
Sent: 1/04/2021 11:01:52 AM

Subject: Attn: Planning Officer Thomas Burns - RE: Development Application DA2020/1691

Attachments: 4SouthernCrossWay-Objection_DA2020-1691-FIN.pdf; 4SouthernCrossWay-Objection_DA2020-1691-Plans_ljrMarkup.pdf;

Dear Mr. Burns,

We submitted our objection letter for the **Development Application DA2020/1691** via the council portal this morning. Due to the length of the letter we have attached it here in PDF form along with an additional PDF of markup notes that support our concerns.

Thank you in advance for your time for reviewing our objection submission.

Should you have any questions, or would like to visit our property which neighbours the development site – we welcome you and a chance to discuss our concerns.

Faithfully,

Christian and Shelby Lane-Brown

0406 080 690

shelbylanebrown@gmail.com

chri57ian@icloud.com

Christian & Shelby Lane-Brown
6 Southern Cross Way
Allambie Heights, NSW 2100
0406 080 690

Attn: Planning Officer Thomas Burns

Northern Beaches Council
Planning and Development
Civic Centre, 725 Pittwater Road
Dee Why NSW 2099

Monday, March 29th, 2021

RE: Development Application DA2020/1691

Dear Mr Burns,

We are writing to **object** to the development application **DA2020/1691**.

New - Demolition works of existing dwelling and construction of dwelling house, secondary dwelling and studio at 4 Southern Cross Way Allambie Heights NSW 2100.

As a neighbour and young family living next door on the Southern side of the proposed development, we believe that this development, as proposed, will negatively impact our amenities and standard of living.

Specific reasons for our objection are as follows:

- 1. We will experience a major loss of sunlight and solar amenity to the habitable areas of our home, our bedrooms, living areas, our swimming pool area and our backyard.**

We believe that the current proposal - the main house, plus the inclusion of secondary and tertiary dwellings at the rear, will cause a massive reduction in our natural light and solar amenity, specifically:

- a. Overshadowing of our main living areas from the main house
- b. Overshadowing of swimming pool area from the main house
- c. Overshadowing of rear yard from the secondary and studio dwellings

How were the shadow diagrams were generated?

By whom and how are they 'certified'?

Have they been prepared by a qualified architect?

No shadows have been shown generated by the secondary and tertiary buildings to the East. We believe shadows generated from these structures will also impact negatively on our *Principal Private Open Space*.

The shadow diagrams provided do not show sill height RLs or the locations of windows to our habitable spaces located on the Northern side of our home. We believe this information has been deliberately left off the diagrams as it would clearly show a significant loss of solar amenity to these habitable spaces.

Although only the Winter solstice shadows have been provided, it would appear that our swimming pool and front terrace area is cloaked by shadow for the majority of the day, only receiving sunlight ~2pm onwards, for what would be less than two hours. Similarly, the master bedroom and other habitable spaces on the northern side of our home would be completely obstructed from sunlight from 9:30am onwards.

This lack of sunlight on the Northern side of our house would increase the likelihood of mould growth. This area is already quite wet and damp due to the topography and the natural water flow off the bedrock.

2. We will experience a significant reduction in privacy within our home, our backyard and swimming pool area.

The Site Analysis Plan correctly identifies our '*Principal Private Open Space*', yet the shadow diagrams provided show a total disregard for these spaces. There are great degrees of overshadowing and privacy loss, from the main residence and the proposed home office to the East.

This is particularly evident due to the design of the Southern Side of the proposed development (adjacent to our house). The off-centred footprint (presumably to facilitate a driveway down the Northern side), the placement of windows, balconies and the location of the patio on the southern side of the main house adversely impacts our privacy.

The addition of a secondary dwelling and a studio at the lower part of the site will also cause a large reduction to our privacy in our backyard due to the scale, placement and design of this structure.

Our *Principal Private Open Space* design constraint, identified on the Site Analysis Plan, is totally ignored in the design of the proposed dwelling. Specifically overshadowing, reduced privacy and diminished solar amenity to;

a. Our master bedroom and main living areas.

The proposed patio and balcony at the southern side middle level looks directly into our master bedroom and main living areas. Conveniently, no RLs have been shown indicating the sill heights of windows along our Northern façade.

b. *Our entertaining areas at the Eastern end of our house.*

The proposed patio/deck at the south and eastern side look directly into our main entertaining decks (1st floor and ground floor). Conveniently, no RLs have been shown indicating the heights of these areas along our Northern façade.

c. *Our backyard.*

The proposed third dwelling studio looks directly into our backyard and has a setback of only 1.5m, with a roof setback of only 0.60m (60cm). Contravening council Side Boundary Envelope and Side Setback requirements that “*Fascias, gutters, downpipes and eaves must be up to 0.675m from the boundary.*”

The proposed home office dwelling height of 3.4m to 4.5m (*per Statement of Environmental Effects*) will extend significantly over the existing fence.

Is the maximum allowable height of these secondary and tertiary dwellings 3.8m?

d. *Overshadowing, reduced privacy and diminished solar amenity to our swimming pool area.*

The proximity to, scale and bulk of the main house, with the proposed balcony deck/patio on the southern side middle level and double garage windows look directly into our pool area.

We understand there will be shared / view spaces due the nature of the sloping site but we feel that greater consideration should have been taken in the design of the proposed development. The placement of balconies and windows on Southern side of the main home and secondary and third office/studio dwelling should be reviewed.

Correctly identifying the windows and habitable rooms on our northern boundary would assist council in this review. Street view elevations and sections that show the relationship of the proposed dwelling to our home would clearly illustrate that the middle level windows overlook our *Principal Private Open Space*. Conveniently no RLs of our properties window sill heights have been indicated on the drawings.

