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**Sent:** 2/05/2019 8:22:57 AM  
**Subject:** Online Submission

02/05/2019

MR LARS WEBER  
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**RE: DA2019/0344 - 15 Alto Avenue SEAFORTH NSW 2092**

Lars Weber  
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DATE: 2 May 2019

The General Manager  
Northern Beaches Council  
PO Box 82  
Manly, NSW 1655

Dear Sir/Madam

Re: Application Number: DA2019/0344 - 15 Alto Avenue, Seaforth

I am the owner of 9 Alto Avenue, Seaforth, which is adjacent to the northern boundary of the proposed subdivision at 15 Alto Avenue, Seaforth.

I wish to raise the following objections, comments and concerns with regards to the Development Application.

I understand that the Development Application is for the subdivision of the above-mentioned property (lot 130) only, and that a new DA for the building(s) has to follow. Nevertheless, the application fails to demonstrate that the subdivision will not have an unacceptable environmental effect on the amenity of the neighbourhood and also on the existing dwelling house located on the allotment itself.

#### 1. NON-COMPLIANCE WITH MANLY DCP

The subdivision will create an unacceptable noncompliance with respect to the Development Control Plan, Clause 4.1.4.4, for Manly for rear setback for the existing dwelling house on the allotment that currently addresses Prince Edward Road.

##### Clause 4.1.4.4 Rear Setbacks

- a) The distance between any part of a building and the rear boundary must not be less than 8m.
- b) Rear setbacks must allow space for planting of vegetation, including trees, other landscape works and private and/or common open space.

The subdivision will result in the significant loss of private open space and landscape open space and compromise the amenity of the existing dwelling on the allotment as well as have a negative effect on adjacent properties.

I refer also to the Survey Plan: "NOTE - NON COMPLIANCE WITH DCP. FOR REAR SETBACK (6m). WILL REQUIRE MERIT ASSESSMENT," (sic)

Not only is the rear setback requirement incorrectly shown as 6 metres, rather than 8 metres, but the application also fails to provide any evidence or demonstrate any case for a merit assessment of why the non-compliance should be permitted by Council.

Council should not approve a merit assessment for the non-compliance for rear setback that would arise as a consequence of the proposed subdivision without adequate cause.

## 2. COUNCIL DRAINAGE EASEMENT CONSTRAINT ON BUILDING ENVELOPE AND FLOOD IMPACTS

The existing Council stormwater drainage easement, which crosses the proposed allotment subdivision, drains a large catchment area. The application does not provide evidence that any future building constructed in the vicinity of the drainage easement as a result of the proposed subdivision will not have a negative environmental effect on properties downstream from the development in the event of flooding whenever the Council drain reaches capacity and fails such that overland flow occurs. Refer to attached diagram Appendix 2 of allotment plan and notation "natural watercourse".

The consultant's Flood Report does not address the issue of overland flow and flooding to downstream properties, nor accumulated impacts on properties upstream of the development. The Flood Report also assumes a 5° slope to Council's stormwater drain. I challenge that assumption and request Council engineers to verify the consultant engineer's calculations.

The proposed subdivision of the allotment will have significant impacts on stormwater and flooding and should not be approved.

## 3. BOARD SEWER & SERVICES CONSTRAINT ON BUILDING ENVELOPE

The Boards Sewer, which drains Lots 131 to 136 fronting Alto Avenue, appears to cross the proposed subdivision allotment.

When assessing the subdivision, Council must take into consideration the presence of other underground services that may have an impact on the potential building envelope and feasibility of erecting a new dwelling house.

I question the ability of the subdivision to accommodate a second dwelling house at the rear of the existing allotment if it were to be subdivided.

## 4. OVERSHADOWING & PRIVACY

Council must take into consideration the environmental effect of the potential building envelope on the feasibility of erecting a new dwelling house, in particular on overshadowing and privacy to adjacent properties. This has not been addressed in the application.

In consideration of the above concerns, I respectfully request that Development Application DA2019/0344 at 15 Alto Avenue, Seaforth, be refused by Council.

Yours sincerely

Lars Weber