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**Sent:** 20/11/2020 3:34:51 PM  
**Subject:** RE: DA 2020/1187 – 5 Bushranger Hill, Newport – proposed 2 lot subdivision  
**Attachments:** 5 Bushranger Hill, Newport - DA2020-1187 - submission.pdf;

Attention: Ashley Warnest

Dear Ashley,

Please find attached a submission to DA 2020/1187.

Should you wish to discuss this please do not hesitate to contact me on mob. 0487-502-338.

Regards,

Ben Rourke  
Planning Partnerships Pty Ltd

# **PLANNING PARTNERSHIPS** Pty Ltd

*Town Planning Consultants - Development & Environmental Advice*

*20 years Local Government Specialists in Sydney & Regional NSW*



The General Manager

19 November 2020

Northern Beaches Council

## **RE: DA 2020/1187 – 5 Bushranger Hill, Newport – proposed 2 lot subdivision**

Dear Sir,

Reference is made to Council's notification of the abovementioned Development Application to neighbouring property owners.

This submission is prepared at the instruction of Trevor and Sharon Smith as owners of a neighbouring property identified as No.18 Bungan Head Road, Newport. In relation to the subject site, No.18 Bungan Head Road is located neighbouring to the south, above the subject site. **Figure 1** overpage shows a cadastral view of the location of No.18 relative to the site.

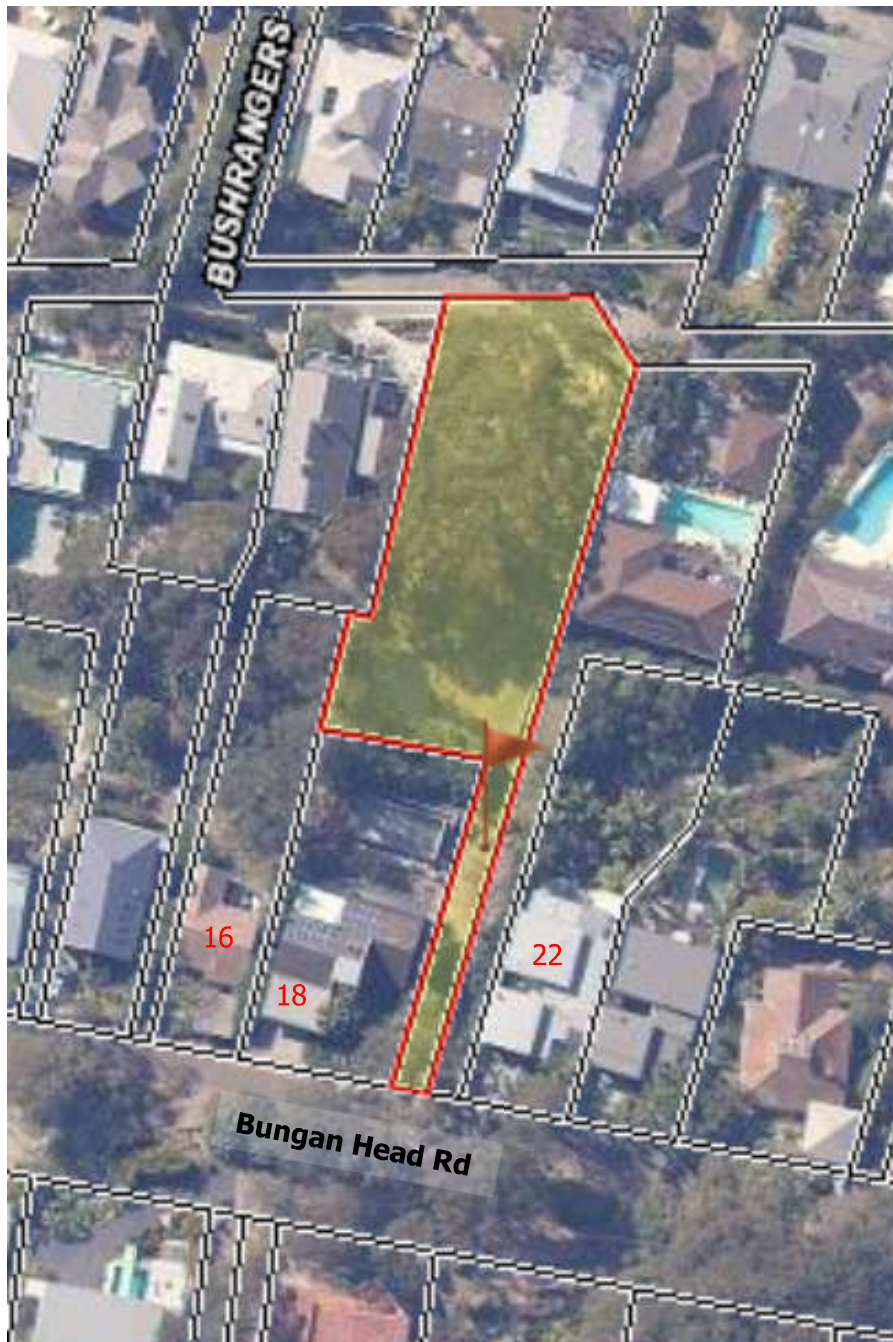
Following a review of the plans and Statement of Environmental Effects we wish to comment on the term of proposed access to the subdivision. Specifically, we request that no access works are permitted through the southern access handle of the site to Bungan Head Road, on grounds of protecting neighbours landscape amenity and privacy.

