
Sent: 15/10/2020 8:19:42 PM

Subject: MOD 2020/0498-70 Lauderdale Avenue, Fairlight- Submission to s 455

Attachments: John Boulton email 13th October 2020.pdf; Plans - Master Set 2.pdf; Email with developer 2.pdf; Submission dated 8th October 2020.pdf;

Dear Sir/Madam,

We live at 72 Lauderdale Avenue. We are the western neighbour to the subject property. We have reached agreement with the developer in regard to the above modification application, so far as it affects the western facade of 70 Lauderdale (facing our property).

I attach:

- 1-the email of Mr Boulton, for the developer, to us regarding the western facade bathroom fan dated 13 October 2020; and
- 2-our email to Council, copied to the developer, dated 8 October 2020.

In particular we direct your attention to our marked up plan attached to our email to Council dated 8 October 2020.

We do not oppose the developer's application to vary the approved/ stamped plans, so long as Council makes it subject to Conditions of Consent, in accordance with the agreement between ourselves and the developer, as follows:

- Fixed, angled louvres be installed at the western extremity of the southern/lower floor balcony, matching louvres to western extremity of upper floor southern balcony so as to provide privacy against overlooking 72 Lauderdale Avenue, in accordance with Condition of Approval Consent 24;
- Bathroom window to the western external wall must be opaque glass; and
- Western bathroom fan to be internal with western external wall bathroom fan exhaust vent at its highest point to be not more than 1.6m above existing ground level (below dividing fence height) and covered by an external grille/ hood directing exhausted air/ steam and noise downward.

Yours faithfully

Michelle Montgomery

72 Lauderdale Avenue, Fairlight

Hi Michelle, coming back to you on your recent submission to the Northern Beaches Council.

With respect to your concern raised regarding – “no bathroom fan exhausting in the direction of our property” – we have discussed this with our builder and propose the following solution. As we are compelled to have a bathroom vent to comply with BASIX requirements, we propose:

- Attaching an external grille to the fan (similar to the photo below) which will vent down to the ground away from your property



- Locating it below the level of the fence line, further removing it from your properties entry point.

Cheers,

John.

John Boulton | Program Manager

FMH Program

Office of the Executive Dean, Faculty of Medicine & Health

THE UNIVERSITY OF SYDNEY

Room 110, Edward Ford, A27 | The University of Sydney | NSW | 2006

M 0414 934 422

E john.boulton@sydney.edu.au | W <http://sydney.edu.au>

CRICOS 00026A

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-----Original Message-----

Original message

From: Michelle Montgomery <montgomery@bigpond.com>

Sent: Thursday, 8 October 2020 10:13 AM

To: council@northernbeaches.nsw.gov.au

Cc: John Boulton <jboulton@strathdonconsulting.com.au>; John Boulton <john.boulton@sydney.edu.au>

Subject: MOD 2020/0498 - 70 Lauderdale Avenue, Fairlight - Objection Submission to Section 455

Dear Sir,

This is our submission objecting to the Developer's Application submitted on the 1st October 2020 for variation of the Approved Plans (DA 2020/0092).

We live at 72 Lauderdale Avenue Fairlight, the western neighbouring property.

We oppose the developer's application proposing amendments to the western face of 70 Lauderdale Avenue Fairlight from that recently approved and stamped plans.

The proposed variation is contrary to the agreement reached between the developer and ourselves of which we wrote in our submissions that the western face not look into our property. Condition 24 of the Approval requires fixed, angled louvres protecting our privacy. The proposal includes an open balcony at the southern extension of the proposed new lower level western wall. The proposed new balcony would look directly over our property and the entrance to our home. The open balcony is a proposal to breach the intent of Condition 24 and our agreement with the developer upon the basis of which we compromised other objections.

The proposal includes a new lower level western wall bathroom window facing our home. In fairness, it should be a condition of any approval that the bathroom window be opaque glass and that there not be any fan exhaust directed toward our home. The proposed bathroom window is approximately opposite our entrance.

We enclose marked up plans (in red). We have marked opaque glass for the bathroom window. This specification and that there be no exhaust fan should be added Conditions of any approval. The attached marked up plans also offer alternatives for resolution of the privacy issue with the proposed south/western open balcony. These include: a fixed (closed) wall; fixed angled louvres matching those above and in the Approved Plans and Condition 24; or a tapered balcony matching the eastern side of the development.

If the proposed bathroom window is opaque and there is no bathroom fan directed at our property; and any of the proposals preventing the open balcony so as to protect our privacy; then we have no further objection to the proposed amendments.

Please note we also attach an email just received from the developer this morning.

We understand this to mean that the developer accepts that they will install fixed, angled louvres at the lower level of the western extremity of the southern terrace. We understand that they agree the bathroom window will be opaque.

This leaves the only issue with the bathroom fan exhausting towards our property. We have not raised this with the developer. Assuming that requirement is also agreed, then it would

not raised this with the developer. Assuming that requirement is also agreed, then it would appear that common ground is that the proposed variation include fixed angled louvres at the lower level of the western extremity of the southern terraces match those of the upper floor and that the bathroom window be opaque. We request that these requirements and that there is no bathroom fan exhausting in the direction of our property be conditions of the approval of the variations contained in MOD 2020/0498. Please note we have copied the developer in these emails.

Yours faithfully,
Michelle Montgomery
72 Lauderdale Avenue, Fairlight

DRAWING SCHEDULE

ARCHITECTURAL:
BY MARSTON ARCHITECTS

- S4.55-00 LOCATION PLAN
- S4.55-01 SITE PLAN/SITE ANALYSIS PLAN
- S4.55-02 ROOF PLAN
- S4.55-03 UPPER GROUND PLAN
- S4.55-04 LOWER GROUND PLAN
- S4.55-05 BASEMENT PLAN
- S4.55-06 SOUTH ELEVATION
- S4.55-07 NORTH ELEVATION
- S4.55-08 WEST ELEVATION
- S4.55-09 EAST ELEVATION
- S4.55-10 SECTION
- S4.55-11 FSR CALCULATIONS
- S4.55-12 OPEN SPACE CALCULATIONS
- S4.55-13 LANDSCAPE CALCULATIONS

SURVEY:
BY ADAM CLERKE SURVEYORS

9918 DETAILS AND LEVELS OVER LOT 1 IN D.P.965132
70 LAUDERDALE AVENUE, FAIRLIGHT

SPECIFICATION

GENERAL - USE AUSTRALIAN AND/OR OTHER STANDARDS APPLICABLE TO THE WORKS FOR ALL SECTIONS OF THIS SPEC.

DEMOLITION - CAREFULLY DEMOLISH WORK AS INDICATED ON PLANS.

ROOF - METAL DECK

WALL FRAMING - USE GAUGED TIMBERS IN STUD, NOGGINGS AND PLATES. PROVIDE ADDITIONAL SUPPORT IN THE FORM OF NOGGINGS, TRIMMERS AND STUDS FOR FIXING LININGS.

LINING - PLASTERBOARD TO AS2908.2. INSTALL TO MANUF'S INSTRUCTIONS BY SCREW OR NAIL COMBINED WITH ADHESIVE. FLUSH JOINTS.

WINDOWS - ALUMINIUM FRAMED GLAZING TO AS1288. FLASHINGS TO AS2904, USE FLASHINGS WHICH ARE CORROSION RESISTANT, COMPATIBLE WITH OTHER MATERIALS AND COATED WITH STAIN RESISTANT COMPOUND WHERE REQUIRED. INSTALL WINDOWS TO AS2146 AND AS2147.

ELECTRICAL - TO STANDARD AS3000. CONCEAL WIRING RUNS. DO NOT PENETRATE EXISTING STRUCTURAL MEMBERS OR MEMBRANES. PROVIDE ACCESSORIES WHERE REQUIRED.

BASIX - CERITICATE NO.1065658M

- FIXTURES:
- SHOWERHEADS: 3 STARS (4.5-6L/minute)
 - TOILETS: 4 STARS
 - KITCHEN TAPS: 4 STARS
 - BATHROOM TAPS: 4 STARS

- ALTERNATIVE WATER:
- RAINWATER TANK: 3200L
COLLECT RAIN RUNOFF FROM AT LEAST 100m2/ OF ROOF AREA
CONNECT TANK TO LANDSCAPE

- ENERGY:
- HOT WATER: 5.5 STARS (GAS INSTANTANEOUS)
 - COOLING SYSTEM: 1-PHASE AIRCONDITIONING 4 STAR (LIVING AREAS, BEDROOM AREAS)
 - HEATING SYSTEM: 1-PHASE AIRCONDITIONING 4 STAR (LIVING AREAS, BEDROOM AREAS)
 - VENTILATION: FAN (BATHROOMS, KITCHEN)
NATURAL VENTILATION (LAUNDRY)
 - ARTIFICIAL LIGHTING: LED (4x BEDROOMS/STUDY, 1x LIVING/DINING, KITCHEN, BATHROOMS, LAUNDRY, HALLWAYS)
 - NATURAL LIGHTING: KITCHEN
 - COOKTOP: GAS
 - OVEN: ELECTRIC
 - REFRIGERATOR: VENTILATED
 - CLOTHES DRYING: PRIVATE OUTDOOR CLOTHES DRYING LINE

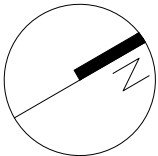


01 LOCATION PLAN
1:500

NOTE:	AMENDMENTS
DO NOT SCALE OFF DRAWINGS. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS AND ORDERING OF MATERIALS. BUILDER TO NOTIFY ARCHITECT OF ANY DISCREPANCIES, OMISSIONS OR ERRORS PRIOR TO COMMENCEMENT OF WORK	

LEGEND	F	FIXED GLASS	REF	REFRIGERATOR
AL ALUMINIUM	FC	FIBRE CEMENT SHEET	S	SINK
CL EXTERNAL CLADDING	FW	FLOOR WASTE	SC	SHADOWCLAD
CON CONCRETE	GD	GARAGE DOOR	TB	TIMBER FLOORING
COS CHECK ON SITE	GL	GLASS	TD	TIMBER DECKING
CP CUPBOARD	HC	HOSE COCK	TF	TIMBER FENCE
DP DOWNPIPE	HWU	HOT WATER UNIT	TG	TRANSLUCENT GLASS
DR DRAWER	LB	LETTERBOX	TL	TILE
DW DISHWASHER	LV	LOUVRES	TW	TOP OF WALL
EDB ELEC. DIST BOARD	PB	PEBBLES	WB	WALL BRACING
EX EXISTING	RF	ROOF SHEETING	VG	VEGETATION
EXB EXTERNAL BLIND				

- EXISTING TO BE DEMOLISHED
- EXISTING TO BE RETAINED



70 LAUDERDALE AVENUE, FAIRLIGHT NSW 2094

LOCATION PLAN
MARSTON ARCHITECTS
45 PITTWATER ROAD MANLY NSW 2095 PH 9977 2101

STAGE S4.55
DATE: 2020
SCALE: 1:500 @A3

DWG. NO. S4.55-00

01 SITE PLAN/SITE ANALYSIS PLAN
1:250

02 SEDIMENT CONTROL FENCE
1:50

NOTE:

DO NOT SCALE OFF DRAWINGS.
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DIMENSIONS ON SITE PRIOR TO
COMMENCEMENT OF WORKS AND
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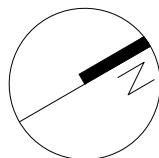
AMENDMENTS

