
From: Anthony Saddington
Sent: 22/05/2024 6:38:28 PM
To: Anne-Marie Young
Cc: Council Northernbeaches Mailbox; [REDACTED]
Subject: TRIMMED: 18 Rednal Street, Mona Vale Objection
Attachments: Saddington 18 Rednal DA submissions Final_240522.pdf;

Hi Anne-Marie,
Attached is our objection to 18 Rednal st Mona Vale.
See you next Monday. Don't hesitate to call me if you have any questions.

Regards,

Ant Saddington
[REDACTED]

The General Manager
Northern Beaches Council
725 Pittwater Road

DEE WHY NSW 2099

22 May 2024

Attention: Anne-Marie Young

Dear Anne-Marie Young

18 Rednal Street, Mona Vale

Development Application No. 2024/0522

Alterations and additions including a boatshed.

We would like to make the following comments / objections to DA2024/0522.

One of Council's rationales for keeping building, especially elevated areas, behind the building line is to protect the privacy, view and amenity of neighbours. This is important because in this situation, DA2024/0522 is proposing significant new building works in front of the building line which will have detrimental impacts on neighbouring properties, especially ours being 20 Rednal.

18 Rednal's existing boatshed is over 8.5m in front of the foreshore building line; outside the building envelope; adjacent to our bedroom/living/entertaining and pool areas; with no setback. And considering DA2024/0522 is proposing to redesign and rebuild 90-100% of their existing boatshed from the floor slab up to the new roof, we believe there is no reason why their new boatshed shouldn't comply more with the Pittwater 21 DCP Guidelines for Boatsheds and Council's Planning Rules.

Proposed Lower Ground Floor Level Issues and Objection

- 1) We believe the new design for the Lower Ground Floor level continues to look more like a pool cabana/ living /entertaining area, than a boatshed. It involves a lot of glass sliding doors so everything stored inside will be seen from the waterways. This goes against the DCP.
- 2) DA2024/0522 does not provide any information in regards to the south east boatshed wall which directly affects us because it acts as our boundary fence. We need to understand what the surface treatment of this wall will be ie materials and finish. And we don't believe it is acceptable for them to start construction and then determine (because of engineering) that this wall needs to be replaced.

Therefore, we believe an engineering assessment of the south east boatshed wall should be required before any approval is granted. And if the wall is replaced, then we suggest they set the new wall back from the boundary and make it no higher than 3m so it complies with current Planning Rules and the DCP. Having it setback should not negatively impact 18 Rednal because their new design shows they are not using the boatshed in conjunction with the slipway. This new position would help reduce the negative impacts their current boatshed has on 20 Rednal because we could instead have a standard height fence between the two properties making us feel less hemmed in at our Lower Ground Floor level and Pool areas.

3) Following on from above, if the south east boatshed wall is replaced and their plans show the remaining 3 walls are being demolished, then essentially 100% of their existing boatshed will be rebuilt. This is important because we believe 18 Rednal's new boatshed walls should be 3m in height and comply with the DCP.

When looking at their plans, we are suggesting that the floor of their boatshed be at RL 2.500m and the height of their new x4 walls be reduced to RL 5.500m. This will affect the height of their existing boat and pool store area but this shouldn't matter as it is a storage area. And there would be plenty of room for them to store their kayaks inside their new boatshed along with life jackets and other boating equipment.

4) We believe the DA plans need to specify the RL of the existing boatshed roof before any approval is granted. DA2024/0522 does not give any information in regards to the RL of the existing boatshed roof and more than likely, the "existing terrace slab" on DA-B02 plan will have to be replaced. Therefore, we do not want their new boatshed roof to be any higher than what currently exists. Lower around RL5.500m would be preferable

5) DA2024/0522 does not propose any drainage plan for their existing boatshed roof. Water currently drains off their roof directly onto our property which is not acceptable. We believe the current and future drainage issues need to be addressed before any approval is granted.

