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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
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**To:** DA Submission Mailbox  
**Subject:** Online Submission

21/01/2025

MR David Field  
6 / 8-10 Lauderdale Avenue ST  
FAIRLIGHT NSW 2094  
[REDACTED]

**RE: DA2024/1562 - 5 Lauderdale Avenue FAIRLIGHT NSW 2094**

OBJECTION TO DA2024/1562, 5 LAUDERDALE AVENUE, FAIRLIGHT 2094

1. My wife & are Owners of Unit 6, 8-10 Lauderdale Avenue, Fairlight, which is one of 7 prestige Units, within Strata Plan 45435.

2. 5 Lauderdale Avenue is directly opposite our property. When we were considering whether or not to purchase Unit 6, 8-10 Lauderdale Av, both we and our Solicitor, sought the advice of the council's Planning & Development Department, as to Councils regulations re the following:

- A. BUILDING HEIGHT
- B. DENSITY & SIZE
- C. NUMBER OF STORIES
- D.FLOOR SPACE
- E. WALL HEIGHT

We took this action as we were aware that No 5 Lauderdale, directly opposite 8-10 Lauderdale, was a charming, but somewhat run down single storey house. We recognised it as one of very few remaining grander homes of earlier years.

We also took into account the possibility, there would come a time when it was sold and could be appealing to a Property Developer. Part of the advice provided by Council, was a reference to two Town Houses at 3A & 3B Lauderdale Avenue build in 2015/16. Council advised that this property fulfilled complied with f Council's Building Regulations.

Our particular concern was the max HEIGHT, that any future development would be limited to. Having been told that 3A & 3B, was the max height permissible, we were content that the water views we have, would not be such, that it caused us significant concern.

2. Given the above we have been greatly concerned to find that DA2024/1562, is in breach of each of the areas A to D, that I have mentioned under Point 2 above i.e.

A. BUILDING HEIGHT: Approx. 60% higher than the regulated height

B. DENSITY & SIZE: The proposal is for five (5) dwellings, whereas

MLEP 2013 allows for 3.9 dwellings, resulting in a 25% increase

C. NUMBER OF STORIES: The proposal is for 4 Stories of dwellings with a fifth level below ground. MLEP 2013 regulates for a 2 storey build (above ground)

D. FLOOR SPACE: The proposed build is approx 80% greater than required under MLEP 2013

E. WALL HEIGHT

The proposal indicates walls up to 13.55m as opposed to 8m, under MLEP 2013

3. One understands that some Property Developers, try to push DA's in an attempt to not comply with Council Regulations. As a resident of Fairlight and respect for our council, we have confidence, that we can rely on the integrity of council to uphold its Planning Regulations.

4. VISUAL IMPACT ASSESSMENT COMMISSIONED BY THE OWNERS OF STRATA 45435

As mentioned our Strata Building is directly opposite the proposed development and as such have significant water views, and the proposed development, has significant to devastating adverse effects.

The Owners appointed ....urbaine Design Group....to undertake a VISUAL IMPACT ASSESSMENT. I refer you to the report by its Director John Aspinall, BA (Hons), Bach (Hons), which has been placed on the NBC PORTAL this afternoon. The Photomontage of the Proposed Development clearly identifies (A) The excessive Height in relation to Council's Regulations and (B) The consequential loss of existing Water Views, by each of the seven (7) Owners within our Strata.

Regarding our Unit 6, the potential loss of present water vies are shown in the Photograhts on Pages 18-21, with accompanying Text.

In relation to the aspect of the Height of the Proposed Development, I note that in the BCA ASSESSMENT REPORT (BA 2022) by CREDWELL that on Page 5 of 37, it clearly shows the Height of the Development higher than 3A &3B (which conforms with Council Regulations and reaching or in excess of the much older 7 Lauderdale Av. complex, on the other side.

OTHER MATTERS

I am well aware of a range of other matters raised by some 60 plus OBJECTIONS. I consider these well covered in other Objections - However I refer to:

A. SUNLIGHT ACCESS & OVERSHADOWING PARTICULARY OF THE GRASSED AREA ON THE BEACH SIDE

B. THE MANLY LOCAL ENVIRONMENT PLAN 2013, PROTECTS THE FORESHORE, PARK , BEACH & POOL, BY RESTRICTING THE NUMBER OF STOREYS TO 2. THE PROPOSAL MASSIVELY OVERSHADOWS THE ESPLANARD AND CREATES A HUGE VISUAL WALL NEXTTO THE PUBLIC PARK 7 PATHWAY.

THIS IS WHY SO MANY PEOPLE WHO FROM THE MANLY / FAIRLIGHT AREA, SIGNED A

PETITION AGAINST THE DEVELOPMENT.

C. A COMPLIANT DEVELOPMENT SHOULD PRESENT TO THE FORESHORE PARK AS TWO (2) STORIES, RATHER THAN FOUR (4).

D. LOSS OF PRIVACY TO MANY NEIGHBORS DUE TO THE EXCESSIVE BULK & SCALE

E. THE PLAN INCORPORATES SINGLE LIFT BASED PARKING REQUIRING CARS TO QUEUE WHILE WAITING TO ENTER & EXIT, ON WHAT IS ALREADY A VERY BUSY AREA. THIS MEANS CARS WILL PROJECT INTO THE FOOT / BIKE PATH, PRESENTING A DANGER TO CYCLISTS & PEDESTRIANS.

## CONCLUSION

Due to the overwhelming areas where this proposal contravenes council Planning Instruments that are put in place to protect against such applications, I respectfully ask those assessing DA 2024/1562, will reject the DA as soon as might be possible. One would hope that this will be down well within 45 days.

With kind regards,

David Field FAICD  
6/8 Lauderdale Avenue,  
FAIRLIGHT NSW 2094