3. We will experience a negative impact on the ‘family’ neighbourhood feel, outlook/view, parking access and noise with increase from a single-family dwelling to three habitable dwellings.

a. *The proposed increase from a single-family home to three dwellings is incongruent with the definition of the Zone R2 Low Density Residential planning objectives.*

When reviewing the proposed development against the Warringah Local Environmental Plan 2011 – Part 4.4 Floor Space Ratio, we find it puzzling how the proposed development could meet the R2 Low Density Residential regulation.

The proposed increase from a single-family home to three dwellings is incongruent with the definition of the Zone R2 Low Density Residential planning objectives. The bulk and scale of the proposed development is inconsistent with the desired character of the locality. We are of the opinion that this diminishes both the ideals and the character of this family neighbourhood, creating something that more closely resembles that of a medium-high-density environment.

- b. *The proposed dwelling has been designed to be easily converted to three independent living units.*

The primary reason we left the inner city and came to Allambie Heights was to enjoy the family friendly neighbourhood and outdoors. Our 2 young children enjoy swimming, playing outside and exploring our property. The diagrams provided clearly show how the proposed development impact negatively on privacy. The potential addition of 2 dwelling houses on the site will further negatively impact our privacy and daily family life.

4. Other Miscellaneous Concerns

- a. *Landscaping / Area calculations*

Although new trees are proposed, what are the impacts on our swimming pool area? There is potential increased shade/shadow, deciduous leaf/flower litter and roots potentially disturbing the pool foundations. The area calculations on the Site Plan seem incorrect.

- b. *Built Form Controls - B1 Wall Height*

The proposal asks for special consideration to extend the overall main residence wall height from a 7.2m allowable limit to 8.12m. There are many references to measures designed to 'minimise the bulk and scale' but the drawings viewed stand in stark contrast to this.

- c. *Home Office Wall Height*

The *Statement of Environmental Effects* has vague referencing to heights "about 4.2m". In reality, the wall height ranges from 2.4-4.5 throughout the documents. Additionally, whilst the wall to boundary fence line is stated to be 1.5m from the 'Home Office' in the drawings – it appears the eaves overhang another 900mm, thereby reducing the boundary set back distance to 600mm.

- d. *Development for multiple residences.*

Three, independent dwellings, all plumbed. We have valid concerns about what eventuates with these dwellings post-approval. The boundary setback on Northern side of property remains at 4.5m, a reference to previous 'pre-DA' stage where this space was allocated to a driveway down to the proposed 'granny flat'. This pushes the bulk of the primary dwelling

close to our Northern façade and primary habitable spaces. At three levels and 430 sqm of main dwelling – is there not enough room for a ‘home office’ in the main residence?

e. Noise pollution

The placement of the main Air Conditioning Unit is directly adjacent to our master bedroom and swimming pool – areas of relaxation. At only a 2.5m setback this is actually one of the closest proximities to our house.

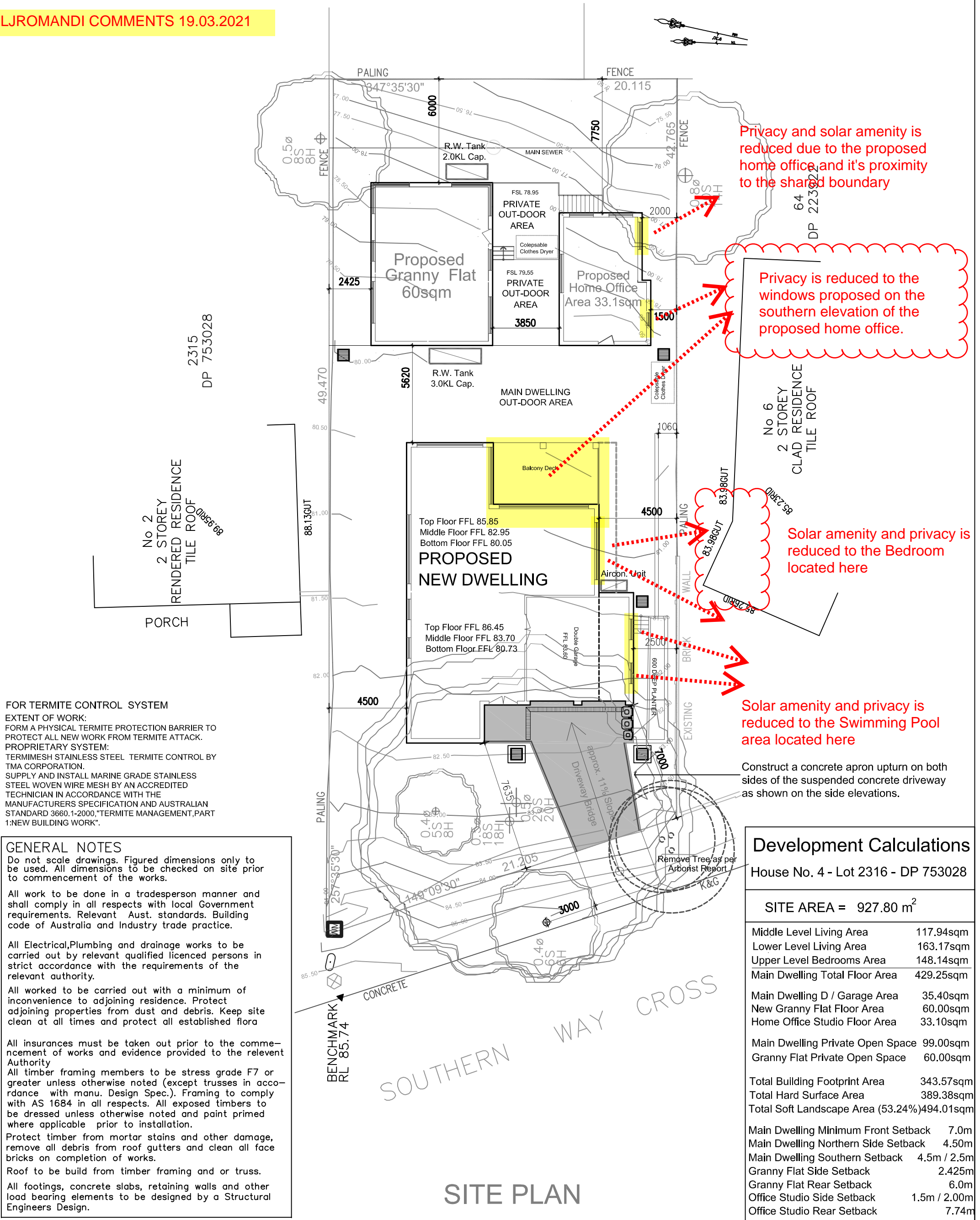
f. Excavation and demolition due diligence (including asbestos removal)

