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MR John Webster  
38 Binalong AVE  
Allambie Heights NSW 2100

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

I am writing in protest as a concerned member of the public and long time resident of Allambie Heights. A few weeks ago we became aware of a planning application for a 36 room boarding house at 60 Binalong Avenue. This application would occupy three lots and whilst the intent is admirable (affordable housing) we wish to register our opposition to the development which exploits a loophole in the planning laws allowing de facto high density residential flats to be constructed in low density suburbs.

The development is submitted under the guise of a boarding house offering affordable housing. However - there are no measures in place to ensure the development subsequently offers affordable rents. If the landlord decides to fit the rooms with luxury items then the rent can reflect this. The result is a block of flats occupied by residents of moderate or high income and a de facto high density residential development. This subsequently undermines the other planning provisions such as 1 car space per 5 rooms, as the affluence of the residents ensure a high level of car ownership with subsequent parking issues spilling into surrounding streets.

This development at 60 Binalong Avenue is within a low density residential area surrounded by houses occupied mostly by families. It is a requirement of the 2009 affordable rental housing SEPP (AHSEPP) that the character of the local area is considered. The proposed development is NOT in character of the surrounding area as evidenced by its failure to meet the AHSEPP guidelines. These Department of Planning and Environment guidelines are documented in the January 2018, Planning Circular PS-18-001 'Stepping up planning and designing for better places: respecting and enhancing local character'. It states:

"The Circular describes what local character is and recognises the important role it plays in planning for development that is contextual, of its place and meets the growing needs of NSW.

Local councils and other relevant planning authorities, state agencies and communities can use the Circular for guidance about the tools available to them to incorporate consideration of local character into strategic planning and detailed planning for places. "

It goes on :

"What is local character?

Character is what makes one neighbourhood distinctive from another. It is the way a place 'looks and feels'. It is created by the way built and natural elements in both the public realm and private domain interrelate with one another, including the interplay between buildings, architectural style, subdivision patterns, activity, topography and vegetation.

It is important to ensure that consideration of character is understood to be distinct from considerations of heritage and conservation. Compatibility is different from sameness, as it allows for many different features to coexist together harmoniously.

All places have character and what is important in one area might be very different in another. Good planning should ensure all places have a future desired character and once this has been established the planning framework can be used to guide the degree of change needed to achieve that vision.

Where major growth is planned, such as in growth areas or precincts there are opportunities to enhance the future character of these areas through the planning system to ensure the places we create become the much loved suburbs of the future.

In other areas where the existing character is highly valued by the community, there are opportunities to plan for the enhancement of that character for the enjoyment of existing and future residents.

Respecting character does not mean that new development cannot occur, instead, it means that a design-led approach needs to be implemented which builds on the valued characteristics of individual neighbourhoods and places. Built form, bulk, scale and height as well as landscaping and good design all play a part in ensuring the character of an area is maintained while still allowing for new development to occur.

Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based, relevant to and resonant with local character and community aspirations. It contributes to evolving and future character and setting."

The proposed development fails this character requirement in many ways:

- It's built form presents a solid 'wall' of development to the street frontage with no trees, bushes or greenery. Its character is subsequently more akin to a high density development rather than reflecting the character of the area.
- It's use and context is not in character with the area - the surrounding area is characterised as low density single houses housing a mix of families, couples with rarely more than 5 occupants per plot.
- It is out of character as it does not 'resonate with local character and community aspirations'.
- It is out of character because it does NOT contribute in a positive way to the

evolution of the future character and setting.

There is a very simple test to determine whether a development is in character of the area or not - imagine that every plot in the suburb was developed as the proposal. If this development is in character then the suburb would be different but still recognisable in its form, context and use. There is NO DOUBT that if every plot replicated the current proposal then Allambie Heights would be unrecognisable and completely different in character to how it is today.

There is therefore no argument possible to suggest that the proposal is 'in character', it therefore fails at a fundamental level to satisfy the Departments own requirements and should be rejected.