluent disposal area of an unsewered property. The application makes no allowance for any guidelines covered under *Section 68 of the Local Government Act*. The main sewerage pit is indicated to be near the waterfront boundary meaning that treated effluent is being applied to the land in close proximity to the waterways on a block with a 40 degree slope. Any works within this area will create increased risk of effluent runoff directly into the waterways.

While the geotechnical report makes no mention of the discharge of effluent within the proposed area of works, the auger found that the area contains poorly draining clay soil of limited depth, indicating a high risk that treated effluent could flow directly into the waterway by gravity. The planned excavations and removal of grass vegetation will further increase the likelihood of surface runoff of effluent and have not been addressed in this proposal.

Waterway Setback - there is 15 meter front set back control that needs to be considered with respect to environmental impact to the National Park waterways and adjoining riparian lands. As a minimum, any new development should observe the existing precedent for a waterfront setback that's consistent with recently approved applications.

Landscaped Area - the site survey indicates that requirements for minimum soft vs hard landscaped area are not currently being met. The earthworks and concrete pads will further reduce the area of soft landscaping making the application non-compliant under local controls.

Fire - Cottage Point is an area of extreme fire danger. The Fire Report recommendation 6 is for a minimum 10,000L supplementary water supply for firefighting purposes. Above ground tanks are to be metal or concrete - plastic tanks are not to be used. No such provisions are detailed in the application and the existing above ground tank appears to be plastic.

The proposed location of the inclinator within the 900mm setback is not compliant with fire separation requirements. The nature of the inclinator being an electrically operated item further enhances this risk.

It is for the above reasons that we suggest the applicant consider more carefully an alternative location for the inclinator. One that will:

- have less direct privacy and noise impacts to neighbours;
- meets required clearance requirements for safe operation;
- meet Councils 900mm setback requirements;
- have less of an impact on the limited wastewater treatment area;
- be less of a fire risk to adjoining properties;
- more closely meet the 15m setback requirement

An example of such is provided at Appendix 4, an alternative route which could be supported by ourselves and is more closely aligned with planning controls. Minor modifications to the entertaining deck completed with a series of landscaping ramps and stairs will enable similar reach.

