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Sent: 28/05/2025 5:22:14 PM
To: DA Submission Mailbox
Subject: Online Submission

28/05/2025

MRS Faye Cooke
56 Gardere AVE
Curl Curl NSW 2096
[REDACTED]

RE: DA2025/0441 - 54 Gardere Avenue CURL CURL NSW 2096

Hi,

I would like to raise the following points regarding the proposed development for 54 Gardere Ave Curl Curl (DA2025/0441)

According to the key provisions in State Environmental Planning Policy (Housing) 2021 the following non-discretionary development standards:

The following new standards for dual occupancies apply in Low and Mid-Rise Housing areas in R1, R2, R3 and R4 zones (where permitted):

- Lot size: min 450 m²
- Lot width: min 12 m
- Floor space ratio: max 0.65:1
- Height of building: max 9.5 m
- Car parking: 1 space per dwelling
- Subdivision (R1, R2, R3 only): min 225 m² per lot / 6 m width per lot

According to the submitted plans the area of Lot 2 is only 201.24m² which is below the non-discretionary area per lot of 225m².

The Floor Space Ratio of Lot 2 is 0.7:1 which is above the maximum non-discretionary Floor Space Ratio of 0.65:1.

The minimum lot width is 12m. For a non-corner block this would result in a minimum building envelope width of 10.2m [12m -0.9m -0.9m]. This site being a corner block and having a 3.5m secondary road setback results in a building envelope width of only 9.755m which is too narrow for property in keeping with the intent of the Policy and the houses in the surrounding area.

With respect to the plans:

The plans fail to show the natural ground level on either 54 Gardere Ave or the neighbouring properties. This is significant because the ground level of 56 Gardere Ave is 1.5m below the ground level of 54 Gardere Ave in places.

The plans fail to take in to consideration Telstra Network infrastructure that is currently located in the centre the proposed new driveway on Gardere Ave.

With respect to the Statement of Environmental Effects are the follow comments:

4.0 Planning Controls (p23)

The proposal claims that the development will fit the existing streetscape however all the other multiple story houses in the area have a minimum setback of 1.25m and a minimum

rear setback of 3m. This development will shatter that. It will present a solid wall up to 7.7m high for the full length of the property on the eastern boundary of 56 Gardere Ave.

The cul-de-sac of Gardere Ave currently provides safe parking space for parents and their children from Harbord Primary School in the mornings and afternoons. Adding an extra driveway and removing limited street parking will only push more traffic back on to Wyadra Ave in peak school times.

4.4 Floor Space Ratio (p25)

Proposal currently has "Not Applicable".

No FSR has been listed however, the non-discretionary minimum described in the SEPP is 0.65:1 which is exceeded by the proposed development for Lot 2.

The below ground basement constitutes over 30% of the total development but is not included in the calculation but indicates a development not in character with the surrounding buildings.

4.4 Warringah DCP (p29)

Access to Sunlight

The shadow diagrams don't take into consideration the height difference between the properties on 54 Gardere Ave and 56 Gardere Ave.

The current diagrams are not representative of the actual shadows as can be easily demonstrated from the shadowing from the existing property on site.

Setbacks

The current Warringah DCP allows for a maximum boundary wall of 1.8m high. This development will present as a boundary wall of up to 7.7m high for the full length of the property at a setback of 900mm to the property on 56 Gardere Ave.

This is unreasonable. There has been no allowance made for articulations along this facade. As no articulations are presented along this facade, the elevation will present as a continuous 27m long wall that is 6.2 meters in height.

The private open space is all on the front of the house facing the street and forcing full height development overlooking the neighbours. The other houses in the area have more than 1 story with a minimum setback of 1.25 and reduced bulk on upper levels. All the other houses in the area have a significant rear setback.

The Warringah D9 Building Bulk specifies:

1. Side and rear setbacks are to be progressively increased as wall height increases
2. Large areas of continuous wall planes are to be avoided by varying building setbacks.

The proposal clearly does not meet these conditions on the western side.

6.2 Earthworks (p27, SEE report)

The excavations are described as "moderate". The submitted proposal includes excavations for a full story below ground for almost the full length of the property. This is not a moderate excavation. The resulting piece of land between 54 Gardere Ave and 56 Gardere Ave will be in places 900mm wide and 1.5m high on one side and 3m on the other side. This will require significant reinforcing to prevent damage to existing infrastructure.

Conclusion

The proposal fails to comply with key planning controls and would have significant adverse impacts on neighbouring properties, the streetscape, and overall community safety. Its height, scale and mass are out of character with the surrounding built form and do not reflect the expectations or standards of the local community. Notably, despite the scale and impact of the

development, the owner-who is also the architect and current resident of 54 Gardere Avenue-has made no effort to engage with or consult nearby residents. This lack of basic neighbourly communication falls well short of even the most fundamental standards of community consideration.

I respectfully request that Council:

- Reassess the DA in light of the breaches of non-discretionary planning standards.
- Require the applicant to submit revised documentation addressing all identified inconsistencies.
- Consider the broader implications on local amenity, safety, and character.

Thank you for the opportunity to provide feedback.