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Subject: Online Submission

23/01/2020

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7 / 28 Victoria PDE
Manly NSW 2067
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RE: DA2019/1475 - 22 Victoria Parade MANLY NSW 2095

To Whom It May Concern.

Thank you for providing information on the proposed development.

We are, Antoinette and Marc Bruecher the owner of 7/28 Victoria Parade, Manly NSW 2067 and wish to submit a list of objections to and omissions from the proposed development regarding DA2019/1475.

We also strongly object to the loss of natural light we will receive in the lower units, which is already quite low. It may be affected to our property's value.

We have attached our submission which is similar to the concern of other owners in 28 Victoria Parade.

If you have any queries, please do not hesitate to contact us by only E-mail.

Kind regards

1. Acoustic Privacy:

1.1 Objections:

- The proposed design of the balconies on the north east elevation are in direct line of sight into the windows of apartments directly adjacent to 28 Victoria Parade thereby compromising the privacy of neighbouring residents. They are only set back 2.2m from the boundary line, and 4.95m back from the windows of the neighbouring residents of 28 Victoria Parade.
- The balconies on the north east side of the proposed development present a high probability of noise and cigarette emission that will impact residents of 28 Victoria Parade.
- The proposed use of the roof-top as a recreational area for commercial enterprise will cause a detriment to the residents of 28 Victoria Parade no matter what time of day. The acoustic assessment provided in the application states that use of this area will be prohibited after 10pm by the hotel, however the ability to enforce restriction on these proposed hours of usage are unlikely to be satisfactorily adhered to, particularly if the area is leased for private parties. The residential zoning of this area means that families with young children, shift workers and individuals who work from home will be severely impacted at all hours by the uncontrolled and unnecessary noise generated by this 24 hour commercial establishment.
- The acoustic assessment is incomplete in its review of the impact of noise on residents of 28 Victoria Parade. After speaking with the author of the report, the data they have used from sensitive noise receiver in the centre of our building on the roof-top is from another report they were commissioned to write in 2015, and has not been updated for nearly five years. As a result, their findings and recommendations provided are in-accurate and irrelevant to this current application. No attempt was made then or the developer to contact residents or the managing agent of our building to organise a comprehensive study of the noise impact from inside the affected apartments.
- The acoustic assessment failed to recognise the true impact of road traffic generated by the

development. In their conclusions in 6.3 (page 15) they estimate a maximum of five trips per morning or evening peak hour, but this is based on no factual data and is at best, no more than guess-work. They have not assessed the traffic impact during constructions, where from recent experience of the development at 49 Victoria Parade, generated a substantial increase due to idling concrete mixers and demolition trucks queuing on the road to access the site.

1.2 Omissions:

- The proposed placement of the mechanical plant and acoustic louvers on the ground floor on the north-eastern boundary will directly face the ground floor residents of 28 Victoria Parade at a distance of less than 10m. No acoustic assessment has been made of the impact of the machinery at this distance to the neighbouring residents.
- There is no acoustic assessment of proposed door mechanism to control access to the basement car park. Furthermore, there is no information regarding how the acoustic levels of a garage door would be controlled in order to mitigate the impact on residents of 28 Victoria Parade.
- There is no acoustic assessment on the impact of the proposed restaurant and cafe plan for the ground floor. Given the disturbance currently created by Hakan's cafe on the existing site, it is unlikely this will reduce with the new proposed site. No operating hours have been provided, nor the noise pollution currently caused by cafe patrons utilising the take-away service from the street commencing at 5:30am every day of the week.
- There has been no acoustic assessment of the noise from the intended roof-top outdoor speakers or pool pump located on this level, however it has been indicated (not guaranteed!) that the speakers will be positioned facing away from neighbouring windows. However given that residential properties directly face this proposed area from three different angles, it is hard to believe this will be possible. The impact of noise reverberation within the close proximity of all three adjacent properties has also been ignored in this assessment.
- There has been no acoustic assessment of the impact of noise from patrons using their balconies along the north-eastern boundary line. They are less than 5m from the windows of living spaces within 28 Victoria Parade. Given the 24 hour use of a hotel, there is a high probability of noise being generated at any time of the day or night from conversation, phone calls, music and traffic.