



Lane Cove Bushland & Conservation Society Inc

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The General Manager
Lane Cove Council
48 Longueville Road
Lane Cove, NSW 2066

VIA EMAIL: service@lanecove.nsw.gov.au

Attention: Mr Andrew Thomas, Town Planner

RE: DA 14/2021 - 31 Fox Street, Lane Cove

Thank you for the opportunity to comment on the above-mentioned DA. These comments follow our phone conversation of 26 February, 2021.

Subdivision, Staging and Access

Section 4 of the Statement of Environmental Effects (SEE) indicates that the proposed development will be undertaken in three stages as follows:

- Stage 1- Subdivision
- Stage 2 – Alterations and Additions to existing Dwelling House
- Stage 3 - New Dwelling

We wish to clarify the timing for the registration of the subdivision. We note that under Stage 1 the applicant has requested that the subdivision is registered prior to the issue of an Occupation Certificate for the proposed new dwelling. However, access to the site via the proposed access handle is currently obstructed by the existing dwelling. The alterations and additions to the existing dwelling are proposed to occur in Stage 2. Due to the various ways in which subdivision and development of this site could be configured if vacant (possibly with the removal of less trees), we consider that the registration of the subdivision should not occur until access to the rear lots, via the proposed access handle, is secured unimpeded.

The SEE also suggests that the proposed subdivision is not dissimilar to the ones to the east. However, these properties have road access to the rear lots direct from River Road. We also seek certainty that there would be no opportunity for any claim for access to the rear lot from River Road.

Recommendation:

The subdivision should not be registered until the alterations to the existing dwelling have been undertaken, to ensure that access to the rear allotment is provided via an access handle from Fox Street, unimpeded by any existing structures.

Setbacks and Planting

As stated in Section 5.5 of the SEE, the setback from the proposed rear boundary will be 7.095m to the external wall of the lower ground floor, instead of a minimum of 9.3m as required by the Lane Cove DCP.

A variation is sought by the applicant on the basis that the proposal is consistent with the existing predominant rear setback together with the sloping nature of the front of the site. We consider that this request for a reduction in the setback is unjustifiable, particularly considering there are many trees to be removed, close to bushland.

Recommendations:

The proposed setbacks of both dwellings from their respective rear boundaries should comply with Councils DCP requirements, to ensure that large areas are available on both lots for the retention of trees and/or suitable replacement tree planting.

All replacement trees and vegetation should follow Lane Cove Council's DCP Part J (Landscaping) to be in keeping with the native vegetation of Tennyson Reserve. See also:

<http://www.lanecove.nsw.gov.au/Environment/NaturalEnvironment/Pages/GardeningInformationforResidents.aspx> Growing the Native Plants of Lane Cove by Judy Messner.

Stormwater Drainage and Sewage Disposal

Stormwater from the property is proposed to be discharged via a proposed inter-allotment drainage easement to the Council's trunk drainage system. It is not clear from the stormwater drainage plan or from the SEE what impact there will be on Tennyson Park. The distance to Council's stormwater trunk drain is not indicated and it is not clear whether excavation in the Reserve will be required. In addition, the sewage disposal has not been addressed and we do not know whether the existing sewer line is adequate to serve more than one dwelling.

Recommendation: *No approval should be given until the impacts of the proposed drainage system on Tennyson Park is fully described and assessed to ensure that it complies with the detailed requirements of Part H and Part O of the DCP and that there are no adverse effects on the reserve and bushland. Similarly, the impacts for the sewage system should be addressed.*

Fencing

The proposed development abuts a bushland reserve and will be visible from River Road and the adjoining in Tennyson Park reserve, which provides access to the bushwalk.

Recommendation: *Any new fencing of the lots (if required) should be as unobtrusive as possible. Materials should be sympathetic and of a colour that is recessive (darker) so that the fencing does not stand out in marked contrast to the bushland and other vegetation when viewed from River Road and the Reserve.*

Yours sincerely

Margaret Bergomi
Ruth Neumann
Norma Stuart

On behalf of the LCB&CS Committee