
Sent: 12/07/2021 3:44:37 PM
Subject: Submission re. DA2021/0886 106 Bynya Road, Palm Beach
Attachments: Submission 106 Bynya Rd July 2021.pdf;

Mr. Tony Collier
Principal Planner, Northern Beaches Council

Attention Thomas Prosser, Officer

Please find attached our submission regarding DA2021/0886 at 106 Bynya Road, Palm Beach.
Grateful for your consideration of the issues raised.

Sincerely,
Emma Doyle and David Southall

David Southall and Emma Doyle
125 Bynya Rd,
Palm Beach, 2108
10 July 2021

Mr Tony Collier
Principal Planner, Northern Beaches Council
council@northernbeaches.nsw.gov.au

Dear Mr Collier,

**Re: DA 2021/0886
106 BYNYA ROAD, PALM BEACH**

We write to lodge an objection to this development application on the grounds that existing vegetation is not correctly depicted in the plans and an established native tree will be affected by the proposed new stairs and landing between the pool slide and lawn area. We also have concerns regarding management of runoff from this property and the implications of proposed new structures and hard surfaces in this development.

1. *Podocarpus elatus* missing from planning documents

An established native *Podocarpus elatus* tree grows on the eastern side of the garden of 106 Bynya Road, located amongst the hedge along Bynya Road. It is a separate, existing tree of a different species from the hedge shown on the plans. It also grows well above the height of the existing hedge. Despite being an established tree, it is not shown on the plans nor is it individually identified in the plans as are other existing trees, and no mention is made of this tree or potential impacts upon it in any of the relevant documentation. Please see photo of this *Podocarpus elatus* in Figure 1 compared with an example section of the plans where it is omitted. Figure 2 shows the existing location of this tree.

The plans indicate that a proposed new set of stairs and landing will be located in the area where this tree currently exists. Figure 3 shows the location of this tree compared with the proposed position of new stairs and landing from the plans.

We object to any removal of this tree, its reduction in size or shape, or any damage to it from the proposed development. This *Podocarpus elatus* is an important native tree that fruits productively when in season and we have witnessed that it serves as important foraging habitat for local native birds in this neighbourhood, especially for Psittacinae (parrots). This tree is also provides aesthetic value and desired character to Bynya Road consistent with Council's statement of desired character for Palm Beach. This tree merits clear identification in these plans and full protection in any development.

We also highlight that the existing hedge vegetation on the eastern boundary of 106 Bynya Road is not correctly depicted in the plans. The plans show the Bynya Road hedge to be much thinner than actually exists adjacent to the existing lawn. Taking into account the actual size and shape of this vegetation, this hedge will be detrimentally affected by the placement of the proposed new set of stairs and landing between the pool slide and lawn area. Please see Figure 4. The detrimental impact of the proposed development on this hedge along Bynya Road is ignored in the application.

2. New cabaña structure and hard surfaces along Ralston Road

We have observed that there is continual runoff of water coming from 106 Bynya Road on the property's boundary with Ralston Road. The grass on the verge along Ralston Road adjoining the property is constantly saturated and muddy and is often visibly damaged by parked cars. This runoff constantly flows across the intersection of Ralston Road and Bynya Road, and then downhill via the western gutter of Bynya Road. See photos in Figure 5 showing runoff, saturation and evidence of long-term, chronic nature of this issue. We have witnessed this seepage of water flowing from the property in all seasons as well as through dry conditions. We have also observed that native vegetation formerly growing on the verge at the corner Ralston Road and Bynya Road (*Xanthorrea* and *Eucalyptus* species) has died, perhaps linked with this issue.

We are concerned that the runoff problem from 106 Bynya Road will be exacerbated by the proposed development works on the property and especially by the addition of the proposed new cabaña structure with roof and associated hard surfaces to the Ralston Road boundary. Increased hard surfaces and the addition of a structure with a roof will increase runoff from the property and exacerbate this drainage problem in the neighbourhood.