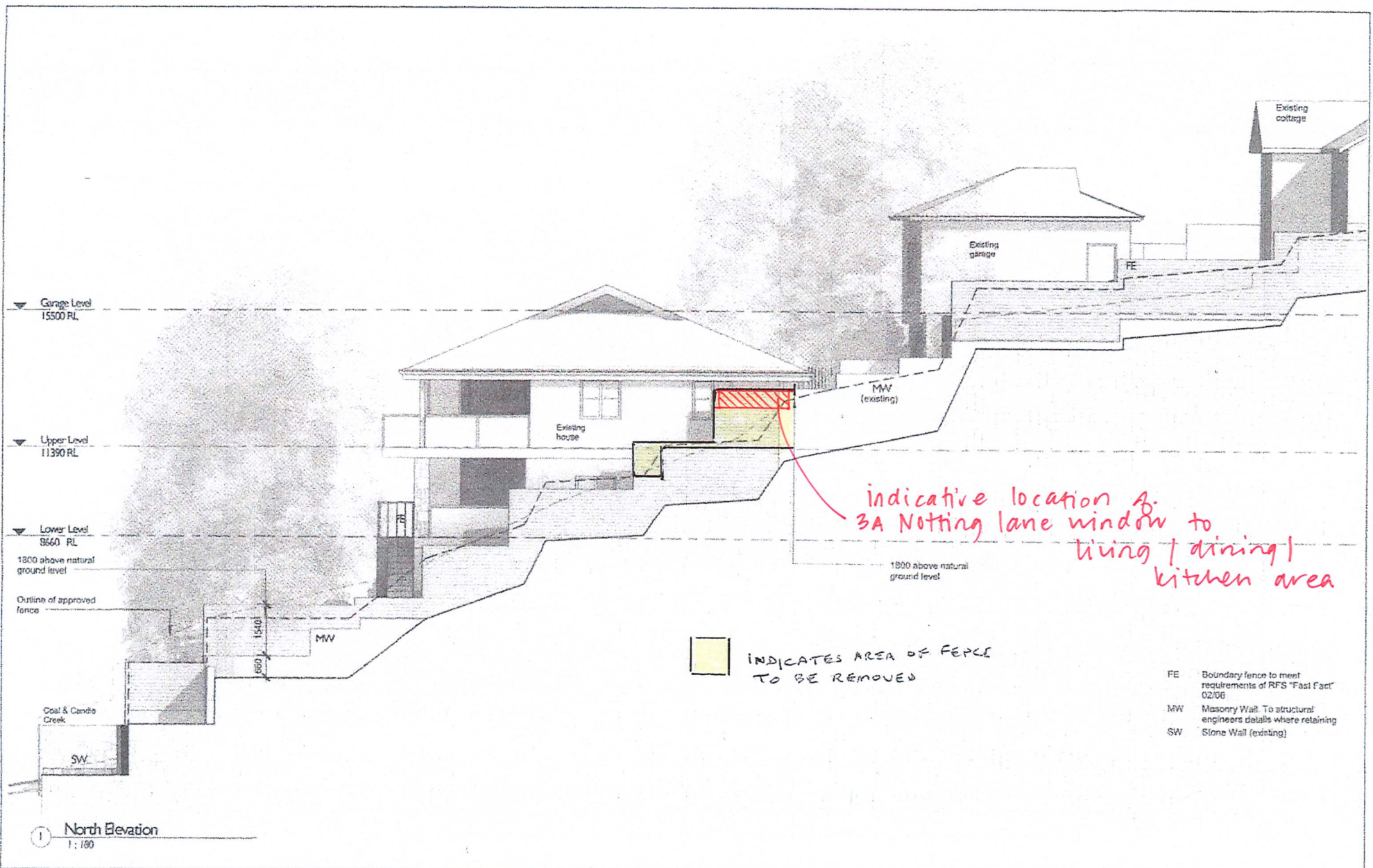
In summary, the DA contravenes local planning controls and cannot meet the minimum clearance distances required for safe operation. It impacts extremely negatively on our amenity, creates an increased risk of fire and raises some serious environmental concerns.

The DA as proposed should therefore be refused.

Sincerely,

Emma and David Holmes

Appendix 1



Karla Wilford Architect Reg. 8483
PO Box 508 Terry Hills NSW 2084
0402 845 205

A	Development Application Issue	28/09/13
B	S96 Issue	28/04/15
C	S96 Issue	01/11/15

