

In response to Margaret Blackwell's letter re: DA N0090/16 for 34 Coasters Retreat.

Comment: *I believe that the proposed development will have significant detrimental impacts on the amenity and use of my property, particularly in relation to the following.*

Response: We acknowledge concerns raised in this submission and have addressed these as below.

Comment: *Siting and orientation on the lot which is inconsistent with neighbouring properties.*

Response: Siting and orientation is consistent with neighbours properties. We have sited the proposed dwelling equally off both boundaries and have sited the dwelling midway between neighbours setbacks sympathetic to the neighbours and to the contours of the site in keeping with the natural progression up the slope from No. 33 to No. 37. **Refer Appendix C.**

Comment: *Loss of visual privacy due to the close proximity, window placement, open walkways and open stairways in the proposed dwelling (ie within 3-4 metres of all my habitable spaces), impacting on all northerly aspects of my indoor and outdoor living spaces, ie my front deck, living room, kitchen and adjacent balcony and dining room, as well as the main bathroom and the main bedroom.*

Response: The 'close proximity' referred to is a result of what would now be considered non-compliant siting of No.37. Additional consideration has, nevertheless been given to No. 37 by modifying rear access to the living pavilion and introducing slatted privacy screens to western elevation windows and rear stair / deck areas.

Comment: *Also, due to front balcony and position of living room windows in the proposed dwelling, there will be close overlooking of the only flat usable garden space of approximately 20m2 on my property.*

Response: A slatted privacy screen has been added to the living room window facing west. The living deck is oriented north so views are obscure across the neighbouring property (37 Coasters Retreat) are not direct across the site as they would be if we oriented the building parallel to the boundary. We believe we have given due consideration to concerns raised.

Comment: *Loss of noise privacy due to the close proximity of the proposed dwelling and the attenuation of sound in this profoundly quiet environment where there is no "white noise" as typically found in residential environments. Coasters Retreat does not have any of the background noises of motor vehicles, trucks, sirens, public*

transport, etc, which in normal residential areas, assist in deadening routine voice sounds and household noise.

Response: The proposed dwelling at No. 34 is setback further than required to the western boundary and lower than allowable on the western elevation, and is mindful of constraints imposed by the location of the neighbouring dwelling (37 Coasters Retreat) in position that would now be precluded by contemporary planning requirements. Regard has also been paid to construction additions and modifications made to the understory area of the eastern side of that neighbouring dwelling in late 2015.

Comment: *Loss of sunlight, particularly loss of all winter morning sun to my kitchen, kitchen balcony and main bathroom due to roof heights, siting and orientation.*

Response: We have addressed the concerns raised and have lowered the roof forms to allow more sunlight. **Please see revised shadow diagrams attached.**

Comment: *Loss of views due to dominating roof heights, siting and orientation, affecting all areas as nominated in bullet point 1 above.*

Response: Roof heights have been amended and are now below the 8.5m allowable and in particular are well below 8.5m on the western elevation adjacent to No. 37. In consideration to No. 37 we have now sloped roofs away from No. 37 west to east to maximise views for No. 37. **See Appendix 1A and 1B attached.**

Comment: *Loss of amenity and outlook due to dominant rooftops affecting all areas as nominated in bullet point 1 above.*

Response: As per point above

Comment: *Heat and glare from the proposed rooftops affecting all northerly living spaces and balconies, particularly the kitchen balcony which is in constant use.*

Response: Revised roof forms now drop further east. Roof colour is now darker to reduce reflectivity. To not be overlooking roofs, the proposal would need to be 8.5m height on the western boundary which would then block views across No. 34 and create more overshadowing. We believe we have achieved a balanced outcome.

Comment: *Visual impact of overlooking the proposed rooftops (within 3-4 metres) with fixed solar panelling for power and water.*

Response: Solar paneling for electricity has now been deleted. We have relocated the solar hot water panels to the north facing Bed pavilion roof so they are directed away from No. 37.

Comment: *The roof plan fails to demonstrate the solar panels for power and hot water, their positions, sizes, angles of installation nor method of fixing as referred to elsewhere in the reports.*

Response: Solar Hot water panels have been added to the Roof plan – [see attached.](#)

Comment: *Loss of light due to roof heights, siting and orientation, affecting all areas as nominated in bullet point 1, above except for the main bedroom.*

Response: Roof heights reduced as noted above. **Refer Appendix 1D for 8.5m 'blanket' over No 34 and 37.** The appendix illustrates the 'dominating' rooftop is that of No. 37, which exceeds the 8.5m currently allowable.

Comment: *Non-compliance with Pittwater 21 in relation to the building envelope, set-back and roof height.*

Response: The building envelope is slightly encroached upon on the eastern boundary but meets the objectives of the guidelines, hence we are requesting consideration on a merit basis in this regard. We reduced the roof height on the eastern boundary to reduce the amount of non-compliance. Now the majority of non-compliance is due to eaves overhangs required for sun protection with a small internal Bed 1 upper level triangular volume of room space. We could move closer to No. 37 to achieve compliance with an offset of 900mm to No. 37. We believe the compromise achieved by not moving closer to No. 37 is more beneficial to No. 37 than the alternative.