6) In regards to the new set of stairs proposed to connect the Lower Ground Level to the roof of the boatshed, we strongly object:

- As mentioned earlier, allowing people to regularly access the roof of 18 Rednal's boatshed will detrimentally impact the privacy, view and amenity of neighbouring properties, especially 20 Rednal, because it is an elevated area over 8.5m in front of the building line and our house.

- In 1975 Council strictly "forbid" 18 Rednal from trafficking the roof of their boatshed. Thus, we know the "existing stairs" noted on these plans which connect the ground to the roof of the boatshed were erected sometime before 2008 without consent. We believe Council should consider the proposed stairs in DA2024/0522 as being "new building works in front of the foreshore building line" because the current non-compliant stairs and non-compliant balustrade should not exist.

- The purpose of the proposed new set of stairs is to allow people to regularly access the roof of their boatshed for entertaining purposes plus an additional access to the new Ground Floor

balcony. This goes against Council's rules that state, "Boatsheds shall be one story" and "Roof areas of boatsheds shall not be used for recreational or observational purposes". Hence why Pittwater 21 DCP Guidelines for Boatsheds does not include stairs in their criteria.

And considering Council's Compliance Team has ordered 18 Rednal not to traffic the roof of their boatshed nor use the unauthorised stairs, we urge Council to reject these proposed set of stairs. If approved, 18 Rednal will provide the precedent for other owners to argue that their 'desired' boatshed refurbishment can also include a new set of stairs to access their boatshed's roof. This is not in the best interest of the community.

Proposed Ground Floor Level Objections

We are seriously concerned about the significant building works proposed for the roof of the boatshed and strongly object to this entire second storey. We believe the roof of 18 Rednal's boatshed should remain just that, a standard roof with guttering and no connecting stairs. It should remain non trafficable and non habitable because:

1) We know Council has documents which show that 18 Rednal's boatshed rooftop was first rejected in 1975. In fact it was strictly "forbidden" to be used as a trafficable area. Therefore, 18 Rednal's 'existing use of the rooftop' argument is irrelevant because approval to use it was never given in the first place. Matt Dunn (who is the Head of Compliance at Northern Beaches Council) is able to provide this research to the current Development Assessment Team.

2) More recently in 2022, the habitable nature of the boatshed roof was rejected by the Development Determination Panel (DDP) as part of approving DA2022/0953. In fact, the DDP was going to reject this DA if the boatshed rooftop was not removed from the plans. Hence it has been circled as "NO CHANGES TO EXISTING BOATSHED AND TERRACE". The DDP put the following restrictions on this DA in section 4 Boatshed in the Notice of Determination

- "The boat shed and associated stairs does not form part of this development and any reference to them shall be deleted from the plans listed in Condition 1. No approval is granted or implied under this Development Consent for the existence or use of the roof terrace atop of the existing boatshed, annotated as 'Existing Terrace' on drawing DA03 K.

For clarity, this consent does not approve:

- The connection of the existing terrace to the new balcony of the house.
- The use of the rooftop as trafficable space.
- Any physical works that have been undertaken without consent.

3) We would like Council to ask 18 Rednal to mark out on their boatshed's roof where their New Ground Floor balcony will finish, and what the RL will be on these plans. We do not want this balcony to be any further forward nor higher than what was approved in DA2022/0953.

4) The linking of the two buildings is an attempt by 18 Rednal to extend their First Floor balcony, and thus the house, in front of the building line and outside the building envelope which is unacceptable. DA2024/0522 is proposing to build two new sets of stairs that will allow direct access to the roof of the boatshed from the Ground Floor balcony and the Lower Ground Floor Level. These have the effect of turning the roof of their boatshed into a seamless extension of their house, enabling this roof to be a trafficable / habitable area significantly in front of the building line and neighbouring properties.

We know this will have detrimental impacts on 20 Rednal because their proposed entertaining /access area has been positioned directly on the boundary line, with no setback.

- people will access this rooftop daily.
- noise levels will increase dramatically impacting every level from inside our home.
- privacy will be diminished. When sitting or standing on the boatshed roof people can look back and see directly into our bedrooms/living/dining/and rumpus rooms; and they can overlook our outdoor entertaining areas and pool area.