LEGEND
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CL EXTERNAL CLADDING
CON CONCRETE
COS CHECK ON SITE
CP CUPBOARD
DP DOWNPIPE
DR DRAWER
DW DISHWASHER
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TL TILE
TW TOP OF WALL
WB WALL BRACING
VG VEGETATION

--- EXISTING TO BE DEMOLISHED
■ EXISTING TO BE RETAINED



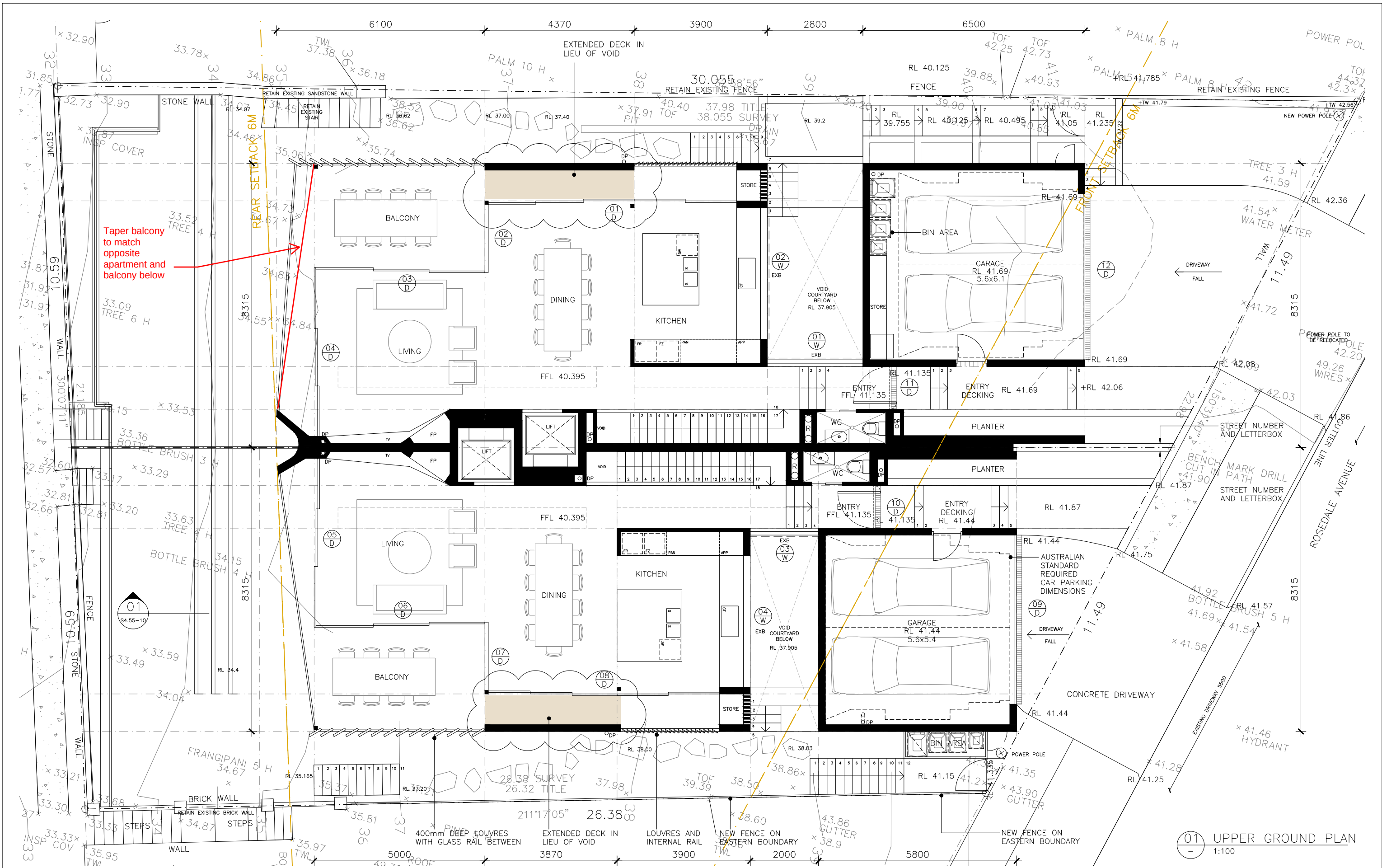
70 LAUDERDALE AVENUE, FAIRLIGHT NSW 2094

SITE PLAN/SITE ANALYSIS PLAN

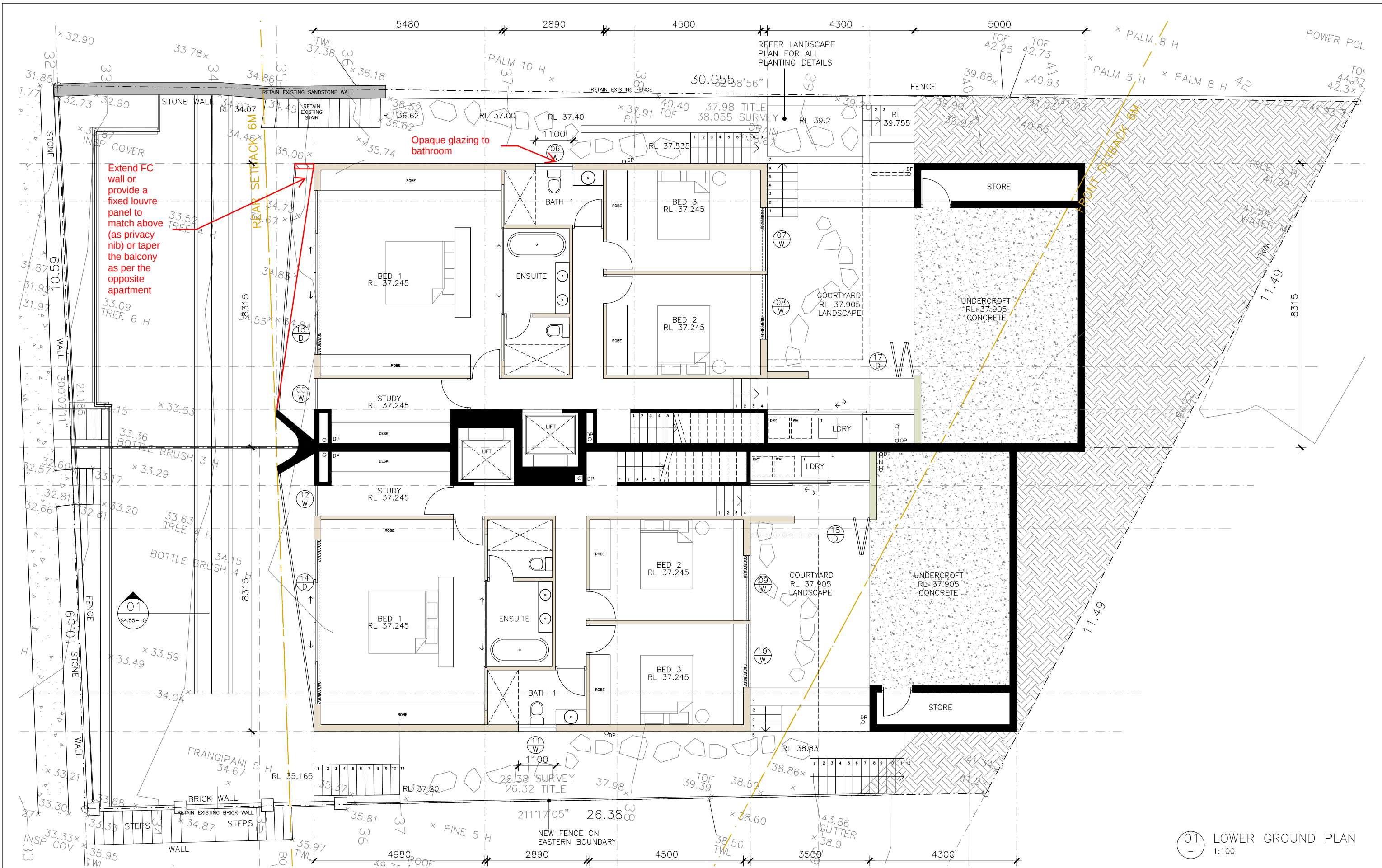
MARSTON ARCHITECTS
45 PITWATER ROAD MANLY NSW 2095 PH 9977 2101

