
Sent: 2/05/2018 3:13:21 PM
Subject: 77 Bower Street Manly- Supplementary Submission in Response to s4.55 Application
Attachments: hal.bow81m1_supplementary submission S4.55A.pdf;

Urgent Attention: Benjamin Price

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Dear Benjamin

Please find attached supplement to original submission dated 26 April 2018 by way of objection to s4.55(1A) EPAA MOD2018/0180.

Please attend to this as a matter of urgency.

We look forward to hearing from you.

Kind Regards,

Hayley Wilson

BArch (UNSW), MPlan (UNSW)

Senior Associate

Please Note: I do not work Mondays and Fridays

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2 May 2018

Urgent Attention: Mr Benjamin Price, Officer

Chief Executive Officer
Northern Beaches Council
1 Belgrave Street
MANLY NSW 1655

Dear Chief Executive Officer

**SECTION 4.55(1A) EPAA PREVIOUSLY S96(1A) APPLICATION NO
MOD2018/0180 - 77 BOWER STREET MANLY
MODIFICATION OF DEVELOPMENT CONSENT DA269/2015 FOR
ERECTION OF A DWELLING HOUSE**

Background

We are town planners and act on behalf of Jason and Sharon Halliwell, who reside at No 81 Bower Street Manly.

Our client's property is directly adjacent and to the west of No 77 Bower Street.

This firm lodged a submission dated 26 April 2018 to Northern Beaches Council, by way of objection to s4.55(1A) EPAA MOD2018/0180 (the modification request). This letter comprises a supplement to our original submission.

Since lodgement of the submission referred to above, the incorporation of an external staircase forming part of MOD2018/0180 has come to our attention, even though these stairs are not shown on the drawings displayed on Councils 'DA Tracker'. They are however included in the statement of environmental effects submitted in support of the modification request.

Lack of Transparency

This staircase did not form part of the DA269/2015 and its existence in MOD2018/0180 is difficult read, given the lack of sufficiency of detail in the modification request. The staircase appears only in floor plans of Level 01 and Level 02 of MOD2018/0180. As mentioned above these floor plans are not made available to the public on Councils online DA tracking system. There is no written mention of this staircase ANYWHERE in the Statement of Environmental Effects (SEE), nor is it visible or notated on the Site Plan, Elevations or Sections which accompanied the MOD2018/0180. The staircase was only 'picked up' upon close

inspection of the reduced size floor plans that are part of the Statement of Environmental Effects. It may be suggested that the staircase has been included in a somewhat furtive attempt to disguise its presence as part of the modification request package.

Nature of Additional Objection

This external staircase is located on the western boundary of the subject property, directly adjoining the boundary of 81 Bower Street and carries to the external wall of the western facade of the approved dwelling at 88 Bower Street Manly for a length of approximately 8-10m. The stairs front windows of a bedroom, study area, bathrooms and laundry of our clients property.

The provision of a stair in this location will have significant amenity impacts to the occupants of 81 Bower Street. Its proximity to the dwelling at 81 Bower Street is so close that even the most infrequent of foot traffic along this boundary will create increased aural and visual privacy impacts for the occupants of 81 Bower Street. The significant bulk of the dwelling house, DA269/2015, is already likely to create visual and aural privacy impacts, and the proposed external staircase will further exacerbate these amenity impacts to the point where they become intolerable for our clients.

All of the above notwithstanding, Condition ANS05 of DA269/2015 currently provides as follows:

A landscape buffer is to be provided along the western boundary. Plans are to be suitable amended, prior to issue of any Construction Certificate.

Reason: To protect the privacy of No.81 Bower St and reduce the visual impact of the development.

The provision of an external staircase along the western boundary contravenes Condition ANS05 and ignores the very reasoning for the imposition of such a condition in the first place,***to protect the privacy of No.81 Bower St and reduce the visual impact of the development.*** We note there is no reference relating to changes to Condition ANS05 in MOD2018/0180.

Rejection of Proposal

The lack of detail and provision of insufficient information provided in the s4.55(1A) application before Council is highly problematic and suggests an abuse of process. There has been no reference to any additional external staircase in the text forming the SEE, and its presence on the plans forming part of the SEE, is very difficult to discern.

The entire submission in our view, including, but not limited to level of detail, appropriate references, or justification for the gross increase in the non-compliant FSR, lack of a landscape plan (notwithstanding the application itself mentions a landscape plan as being included) and lack of information regarding changes to window sizes and locations, has caused significant consternation in a community wide context.

It is for these reasons that we believe the modification in its current form is unacceptable from a planning perspective. It is completely without merit and has been lodged in accordance with the incorrect provisions of the EPAA. The proposal should be rejected by Council forthwith.

Yours faithfully,

TURNBULL PLANNING INTERNATIONAL PTY LIMITED



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hal.bow81m1_supplementary submission S4.55(1A)