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**Sent:** 21/03/2018 10:05:26 PM  
**Subject:** Online Submission

21/03/2018

MR Evan Matthews  
- 6 Tanderra Pl ST  
Curl Curl NSW 2096

**RE: DA2018/0149 - 60 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100**

21 March 2018

Attn: Daniel Milliken  
Northern Beaches Council  
725 Pittwater Road  
Dee Why NSW 2099

Dear Daniel Milliken,

RE: Objection of Notified Development Application Number: DA2018/0149

I refer to the development application for the proposed demolition of existing structures and construction of a two storey boarding house containing 36 beds and associated parking at 60 Binalong Avenue, Allambie Heights, NSW 2100. I would like to raise objection to the proposal for the following reasons:

1. Non-Compliance with the requirements of Planning for Bushfire Protection 2006

The BCA Assessment Report by BCA Logic submitted with the development application lists the proposed building as a Class 3 Building in accordance with the Building Code of Australia (BCA). Planning for Bushfire Protection 2006 outlines that Class 3 Buildings (excluding detention centres) as determined by the Building Code of Australia are a special fire protection purpose (SFPP) for the purposes of section 100B of the Rural Fire Act 1997. Accordingly, Class 3 Buildings must comply with the stringent requirements for a SFPP development on bushfire prone land.

Contrary to the above, the Bushfire Risk Assessment prepared by BushCon Australia that accompanied the application incorrectly assessed bushfire planning requirements based on the development being a BCA Class 1 or 2 Building. The Bushfire Risk Assessment therefore incorrectly calculated Asset Protection Zone (APZ) requirements in accordance with table A2.4 of Planning for Bushfire Protection 2006. The calculation determined the minimum APZ requirement to be 20m. Using the same vegetation formation (rainforests) and effective slopes calculation ( $> 10^{\dagger} - 15^{\dagger}$ ) to calculate APZ requirements for an SFPP in accordance with table A2.6 of Planning for Bushfire Protection 2006, the minimum APZ required is 60m.

It is concluded that the 23m APZ proposed in the development application falls significantly short of the APZ requirements of Planning for Bushfire Protection 2006 and would endanger the safety of future occupants of the building. It is requested that the application in its current state be refused or amended to ensure compliance with Planning for Bushfire Protection 2006.

## 2. Impact on neighbourhood character and streetscape

The subject site has frontages on Nargong Road to the North, Jennifer Avenue to the North-West and Binalong Avenue to the West. Each of these streets share a desirable, orderly built form that contributes to a neat low density residential setting that balances the built and natural environment in harmony. The streets are characterised by modest one and two storey single dwellings, with generous landscaping, consistent building lines and an impressive canopy trees.

The proposed development disrupts the rhythm of the neighbourhood character as the development is inconsistent with the surrounding properties front building lines (particularly on Nargong Road) and has the appearance of being four separate residential apartment buildings, three of which exhibit nil setbacks to the adjoining building. The form of the building is comparatively bulky and excessive, and is not compatible with the low density setting and character of the area. Such a development would only conceivably be compatible in a high density residential setting.

The cumulative effect of the imposing, uncharacteristic design is amplified by the site's location and bulky, landmark style form. The result would be a wildly inappropriate development that is the focal point of and disrupts the character of three separate roads.

## 3. Visual impact

As stated above the proposed development would have a significant negative impact on the character of the neighbourhood. The proposed development would be built on a prominent corner location, would be out of place and would degrade the character of the neighbourhood. As a result of the excessive bulk, the out of character style and the siting of the building, the development would be a highly visually intrusive landmark and would have a significant visual impact on the public and private realm.

The properties that front Jennifer Avenue experience high value views extending to Manly and North Head on the South-Eastern aspect. The proposed development would be directly in the view corridor of these properties and due to the visually intrusive nature of the development, will significantly degrade the value of the view from these properties. This is an unacceptable outcome resultant of an inappropriate development.

## 4. Accessibility

The development is inherently non-compliant with the requirement of clause 4 (1) (c) of SEPP (Affordable Rental Housing) 2009 (AHSEPP) as there are no pedestrian

networks servicing any of the roads the proposed development fronts. Any potential route from the site to nearby bus stops would require a combination of pedestrian movement on roads and on nature strips with rough terrain that are impeded by tree root systems. By their nature these routes represent a significant danger to individuals and are not a feasible solution for individuals with mobility impairments.

## 5. Traffic and parking

The parking development standard leniencies afforded by the AHSEPP would result in significant localised traffic and parking issues. The lack of on-site parking would force future residents of the development to park on the streets surrounding the site. It could be anticipated that much of the kerbside parking in the neighbourhood would be exhausted by the future residents of the development. This would arise in a heightened danger for motorists through the combination of decreased visibility, decreased room on the roads and increased traffic.

The traffic and parking impacts would also have implications for pedestrian safety. As stated above there are no footpaths in the neighbourhood and the nature strips are often uneven, disrupted by tree roots and are generally not suitable for pedestrians. It is already the case that pedestrians have been forced to use the roads of the area due to the lack of a pedestrian network. Increased kerbside parking would push pedestrians further on to the middle of the road, where the combined effects of decreased visibility and increased traffic would result in an extreme risk of catastrophic incidents with motorists.

## 6. Native vegetation removal

The Arboriculturalist Impact Assessment report by Urban Forestry Australia submitted with the application notes the removal of an existing mature *Glochidion Ferdinandii* (Cheese Tree) would be required for the development. This is an unacceptable outcome and it is requested that the applicant resolves to retain this highly valued, native tree that is classed as a Prescribed Tree under Warringah Development Control Plan 2011.

## 7. Excavation and ground disturbance

The excavation of the site for the construction of the basement level is an environmental hazard, particularly to the riparian land and waterway within which part of the property is situated and land. The excavation represents an inappropriate disturbance of the land and should be avoided completely.

## 8. Privacy

The proposed development will have an unreasonable impact of the privacy of the residents of 58 Binalong Avenue to the south of the subject site. The backyard of 58 Binalong would be overlooked by the windows and outdoor areas of the southern parts of the proposed development. This would be a considerable loss of privacy.

To conclude the proposed development is inappropriate, does not comply with bushfire planning controls and will have an inappropriate impact on the

neighbourhood ranging from degrading character to increasing pedestrian danger. Despite the leniencies afforded to such a development through the hare-brained AHSEPP, it is submitted that the proposed development in its current form cannot be approved for consent.

Regards,

Evan Matthews