STAGE S4.55
DATE: 2020
SCALE: 1:250 @A3

DWG. NO. S4.55-01

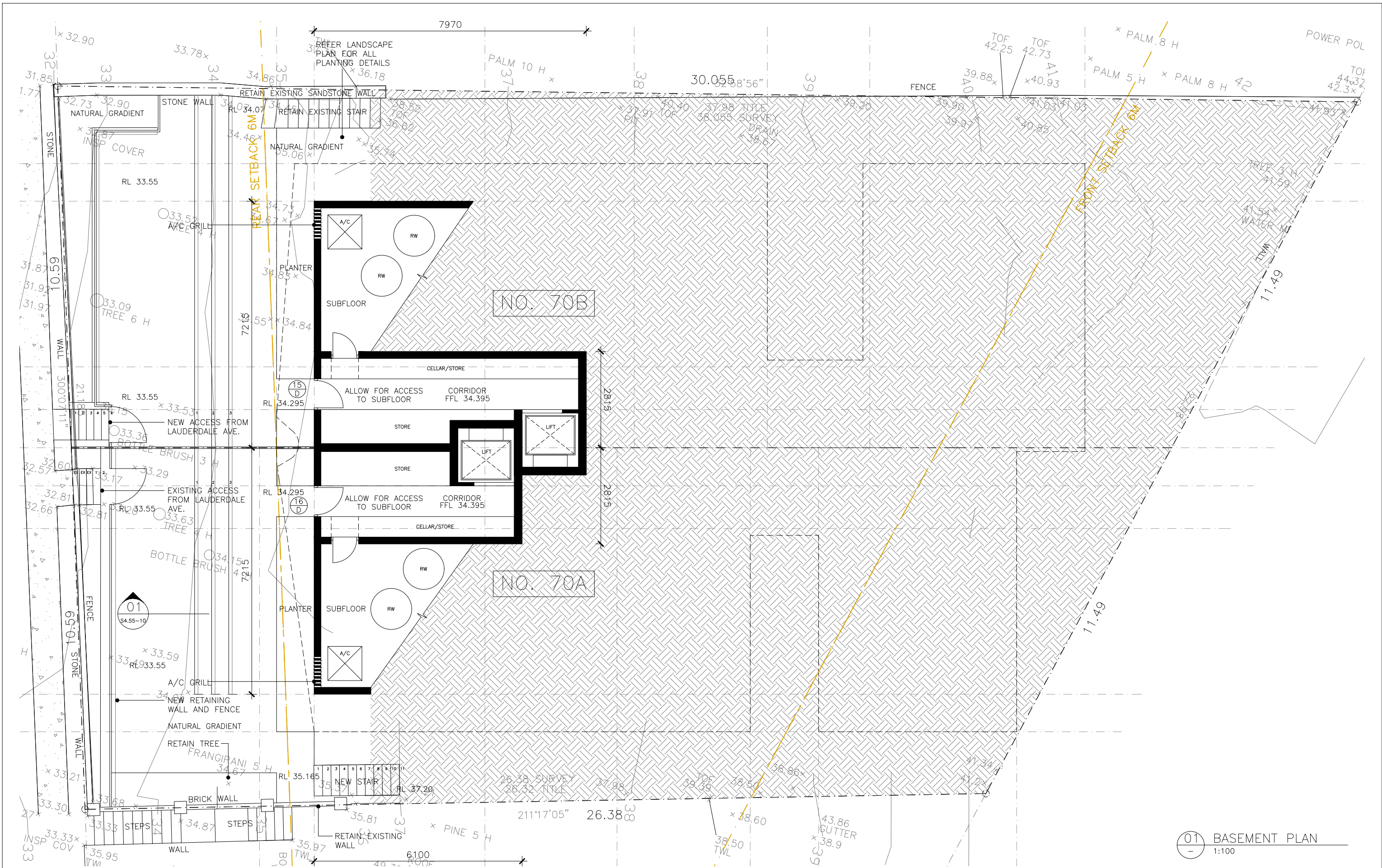


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01 LOWER GROUND PLAN
1:100

NOTE: DO NOT SCALE OFF DRAWINGS. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS AND ORDERING OF MATERIALS. BUILDER TO NOTIFY ARCHITECT OF ANY DISCREPANCIES, OMISSIONS OR ERRORS PRIOR TO COMMENCEMENT OF WORK.	AMENDMENTS	LEGEND <table><tr><td>AL ALUMINIUM</td><td>F FIXED GLASS</td><td>REF REFRIGERATOR</td></tr><tr><td>CL EXTERNAL CLADDING</td><td>FC FIBRE CEMENT SHEET</td><td>S SINK</td></tr><tr><td>CON CONCRETE</td><td>FW FLOOR WASTE</td><td>SC SHADOWCLAD</td></tr><tr><td>COS CHECK ON SITE</td><td>GD GARAGE DOOR</td><td>TB TIMBER FLOORING</td></tr><tr><td>CP CUPBOARD</td><td>GL GLASS</td><td>TD TIMBER DECKING</td></tr><tr><td>DP DOWNPIPE</td><td>HC HOSE COCK</td><td>TF TIMBER FENCE</td></tr><tr><td>DR DRAWER</td><td>HWU HOT WATER UNIT</td><td>TG TRANSLUCENT GLASS</td></tr><tr><td>DW DISHWASHER</td><td>LB LETTERBOX</td><td>TL TILE</td></tr><tr><td>EDB ELEC. DIST. BOARD</td><td>LV LOUVRES</td><td>TW TOP OF WALL</td></tr><tr><td>EX EXISTING</td><td>PB PEBBLES</td><td>TB WALL BRACING</td></tr><tr><td>EXB EXTERNAL BLIND</td><td>RF ROOF SHEETING</td><td>VG VEGETATION</td></tr></table>	AL ALUMINIUM	F FIXED GLASS	REF REFRIGERATOR	CL EXTERNAL CLADDING	FC FIBRE CEMENT SHEET	S SINK	CON CONCRETE	FW FLOOR WASTE	SC SHADOWCLAD	COS CHECK ON SITE	GD GARAGE DOOR	TB TIMBER FLOORING	CP CUPBOARD	GL GLASS	TD TIMBER DECKING	DP DOWNPIPE	HC HOSE COCK	TF TIMBER FENCE	DR DRAWER	HWU HOT WATER UNIT	TG TRANSLUCENT GLASS	DW DISHWASHER	LB LETTERBOX	TL TILE	EDB ELEC. DIST. BOARD	LV LOUVRES	TW TOP OF WALL	EX EXISTING	PB PEBBLES	TB WALL BRACING	EXB EXTERNAL BLIND	RF ROOF SHEETING	VG VEGETATION	--- EXISTING TO BE DEMOLISHED ■ EXISTING TO BE RETAINED		70 LAUDERDALE AVENUE, FAIRLIGHT NSW 2094 LOWER GROUND PLAN MARSTON ARCHITECTS 45 PITWATER ROAD MANLY NSW 2095 PH 9977 2101	STAGE S4.55 DATE: 2020 SCALE: 1:100 @A3 DWG. NO. S4.55-04
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01 BASEMENT PLAN
1:100

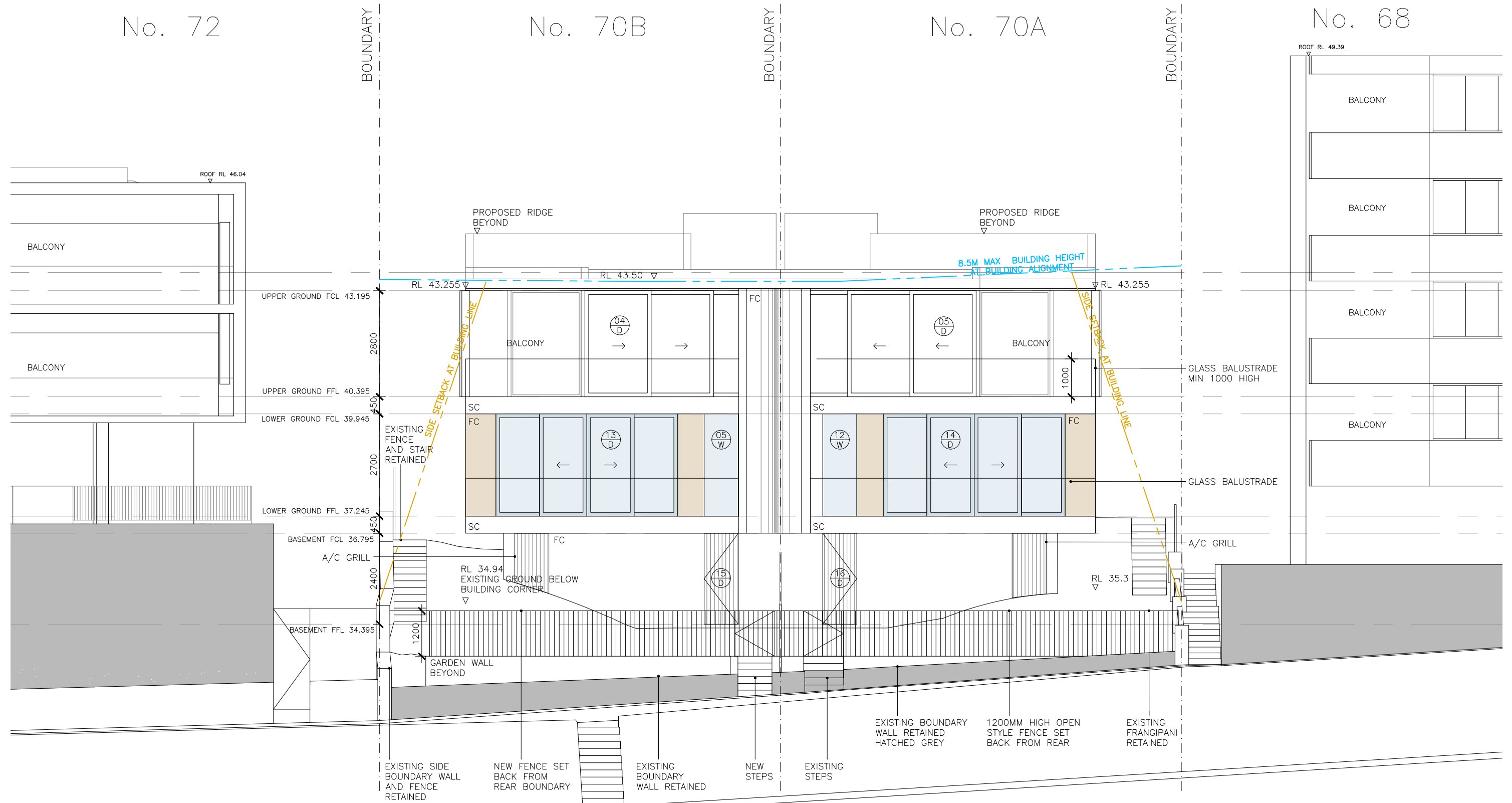
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No. 72