Yours sincerely,

Emma Doyle, MSc.
David Southall MES
0403-945595

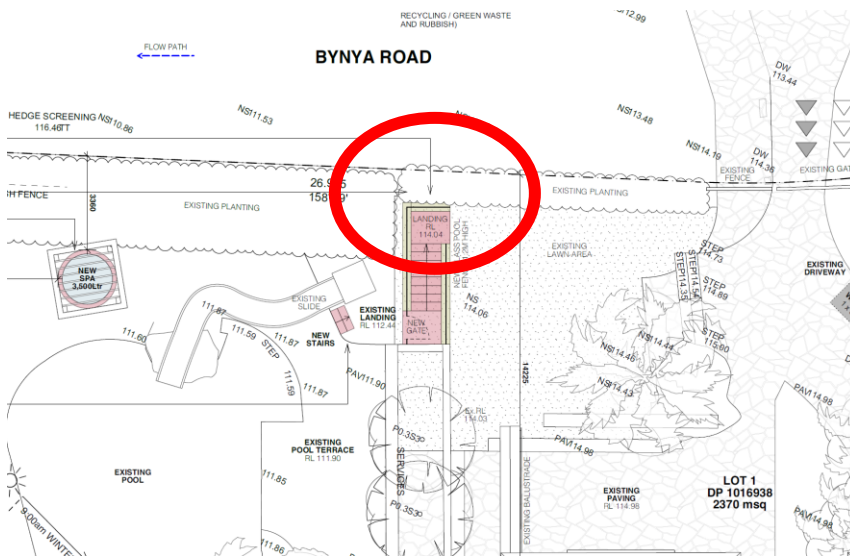
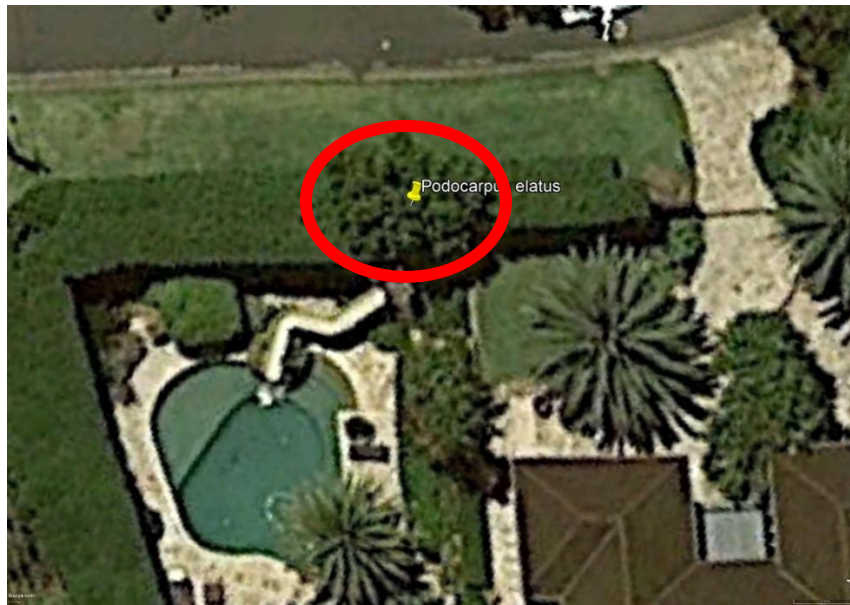


Figure 1: Location of *Podocarpus elatus* on eastern Bynya Road boundary of 106 Bynya Road, Palm Beach aerial view (top) compared with plans (lower), note absence of *Podocarpus elatus*, existing tree not shown on plans

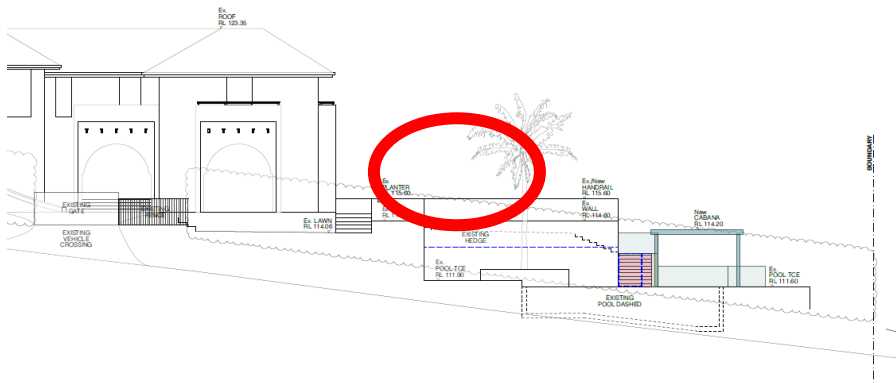


Figure 2: *Podocarpus elatus* on eastern Bynya Road boundary of 106 Bynya Road, Palm Beach photo taken July 2021 (top) compared with images from plans (lower), note absence of *Podocarpus elatus*, existing tree not shown on plans



Figure 5: Continual seepage/runoff from 106 Bynya Road along boundary with Ralston Road and intersection of Ralston Road and Bynya Road showing saturation of verge and chronic nature of this issue