
Sent: 18/07/2019 1:30:56 PM

Subject: 46 Victoria Parade

Attachments: Dungowan letter to council.pdf; Dungowan letter to council 2.pdf; Dungowan letter to council 3.pdf; Dungowan letter to council 4.pdf;

Attention Renee Ezzy

Dear Assessor,

Find correspondence attached.

Yours faithfully,
PAMELA HUMPHREYS
HUMPHREYS FAMILY LAWYERS
23/7 South Steyne Manly 2095
0412614323

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18 July 2019

Manly Council (council@northernbeaches.nsw.gov.au)

Attention: Development Assessment

Planner: Renee Ezzy

Mod2019/0029 – DA367/2010

Lot CP SP 10040 46 Victoria Parade Manly.

Dear Development Assessor,

46 Victoria Parade Manly.

We refer to previous correspondence to you in relation to this matter and our continuing objections.

It appears now that there will be parking for 17 vehicles in car stackers as well as 2 handicap spaces in the basement making a total of 19. Of utmost concern is the proposal that there will be additional parking for 3 visitor spots in Dungowan Lane. This is totally unacceptable. There is no room in the lane.

Dungowan Lane is a narrow single laneway where access is required at all times. In view of the fact that the lane has already been encroached upon by the new building presently being erected there is, in fact, no space available for visitor's parking without blocking access. Any parking for visitors should be within the building itself.

It should be noted that there is no room for garbage bins either. It should be made explicit that they cannot be left in the laneway at any time. There should be space within the building itself for the collection of bins.

We are also advised that the Blast Wall is to be extended at RL8.35 all the way to Dungowan Lane next to the north wall of the Heritage Substation. As it appears this wall is being built in the setback it will reduce visibility

for both pedestrians and traffic along the lane as well as those exiting the basement. Dungowan Lane is already a danger for pedestrians with much foot traffic and poor visibility. It is an accident waiting for a victim.

This blast wall has also increased the visual bulk and scale of the building from that which was originally proposed. It also impacts the visual amenity of the Substation altering the character of the immediate neighbourhood.

We bring to your attention that at the present time the laneway itself is in a state of disrepair and should be upgraded rather than let it deteriorate further whilst the building continues.

Please take these matters seriously into account as part of our objections both now and those raised in the past.

Yours faithfully,

PAMELA HUMPHREYS and MALCOLM HUMPHREYS

A handwritten signature in black ink, appearing to read 'P. Humphreys', with a stylized flourish at the end.



18 July 2019

Manly Council (council@northernbeaches.nsw.gov.au)

Attention: Development Assessment

Planner: Renee Ezzy

Mod2019/0029 – DA367/2010

Lot CP SP 10040 46 Victoria Parade Manly.

Dear Development Assessor,

46 Victoria Parade Manly.

We are writing to point out our further objections to the Council's decision in relation to this development.

1. **LEC Condition 1 Setback** is still not being adhered to and there appears to still be some doorway to the driveway on Dungowan Lane.

At the Local Planning Panel hearing it was agreed that there would be no driveway roof cover built over the rear setback and no roller shutter door on Dungowan Lane. The rear WHITE wall was to support this driveway roof and roller door. No decision was made re the WHITE Wall.

The White Wall should be removed as it will create health problems as well safety issues for entry and exiting the driveway.

2. The Section BB Plan 2424-A301A shows 'Carpark Entry' with a line above two rectangles. The line 'or roof' above joins from the Visitors Parking to the Heritage Substation.

We are uncertain as to how a "door" can be supported in this position without a roof over the driveway. The NBLPP Chairman said explicitly "no driveway roof"

We are concerned that a car entry door on Dungowan Lane will cause problems in the lane with pedestrians, traffic, visibility and safety. It is our opinion this is likely to cause issues

with traffic movements within Dungowan Lane.'

3. **Driveway 'Door' on Dungowan Lane:**

- The plans show all the makings of a 'door' on Dungowan Lane which we object to.
- 4. **The new South Elevation Plan 2424-A202A shows that this WHITE Wall is now to extend** completely across the rear length of the building from Dungowan Lane to the West. It is at a height of RL8.35 and abuts the South Wall of the Heritage Substation. It is shown as Carpark Driveway 120/120/120/ Boundary Blast Wall. This white wall should be removed as referred to in previous objections.
- 5. The East Elevation Plan 2424-A201A shows 'Basement Entry' with a line from the visitors parking wall to the Boundary Blast Wall at RL8.35. This is where they proposed a roller shutter door. Why is there a line inserted?
- 6. The Manly Owners Group are concerned about their security although there is no access to apartments from the rear from Dungowan Lane or the driveway'. All Ground Floor eastern facing apartment windows have security shutters.
- 7. The Section BB Plan 2424-A301A shows 'Carpark Entry' with a line above two rectangles. The line 'or roof' above joins from the Visitors Parking to the Heritage Substation.

We are uncertain as to how a "door" can be supported in this position without a roof over the driveway. The NBLPP Chairman said explicitly "no driveway roof"

We are concerned that a car entry door on Dungowan Lane will cause problems in the lane with pedestrians, traffic, visibility and safety. It is our opinion this is likely to cause issues with traffic movements within Dungowan Lane.'

8. **Land and Environment Court Condition 1:**

In relation to the setback the NBLPP Chairman said Condition 1 was to stay. However in Ms Ezzy's Memo to NBLPP in July, she says that -

"the setback of the entire facade is still at 1.56m further south within the rear setback than the approved building facade. No justification has been provided for this reduced setback. ... In order to comply with Condition 1, the entire setback of the development indicated on the plans would also need to be amended to 4.77m. The setback currently remains at approximately 3.2m."

- 9. It is our opinion that the MOG are using an **incorrect boundary for the Sebel Ashburner** Street and this equates to the building being built further towards the southern boundary line of the property, i.e. closer to the Substation.

This is unacceptable and presents further encroachment which limits ingress and egress to and from Dungowan Lane for the surrounding residents.

Yours faithfully,

Pamela and Malcolm Humphreys