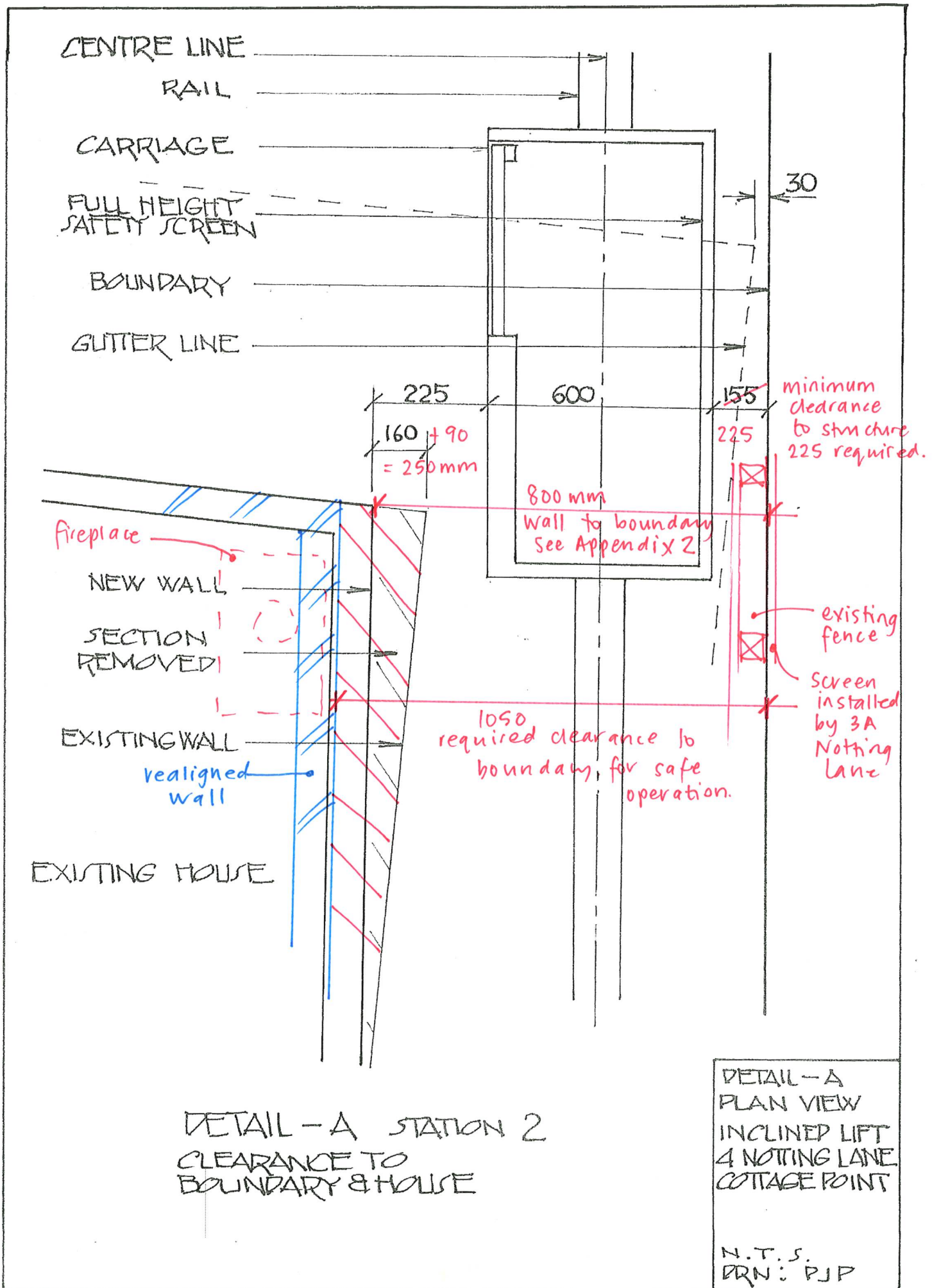
SEXTON HOUSE
Alterations & Additions at
4 Notting Lane
Cottage Point NSW 2084
by Garry & Dawn Sexton

North Elevation

Project number	1101	Checked by	KW
Date	March 2013	Scale	1:100
Drawn by	KW		DA05

Appendix 2

Appendix 3



Appendix 4

NOTES:

- TREE SPREADS ARE INDICATIVE ONLY.
- ONLY VISIBLE SERVICES HAVE BEEN SHOWN. UNDERGROUND SERVICES HAVE NOT BEEN LOCATED. NOTIFICATION OF ALL RELEVANT AUTHORITIES SHOULD BE UNDERTAKEN BEFORE CARRYING OUT ANY CONSTRUCTION ACTIVITY IN OR NEAR THE SURVEYED AREA.
- THIS SURVEY HAS BEEN CARRIED OUT FOR INFORMATION PURPOSES ONLY AND SURVEY MARKS SHOULD BE PLACED IF STRUCTURES ARE TO BE ERECTED ON OR NEAR THE BOUNDARIES. BOUNDARIES ARE NOT TO BE ESTABLISHED FROM INFORMATION SHOWN ON DRAWING.
- CONTOUR INTERVAL - 1 METRE. CONTOURS ARE INDICATIVE ONLY. SPOT LEVELS SHOULD BE ADOPTED FOR DESIGN AND CALCULATION PURPOSES. CRITICAL SPOT LEVELS SHOULD BE CONFIRMED WITH SURVEYOR.
- ORIGIN OF LEVELS: P.M.6079B R.L. 20.523 A.H.D. (SCIMS)
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Incorporating PAUL KEEN & COMPANY
LAND & ENGINEERING SURVEYORS
38 KEVIN AVENUE, AVALON 2107
TEL...9918 4111

DETAILS AND LEVELS OVER
LOT 1 IN D.P. 586163

4 NOTTING LANE, COTTAGE POINT

DATE... 6/11/17 REF... 24899E
SCALE...1:100(A1) DATUM...A.H.D

Adam Clarke
Registered surveyor No. 8490