There are references in the Geotechnical report to the shallow bedrock resistance and the need to excavate to ~2.1m in dry conditions only and with astute care specified around the type of rock cutter used. Is this depth within planning instrument limits? How can we be assured that due diligence is taken with the technical elements of this – types of cutters used, impact and seismic monitoring etc?

We are concerned that the drilling and excavating proposed may have adverse impacts on our property, our foundations, swimming pool and potentially the health of our children.

Thank you in advance for your time for reviewing our objection submission.
Should you have any questions, or would like to visit our property which neighbours the development site – we welcome you and a chance to discuss our concerns.

Faithfully,
Christian & Shelby Lane-Brown



FOR TERMITE CONTROL SYSTEM
EXTENT OF WORK:
FORM A PHYSICAL TERMITE PROTECTION BARRIER TO
PROTECT ALL NEW WORK FROM TERMITE ATTACK.
PROPRIETARY SYSTEM:
TERMIMESH STAINLESS STEEL TERMITE CONTROL BY
TMA CORPORATION.
SUPPLY AND INSTALL MARINE GRADE STAINLESS
STEEL WOVEN WIRE MESH BY AN ACCREDITED
TECHNICIAN IN ACCORDANCE WITH THE
MANUFACTURERS SPECIFICATION AND AUSTRALIAN
STANDARD 3660.1-2000,"TERMITE MANAGEMENT,PART
1:NEW BUILDING WORK".

GENERAL NOTES
Do not scale drawings. Figured dimensions only to be used. All dimensions to be checked on site prior to commencement of the works.
All work to be done in a tradesperson manner and shall comply in all respects with local Government requirements. Relevant Aust. standards. Building code of Australia and Industry trade practice.
All Electrical,Plumbing and drainage works to be carried out by relevant qualified licenced persons in strict accordance with the requirements of the relevant authority.
All worked to be carried out with a minimum of inconvenience to adjoining residence. Protect adjoining properties from dust and debris. Keep site clean at all times and protect all established flora
All insurances must be taken out prior to the commencement of works and evidence provided to the relevant Authority
All timber framing members to be stress grade F7 or greater unless otherwise noted (except trusses in accordance with manu. Design Spec.). Framing to comply with AS 1684 in all respects. All exposed timbers to be dressed unless otherwise noted and paint primed where applicable prior to installation.
Protect timber from mortar stains and other damage, remove all debris from roof gutters and clean all face bricks on completion of works.
Roof to be build from timber framing and or truss.
All footings, concrete slabs, retaining walls and other load bearing elements to be designed by a Structural Engineers Design.