Comment: *Inconsistency of drawings in relation to the exact location of the proposed dwelling and the distances to existing trees and boundaries.*

Response: Drawings have been updated and clarified.– [see enclosed material.](#)

Comment: *Misrepresentation regarding the equitability of view sharing.*

Response: View sharing is addressed in letter to council. The comment is not accepted. [See also Appendices 1A and 1B](#)

Comment: *The desired views as stated by the applicant are exclusively across my side boundary and front garden, ie views which did not exist until recently, which I have created. Such “borrowed landscape” may change for reasons beyond my or the applicants control, and cannot be relied upon in the fullness of time.*
Response: Noted. Views elsewhere are also desired views. **Refer ‘Response to Pittwater Council’ letter.**

Comment: *The survey in the DA does not correlate with previous owners’ surveys which Council has on file, nor with my records. This is particularly highlighted in relation to our shared boundary and subsequent ownership of a 30 year old Australian Red Cedar tree planted by the original owner of my property. This is an important tree, rare to find in a residential environment, and highly regarded. Over the years, this tree has grown so that its trunk encroaches approximately 10%- 15% onto the neighbouring property. The current owner’s survey shows that tree to be contained wholly within his property and is referred to as such on his Aboricultural report.*

Response: CMS Surveyors stand by the accuracy of their survey. They have used a survey mark on the south east corner of No. 34 as their reference point. Reference has also been made to survey documents previously conveyed by the author. **Refer Appendix G – Surveyors Confirmation letter.**

Comment: *The likelihood of irreparable damage being caused to my Australian red cedar is considerable due to the proposed rear pavilion requiring a pier 2.5 m from the trunk, as well as a further comment in one report stating, that the “Exact position of piers near trees (2 trees) will be determined on-site at the time of construction”.*

Response: Arborist and Engineer will work together on site to determine best location for piers in consideration of trees. **Refer ‘Response to Pittwater Council ‘ letter.**
The location of the tree referred has had a material effect on the conclusions.

Comment: *The bulk and scale of the proposed 2 storey front pavilion which occupies the entire permissible width of the block is out of character with Coasters Retreat and does not allow for sufficient separation or screen plantings for privacy between neighbouring properties.*

Response: The western end of the living pavilion is single storey and approximately 6m below the ridge line of No. 37 (No. 37 would be considered non-compliant under today's regulations). The pavilion ‘pole’ style of house allows for natural vegetation to continue under and around the structure maintaining the landscape character of Coasters Retreat. The low scale of development enables the vegetation to dominate. Building offsets to boundaries vary between 2 and 3 metres allowing staggered yet continuous vegetation along both boundaries.

Comment: *The air pollution and smoke emission from the proposed living room chimney, due to its close proximity to my dwelling and the proposed height of 5m (aligned with the floor height of my kitchen balcony within 4 metres), will affect health, use of, and comfort on my balconies, living rooms and kitchen.*

Response: Predominately winds are from the west, north west, and south west during this period, which we believe would take smoke away from No. 37.

Comment: *A landscape plan was not submitted as part of the DA despite various reports undertaking significant plantings and landscaping, and inconsistent details on plans regarding which existing plantings will be retained.*

Response: Plans have been updated. [See enclosed.](#)

Comment: *Inconsistent and inaccurate information provided in the Ecology Report and Aboricultural Assessment and Report, including misrepresentation of tree species on site, inaccuracies as to which trees are to be removed, and inconsistencies on whether there are 2 or 3 trees proposed for removal. There is also no reference to extensive planting of exotic trees by the current owner throughout the site ie 20-25 trees, some of which are contrary to the Pittwater Council Tree Preservation Order and against NPWS guidelines to sensitive areas adjacent to a national park, eg fruit trees, jacaranda and Illawarra flame trees.*

Response: Response enclosed. [See Appendix 2](#)

Comment: *There is no reference in the Ecology Report to many commonly found and regularly visible fauna on the site, eg lyre birds, echidna, pythons and feathertail gliders amongst others.*

Response: [See updated Ecology Report.](#)

Comment: *The proposed water tank at the rear of block adjacent to my boundary will impede access for the RFS and any other relevant authorities in case of emergency. It will also impede access and flow of the wildlife corridor, particularly for lyre birds and wallabies which traverse that area constantly throughout the day and night.*

Response: Water tanks are now located on the rear eastern corner of No. 34. [Please see Revised Site Plan.](#)

Comment: *Environmental concerns are raised in relation to the “small digger and crane” proposed to be on site for construction.*

Response: Our engineer is currently suggesting rock anchors and piers which will be able to be constructed with small scale equipment with environmental considerations. The applicant is fully aware of the need protect environmental values and to comply with all regulatory requirements.

Comment: *I will provide a more detailed submission regarding these issues after consultation with an independent consultant. I request therefore that you allow a further 14 day extension for my expanded submission to facilitate the extra time required to obtain independent advice.*

Response:

Noted.