
Sent: 14/10/2020 10:59:17 PM
Subject: NBLPP Meeting 21 October: Re: 1 Tabalum Road, Balgowlah Heights 2093
DA 2020/0077
Attachments: Bawmer NBLPP 2 Page.pdf;

Dear Carly,

14 October 2020

Could you please forward this Submission to the NBLPP [21 October 2020]

Regards

S U B M I S S I O N : B A W M E R
a written submission by way of further objection to DA 2020/0077

To: NBLPP

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

I ask the Panel to review my very detailed Submission dated 9 October 2020.

I ask the Panel to visit the site and stand at the entry to my property and to consider the extensive non-compliant envelope that will confront me.

My main concern is the non-compliant envelope and the poor amenity that is caused to my property by that non-compliance.

The subject site is zoned R2 Low Density Residential under the LEP, and there is no reason, unique or otherwise why a fully compliant solution to LEP and DCP controls cannot be designed on the site.

I am greatly concerned that the proposed development exceeds MLEP & MDCP controls to a much larger degree than what the Developer is suggesting, and what is stated within the DA Assessment Report. This is a particular concern.

I therefore ask the Panel to read thoroughly my Submission of 9 October 2020.

My concern is the **significant overdevelopment** as best identified as follows:

- Building Height 10.42 v 8.5m control [22% non-compliance]
- FSR c.0.5 v 0.4 [25% non-compliance]
- Wall Heights 10.42m v 8.0m [30% non-compliance]
- Number of Storey 3/4 v 2 [100% non-compliance]
- Western Rear Setback 1.23 v 8.0m [650% non-compliance]
- Northern Side Setback 3.0m v 2.78m [8% non-compliance]
- Street Setback Cutler Rd 3.14m v 1.5m [109% non-compliance]
- Street Setback Tabalum 6.13m v 7.0m [14% non-compliance]
- Fences in Cutler adjacent 6 Cutler 5.62m v 1.0m [562% non-compliance]
- Excavation 6.4m v 1.0m [640% non-compliance]

The non-compliant envelope causes poor amenity outcomes:

- Unreasonable Visual Bulk
- Poor Streetscape
- Unreasonable Visual Privacy

- Unreasonable Solar Loss at Equinox
- Noise/Vibration,
- Visual Bulk/General Impact
- Height, Bulk & Scale
- Poor Landscaping

On page 4 of my Submission dated 9 October 2020, I have asked Council to consider 11 Conditions.

The main issues are the excessive height, bulk and scale, and therefore I ask for the building to be reduced in height to LEP Building Height controls as follows:

1. *Reduce Building Heights to 8.5m, with the Roof to reduce to RL 80.2. Reduce all levels below accordingly. South west corner lawn area at RL 71.66 [survey]*
2. *The Clerestory to reduce to RL 81.2, and positioned above the RL 72.7 contour, to the east of RL 73.04 [survey] rock outcrop adjacent southern boundary*

I also ask NBLPP to consider the following condition relating to the rear setback zone facing my property:

3. *Remove above ground pool and all associated retaining wall structures, delete all built form in rear 8m rear setback zone, including new 4m high retaining wall structures, return ground levels to natural levels*

There are other concerns listed within my 9 October 2020 Submission, that gives NBLPP grounds to consider a refusal.

The Developer has not addressed the fundamental overdevelopment on this important site, that is highly visible from the Harbour, the National Park, the Streetscape, and my property.

As a new build development, there is no reason unique or otherwise why a fully compliant development could not be designed on this important site. The Developer is proposing a wholesale disregard for all development standards, and the Developer has not demonstrated that compliance with the development standards would be unreasonable or unnecessary in the circumstances of the case, or that there are sufficient environmental planning grounds to justify contravening the development standard.

I ask NBLPP to reduce the bulk of the proposed development, to condition the consent by lowering the proposed building to be more compliant to MLEP height controls.

Thank you.

Yours faithfully

Mrs P. A. Bawmer
6 Cutler Road
Clontarf