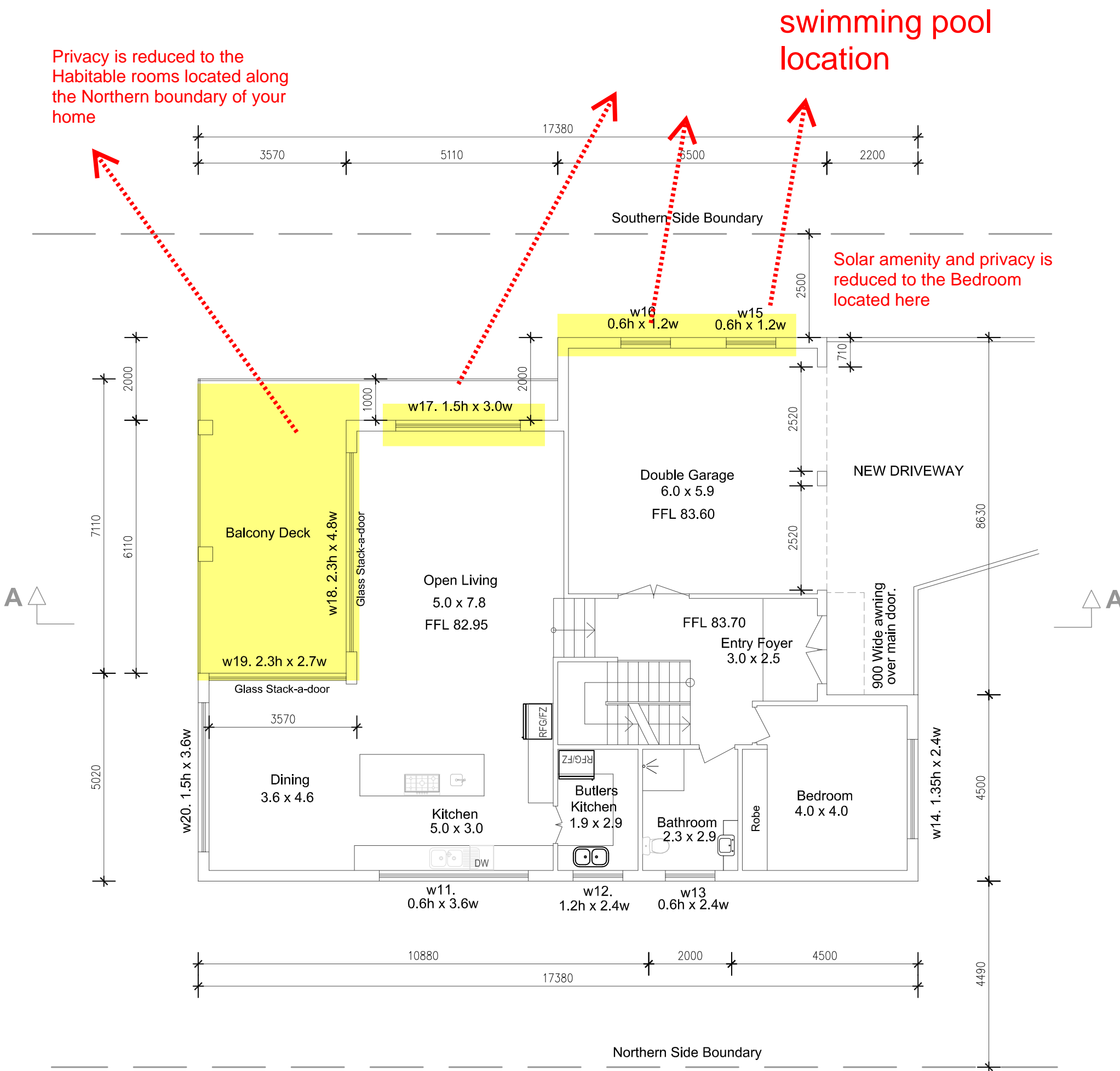
Development Calculations	
House No. 4 - Lot 2316 - DP 753028	
SITE AREA = 927.80 m ²	
Middle Level Living Area	117.94sqm
Lower Level Living Area	163.17sqm
Upper Level Bedrooms Area	148.14sqm
Main Dwelling Total Floor Area	429.25sqm
Main Dwelling D / Garage Area	35.40sqm
New Granny Flat Floor Area	60.00sqm
Home Office Studio Floor Area	33.10sqm
Main Dwelling Private Open Space	99.00sqm
Granny Flat Private Open Space	60.00sqm
Total Building Footprint Area	343.57sqm
Total Hard Surface Area	389.38sqm
Total Soft Landscape Area (53.24%)	494.01sqm
Main Dwelling Minimum Front Setback	7.0m
Main Dwelling Northern Side Setback	4.50m
Main Dwelling Southern Setback	4.5m / 2.5m
Granny Flat Side Setback	2.425m
Granny Flat Rear Setback	6.0m
Office Studio Side Setback	1.5m / 2.00m
Office Studio Rear Setback	7.74m

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ALL WORK TO BE DONE IN TRADESPERSON MANNER AND SHALL COMPLY IN ALL RESPECTS WITH LOCAL GOVERNMENT REQUIREMENTS, RELEVANT AUSTRALIAN STANDARDS, BUILDING CODE OF AUSTRALIA AND INDUSTRY TRADE PRACTICE.
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PROJECT Proposed Demolition of Existing Structures and Erecting a New Dwelling, Granny Flat and a Home Office Studio.	
A	ISSUED FOR DA APPLICATION
	OCT. 2020

ADDRESS 4 Southern Cress Way Allambie Heights NSW		
CLIENT Mr. Chris Jaczac		
DRAWN AJ	SCALE 1:200	DATE 20201010
DRAWING No: PR020.03, Page 1		ISSUE A

SABTON & SON
BUILDING DESIGNERS and
STRUCTURAL & HYDRO ENGINEERS
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MAIN DWELLING MIDDLE FLOOR PLAN

