
Sent: 10/12/2020 3:14:57 PM
Subject: DA 2020/1429 ATTN: Development Assessment
Attachments: SKonica_Cam20121015500.pdf;

Please find attached letter regarding DA2020/1429

9 December 2020
383 Wyong Road
Duffys Forest NSW 2084

The General Manager
Northern Beaches Council

Attention: Development Assessment

Dear Sir/Madam

RE: DA 2020/1429 - 1 Bibbenluke Ave Duffys Forest

We are the neighbours to the abovementioned property.

The Statement of Environmental Effects (SEE) available on the Council website states:

It is understood that the existing animal boarding establishment is regarded as an unsympathetic land use relative to its neighbours. The proposed Torrens title subdivision will provide the owners of the site with sufficient financial incentive to cease the existing animal boarding establishment use and to provide for a more suitable type of development (residential) which is unlikely to result in any detrimental impacts upon the surrounding locality.

We concur with the above statement in the SEE in that the existing boarding kennels have caused neighbours much disturbance with uncontrolled barking dogs and offensive odours. Council records will show that we and other neighbours have complained for many years about these issues and that they are ongoing.

When describing the proposed development, the SEE states:

The proposal seeks approval for the cessation of the existing animal boarding establishment and surrender of the existing consent, demolition of some structures associated with the animal boarding establishment (fencing and cages), the two lot Torrens title subdivision of the site together with building alterations to the existing office building and its change of use to permit a dwelling house upon land identified as Lot 392 in DP 752017 and which is known as 1 Bibbenluke Avenue, Duffys Forest.

The proposal also includes retention of the existing single storey dwelling and detached pool house located on the western portion of the site and a shed structure located on the western part of the site.

We support the general proposition of subdivision of the property as a solution to end the use of the land as boarding kennels, however, we are very concerned that the newly created Lot 2 may be sold to Hanrob or another animal boarding company and that the use of that part of the site as a boarding kennel operation

would remain. As such, we fully support the proposition put forward in the development application that any consent which relates to the use of the existing site for boarding kennels is surrendered pursuant to Section 4.63 of the *Environmental Planning and Assessment Act 1979*. We are also in favour of the demolition of the structures associated with the boarding kennels as stated in the SEE and nominated on the plans prepared by Survey Plus. We do express our concern that the buildings housing the kennels will remain. We have discussed this with the owners of the property Brian and Robyn Anchau and they have advised us that they intend to demolish all structures apart from the office building which they intend to refurbish.

We note that the proposed subdivision is significantly below the minimum lot size requirements of the Warringah Local Environmental Plan 2011 and that a clause 4.6 variation request to the minimum lot size has been submitted with the development application. While the determination of the clause 4.6 variation request is a matter for the Council, we are request that any approval granted by the Council for the proposed subdivision contains conditions as follows:

1. A condition which requires surrender of all consents applying to the existing site which relate to the use of the total site as an *Animal boarding or training establishment*.
2. A condition of consent which, prior to the release of the Subdivision Certificate, requires the demolition of **all** structures/buildings and associated development on the existing site which is associated with the use of the existing site as an *Animal boarding or training establishment* with the exception of the existing office which is proposed to be utilised as a dwelling house on proposed Lot 2.

Please note we are only supportive of the subdivision if these conditions are part of the consent.

We trust that Council will consider our submission favourable such that the amenity of our property and others in the locality can be restored to that which would be expected for a rural setting.

Yours sincerely



Brent and Linda Lawson
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