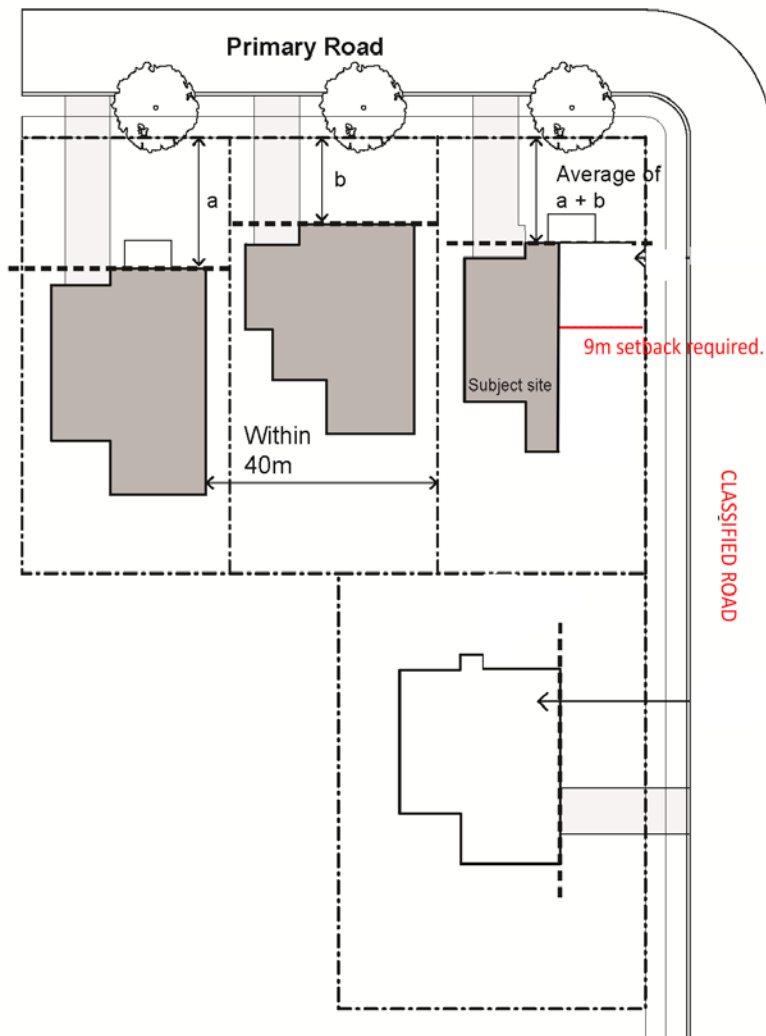


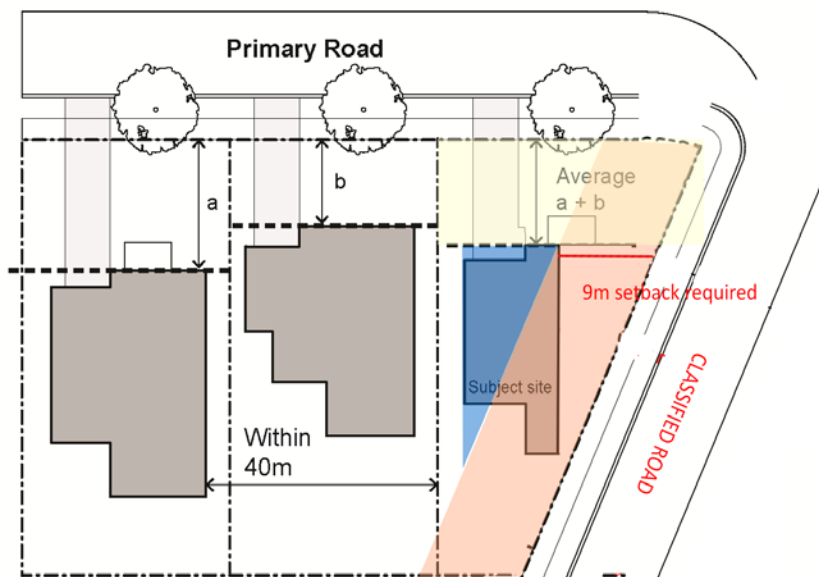
Finally, an awaited opportunity for me to make my comments on the absurdity of some of the provisions in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. I am disappointed to see that despite me having a major discussion with the NSW planning department regarding the requirement of a 9m setback from a classified road (clause 3.10 (13)(b), this has not been given a thought at all.