They will be too close which is unacceptable. Therefore, we urge Council to reject these two new sets of stairs because they will set a bad precedent for future boatshed 'refurbishments' as mentioned.

5) The proposed screen, planter box, garden bed and balustrade will effectively make the fence height on 20 Rednal's side untenable. The wall of their existing boatshed sits on the boundary line and acts as a boundary fence between the two properties. This fence is approximately 8.9m in length x 1.8m high at one end (our Lower Ground level) and 3m high at the other end (our Pool Level).

DA2024/0522 seeks to make the heights of this fence worse by adding a 1.8 metre high screen on top of the boatshed roof, along with a planter box, garden bed and balustrade with no setback. This will effectively make our boundary fence approximately 8.9m long by over 4.8m high which is unacceptable. It will block out the northern views from our Ground Floor level and Lower Ground Level; they will reduce the light entering the Lower Ground Level and pool areas from 12noon onwards and they will reduce the cool summer breeze we get on these Levels. Thus we strongly object and urge Council to reject these proposed screen, planter box, garden bed and balustrade. It will set a bad precedent for future boatshed 'refurbishments' as mentioned.

6) Any attempt to screen the roof of 18 Rednal's boatshed will effectively create a two-story structure in front of the building line and outside the building envelope, and this will negatively impact 20 Rednal as mentioned. Therefore, we strongly object to any screen.

Furthermore, we completely reject the diagrams in this DA that attempt to depict the northern view from our Ground Floor Level because we in fact have uninterrupted northern views from this level. The architect has never been to our house; there is no RL's on the diagrams and it is only an estimation at best. It is also comparing the view to the one that includes 18 Rednal's unauthorised screen which no longer exists because it was removed by Council's Compliance Team. Therefore these diagrams and their reference to it in plan DA-B03 are deliberately misleading so we ask Council to ignore them. Furthermore, any attempt to screen their boatshed roof will also block out the northern view we get from our Lower Ground Floor Level. Our views from both levels can be confirmed when Council comes out for a site visit.

We also ask Council to ignore the architect's reference to "20 Rednal's existing aluminium screen" as the height of it has been drawn incorrectly on plan DA-B03. This screen is the same height as the roof of their boatshed so it is misleading to suggest otherwise. It certainly does not block out any of our northern view, but rather their old boatshed wall. Again, we are happy to confirm this height when Council comes out for a site visit.

In Plan DA-B03, the architect has also made reference to a fence which no longer exists. The "existing fence to boundary" was removed by 18 Rednal during the demolition as they are now building concrete stairs next to the boundary line, rather than having soft planting (which was what they got approval for in DA2022/0953). This was removed without us discussing nor agreeing to what it will be replaced with. Thus, we would like to know what materials and finish they plan to use on this new boundary fence and once this fence has been built, and we know what materials and finish they plan to use on the south east boatshed wall (as mentioned earlier), then we plan on removing our "existing aluminium screen".

6) Any attempt to add a planter box and plants on top of their boatshed will effectively create a two-story structure in front of the building line and outside the building envelope which will negatively impacts 20 Rednal. DA2024/0522 seeks to place a rooftop garden bed on the boundary line with no setback. We will not be able to control the height of these plants (which could act like a 1.8m screen) and our privacy will be reduced when they are attending to them, which is unacceptable. And as mentioned, their bulk and scale will impact the northern view from our Ground Floor level; block out the view on our Lower Ground Level; it will reduce the light entering the Lower Ground Level and pool area from 12noon onwards and it will reduce the cool summer breeze we get on these Levels. Hence, we strongly object to any rooftop garden.

Therefore, we firmly believe there is no way for 18 Rednal to use this boatshed roof as an additional access point to their pool nor additional entertainment area without negatively impacting 20 Rednal and neighbouring properties. And, we strongly reject the claim (in 18 Rednal's Statement of Environmental Effects) that the "proposed Terrace and Associated Works are a significantly reduced development compared to DA2022/0953". This new DA does not reduce the detrimental impacts on 20 Rednal nor the other neighbouring properties; it is similar in bulk and scale; its intent and impact remain the same, and it creates outcomes in contradiction to the LEP and DCP.

