



The General Manager
Hornsby Shire Council

DA/20/2021 - 5 Wongala Crescent, BEECROFT NSW 2119

Dear Sir

The Trust supports, in general, many of the amendments to the design and the additional reports. However the Trust believes there are still matters that that still need to be addressed. The following comments are made.

Height of the building. The Trust notes that the height of the building has not changed from the original submitted plans which were based on the former 17.5 m height limit. The Trust also notes that the clause 4.6 justification for variation to the height is now based on the reduced building height of 16.5 metres, even though the design was based on the former 17.5m height. The Trust argues that, from the public's perspective, the reduction in the height limit in the LEP has been ignored in the design because the design has not changed, thus implying that the applicant must consider the reduced 1m height limit as irrelevant. The building now exceeds the reduced height limit by more than 10%.

The Trust also disagrees with the applicant's justification for a Clause 4.6 variation. The applicant states on page 3 of the cl4.6 report, *'The proposal has been designed within a built form that is consistent with the intent of the 16.5m height limit, noting the proposal presents a 5-storey form to the public domain with a recessed upper level as envisioned for the site pursuant to the Beecroft Heritage Precinct (Commercial Area) Key Development Principles diagram.'*

The Trust acknowledges that the height variation only occurs at the western end of the building and is likely to be less visible from Wongala Cres. However this additional height of the building will be, contrary to the applicant's subjective arguments, highly visible from Hannah St but also impact on the amenity of the existing development adjoining to the south and west of the development.

So while the applicant can present a convincing argument, an equally convincing argument can be presented disputing the justification for the variation. After all, as the applicant states, it is a 6 storey development, not just 5 storey.

The argument that the top floor is justified because it is not a mezzanine level is noted but carries little weight to justify an additional floor to the development.

The argument that the slope justifies the extra height is not supported, as while very minor variations are acceptable it should be justified for major variations when it would be more appropriate to reduce height through better design.

The argument that the commercial floors require additional height is also not supported, and has been dismissed as a justification in other developments, including decisions by the Sydney North Planning Panel.

The argument based on housing needs, unit mix, additional retail space and minimal heritage impact are not supported. These issues can be satisfied with a height compliant development.

The argument based on orderly and economic use, heritage and good design is not relevant as these matters can also be achieved with a height compliant development.

The argument based on the public interest is not supported as an equal counter argument can be presented for a height compliant development.

Still regarding height exceedance, it is important that all ancillary rooftop infrastructure such as telco fixtures and servicing ducts must be taken into account when assessing the variation in the height limit. The Trust does not want the same disaster to occur with this proposed development that occurred on the roof of Beecroft Place when the private certifier approved the extremely intrusive ducting and panelling without consulting Council, after the regional planning panel's approval.

In general the Trust is concerned that the proposed development has the potential to be an overdevelopment within a heritage precinct that is under extreme pressure from new developments. As more development occurs in the precinct, there is serious concern that the existing buildings that contribute to the local heritage, will become dwarfed and, with their lower heights, will become visually lost with reduced amenity and heritage value.

The Trust does not want to see a repeat of the overdevelopment that occurred at Beecroft Place where the community has to live with a development that is out of balance within the heritage precinct with its excessive non-compliant height.

Driveway width. The Trust's request that the driveway be widened to accommodate trucks turning in and out on Wongala Cres has not been addressed in the amended plans. The acute angle between the Wongala Cres frontage and the side boundary necessitates additional width for the driveway. The Traffic and Parking Assessment Report dated July 2021 issue C illustrates this issue in Appendix D in diagrams SP1 and SP2.

SP1 shows that the swept path for an 11 m truck entering the site will take up both lanes of the internal drive.

SP2 shows a similar swept path of an 11m truck exiting the site but it also stops abruptly at the Wongala Cres kerb line and does not show what occurs as the truck proceeds onto the actual road pavement in Wongala Cres. The swept path of a truck onto Wongala Cres must be shown as there is a strong possibility that the truck will need to cross over to the other side of the road where the bus stops are located. Also in the basement area of the turning bay, the truck sweeps across the 2 lanes.

The Traffic Report on page 11 states *'It has not been possible to provide a sight line splay on the egress side' and instead a speed bump, stop marking and mirrors are provided as an alternative solution'*. Also on page 11 there is no detailed analysis of how Council's refuse truck will operate entering and leaving the site. This report does not appear to explain why a sight line splay is not possible when such a splay may assist in overcoming some of the issues raised above. The recommended alternative solution appears to be an inferior solution for the sake of additional retail floor space.

Also SP4, SP5 and SP6 all show the internal swept paths for vehicles being very tight as well.

The Trust is seeking a higher quality development and is concerned about the long term operating problems with adopting minimum standards for vehicle movements. The recently constructed

Beecroft Place at the corner of Hannah St and Beecroft Rd is a good example which has problems with its vehicle entrance with minimum lane widths and tight turning lanes as vehicle enter and exit. Private vehicles today are generally larger than vehicles in the past and many drivers struggle with the minimum design standards.

The Trust notes the dewatering plan and is not surprised with the findings. A precautionary approach should be adopted as groundwater flows has become a regular issue on large development sites in Beecroft and Cheltenham.

The Trust notes the suggested location of a transformer, if required by Ausgrid. Based on experience when Beecroft Place was approved, Ausgrid as a consent authority, insisted at the 12th hour at the regional planning panel meeting that the transformer had to be positioned separate from the building and facing the road. The panel had little choice but to belatedly position the transformer next to a heritage dwelling negating the value of the important curtilage setback that had been negotiated for the dwelling.

Transformers are not attractive and always impact on the appearance of the streetscape, so it is essential that a precautionary position is taken that a more appropriate location is identified at this design stage in case a transformer is required.

The Trust continues to support the DCP concept of a pedestrian link through to Hannah St and encourages Council to continue private discussions with the adjoining land owners so an optimum holistic redevelopment solution can be achieved for this commercial precinct. But this support is qualified by insisting that the heritage character of Hannah St, with its older shop facades, is retained and fully protected with a heritage listing.

Yours sincerely,

Ross Walker OAM

Vice President
Beecroft Cheltenham Civic Trust
3 September 2021