The SEPP fails to give consideration to corner blocks and to irregular shaped blocks. A corner block not only has to give the front setback averaging its nearest neighbours but also has to give an increased side setback. This is fine however the absurdity starts when the corner block shares a boundary with a classified road. Not only do the owners of such blocks have to give the front setback, they need to also provide 9m side setback from the classified road. See visual below.



Where do you expect the land owner to build? An average block of say 20m width (I am being very generous here) needs to give 1.5m setback from one side (single level dwelling) and 9m from the corner side. This leaves only 9.5m for a house to be built.

What makes it worse is when the corner block (subject site) is of an irregular shape such as in my case. This takes absurdity to a new high level. See visual below. Per the SEPP I am allowed this generous blue shaded area to build my dream house.



9m setback for noise impact – Really?

The explanation I received from the NSW planning department was that pushing houses 9m away from the classified road will minimise noise impact to the property. Who came up with this idea? I would love to welcome them to come and stand 3m from my boundary and again at 9m from my boundary and see the difference for themselves. Guess what? There is none.

Has there been any studies conducted on the difference in noise impact to properties located at 3m setback and located at 9m setback. I am guessing NO.

I welcome a change in code to impose some requirement of appropriate measures to be applied to residential development being build along the road corridor however within reasonable means. There is no point in imposing such stringent requirement for properties being developed within road corridors that properties just out of this affected area can't even meet. I hope you know how much double-glazed thicker glass cost nowadays! A feasibility assessment needs to be undertaken as to how much a developer needs to spend to provide acoustic measures to a new house without having to sell off their kidneys.

Crazy Front Setback – Streetscape or Backyard

Let's talk about the front setback especially corner blocks. By now you have probably noticed I have a strong interest in setbacks. Why does a corner block have to give an average setback of both neighbours? Why can't a corner block provide the same setback as their nearest neighbour? Why does any site have to provide an average? What exactly is the point of it? Older suburbs such as those within Ku-ring-gai council have a wide range of setbacks. One neighbour may be 7m from the boundary whereas another may be 15m from the front boundary. A subject site could have been sitting 8m from its front boundary for 50+ years however under this SEPP, they now have to build 11m behind the boundary taking average of 7m and 15m. That's not called streetscape. That streetscape was already established 50+ years back. We need to work with current times. No longer are houses built so small as back in those days. Land is expensive, families tend to stay together for longer, older kids staying together with parents, new ethnicities arriving into Australia where keeping their elderly home with them is the norm and nursing homes are unspoken of. Today's society needs bigger homes and they are building bigger homes. They will find one way or the other to do it. Investor mum and dad developers are moving towards the front boundary to accommodate secondary dwellings in their backyard. This SEPP is making buildings being pushed further back and reducing our backyards. Our backyards are supposed to house our vegetable gardens, trampoline, dog kennel, chicken coop, compost bin etc. What we see is larger manicured front yards and tiny backyards which are of no use to anyone. Sustainable leaving has been written off by this SEPP.

The solution is to **allow existing houses to keep their existing setbacks** and to impose a minimum setback of say 6.5m if it's too far in the front.

No one is being fooled here. Why doesn't the department just come out and say they are reserving these large areas of land (9m exact) for future expansion of the roads at the expense of the land owners. Owners such as me are sitting and paying rates on large areas of land which are of no use to us. Unable to develop and are simply holding grounds for the department to acquire in the future for road expansions.

If the department is so concerned about noise impact to future developments which share a boundary with classified roads, maybe they can liaise with the Road Maritime Services and get them provide noise abatement benefits to all existing and new dwellings (currently only limited to existing dwellings).

I encourage you to seriously consider my inputs and make changes to the SEPP to apply fairly to all sites and not the perfectly shaped ones only.