No. 70B

No. 70A

No. 68



01
—
ELEVATION SOUTH
(LAUDERDALE AVENUE)
1:100

SOUTH ELEVATION

1:100

S4.55-06

No. 68

No. 70A

No. 70B

No. 72

BOUNDARY

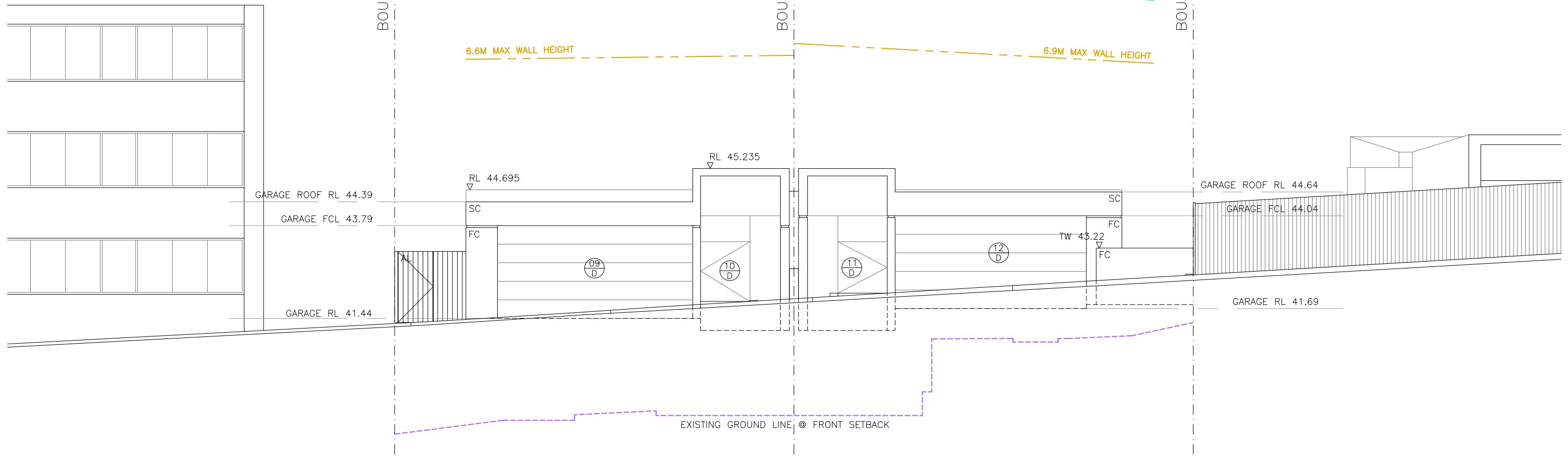
BOUNDARY

BOUNDARY

8.5M MAX BUILDING HEIGHT ©
NORTH FACE OF BUILDING

6.6M MAX WALL HEIGHT

6.9M MAX WALL HEIGHT



01
—
ELEVATION NORTH
(ROSEDALE AVENUE)
1:100

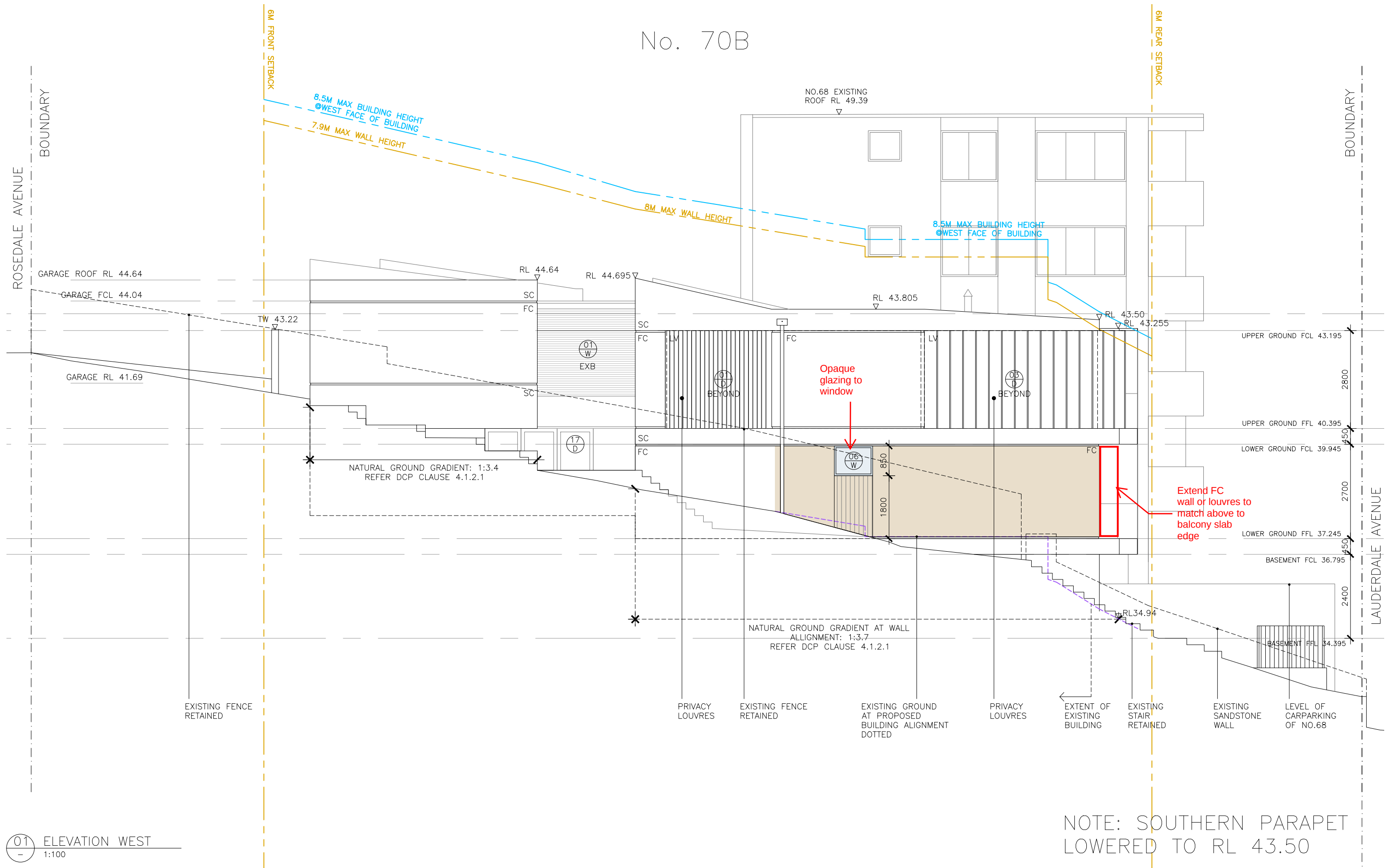
NO CHANGE

NORTH ELEVATION

1:100

S4.55-07

No. 70B



01 ELEVATION WEST
1:100

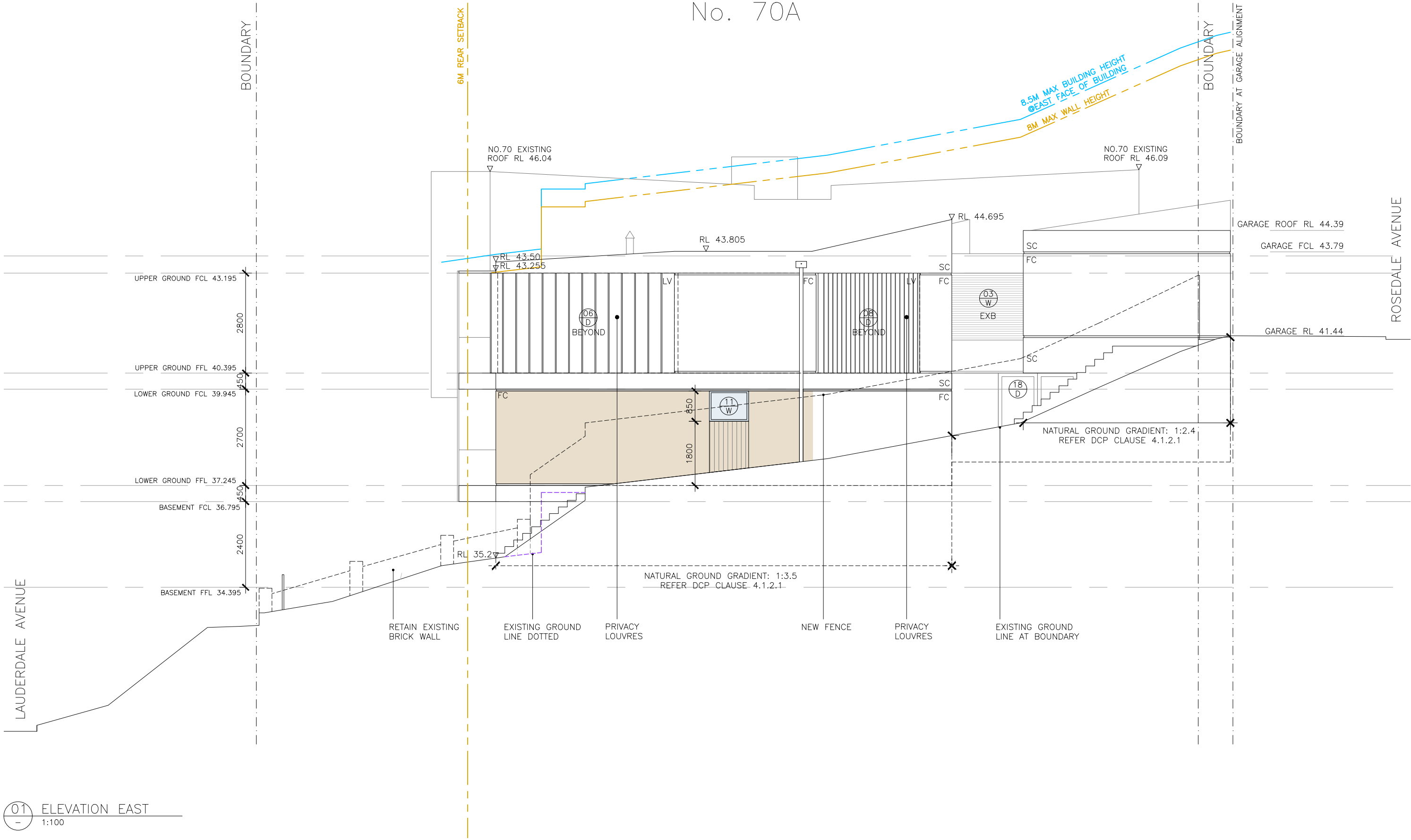
NOTE: SOUTHERN PARAPET
LOWERED TO RL 43.50

WEST ELEVATION

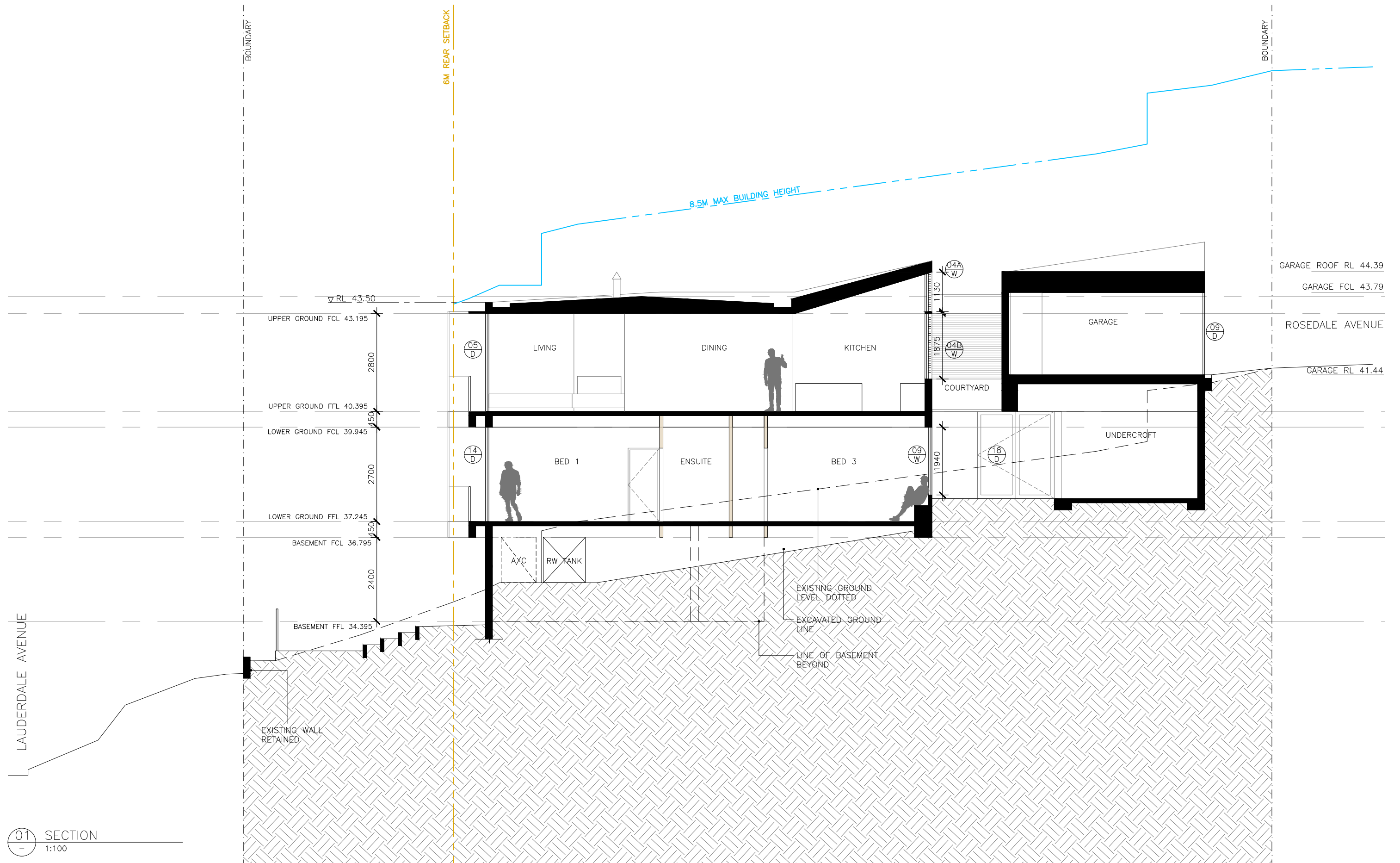
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S4.55-08

