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Sent: 5/03/2025 3:12:27 PM
To: DA Submission Mailbox
Subject: Online Submission

05/03/2025

Select... NEIL and KATHERINE OWEN
1 / 11 CLIFFORD AVE
FAIRLIGHT NSW 2094
[REDACTED]

RE: DA2024/1835 - 35 Fairlight Street FAIRLIGHT NSW 2094

Application No. DA2024/1835

Address: 10 & 12 Clifford Avenue and 33 & 35 Fairlight Street, FAIRLIGHT

Description: Demolition works and construction of a residential flat building

Dear Claire

We object to the proposed development for the following reasons:

1. Excessive bulk/scale, non-compliance with DCP & MLEP and streetscape:

The proposed development greatly exceeds relevant council planning controls:

- (i) excessive number of units - 62% non-compliance;
- (ii) excessive floor space - 86% non-compliance; and
- (iii) excessive height - 63% non-compliance.

The proposed development is completely out of character for and threatens to dominate the streetscape Clifford Avenue. The applicant's justification for this audacious application by reference to surrounding overdevelopment catastrophes of bygone years is misleading because firstly, it is highly unlikely any would be approved today and secondly, Clifford Avenue has an entirely different residential character. This proposal, if approved, would not just significantly alter the streetscape but would set an unfortunate precedent for further overdevelopment in similar low-density residential areas. Good development should respect the existing scale and character of the street.

2. Traffic:

Clifford Avenue is an already very busy dead-end street. If this application is approved, Clifford Avenue will bear the burden of all vehicular movements from all 15 dwellings in both the upper and lower pavilions instead of just 3 dwellings as at present. This would not only adversely affect the amenity of Clifford Avenue but would also be grossly unfair. A better and more reasonable design would incorporate vehicular access to the upper pavilion from Fairlight Street. The applicant's DA in force for 33-35 Fairlight Street (DA2022/0688) demonstrates that there are no impediments to such a redesign.

3. Garbage:

The application proposes kerbside collection on Clifford Avenue at the point where the street splits into a narrow uphill single dead-end lane and a stubby cul-de-sac. Adding up to 36 bins on green waste collection days, and up to 24 bins on the alternate garbage collection day to what is already a chaotic arrangement because of the nature of the site will have major impact on traffic and the amenity of the local environment. Residents from numbers 7 to 19 Clifford Avenue have to place their bins in the centre of the street where it splits because the garbage truck cannot safely negotiate the short cul-de-sac. Every Tuesday, the centre of Clifford Avenue clogs up with bins and on Wednesdays, after emptying, the bins left are randomly scattered across the street and kerbside. Clifford Avenue simply cannot carry any more bins so the development, if approved, must provide for on-site garbage and green waste collection. If this is not feasible, a better and more reasonable design would provide for kerbside collection on Fairlight Street.

4. Excavation:

Although the proposed basement car park requires extreme and extensive excavation, the applicant has not provided evidence of an adequate geotechnical assessment of the Clifford Street lots. Reliance upon a survey conducted at 33 & 35 Fairlight Street carries serious risk and is not good enough; "I think" simply does not cut it. Nor would it be acceptable for the applicant to "assess when they drill bore holes as see what they are dealing with" thereby leaving all of the risks associated with such an extensive and extreme excavation unknown until after the project has commenced.

More particularly, we are concerned about:

- (i) potential vibration damage to our property. A dilapidation survey must be carried out at the applicant's expense if the application is approved;
- (ii) exposure to hazardous silica dust. A detailed management plan is essential to make it clear how the applicant intends to manage the risk of potentially deadly crystalline silica dust nuisance; and
- (iii) the noise and disruption that will be caused by such a prolonged and extensive excavation (i.e. 6 days a week for at least 8 months) will severely impact our quality of life.

In summary, the proposed development not only greatly exceeds planning controls but also poses serious risks to residents and threatens serious damage to the amenity of the local environment. Therefore, it should be refused.

Regards
Katherine & Neil Owen