
Sent: 6/07/2020 6:35:38 PM

Subject: Resident objections - DA2020/0676 Lot 32 DP 5769 4 Dudley Street
BALGOWLAH

Attachments: Objections - DA2020 0676 Lot 32 DP 5769 4 Dudley Street BALGOWLAH.pdf;

Attention: Lashta Haidari
Planner
Northern Beaches Council

Dear Lashta,

I am writing on behalf of Strata Plan (SP) 57467, 2 Dudley Street Balgowlah 2093, to express concerns raised by the owners of units 1, 3, 4 and 5 in relation to the proposed development of the adjoining property, being 4 Dudley Street Balgowlah (DA2020/0676 refers).

Our objections are set out in the attached letter.

We trust the above objections will receive Council's consideration and look forward to hearing from you.

Yours sincerely,

Paul Hayes
Chairperson
SP57467
Email: paulhayes@ozemail.com.au

7 July 2020

Attention: Lashta Haidari, Planner
Northern Beaches Council

Email: council@northernbeaches.nsw.gov.au

SUBJECT: Issues of concern in response to:

- **Application No: DA2020/0676**
- **Address: Lot 32 DP 5769 4 Dudley Street BALGOWLAH**
- **Description: Construction of an attached dual occupancy including subdivision**

Dear Sir/Madam,

I am writing on behalf of Strata Plan (SP) 57467, 2 Dudley Street Balgowlah 2093, to express concerns raised by the owners of units 1, 3, 4 and 5 in relation to the proposed development of the adjoining property, being 4 Dudley Street Balgowlah (DA2020/0676).

Based on an assessment of the development application and supporting documentation accessed from Council's website, the following objections to the proposed development are submitted for consideration by Council:

AMENITY: The proposal does not protect the amenity of adjoining residents (units 1, 3, 4 and 5)

- Loss of privacy and security – elevation, window design and orientation

Examples raised by residents include:

- Different ground level RLs are recorded which, in turn, mean differing heights of the building – one says 8.25m but the other works out to 7.24m. This conflicting information has serious consequences such as the inability to provide overshadowing accuracy and the related understanding of impacts on unit owners (detailed below).
- From the plans, the proposal's first floor windows are directly adjacent to the adjoining bedroom balcony of unit 1 resulting in loss of privacy by direct viewing.
- Overlook occurs on unit 1's courtyards and possibly unit 4 (though the latter is not clear from the plans).
- The absence of acoustical privacy (e.g. proposed garage's tin roof which is on the boundary) would negatively impact on the privacy of unit 1 and possibly unit 4's bedrooms and living areas.
- Another concern relates to roof tile reflection which would seriously diminish the amenity of units 1, 3, 4 and 5.

- Unreasonable level of overshadowing

Examples raised by residents include:

- Noting the comments above on elevation accuracy, there would nevertheless be substantial overshadowing of the adjoining units and their living and outdoor areas.
- Negative impacts also occur for the units' clothesline areas and their established gardens.
- Overshadowing may also impact unit 3, though this is not clear from the proposal's shadow plan.

- Loss of views

The loss of the trees in the back-portion of the proposed development would be a tragic outcome and every effort should be made to ensure their preservation. For example, the large palm tree near the fence-line with the Balgowlah Golf Course is over sixty years old and it is the habitat for many local fauna.

CONSTRUCTION ISSUES: The proposal severely impacts adjoining residents (units 1, 3, 4 and 5)

- Site and boundary stability

- Ironstone is prevalent in this particular area and construction work is expected to cause unnecessary damage to the adjoining units and their underground carpark.
- The adjoining wall between the properties is another point of concern. For example, unit 5 has a common wall with the property's granny flat structure and this part of the boundary wall does not appear on the plans. Removal of the granny flat would certainly undermine the common wall's stability, with consequential damage to unit 5's pergola.

- Preventative measures

- If development approval is granted, it should be conditional to consultation with adjoining residents on the preparation of a dilapidation report and appropriate builder's insurances in recognition of the need to identify potential problem areas and to be further discussed regarding preventative measures.
- Demolition material removal plan is similarly essential to accommodate for the narrowness of Dudley Street and the propensity of truck drivers to park on and severely damage the green verges and gutters on either side of Dudley Street.
- There is also a need for an asbestos report and dust suppression plan. By this, the property at 4 Dudley Street is over 60 years old and risks asbestos being part of the construction materials. The dust suppression plan is designed to mitigate the negative health impacts triggered by demolition and construction, noting the respiratory problems of a number of residents which have been only exasperated by ongoing construction work in the street since 2017 e.g. construction of the traffic wall adjoining the Burnt Bridge Deviation.

COMPULSORY ACQUISITION BY TRANSPORT NSW

- What is Council's policy in circumstances of likely compulsory acquisition?

- A broader policy question arises as to how consideration of the proposed development can proceed when it is understood the property has been flagged for compulsory acquisition by Transport NSW to facilitate construction of the Beaches Tunnel.
- The views of Council on this would be appreciated.

We trust the above objections will receive Council's consideration and look forward to hearing from you.

Yours sincerely,

Paul Hayes

Chairperson

SP57467

Email: paulhayes@ozemail.com.au