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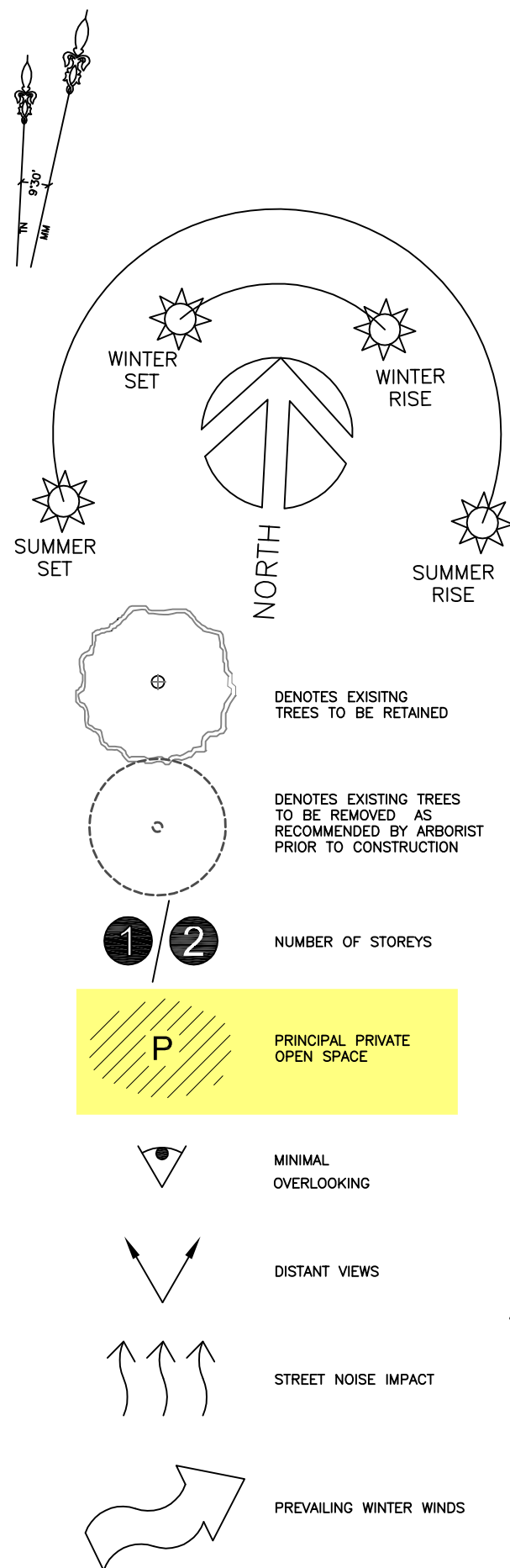
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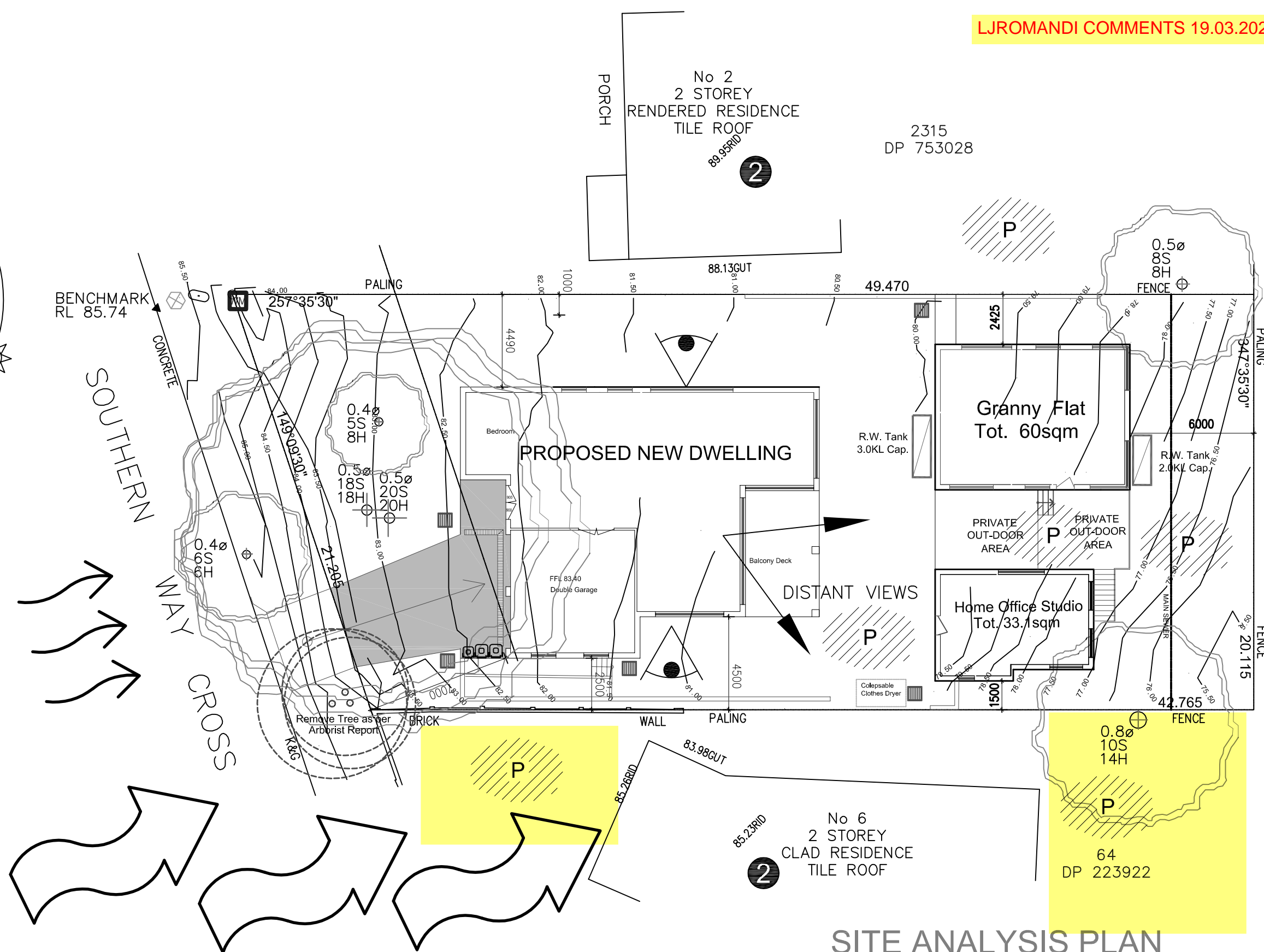
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SITE ANALYSIS PLAN



