
Sent: 10/02/2020 10:01:52 PM
Subject: submission DA2020/0041
Attachments: DA2020_0041 Letter_FINAL100220_1.pdf;

For the attention of:
Mr Kent Bull
Planner
Northern Beaches Council

BY EMAIL ONLY

Dear Kent,

Please find attached a submission regarding development application **DA2020/0041** at 36 Allawah Avenue, Elanora Heights.

Yours sincerely,
Mark Bonnar
0408 848 341
markbonnar@hotmail.com

182 Woorarra Avenue
Elanora Heights
NSW 2101

10 February 2020

FAO: Kent Bull
Northern Beaches Council
E. council@northernbeaches@nsw.gov.au

Dear Kent,

Application No: DA 2020/0041
Address: Lot 214 DP 13643, 36 Allawah Avenue, Elanora Heights, NSW 2101
Description: Construction of a secondary dwelling

We refer to your letter of 23 January 2020, regarding the above development application by our neighbour CEH Lonnen. Although we do not object in principal to the proposed development, we have significant concerns relating to several aspects of the proposal, which we request Council take into account.

Safety

We note the comments of the arborist report submitted by the applicant in relation to the two 18m Norfolk Pine trees located on the applicant's property very close to the proposed development.

Notwithstanding, it is our view that following powerful storms during 2019 and again in 2020, that the tree to the South started to lean towards our property and our neighbours' home at 184 Woorarra Avenue. We are extremely concerned that any digging, even utilising the proposed "*pier and joist system*", in such close proximity to these huge trees, could further affect their stability and potentially result in them falling in a future storm, as was the case in Allambie Heights in 2013.

Photo 1: View of existing 18m Norfolk Pines from 182 Woorarra Avenue



Regarding these trees, we propose an independent assessment of their current status be undertaken. We request that this assessment more specifically consider the impact of the proposed development on the root system and the long-term stability of the trees.

We note (section 5.6, p.14) the applicant's "*non-compliance of setback from trees*". We would therefore like to see the independent assessment further evaluate whether stricter adherence to the Council's setback policy could mitigate potential root damage and instability.

Setback

We note in the supporting documentation submitted by the applicant (section 4.0), that although the proposed secondary dwelling is said to be "*placed within the required setbacks to achieve privacy and tranquillity*", this is not actually the case.

Section 5.5 of the supporting documentation confirms that the proposed rear setback does not in fact meet the Council's requirement of 6.5m. The justification given for this at (section 5.6, p.13) is that compliance with the Council's policy would require the proposed second dwelling to be "*too close to*" the applicant's own dwelling. However, based on the survey plans provided it is unclear why the applicant cannot comply with the rear setback requirements while also retaining ample distance between the existing property and the proposed secondary dwelling.

Privacy

As currently proposed, taking account of the failure to comply with setback policy; the height of the front of the building at 4.4m and its orientation so that all doors and the main windows are facing our property, we believe that the development would significantly impact on our privacy, especially at our pool and deck area.

In considering the impact on privacy, it is important to note that our long-established pool, is of an above ground construction and is surrounded by a raised pool deck.

At a height of 4.4m, the proposed development and its associated windows and doors, would stand significantly above the existing 1.8m boundary fence. It would also stand taller than the existing privacy fence to the west side of our raised pool deck.

Regardless of whether the applicant is to adjust the orientation of the proposed development, we request that the Council consider a planning condition requiring that the applicant install a privacy screen on the applicant's side of the fence of a sufficient height to minimise intrusion into our privacy. We also request that no windows or doors sit above the boundary fence line or any new privacy screen to be installed by the applicant.

Drainage and Flooding

We note the response of the Natural Environment Unit with regard to the management of storm water to be collected from the roof of the proposed dwelling. However, we are very concerned that the proposed development may worsen a known surface-water drainage issue

Figure 1. Plans – External showing boundary fence between primary and secondary residence

Given the high number of vehicles already moving in and out of the property and the vehicles being stored, we are concerned that the proposed development will mean even more vehicle movements.

Photo 2: Storage of existing vehicles adjacent to the proposed development and close to the fence line.



If the intention was to locate the required parking space on the South side of the proposed secondary dwelling, we request that suitable barrier protection be incorporated into the design, to prevent any potential risk from out of control vehicles breaching the fence adjacent to our garden and pool area, where we have small children playing.

We are all too aware of the importance of protecting the safety of children against vehicle related incidents, with so many tragic accidents having occurred across our State, including the Banksia Road Primary School tragedy in 2017.

Geotechnical and Bushfire Risk

We note that the applicant is required to provide geotechnical and bushfire risk assessments, which at this stage do not appear to be included with the development application. We therefore reserve the opportunity to make further comment after we have had an opportunity to review these documents.

If you would like to discuss any of the issues raised, please contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M & C Bonnar', followed by a period.

Dr M. & Mrs C. Bonnar