
Sent: 9/03/2020 9:38:02 AM
Subject: Online Submission

09/03/2020

MR Geoff Fogarty
20 Rosedale Avenue - 20 Rosedale AVE
Fairlight NSW 2094
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RE: DA2020/0092 - 70 Lauderdale Avenue FAIRLIGHT NSW 2094

The proposed development will have an unacceptable visual impact on our property. The SEE includes a View Impact Assessment which states: "The planning principle states that consideration should be given to the causes of the visual impact and whether they are reasonable in the circumstances.

As the proposed development complies with the controls that are the most relevant to visual impacts, less weight would be attributed to minor to moderate the effects caused."

The development DOES NOT comply with all of the controls, in particular those that are specifically intended to control the height and bulk of a building. In the SEE Part 4 Compliance Table re Clause 4.1.2 the table acknowledges that the proposal doesn't comply with the wall height limits by between 0.2 and 0.5m. It would appear that the non compliance is related to the height of the rear parapet which directly exacerbates the visual impact on our property. Similarly, Clause 4.1.4 in the table acknowledges side setback non compliances which also directly impact on our view corridor.

In addition to these noncompliances, the height of the popup features of both the entry walkways and main building could be lower to further mitigate the visual impact.

I understand that the proponents have a right to develop their site, however they also have an obligation to develop within the planning rules of the site. I understand the principle of view sharing, but that should only be considered when the proposal actually complies. Glib statements such as minor numerical non-compliance and minor visual impact have been used to downplay issues that if addressed properly would go a long way to addressing our concerns. In the alternative, the need for popup features and front boundary setback non-compliance could be eliminated by relocating the garages to front Lauderdale Avenue.

On two other matters, other residences in Rosedale Avenue in the main have single width driveway crossovers in order to maximise street parking for the benefit of the broader community. The proposal currently has two double width entries which reduce street parking by possibly two spaces.

Secondly, the Stormwater Management Plan does not provide for OSD for Lot 70B. There is no reasonable basis for this proposed noncompliance.

Finally our property is outside the notification area even though the SEE specifically attempts to address the developers' concerns about visual impact on our property. I believe that as a matter of principle any property mentioned in a DA should be notified by Council and invited to comment.

Regards

Geoff and Jennie Fogarty