### **Site analysis and proposed access**

Proposed Lot 21 is shown at the upper southern rear of the site on the Subdivision Plan by Byrne & Associates Surveyors. Access to proposed Lot 21 is by means of a proposed Right of Carriageway 3.5m wide, extending through proposed Lot 22 from the lower northern boundary of the site, with street access from Bushrangers Hill.

The subject site has secondary street frontage to Bungan Head Road as shown at **Figure 1** overpage. The access handle is measures at approximately 5m width and 46m length, extending steeply up between 18 and 22 Bungan Head Road. Based on spot levels of the Subdivision Plan, this access rises approximately 18m at an average slope of approximately 40%. At this slope the access handle is excessively steep to permit vehicle access.

The secondary access handle also features a series of stone retaining walls and established shrubs and tree planting. Based on this, the secondary is access is substantially constrained from providing vehicle or pedestrian access.



**Figure 1** – subject site showing secondary access to Bungan Head Rd

**Comment – proposed access**

We note that the proposed access to both Lots 21 and 22 is shown via Bushrangers Hill at the lower northern end of the site.

We request a condition of consent that the southern access handle specifically not be utilised for vehicle access to the site. This is requested by means of a S.88B Restriction to be registered on title that prohibits the use or development of this land for access purposes.

The requested access restriction is justified on the basis that the access handle is substantially constrained by its steep form, retaining walls and established landscape. Clearing this would detrimentally impact on visual privacy, noise levels and landscape amenity of neighbouring properties.

## **Conclusion**

The subject land of the proposed 2 lot subdivision is characterised by a steep landscaped secondary access handle from Bungan Head Road.

Access to proposed Lots 201 and 202 is requested to be exclusively from Bushranger Hill, with Lot 202 utilising the proposed Right of Carriageway over Lot 201.

Due to the steep nature of the southern secondary access handle to Bungan Head Road, we request a S.88B Restriction that prevents any future development of this handle for the purposes of constructing any form of vehicular access. This Restriction is requested to include both driveways and motorised inclinator being prohibited from this portion of land.

Given the established landscaped character, steep landform, visually sensitive and low density form of development of the locality, we consider our submission reasonable and not an onerous restriction to the proposed subdivision.

Please contact me should you wish to query any points raised in this submission.

Regards,

Ben Rourke

Kind regards,



Ben Rourke (BTP UNSW, MEnvLaw Maq, MPIA, CPP)

## **PLANNING PARTNERSHIPS**

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