We were relieved when the Council's Compliance Team issued the owners a Notice of Intention to give a Development Control Order on the 4th March 2024 against their "unauthorised use" of the boatshed roof because it was seriously impacting our daily life. It restored privacy for the neighbouring properties because the roof was returned back to a standard non-habitable / non trafficable roof. We no longer hear nor see strangers regularly accessing this area via the unauthorised stairs, looking directly inside our house; across to our outdoor entertaining areas and into our pool area. Having people watch us was distressing to say the least as they were so close.

Additionally, Council's Compliance Team forced 18 Rednal to remove the unauthorised "timber screen" which the current owners erected along the eastern boundary of the boatshed roof. Now we can enjoy our uninterrupted northerly views; we have more light entering our living / rumpus areas from 12noon onwards and we have better access to the cool summer breeze, especially on our Lower Ground Floor rumpus/outdoor entertaining and pool areas.

It's important to understand that in their approved new home, 18 Rednal has already achieved uninterrupted views from large balconies, bedrooms and living areas on both the First and Ground Floor Levels, providing the owners with significant viewing and entertaining areas which we did not oppose.

We do not believe 18 Rednal needs more views and entertaining areas from their boatshed's roof and Council has agreed by rejecting the use of it as a habitable / trafficable area twice thus far. DA2024/0522 has made a couple of minor modifications to the rooftop design but these do not mitigate any of the detrimental impacts as outline above. It will not improve the detrimental privacy /overlooking impacts; it will not improve the loss of view impact; it will not reduce the increased noise impact; it will not reduce the over shadowing impact; and it will not reduce the cool summer breeze impact.

Furthermore, it is interesting that their architect, who is not impartial, could only come up with 8 examples of boatsheds in the whole of Pittwater with roof terraces. And we believe all of these are completely irrelevant to this situation.

- 1) These boatsheds are a significant distance away from the living/bedroom/entertaining and pool areas of neighbouring properties. Whereas 18 Rednal's rooftop will be adjacent to 16 and 20 Rednal's.
- 2) The majority of these rooftops have a completely different RL to the living /bedroom /entertaining and pool areas of neighbouring properties as they are on sloping blocks and well below the neighbouring houses. Whereas in this situation, 18 Rednal's rooftop is an extension of their new Ground Floor balcony, thus it will be a similar RL 20 Rednal's house and very close.
- 3) These rooftops do not require any solid screening to mitigate noise and privacy for their neighbours because of their rooftop's location. Whereas in this case, 18 Rednal's rooftop will have no setback to 20 Rednal's living/bedroom/outdoor entertaining and pool areas and it will overlook 16 Rednal's outdoor entertaining and pool area.

4) Architecturally from the waterways, the bulk and scale of these rooftops are far less when compared to 18 Rednals's proposed rooftop. These examples are not like 18 Rednal where it is an 8.5m extension of their already 4.3m wide balcony; none of them require screens; nor do they have a similar scale of planter boxes; plants and garden bed.

In summary, we strongly object to DA2024/0522 because this proposal shows little respect for Planning rules and little respect for neighbouring properties. As mentioned, 18 Rednal's "refurbishment" actually proposes to rebuild 90-100% of their existing boatshed; the remodelling completely disregards the LEP and DCP; they are building what they want to the detriment of neighbouring properties; costing approximately \$312,444.00. We consider this to be a significant rebuild and with this scale of work, it will set a very bad precedent. Just like 18 Rednal's architect has attempted to use other trafficable boatshed roof terraces as precedent, if approved 18 Rednal's boatshed will provide the precedent to argue that all 'desired' boatshed refurbishments, regardless of the impact on neighbouring properties and waterways, should be approved.

For these reasons, we urge Council to reject DA2024/0522 and encourage the owners to resubmit plans that comply with the Pittwater 21 DCP Guidelines for Boatsheds.