No. 70A



01 ELEVATION EAST
1:100



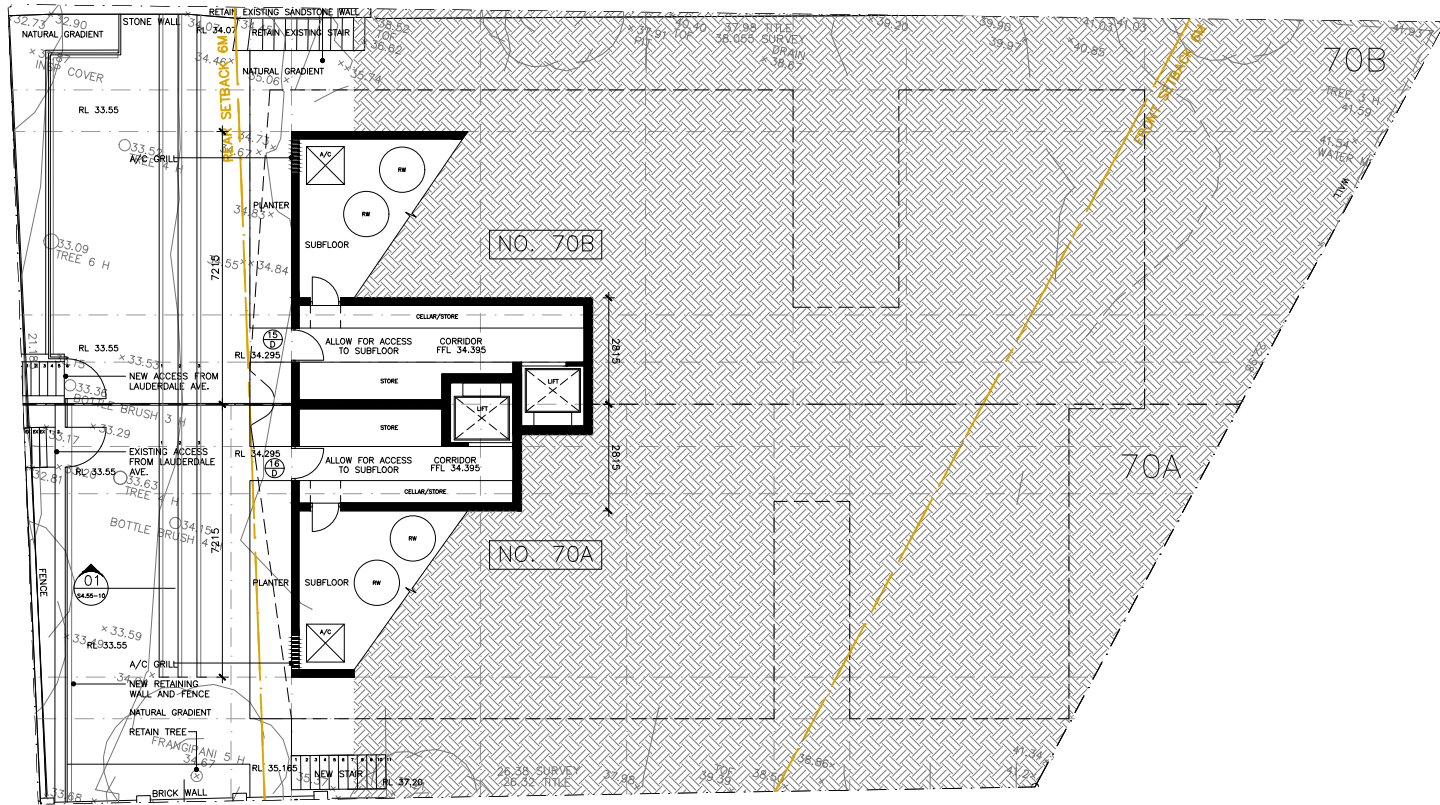
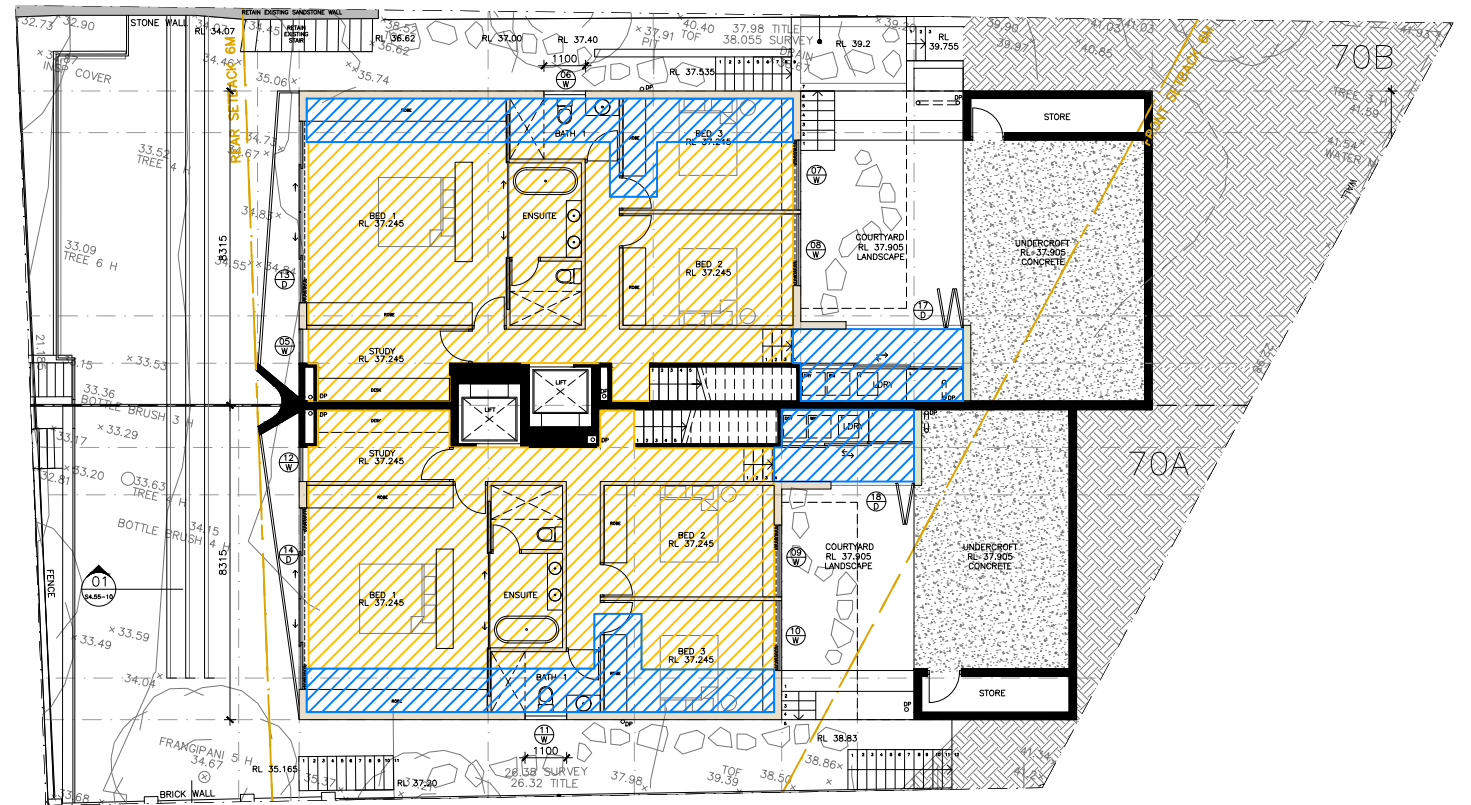
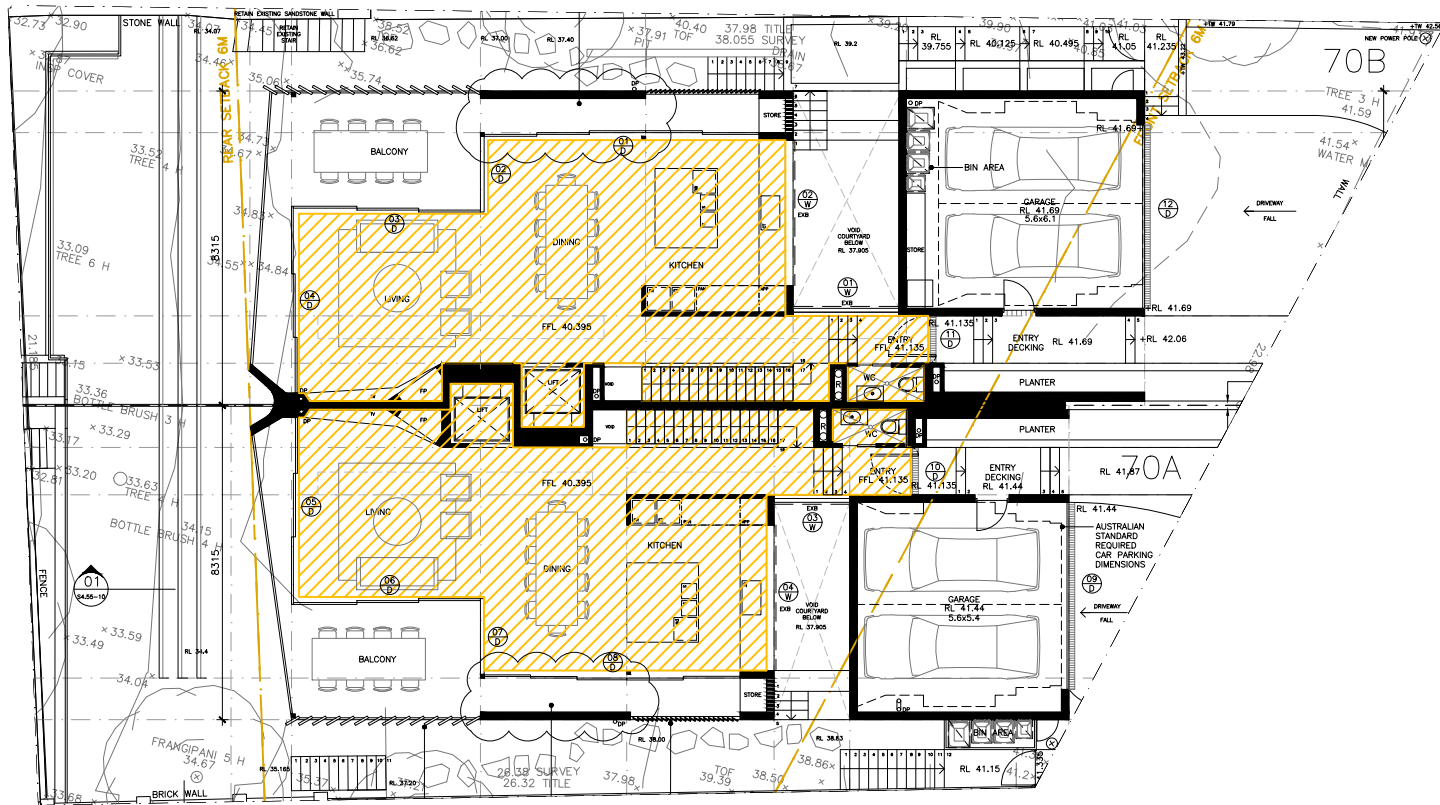
01 SECTION
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20/03/20 A EXCAVATION REVISION