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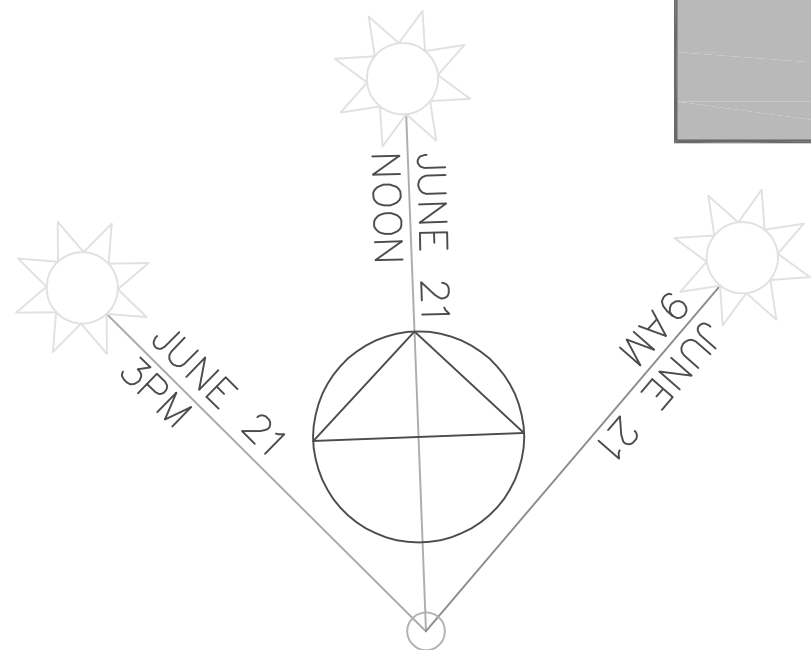
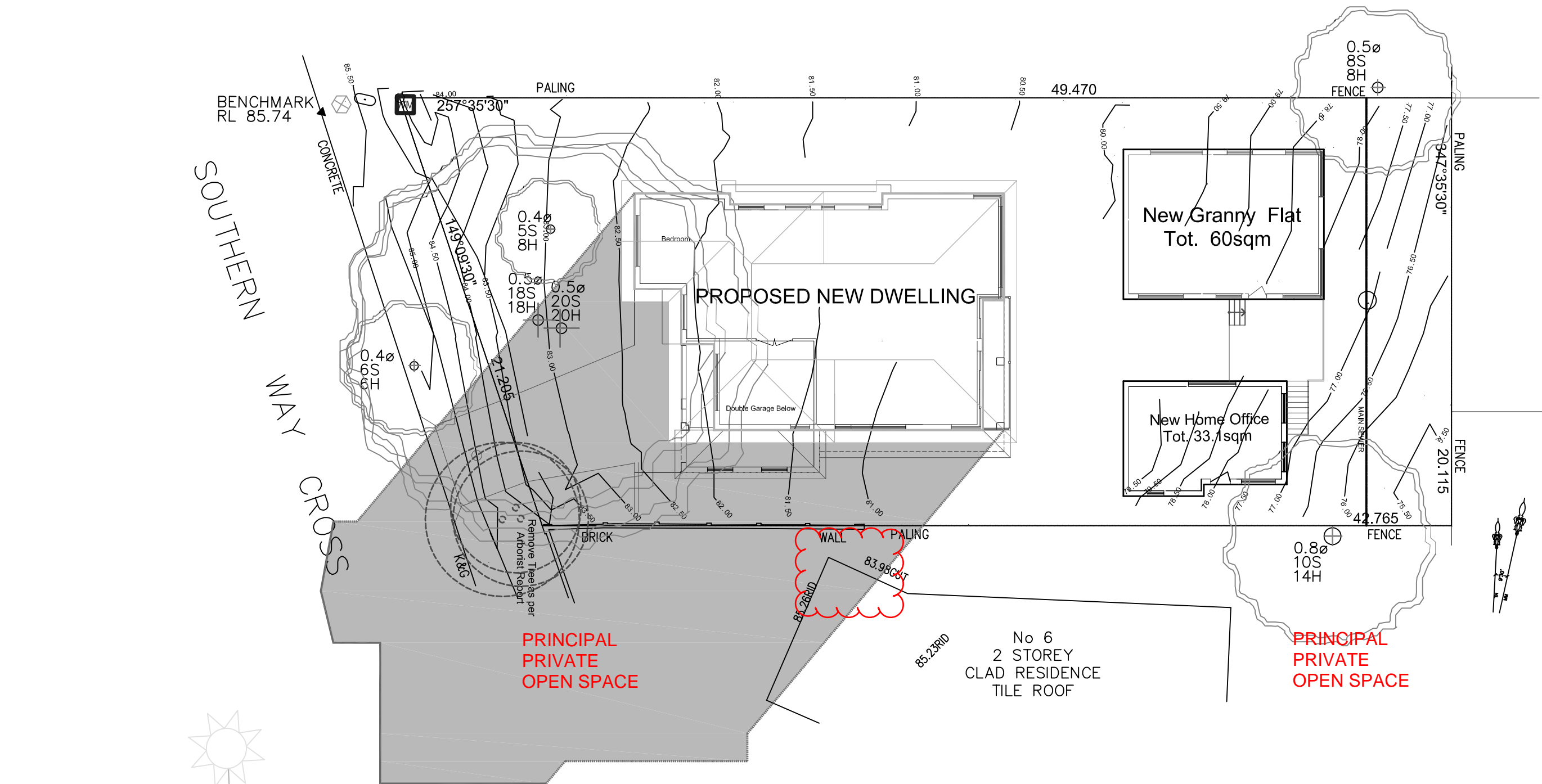
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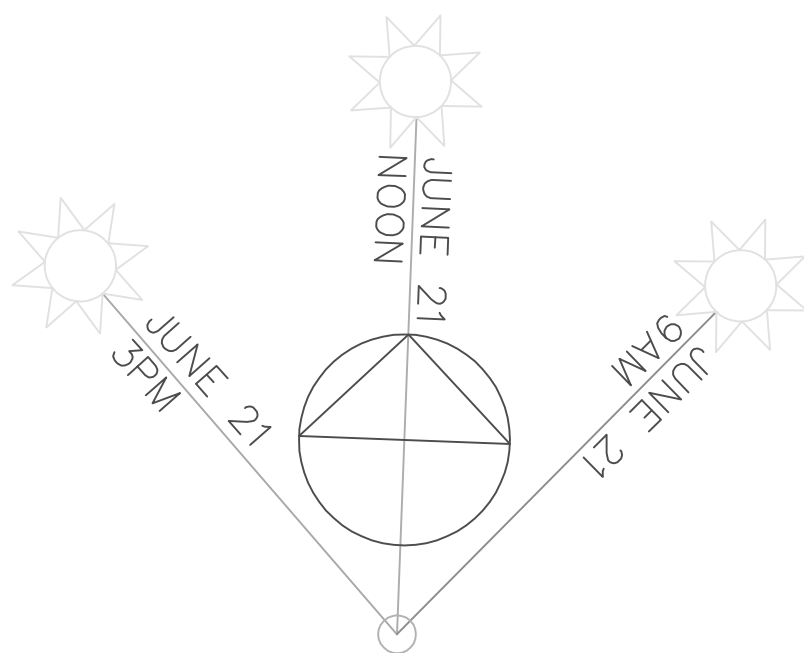
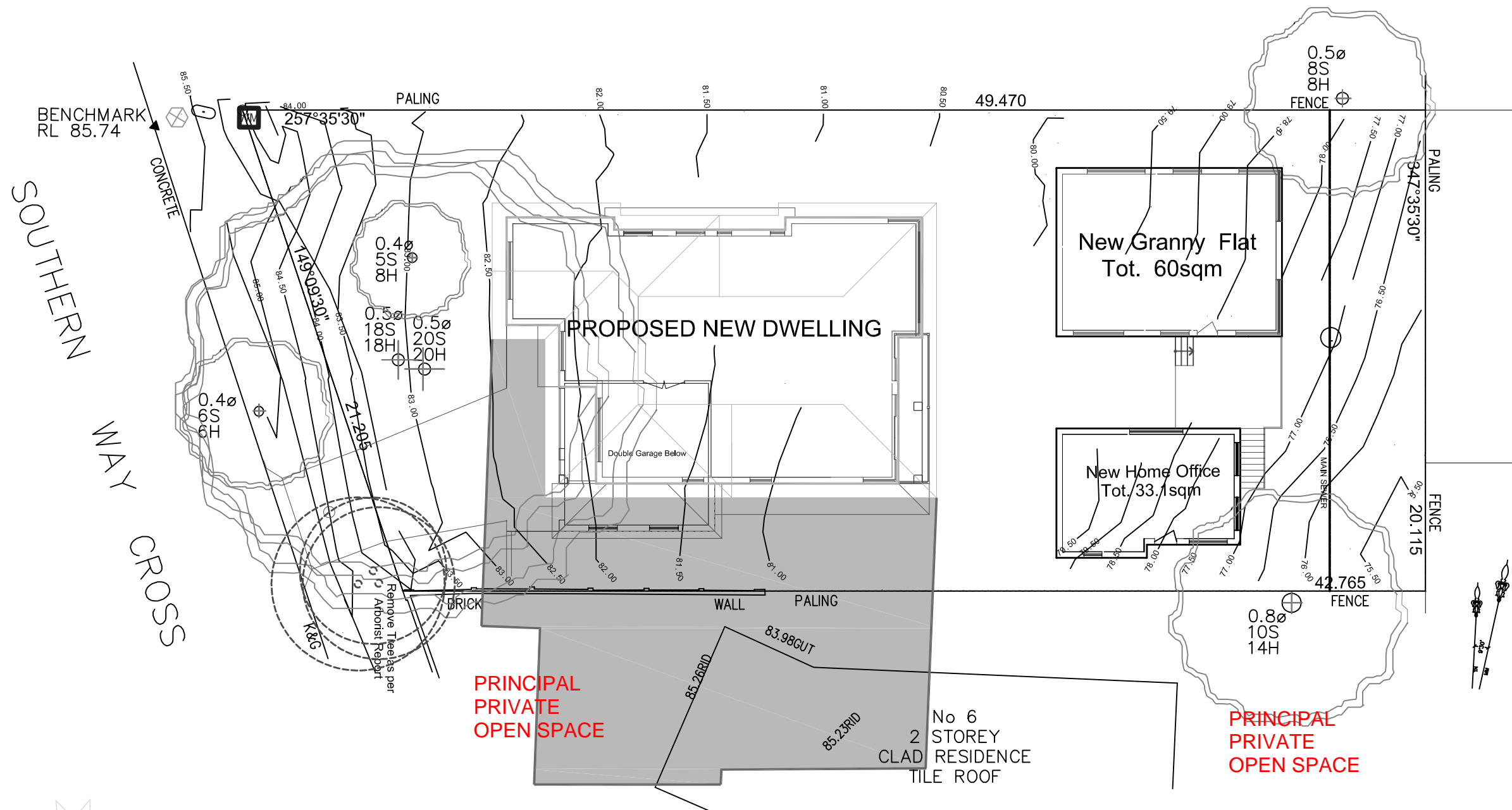
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**9AM SHADOW DIAGRAM
WINTER - JUNE 21**

