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**Sent:** 25/05/2021 8:10:48 AM  
**Subject:** Online Submission

25/05/2021

MR Paul Giunti  
67 Binalong AVE  
Allambie Heights NSW 2100  
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**RE: DA2020/1691 - 4 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100**

Attention of: Planning Officer Thomas Burns Northern Beaches Council, Planning and Development Civic Centre, 725 Pittwater Road, Dee Why, NSW 2099  
Regarding: Development Application DA2020/1691  
4 Southern Cross Way, Allambie Heights, NSW 2100.

Dear Mr Burns,

We are writing to object to the development application DA2020/1691 relating to the amended plans from 5th May 2021.

Our main concerns are as follows:

1) Building Bulk

Referring to Warringah Development Control Plan Section D9, Building Bulk, this control applies to the Warringah Local Environment Plan 2011. The requirement is that on sloping land, the height and bulk of the development is to be minimised and the cut and fill reduced by designs that minimise the building footprint and allow the building mass to step down the slope. The amount of fill is not to exceed one metre in depth; The fill is not to be spread beyond the footprint of the building; Excavation of the land form is to be minimised. Articulated walls to reduce building mass. Planting to be provided to reduce the building bulk.

The design and construction proposed does not meet the above requirements. Examples:

- Page 6, rear eastern elevation shows no articulated walls, which should be stepped back at different heights, to reduce the visual bulk of the building.
- The total mass and height and bulk of the main dwelling development, is not minimised.
- When including the additional two dwellings, and referring to Page 21, which shows the total seen bulk of all dwellings, this is in excess of 12 metres in height, towering over our principle private space.
- The landscaping proposed in no way reduces the bulk and scale.
- The building height and scale needs to relate to the topography and site conditions.
- The building is a full large scale three-storey property

On Page 5 of the amended master set, Section Through A-A clearly shows the dwelling is a large scale three-storey building. It will exceed the height of the surrounding properties. On page 7, the full height of the building from the FSL 79.93 to the top of the ridge line, RL 90.26, will represent a full seen building bulk of 10.3 metres in height. The suggestion that this is a two-storey house over 3 levels, is not a true representation as can be seen by looking at pages 2, 3, 4 & 5. The floor plans clearly show three distinct and full house levels.

2) The proposed building is in breach of D8 Privacy Requirements  
According to the requirements:

a) Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.

The proposed plans DO NOT optimise privacy for any of the neighbours to the rear of the property, especially when taking into consideration, ALL dwellings. The windows facing the Eastern side are maximising all possible views into the principal private space of all surrounding properties.

b) Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.

The majority of balconies, and habitable rooms, all have windows and views over the surrounding properties, NOT open space. 67 Binalong Ave's principal private space will be severely impacted by the proposed total of three dwellings.

c) The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.

Not only will the top level of the main dwelling infringe on the privacy of our home, where the upper level and balcony will have direct view and line of sight into bedrooms and principal private space. But also the Granny flat and "Office Studio", due to the slope of the land have main windows that directly overlook our principle private space.

### 3) General Concerns and Misrepresentations

a) There is still no clear drawing that shows the impact of the scale of all three buildings on our property from the easterly direction. This comes back to the impact of the 12 metre of bulk and height that will be viewed from all rear east-facing surrounding properties.

b) As mentioned previously, the existing trees to the north, south and eastern side of the property continue to be included in the drawings, even though they have now been cut back and no longer exist on the property at 4 Southern Cross.  
Please remove them from the drawings as they misrepresent the existing landscaping and do not minimise the visual bulk and scale of the building to any of the surrounding properties, specifically page 21.

c) We can see from our property that modification work commenced on the fibrous cement structures to the rear of the property. Our concerns with this is the lack of professional controls when removing potentially harmful materials.

d) We do not understand how the re-submitted plans adhere to the stormwater requirements. They appear to have ignored this requirement.

e) The request to replace the "white feather" tree/plant from the adjoining fence that backs onto our swimming pool, continues to be ignored.

As a final point, we would kindly request that the council verify the drawing and technical submissions have been submitted by the appropriately qualified persons. We note that the Landscaping company and then Engineering and Design company have the same contact numbers.

With regards,

Paul and Rachel Giunti  
67 Binalong Ave, Allambie Heights