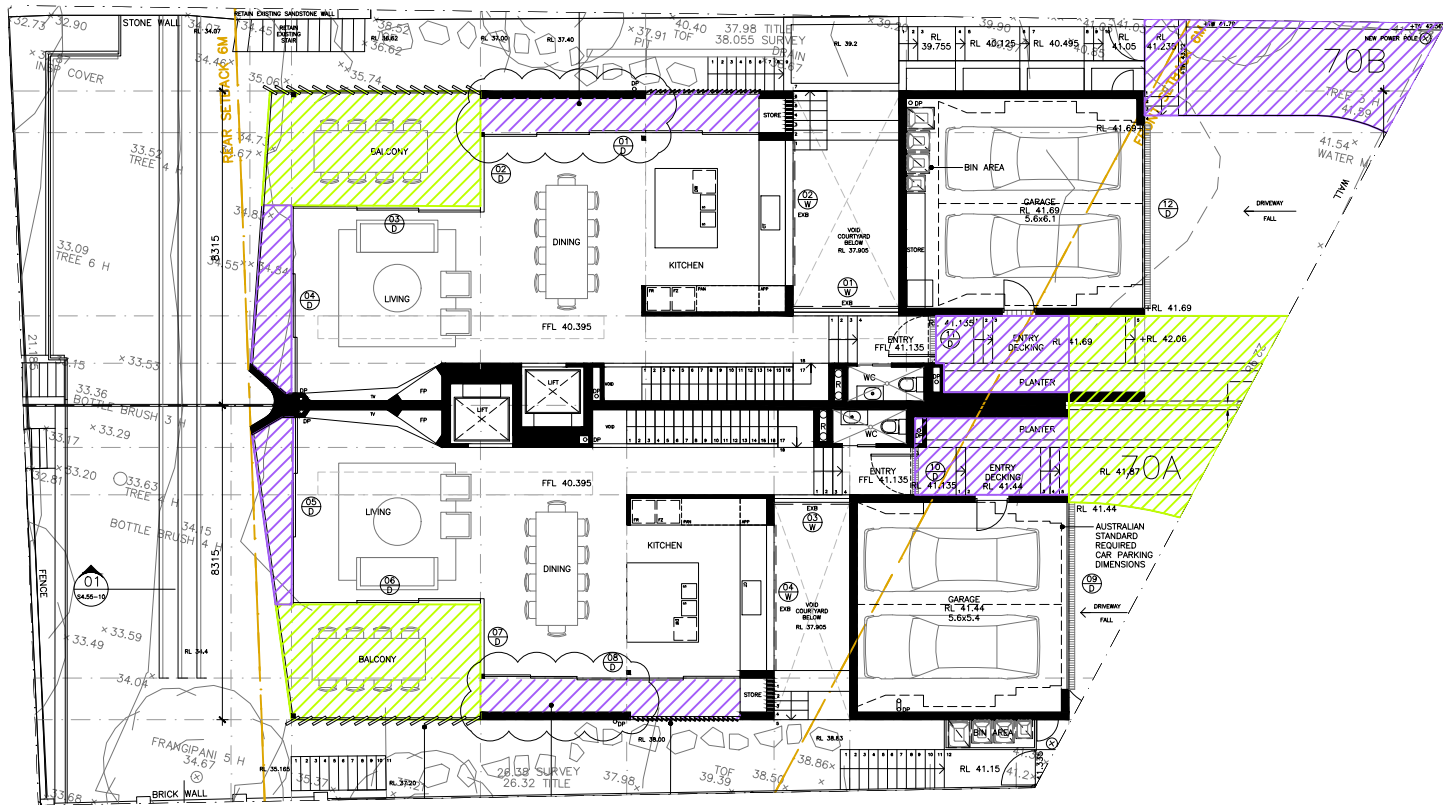
SECTION

1:100

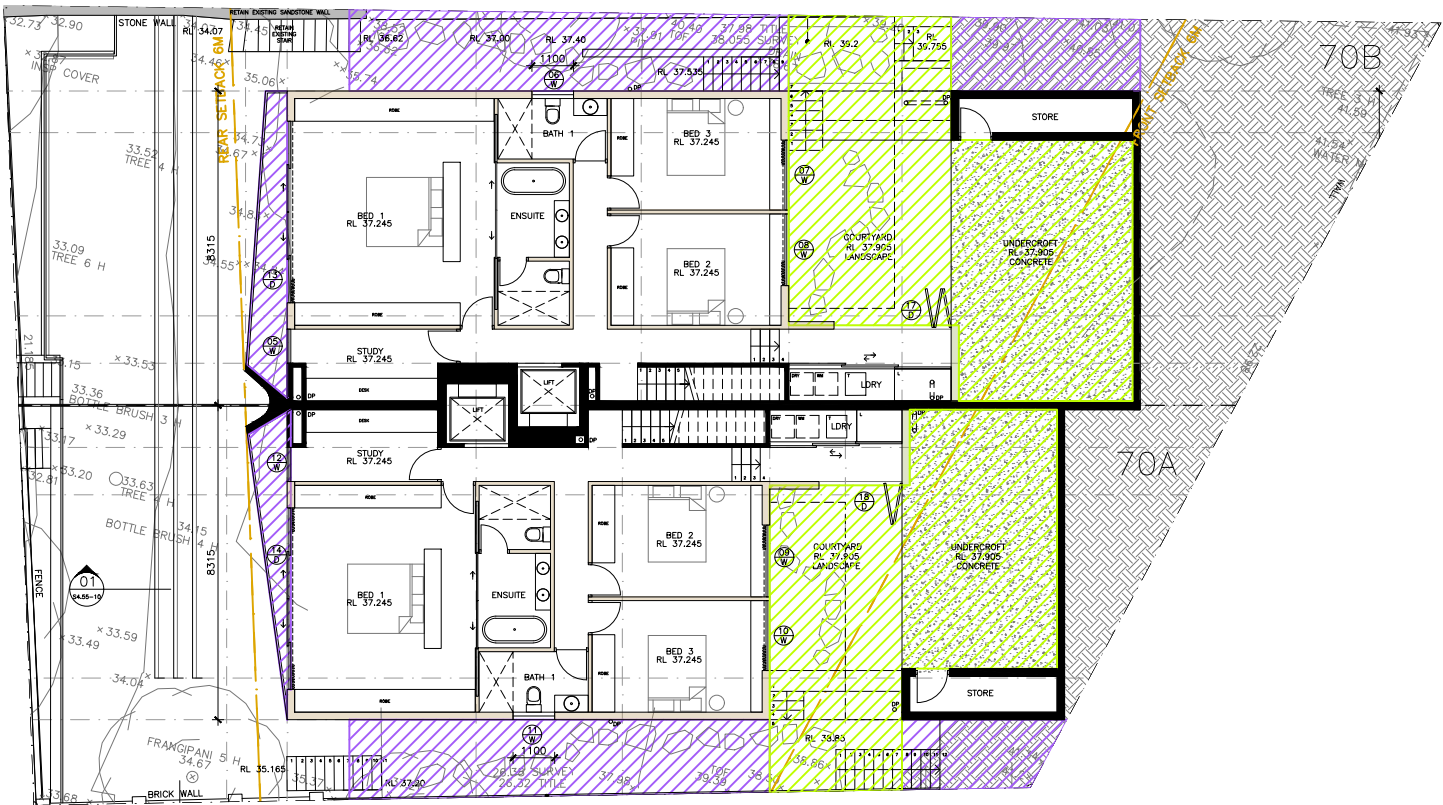
S4.55-10



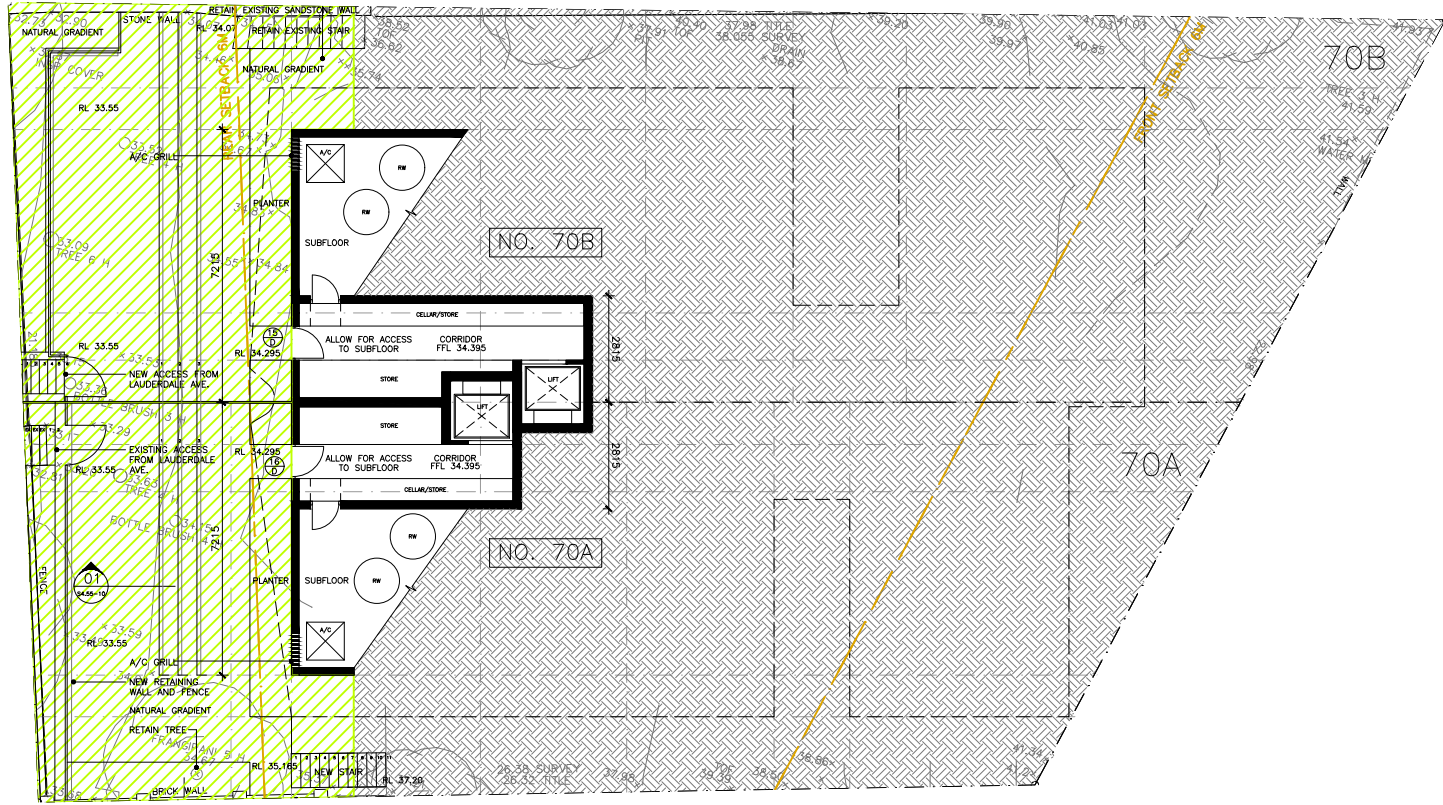
MAXIMUM FSR:		0.5:1	
TOTAL SITE AREA:		667.1m ²	
70B (WEST) =		364 m ²	
70A (EAST) =		303.1 m ²	
GFA 70B:			
	APPROVED	GFA:	162.07m ²
	ADDITIONAL	GFA:	24.93m ²
TOTAL		GFA:	187 m ²
TOTAL		FSR:	0.51:1
GFA 70A:			
	APPROVED	GFA:	156.40m ²
	ADDITIONAL	GFA:	22.80m ²
TOTAL		GFA:	179.2m ²
TOTAL		FSR:	0.59:1
APPROVED		GFA:	318.47m ²
ADDITIONAL		GFA:	47.73m ²
TOTAL		GFA:	366.2 m ²
TOTAL		FSR:	0.55:1