LJROMANDI COMMENTS 19.03.2021

CERTIFIED SHADOW DIAGRAM FOR WINTER - JUNE 21		DATE 15 10 2020 Mrs. Sabina James B.D.A. Membership Number 0712 - 02		 BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA														
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<table border="1"><tr><td>A</td><td>ISSUED FOR DA APPLICATION</td><td>OCT. 2020</td></tr></table>		A	ISSUED FOR DA APPLICATION	OCT. 2020	<table border="1"><tr><td colspan="2">CLIENT Mr. Chris Jaczak</td></tr><tr><td>DRAWN AJ</td><td>SCALE 1:200</td></tr><tr><td colspan="2">DATE 20201010</td></tr><tr><td colspan="2">DRAWING No: PR020.03, Page 1e.i</td></tr><tr><td colspan="2">ISSUE A</td></tr></table>		CLIENT Mr. Chris Jaczak		DRAWN AJ	SCALE 1:200	DATE 20201010		DRAWING No: PR020.03, Page 1e.i		ISSUE A		 SABTON & SON BUILDING DESIGNERS and STRUCTURAL & HYDRO ENGINEERS sabton@optusnet.com.au Mob: 0408 663 223 Tel: (612) 4567 2002	
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ISSUE A																		



**NOON SHADOW DIAGRAM
WINTER - JUNE 21**

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**CERTIFIED SHADOW DIAGRAM
FOR WINTER - JUNE 21**

