
Sent: 28/03/2019 9:26:38 AM
Subject: DA2018/0355

As the owner of 5/10 Boyle St, please find below my objection to the DA 2019/0081 on the following grounds. The revised submission does not appear to be materially different to the previously rejected submission and does not appear fair and equitable to surrounding residents. In addition it has not materially modified the design to comply with the reasons it was initially rejected.

SHADOWING

The shadow documents are not accurate and do not provide any certification. The DA submitted should provide an accurate shadowing impact on 10 Boyle St. The initial shadow diagrams suggest that the courtyard is mostly cast in shadow currently, which could not be further from the truth and a blatant misrepresentation. The courtyard is covered in sunshine during the day, with the majority of the grass seeing sunlight. This misrepresentation seeks to understate the impact of the loss of sunlight to 10 Boyle St. This was a similar issue with the previous submission and does not appear to have been addressed in the most recent submission.

In addition to this misrepresentation, This courtyard is also where the residents hang and dry their washing, and the loss of natural sunlight will come at significant expense to the environment and the residents if they will now have to dry their washing via dryer. At ~\$3 per dryer load (source: Canstar) x average of 4 loads per week x 52 weeks x 9 units, this amounts to an additional \$624 per unit per year, or \$56,160 in unnecessary additional electricity costs to the residents of 10 Boyle St over the space of 10 years. This does not include the cost to purchase dryers (\$500-\$1000 each) or the environment impact of running and then disposing of clothes dryers. The residents of 10 Boyle St also maintain a well established garden with many species of plants and herbs, which will die if the DA in existing form is approved as they will be permanently cast in shadow.

ONSITE CARPARKING

The DA does not comply with minimum DCP parking spots of 0.25 spaces per unit. The DA suggests that there will only be 1 visitor carspace for the 6 units. Boyle St is a small, extremely busy street with only enough room for traffic to proceed in one direction. This new DA will likely result in additional vehicle flow onto an already congested street.

SETBACKS NON COMPLIANT

The DA is oversized in terms of the nature and the character of the street / area, and is non compliant with regards to side setbacks and MDCP 4.1.4 and should be rejected on this alone.

MDCP specifies:

4.1.4.2 Side setbacks and secondary street frontages a) Setbacks between any part of a building and the side boundary must not be **less than one third of the height** of the adjacent external wall of the proposed building.

The side set back adjacent to 10 Boyle St of 1250mm is in violation of this standard and is symptomatic of this overdevelopment application.

A set back of at least 2830 is required given the building height of 8.5metres. $8.5 \times \frac{1}{3} = 2830$. There are some instances where the building exceeds this height (see below) indicating that the setbacks should be even greater

HEIGHT OF BUILDING

The MLEP requires that the building not exceed 8.5m. There are part of the building that exceed this height by up to 14% or 1.2m above the maximum allowed 8.5m. The DA has sought to justify this by stating that the development standard is unreasonable, rather than adjust their design plans to reduce the height to comply with the regulations - again another symptom of this unjustified, over development submission

GEOTECHNICAL ISSUES

The geotechnical reports suggests that insufficient drilling has been conducted in order to fully understand the underground geology and that this will only be able to be conducted once a larger drill can be used on site. This DA is therefore asking for 'approve now confirm later' approval which is not acceptable to surrounding residents who will not know if the excavation and building works will have an adverse impact on the stability of their own properties. This was a similar issue with the previous submission and does not appear to have been addressed.

CONCLUSION

The DAs own documents (and their own admission) highlights a number of violations of building standards with respect to view sharing, shadowing, set backs and height of buildings. Rather than submit a DA that is in compliance with building control and planning requirements, the DA submitted has attempted to justify this as being 'reasonable' violations, without providing any clear evidence or justification as to why these violations have occurred and are therefore justified. This leads to the conclusion that they are only there to maximise the size, shape and bulk of this DA, and in turn, for the profit of the owners and developers at the expense of existing boyle st members. This development if passed would permanently alter the character and community feel of the street, and as other submissions have mentioned, the heritage artifacts of the existing site. It is not fair and equitable to surrounding residents. I would encourage the Council to reject this application in its current form, given the disregard for the violations, and i would encourage the developers / owners to submit a complaint application, that respects the surrounding neighbours and community.

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