- 70A & 70B UPPER GROUND OPEN SPACE >3mx3m: 55.6m²
- 70A & 70B UPPER GROUND OPEN SPACE <3mx3m: 55.1m²



- 70A & 70B LOWER GROUND OPEN SPACE >3mx3m: 124m²
- 70A & 70B LOWER GROUND OPEN SPACE <3mx3m: 75m²



- 70A & 70B BASEMENT OPEN SPACE >3mx3m: 160.5m²

70A TOTAL SITE AREA: 302.7m²
MINIMUM OPEN SPACE REQUIRED: 166.5m² TOTAL
PROPOSED OPEN SPACE >3mx3m: 160.3m²
PROPOSED OPEN SPACE <3mx3m: 53 m²
OPEN SPACE TOTAL: 213.3m² TOTAL

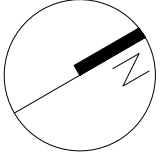
70B TOTAL SITE AREA: 364.4m²
MINIMUM OPEN SPACE REQUIRED: 200.4m² TOTAL
PROPOSED OPEN SPACE >3mx3m: 179.8m²
PROPOSED OPEN SPACE <3mx3m: 77.1m²
OPEN SPACE TOTAL: 256.9m² TOTAL

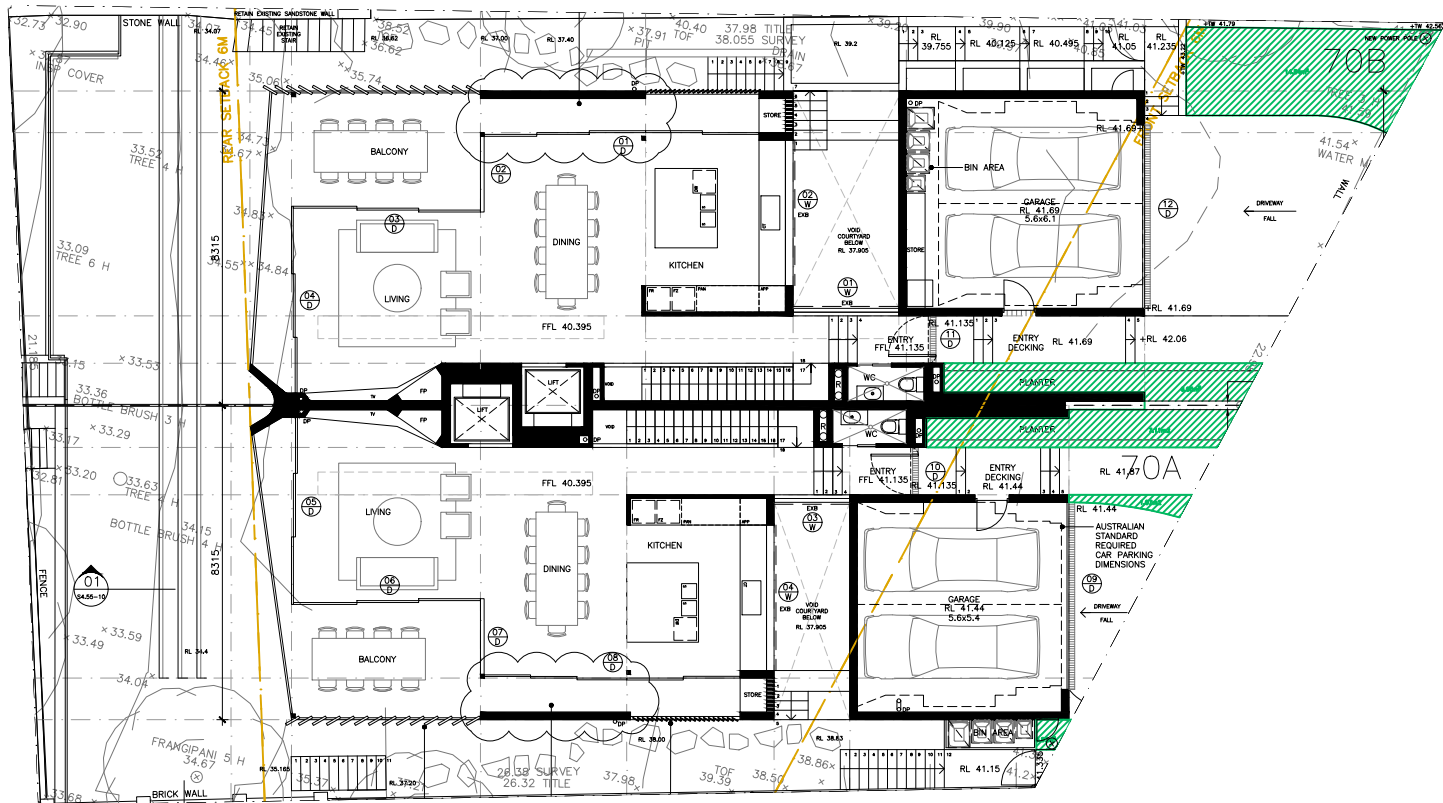
TOTAL SITE AREA: 667.1m²
MINIMUM OPEN SPACE REQUIRED: 366.9m² TOTAL
PROPOSED OPEN SPACE >3mx3m: 340.1m²
PROPOSED OPEN SPACE <3mx3m: 130.1m²
OPEN SPACE TOTAL: 470.2m² TOTAL

NOTE: DO NOT SCALE OFF DRAWINGS. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS AND ORDERING OF MATERIALS. BUILDER TO NOTIFY ARCHITECT OF ANY DISCREPANCIES, OMISSIONS OR ERRORS PRIOR TO COMMENCEMENT OF WORK	AMENDMENTS	
	20/03/20 A	EXCAVATION REVISION

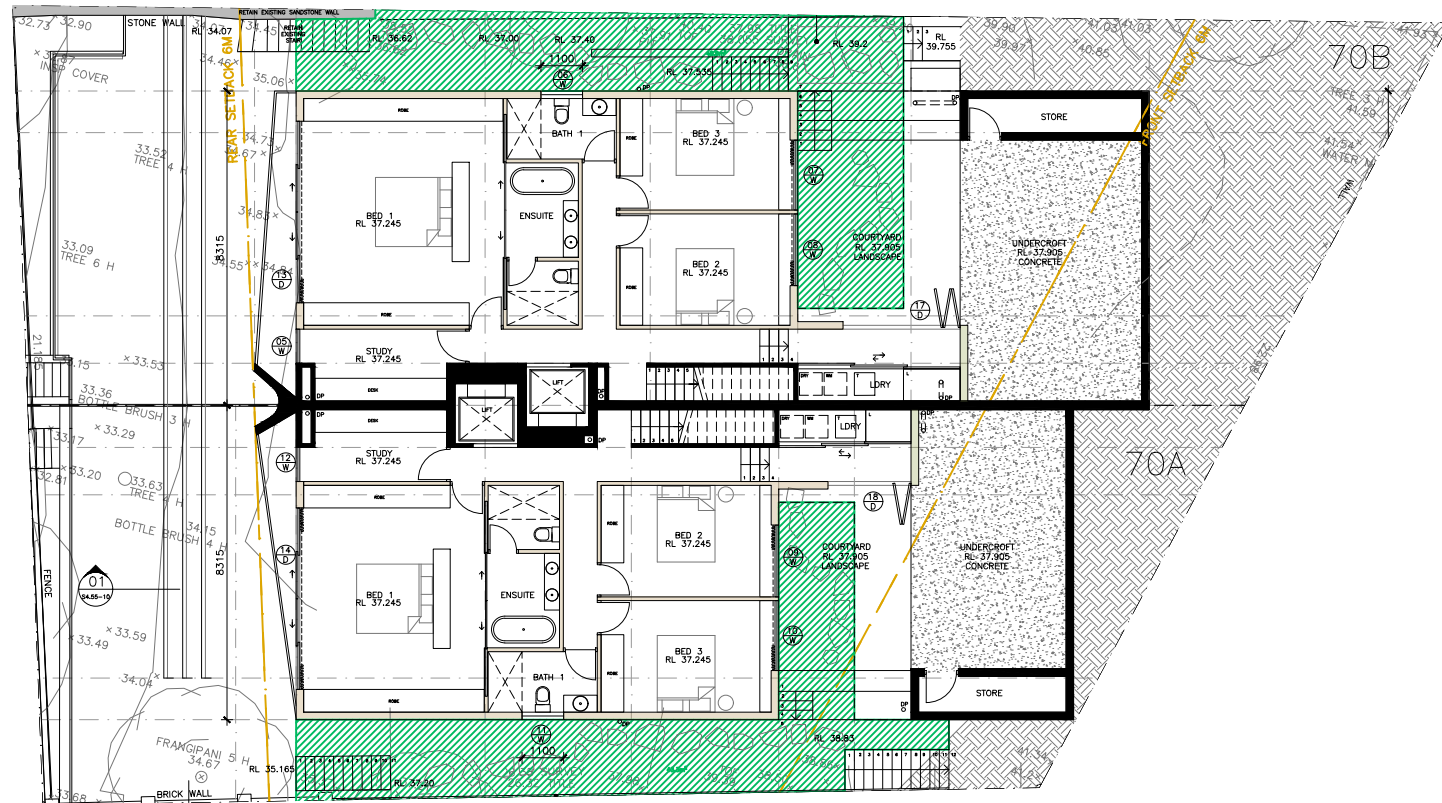
LEGEND	F	FIXED GLASS	REF	REFRIGERATOR
AL ALUMINIUM	FC	FIBRE CEMENT SHEET	SC	SINK
CL EXTERNAL CLADDING	FW	FLOOR WASTE	TB	TIMBER FLOORING
CON CONCRETE	GD	GARAGE DOOR	TD	TIMBER DECKING
COS CHECK ON SITE	GL	GLASS	TF	TIMBER FENCE
CP CUPBOARD	HC	HOSE COCK	TG	TRANSLUCENT GLASS
CP DOWNPIPE	HWU	HOT WATER UNIT	TL	TILE
DR DRAWER	LB	LETTERBOX	TW	TOP OF WALL
DW DISHWASHER	LV	LOUVRES	WB	WALL BRACING
EDB ELEC. DIST BOARD	PB	PEBBLES	VG	VEGETATION
EX EXISTING	RF	ROOF SHEETING		
EXB EXTERNAL BUND				

