

[REDACTED]

---

**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** Sunday, 25 August 2024 9:22 PM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

25/08/2024

MRS Prue Newall  
54 Hay ST  
Collaroy NSW 2097  
[REDACTED]

**RE: Mod2024/0445 - 39 Hay Street COLLAROY NSW 2097**

After significant community concern and objection to the original proposal, the plans were modified to meet the satisfaction of the Land and Environment Court. For the Developer to now again increase the scale and the bulk of the development is disgusting. The proposed development is already is not compliant with Council's planning controls how can further development be considered and approval granted to exceed even further.

In particular we object to the increase in the Floor to Space Ratio (FSR). The original DA for the proposal presented a FSR at 0.72:1. in the Land and Environment Court approved plans the non-discretionary FSR was revised by the proponent to 0.55:1. This was following significant community objection and Council planning rejection to the Bulk & Scale of the proposed development resulted in a reduction of the FSR to 0.553:1 by the proponent, as well as, amongst other elements, changes to setbacks, building height, landscaping, built form and access.

We again object to the modification which now proposes an increase in the FSR to 0.62:1, i.e. an increase over the non-discretionary development standard of 24%, through an increase of the eastward (and westward) dimension of the building by 1.6m to 2.62m. In the Statement of Environmental Effects, the justification (to exceed the standard) is based on an emotive response that "the strict application of the FSR standard is unnecessary and unreasonable ...". An objective statement of a developer in the face of non compliance with Council planning regulations, significant community opposition and a Land and Environment Court ruling is not sufficient justification. There is no factual basis for the expansion.

We again object to the impact on privacy, shadowing and views created by a larger footprint.

As per original objections, the amenity of the area is of low density individual housing, and again the size, bulk and scale of this development is not consistent with the area.

The traffic impact has not been appropriately assessed and the movement of the driveway for the development to Anzac Avenue, an already congested and busy thoroughfare will have a significant and dangerous impact.

The ability to submit a modification to Court approved plans to further increase the scale and bulk of the development that the Court has ruled against makes a mockery of the NSW planning system.

regards

Prue Newall