

---

**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 3/05/2023 4:16:27 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

03/05/2023

MR Noreen and Graham Rattue  
22 Vista AVE  
Balgowlah Heights NSW 2093

**RE: DA2022/0596 - 29 - 37 Dobroyd Road BALGOWLAH HEIGHTS NSW 2093**

For the attention of Mr. Alex Keller - Principal Planner

Dear Sir,

We have received a Notification from Council dated 13 April 2023 regarding amended plans and documents received for DA2022/0596 at 29-37 Dobroyd Road.

It is our understanding that Council has a process under which:

- Council provides several copies of a Council Notice for display by a developer at the subject site for a specified display period;
- Council requires a developer to erect sight/height poles to give residents a visual understanding of the extent of the proposed development;
- Council requires a developer to provide an appropriate cost estimate for the development, so that Council can levy an application fee based on that cost estimate.

None of the above have been properly addressed by the Developer:

- The display period for the amended plans is 19 April to 3 May 2023. However, on 19, 20, 21, 22 and 23 April, there were no notices observed at the site. Two notices were displayed on and after 24 April 2023, however these were not waterproofed and were fully or partially exposed to the weather. Unless the developer provides evidence to the contrary, Council should reject this application on the basis that due process has not been followed.
- No sight/height poles have been erected. Council should reject this application on the basis that due process has not been followed.
- It appears that the developer submitted a 'Cost of Work' of \$2,098,259 in April 2022. After discussion with experienced construction industry practitioners, we consider that amount to have been significantly underquoted at that time, and to now only represent 50% of the value of the work at current rates. As Council's fees are based on the cost of the work, the under-valuation results in loss of revenue to Council and ultimately in increased cost to ratepayers. Council should require the developer to provide an estimate prepared by an independent professional quantity surveyor.

Based on the above, surely Council cannot even consider an Application which has not complied with Council's own requirements?

It is apparent, from the numerous other submissions made, that adjoining neighbours and others have major objections regarding:

- Over development of the site;
- The number of residents occupying the proposed 10 co-living units;
- Limited transport services in the area;
- Only 3 parking spots within the development, leading to a significant increase in on-street parking;
- Access and egress to the very narrow Commerce Lane at the side/rear of the proposed development;
- Increased risks to pedestrians. Including children;
- Additional noise in the area;
- Loss of visual amenity;
- Non-compliance with various legislative requirements e.g Building Separation
- Various other issues.

The above issues have been extensively documented in those submissions. There is no point in repeating those details here. We understand and concur with the matters raised. We consider that Council should be respecting the overall position of the local community in regard to this Development Application.

The subject site presently contains 5 premises. Our view is that redevelopment of the subject site should be limited to a considerably reduced number of apartments and commercial units with adequate off-street parking.

Regards  
Noreen and Graham Rattue  
22 Vista Avenue  
Balgowlah Heights