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19/05/2022

MR Stephen Jones
- 49 Wilson St ST
Freshwater NSW 2096
[REDACTED]

RE: DA2021/1659 - 74 Soldiers Avenue FRESHWATER NSW 2096

Will add in case you cannot open Submission RE: DA 2021/1659 Amendment - for 74 Soldiers Ave, Freshwater

Submitted by Steve and Annette Jones of 49 Wilson st , Freshwater

I would like to make the following submission in relation to the development application for 74 Soldiers ave, Freshwater. As I believe this is development is a totally NEW development, as such would be required to adhere to the local and state planning policies.

It is noted from the accompanying architect note the entire building envelope has been moved 2.1 M to the east. This somewhat alleviates the concerns of the Harbord road neighbours but by moving it, it exacerbates the impact on our property. The new alignment covers our entire homes envelope and extends out further to negatively impact our yard.

I believe the bulk and scale of the development is too large for an allotment of this size. I will outline my concerns below in no particular order.

State Environmental Planning Policy -

As the DA is for a new build, it is my understanding that this is the policy, that is used to determine the requirements that need to be adhered to. I believe that this build fails to comply . Notably -

Battle Axe Lot must be a minimum size 12m x 12m. Thus nullifying building rights as it doesn't qualify..

Gross Floor Area for a battle axe lot is 350sqm - 450 sqm (74 Soldier ave) , excluding access is 25% of lot size - 105 + 150 square metres. Making a total of 255 square metres allowable for this lot.

GROSS FLOOR OF DA IS 458 SQM - somewhat oversized .

Set Back For a block width of 10-18 metres setback for above ground level up to 4.5m is 900mm, once over 4.5-8.5 they calculate the setback increase necessary by the total height over remaining 4.5, quartered, further the original 900 mm . So to clarify the setback is 900mm until 4.5 high then requires a further setback using the calculations above.

Thus our concern with a 7.5 metre sheer dark wall.

A Battle axe block has a 3 side boundaries and one rear. It is deemed in the policy that the rear is designated as that opposite of the house face. Which would be considered our common boundary (see attached file). A battle axe block rear set back on a block 300-900 square metres with a building height 4.5-8.5m is 8 metres, The front setback from rear of the house in front is 3 metres. There are numerous other requirements balconies etc.

In summation the DA knock down rebuild does not meet any of the above NEW build requirements.

Shading -

From the shading plans provided our entire backyard will be without sun and the house will

lose most of its sun at certain times of the year. This is the yard we predominately use. It is stated that the yard and house is currently shaded by trees but this is partial and filtered shade. It is not total shade like that would be produced by a dark sheer metal wall right on the boundary line.

Also due to the fence being realigned every and all trees along the northern boundary in our garden will sadly have to be removed. Some native, well established and some decades old. Contrary to the arborist report they are all on the fence line.

The level of shade created by this dark sheer wall will negatively impact our lawn, our garden and dampness through both our home and yard.

Air conditioning

With the movement of everything eastward the air conditioning unit on the south side of the property will be directly below our bedrooms, including our master bedroom. The noise pollution and impact that will have on our property is self explanatory. As the building is a big black square I can only surmise the air conditioning will be used often.

Water Tanks

I would like to note that the two water tanks have been removed from the western side to the southern side extending past the line of the wall to within 450mm of the western boundary.

While no size is given, they will be at least 900 wide on 1500 setback which means they will be very close to the Southern (500mm) and Western boundaries. Whilst this is allowed it is not ideal and a variant from the previous DA that is unfavourable.

In Summary

As in my previous submission I do believe everyone is due a comfortable home, which is ideally not impacting neighbours adversely but on a small block of dirt there is a limit to the scale of a home . Or at least without impacting those around you negatively.