- EXISTING TO BE DEMOLISHED
- EXISTING TO BE RETAINED

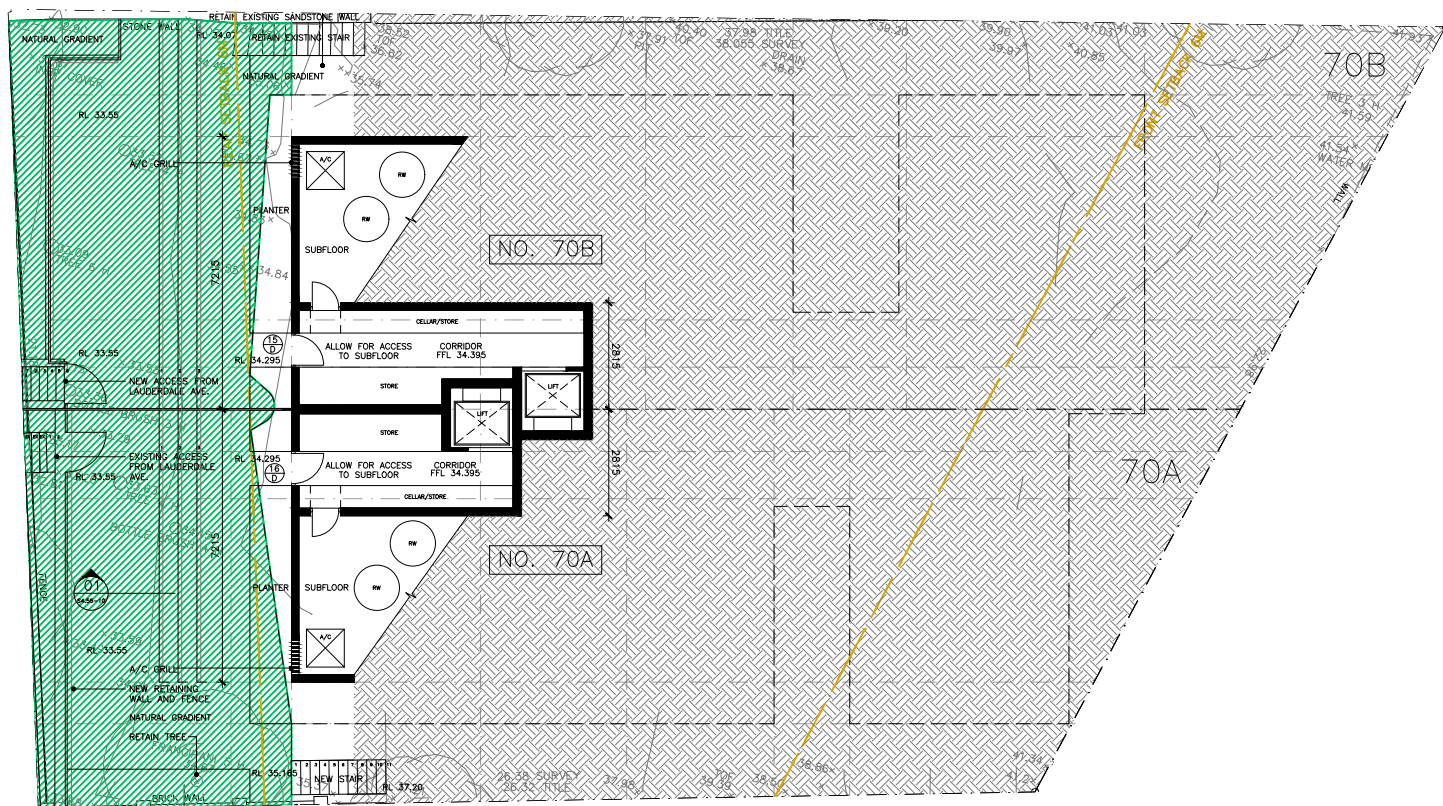




70A & 70B UPPER GROUND LANDSCAPE SPACE: 30.25m²



70A & 70B LANDSCAPE SPACE: 92.19m²



70A & 70B BASEMENT LANDSCAPE SPACE: 136.4m²

70A TOTAL OPEN SPACE AREA: 213.3m²
MINIMUM LANDSCAPE SPACE REQUIRED: 74.7m²
TOTAL

PROPOSED LANDSCAPE SPACE* : 120.21m² TOTAL

70B TOTAL OPEN SPACE AREA: 256.9m²
MINIMUM LANDSCAPE SPACE REQUIRED: 89.9m²
TOTAL

PROPOSED LANDSCAPE SPACE* : 138.63m² TOTAL

TOTAL OPEN SPACE AREA: 470.2m²
MINIMUM LANDSCAPE SPACE REQUIRED: 164.6m²
TOTAL

PROPOSED LANDSCAPE SPACE* : 258.84m² TOTAL

*THIS DOES NOT INCLUDE LANDSCAPE AREAS WHERE THERE IS BUILDING OVERHEAD

NOTE:

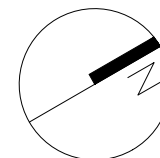
DO NOT SCALE OFF DRAWINGS. BUILDER TO CONFIRM ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS AND ORDERING OF MATERIALS. BUILDER TO NOTIFY ARCHITECT OF ANY DISCREPANCIES, OMISSIONS OR ERRORS PRIOR TO COMMENCEMENT OF WORK.

AMENDMENTS

LEGEND

AL ALUMINIUM	F FIXED GLASS	REF REFRIGERATOR
CL EXTERNAL CLADDING	FC FIBRE CEMENT SHEET	S SINK
CON CONCRETE	FW FLOOR WASTE	SC SHADOWCLAD
COS CHECK ON SITE	GD GARAGE DOOR	TB TIMBER FLOORING
CP CUPBOARD	HC GLASS	TD TIMBER DECKING
DP DOWNPIPE	HC HOSE COCK	TF TIMBER FENCE
DR DRAWER	HWU HOT WATER UNIT	TG TRANSLUCENT GLASS
DW DISHWASHER	LB LETTERBOX	TL TILE
EDB ELEC. DIST. BOARD	LV LOUVRES	TW TOP OF WALL
EX EXISTING	PB PEBBLES	WB WALL BRACING
EXB EXTERNAL BUND	RF ROOF SHEETING	VG VEGETATION

--- EXISTING TO BE DEMOLISHED
■ EXISTING TO BE RETAINED



70 LAUDERDALE AVENUE, FAIRLIGHT NSW 2094

LANDSCAPE CALCULATIONS

MARSTON ARCHITECTS

45 PITWATER ROAD MANLY NSW 2095 PH 9977 2101

STAGE S4.55

DATE: 2020

SCALE: NTS @A3

DWG. NO. S4.55-13

From: John Boulton john.boulton@sydney.edu.au
Subject: RE: Proposed Amendment of Approved /Stamped Plans
Date: 8 October 2020 at 9:41 am
To: Michelle Montgomery montgomery@bigpond.com
Cc: John Boulton jboulton@strathdonconsulting.com.au

JB

Hi Michelle, thanks for the email and thanks to your Architect for the marked up plans. In response to the issues you raised, we are happy to:

1. Install privacy screens where appropriate to address your concerns as raised below;
2. Install an opaque western bathroom window.

As a point of clarity, I would also like to note that there been no adjustments made to the shape of the balcony. What you received in the plans sent to you on Thursday 1st October is entirely consistent with the DA approved plans on the council website.

Please feel free to contact me should you have any further concerns.

Cheers,

John.

John Boulton | Program Manager

FMH Program

Office of the Executive Dean, Faculty of Medicine & Health

THE UNIVERSITY OF SYDNEY

Room 110, Edward Ford, A27 | The University of Sydney | NSW | 2006

M 0414 934 422

E john.boulton@sydney.edu.au | W <http://sydney.edu.au>

CRICOS 00026A

This email plus any attachments to it are confidential. Any unauthorised use is strictly prohibited. If you receive this email in error, please delete it and any attachments.

Please think of our environment and only print this e-mail if necessary

-----Original Message-----

From: Michelle Montgomery <montgomery@bigpond.com>

Sent: Wednesday, 7 October 2020 6:57 PM

To: John Boulton <john.boulton@sydney.edu.au>

Cc: John Boulton <jboulton@strathdonconsulting.com.au>

Subject: Re: Proposed Amendment of Approved /Stamped Plans

Sorry, I just realised that we had not attached the marked up plans. They are attached to this email.

>

> Please see attached proposals marked up in red. Essentially, they require opaque western bathroom window and for the proposed balcony at the southern extremity of the proposed western wall extension, a selection of options to protect our privacy. These are: fixed wall, fixed angled louvres or tapered southern balcony. Presently, your proposed variation of the lower floor western elevation includes a balcony open to the west, looking directly into our property. That is contrary to the condition of approval and to the agreement between us, that fixed angled louvres would protect our privacy.

> We propose to forward this response to Council.

... .

> Kind regards

> Robert and Michelle

> On 7 Oct 2020, at 6:50 pm, Michelle Montgomery <montgomery@bigpond.com> wrote:

>

> Dear John,

>

> Please see attached proposals marked up in red. Essentially, they require opaque western bathroom window and for the proposed balcony at the southern extremity of the proposed western wall extension, a selection of options to protect our privacy. These are: fixed wall, fixed angled louvres or tapered southern balcony. Presently, your proposed variation of the lower floor western elevation includes a balcony open to the west, looking directly into our property. That is contrary to the condition of approval and to the agreement between us, that fixed angled louvres would protect our privacy.

> We propose to forward this response to Council.

> Kind regards

> Robert and Michelle

From: Michelle Montgomery montgomery@bigpond.com
Subject: MOD 2020/0498 - 70 Lauderdale Avenue, Fairlight - Objection Submission to Section 455
Date: 8 October 2020 at 10:12 am
To: council@northernbeaches.nsw.gov.au
Cc: John Boulton jrboulton@strathdonconsulting.com.au, John Boulton john.boulton@sydney.edu.au



Dear Sir,

This is our submission objecting to the Developer's Application submitted on the 1st October 2020 for variation of the Approved Plans (DA 2020/0092).

We live at 72 Lauderdale Avenue Fairlight, the western neighbouring property.

We oppose the developer's application proposing amendments to the western face of 70 Lauderdale Avenue Fairlight from that recently approved and stamped plans.

The proposed variation is contrary to the agreement reached between the developer and ourselves of which we wrote in our submissions that the western face not look into our property. Condition 24 of the Approval requires fixed, angled louvres protecting our privacy. The proposal includes an open balcony at the southern extension of the proposed new lower level western wall. The proposed new balcony would look directly over our property and the entrance to our home. The open balcony is a proposal to breach the intent of Condition 24 and our agreement with the developer upon the basis of which we compromised other objections.

The proposal includes a new lower level western wall bathroom window facing our home. In fairness, it should be a condition of any approval that the bathroom window be opaque glass and that there not be any fan exhaust directed toward our home. The proposed bathroom window is approximately opposite our entrance.

We enclose marked up plans (in red). We have marked opaque glass for the bathroom window. This specification and that there be no exhaust fan should be added Conditions of any approval. The attached marked up plans also offer alternatives for resolution of the privacy issue with the proposed south/western open balcony. These include: a fixed (closed) wall; fixed angled louvres matching those above and in the Approved Plans and Condition 24; or a tapered balcony matching the eastern side of the development.

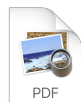
If the proposed bathroom window is opaque and there is no bathroom fan directed at our property; and any of the proposals preventing the open balcony so as to protect our privacy; then we have no further objection to the proposed amendments.

Please note we also attach an email just received from the developer this morning.

We understand this to mean that the developer accepts that they will install fixed, angled louvres at the lower level of the western extremity of the southern terrace. We understand that they agree the bathroom window will be opaque.

This leaves the only issue with the bathroom fan exhausting towards our property. We have not raised this with the developer. Assuming that requirement is also agreed; then it would appear that common ground is that the proposed variation include fixed angled louvres at the lower level of the western extremity of the southern terraces match those of the upper floor and that the bathroom window be opaque. We request that these requirements and that there is no bathroom fan exhausting in the direction of our property be conditions of the approval of the variations contained in MOD 2020/0498. Please note we have copied the developer in these emails.

Yours faithfully,
Michelle Montgomery



72 Lauderdale Avenue, Fairlight Plans - Master
Set.pdf

Email with
developer.pdf