

**Northern Beaches Council**  
[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

**RE:**  
**1 Tabalum Road, Balgowlah Heights 2093**  
**DA 2020/0077**



**WRITTEN SUBMISSION: LETTER OF OBJECTION**

**Dear Sir,**

I write to object to the above DA.

I object to the overdevelopment of this site, in particular:



- Building Height 10.74 v 8.5m control [126% non compliance]
- FSR c.0.5 v 0.4 [125% non compliance]
- Wall Heights 10.34m v 8.0m [129% non compliance]
- Number of Storey 4 v 2 [200% non compliance]
- Front Setback Tabalum 6.13m v 7.0m [114% non compliance]
- Setback Cutler 3.28m v 1.5m [218% non compliance]
- Northern Side Setback 3.0m v 2.78m [108% non compliance]
- Rear Setback 8m v 1.23m [650% non compliance]
- Pool Setback to Neighbour 1.23m v 4.0m [325% non compliance]
- Pool above ground 4.0m v 1.0m [400% non compliance]
- Pool & Concourse Proportion of Total Open Space c.75% v 30% [250% non compliance]
- Fences 5.62 v 1.0m [562% non compliance]
- Excavation 6.4m v 1.0m [640% non compliance]
- Excavation onto Northern Boundary

This will lead to:

- **Very poor Streetscape outcomes.** 5.6m wall heights to the pool and garage structure facing Cutler Road. Visual Bulk caused by excessive non-compliant building height and setbacks for the dwelling, non-compliant garage, non-compliant pool;
- **Unreasonable Height, Bulk & Scale, with significant overdevelopment of the site.** The streetscape, view sharing, privacy and overshadowing impacts are not consistent with the impacts that would be reasonably expected under the controls.
- **General Impact.** The proposals do not comply with planning controls, and the impact is due directly to the non-complying elements of the proposal.

I am also very concerned to the **amenity losses to the neighbours** by non-compliant development, including view loss, privacy, overshadowing, and excessive vibration risk, and I am very concerned how this may set a very poor precedent for the area, for approval of considerable non-compliant developments of new build developments.

I am also concerned on possible under provision of standards regarding the **bushfire control**, and support a review by NSW RFS.

No environmental planning grounds exist to justify contravening the planning control standards of MLEP & MDCP.

This is a **new build development** and therefore there is absolutely no reason, unique or otherwise, that justifies the contravention of planning controls. There is no basis upon which any variation can be granted.

I urge the Council to request that the Applicant submit **Amended Plans** to deal with all the issues raised by the immediate neighbours, and to deliver a fully compliant development according to the MLEP & MDCP planning controls.

If the substitution of amended plans is not undertaken by the Applicant, then Council will have no other option than to refuse this DA.

Yours faithfully

Name: Johnson HSU  
Address: 5 Tabalum Rd, Balgowlah Heights  
Signature: Chi-Chao [Signature]  
Date: 3/3/20