DATE 15 10 2020

Mrs. Sabina James

B.D.A. Membership Number 0712 - 02



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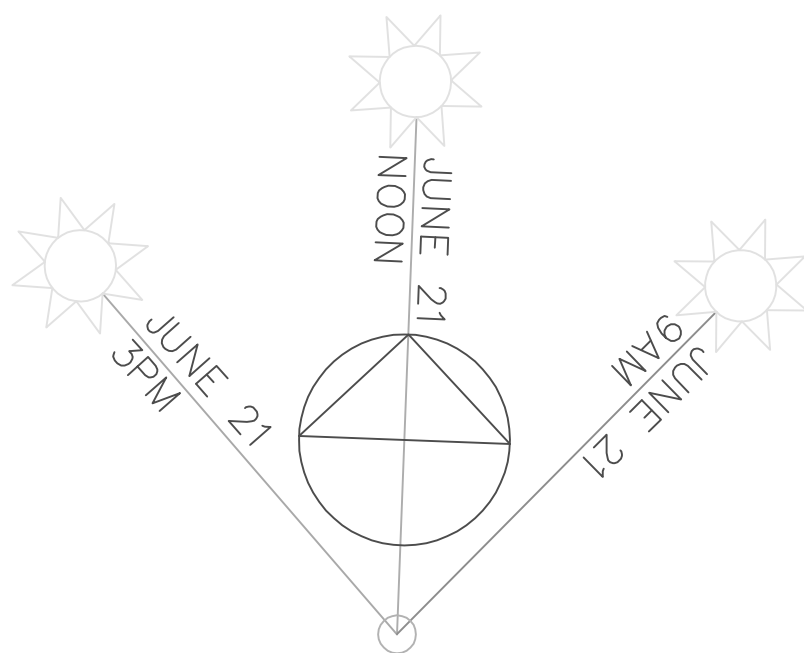
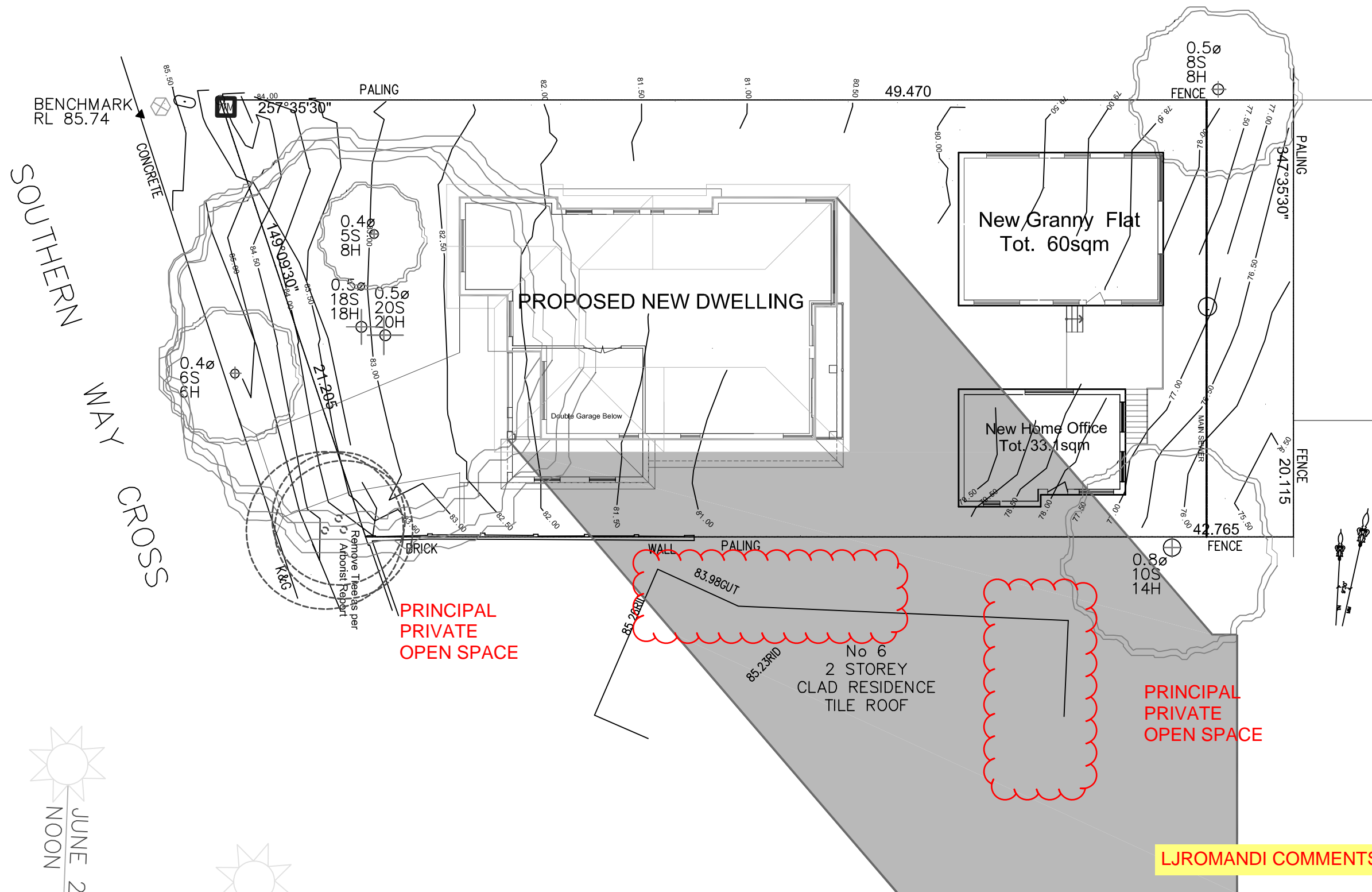
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3PM SHADOW DIAGRAM
WINTER - JUNE 21

**CERTIFIED SHADOW DIAGRAM
FOR WINTER - JUNE 21**

DATE 15 10 2020
Mrs. Sabina James
B.D.A. Membership Number 0712 - 02



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