
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 21/02/2024 9:07:13 AM
To: DA Submission Mailbox
Subject: Online Submission

21/02/2024

MR Simon Lahive
32 Kevin AVE
Avalon Beach NSW 2107

RE: DA2024/0044 - 27 Kevin Avenue AVALON BEACH NSW 2107

We strongly object to Development Application DA2024/0044 at 25 and 27 Kevin Avenue. We support all of the objections from our neighbours and the community that have already been lodged. Additionally, we make the following objections:

Objection 1: Non-Compliance with State Environmental Planning Policy (Housing) 2021. Specifically, Clause 93 - Location and access to facilities and services, subsection (3).

(a) the facilities and services are, or the transport service is, located at a distance of not more than 400m from the site.

> > Objection 1.1 - Option A proposed in the Access Report exceeds 400m.

(b) the distance is accessible by means of a suitable access pathway.

> > Objection 1.2 - Option A proposes a new 107 metre pathway at the end of Kevin Avenue that would have a steep and unsafe drop on one side (given the gradient) rendering it unsuitable. Furthermore, the pathway would have an impact on resident privacy and would also result in disruption to the flora and fauna.

> > Objection 1.3 - Option B only mentions the 'potential' to provide access and presents no practical explanation how this pathway would operate. Therefore, Option B, in its present form is not viable.

(c) the gradient along the pathway complies with subsection (4)(c).

> > Objection 1.4 - Option B does not identify the gradient of this option. Based on our experience of walking down the public right of way, it seems highly unlikely that the following gradient requirements can be met. Therefore, unless Option B can be demonstrated to comply with the following gradient requirements, it should be discounted.

1:12 for a maximum length of 15m at a time, or

1:10 for a maximum length of 5m at a time, or

1:8 for a maximum length of 1.5m at a time.

Objection 2: Unacceptable Risk of Landslip

The proposed development is within the highest category landslip zone and Table B in the Geotechnical Investigation and Risk Assessment Report identified a non-mitigated Risk to property as Very High (and an Almost Certain likelihood). We are therefore concerned that if risk mitigations are not implemented then landslips could have a significant impact on pathways, Kevin Avenue and in particular properties 30, 32 and 34 Kevin Avenue that are situated opposite the development.

Objection 3: Unacceptable Risk to Adjacent Properties During Construction

The Geotechnical report identifies a risk to neighbouring and adjacent properties during the construction phase, particularly if report recommendations are not followed. The report states that, "Care will be required during the demolition, construction and excavation works to ensure the neighbouring properties, structures and services are not adversely impacted by ground vibrations. Medium scale equipment (i.e., rock hammer <500kg) along with rock saw and a good excavation methodology are recommended to be used to maintain low vibration levels".

Objection 4: Incomplete Information to assess the application pursuant to Section 4.15 of the Environmental Planning Act 1979. Specifically, Access, Transport and Traffic where the "traffic generation and the capacity of the local and arterial road network" has not been assessed in the Access Report or in the Statement of Environmental Effects.

> > Objection 4.1: As the community has articulated via submissions opposing the development, traffic congestion is already a significant issue on Kevin Avenue. The introduction of a 28-bedroom building will significantly increase the traffic volume on the street and will cause further problems associated with on-street parking. The application has not addressed the traffic impact.

Objection 5: Safety During Construction

Given the narrowness of Kevin Avenue and the parked cars on either side of the road, Kevin Avenue has effectively become a single lane road. The significant excavation activities that would be required during the build phase will necessitate frequent visits by large earth removal trucks. The trucks will have great difficulty in navigating the road and turning into/out of the new construction site, increasing the risk of poor driving practices. The many young children who live on Kevin Avenue, the children at Bluey's Treehouse Preschool Care and the senior residents at AVANA (701-703 Barrenjoey Rd), will face a significant increase in the risk to their Health and Safety while walking along and crossing Kevin Avenue.

In summary, we object to the Development Application and would be extremely disappointed if this unnecessary and excessive development proceeds. The application has not addressed key planning considerations. The construction phase poses risks to neighbouring properties as well as to the health and safety of the community. As other members of the community have already stated, the proposal impacts drainage, traffic, safety, privacy and the character of the locality. In short, the proposal has no redeeming features for the community, only for the developer.

Regards,

Simon and Sally Lahive