
Sent: 16/04/2020 12:37:46 PM
Subject: Subject: Submission of objection to Proposed Development DA2020/0302
Attachments: 41 Upper Clifford objection letter from 50 UCA.docx;

Dear Sir/Madam, please see the attached letter of objection, please confirm receipt of this email, thanks

Andrew Keayes
CEO



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Thank you for your co-operation.

16th April 2020

Northern Beaches Council re: Notice of Proposed Development, Application No. DA2020/0302

Address. Lot 6 Sec H DP 3742 41 Upper Clifford Avenue, Fairlight

Dear Sir/Madam,

"Its not a house, it's a home" – its moments like these when scenes from the classic film "The Castle" come to mind. We are hoping, like in the film, the concerns of our neighbourhood will be taken into genuine account and what's "fair and just" will prevail.

Vanessa and I certainly acknowledge the entrepreneurial right to pursue an opportunity, enhance a structure and assist our society goal of greater medium density living – this we are very supportive of. We ask however that such an aspiration be achieved 100% within required guidelines and is done in a way that is considerate of the impact on others, whether that be view loss, privacy encroachment, light issues, general disruption and of course impact on property value – as can be seen by the detailed responses from our neighbours, the proposed development in its current form does not pass these important tests.

By the 18th of April, it is highly likely there will be numerous objections submitted representing the concerns of circa 25 impacted individual residents, these are residents who are reasonable people, some who have developed property themselves – this proposed development has a lot of attention, none of it has been cultivated or coerced.

For us at 50 Upper Clifford Avenue, our main concern is the loss of view. There are two main contributing factors, firstly the bulk, height and depth of the proposed new structure and secondly and very importantly, the species and positioning of the trees.

We purchased this property for the wonderful aspect it provides and paid a premium for that. To have part of that taken away would seriously impact our re-sale value and devastatingly, our families day to day enjoyment of living in this location.

It is unclear from the drawings and pictures in the proposal the actual height of the structure as there appears to be some differences in these documents. This needs to be addressed by the applicant.

The below picture shows the view blocked by the gum trees the council carelessly authorised many years ago and the small view corridor that we are desperately hanging onto through to Quarantine station – in its current form the proposed development would considerably erode and marginalise these views.



Often when driving down Sydney Road to Manly, I shake my head at some of the development that was permitted in the 60s/70s. This is also evidenced in the gum trees that exist at 43 Upper Clifford Avenue today which you can see in this picture – did you know that a neighbour raised grave concerns with the council representative at the time, only to be scoffed at and brushed away as needless concern. As can be seen, without doubt this has created considerable downside for residents on the north side of the street today and every day they wake up and look out their window. And so, will this project see a repeat of such an attitude, or can we arrive at something that is considerate of those who will be around long after this development has been completed?

Finally, traffic management is very difficult in our tight street, we already have one significant development in the street with many more months to run, we ask that this be looked at again.

When you think about it, for the developers, there is no downside, any improvement to the current house is a step forward. For the rest of us, if it's not done in the right way, the wrong kind of development will provide significant loss, something that can't be reversed – ever.

So what is “fair and just”?

- We ask that Council attend to this matter seriously and have an authorised representative, who has influence, meet with each neighbour (on-site observing social distancing) to assist Council in getting the full picture. This is not a decision that can be arrived at via email + document review.

- We request that a structure be created to simulate the proposed building (and trees at max height and girth) and if then evident that the proposal will create significant loss and disadvantage to existing neighbours, that Council mandate changes to ensure this is no longer the case.
- Finally, we feel it is mandatory that the entire selection of trees be revised so that zero view loss is achieved for all affected residents on the north side of Upper Clifford Avenue as well as meeting the needs of adjacent neighbours (and tree selection should assume growth of 50% higher than stated species maximum and given that, it would still not impact views) – this should pose no issue for the developer.
- Further, we would request that given the unpredictability of nature, if the trees/bushes ever breached the specified maximum height ruling (sensibly this could be set at the height of the proposed structure itself, whether that be Unit 1, 2, 3) then there would be a mandated requirement for the owners to pay for trimming to return the trees/bushes to the required height.

We thank you for taking the time to review our and others concerns and do look forward to meeting up and discussing the next steps to resolve.

Andrew Keayes and Vanessa Lansdown

50 Upper Clifford Avenue

Fairlight 2094 NSW