
Sent: 22/05/2018 8:03:20 PM
Subject: 77 Bower Street application Mod2018/0180

Ben,

I'd like to lodge some additional objections to the s.4.55 (/s.96) application for changes at 77 Bower Street. We have already lodged some objections but on closer examination of the application I've become aware the it contains some more substantive changes that appear to be deliberately hidden. The most important issue is the viewing platform at the front of the house. ANS03 of the MIAP determination fo 21-Apr-2016 says

ANS03

The viewing platform on top of the cabana is to be deleted by **removal of access from the kitchen** (Level 01) and replacement of the platform with a non-trafficable roof. With the exception of a 900mm wide "folly" which may be provided on the top of the cabana. Plans are to be amended accordingly, prior to the issue of any Construction Certificate.

Reason: To ensure privacy to No.75 Bower St, Manly.

Despite that clear instruction the construction certificate was not amended accordingly. It was issued with the original plans for the viewing platform which has subsequently been built. The only adjustment was to quote ANS03 despite leaving the plans unchanged. That is a clear breach of the conditions of consent, but in the s.4.55 application the non-compliant plans are again shown. The plans show a doorway access to the kitchen, hand rails, a platform wider than 900mm and an access ladder. All of this has already been constructed. The plans in the s.4.55 application do not mark these as a change in any way, and the reference to the door is hidden in microprint. However my expectation is that if the s.4.55 modification is approved the owner will rely on these plans as retrospective approval for the viewing platform. If the s.4.55 application shows the viewing platform, it should be clearly marked as a deviation from the conditions of consent and evaluated as a change. If it's evaluated as a change it should be rejected, as the facts leading to the original ruling haven't changed in any way.

In addition ANS07 requires the window overlooking the pool area at 75 Bower St to be obscured glazing. The s.4.55 application marks it as clear glazing. This is a major deviation from the conditions of consent but it is written in microprint, not flagged in any way and not marked as a change.

We already know that the internal changes constitute a major expansion of the floor space ratio from the approved 51% to 65%, and my concern is that there may be many other major changes deliberately buried in the detail. Because of these issues the application should be rejected as it currently stands. Also, due to the extreme impact that approving all of these changes would have on the neighbours and the way that information has been deliberately obscured and misrepresented by the developer I strongly feel that if the application isn't rejected out of hand it should be dealt with in as open and transparent fashion as possible. That means referring it to the NBLPP (Northern Beaches Local Planning Panel).

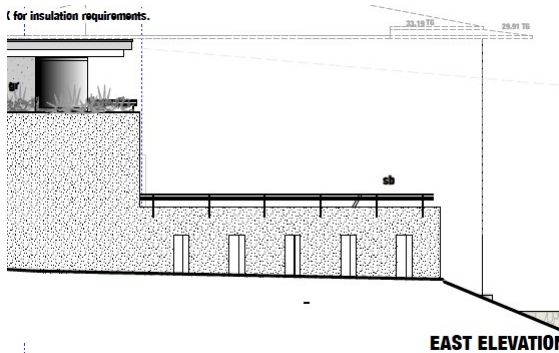
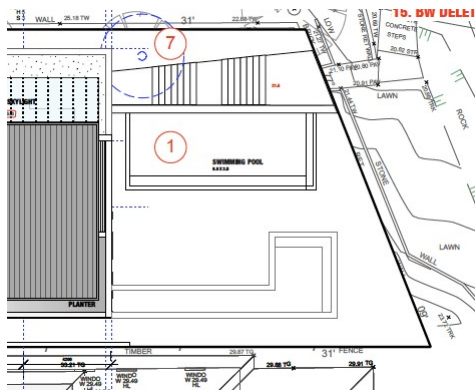
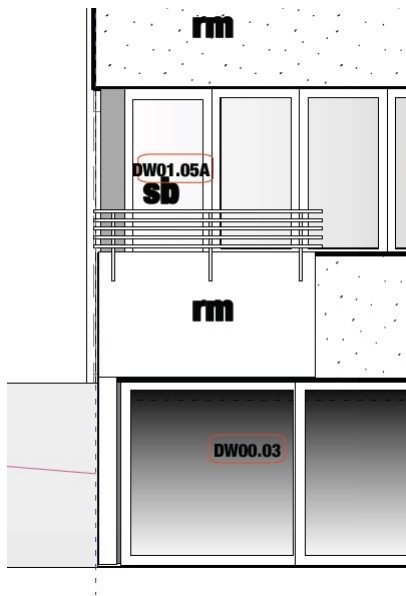
Regards
Jason Halliwell
81 Bower St

DW01.05A 750 x 2400

North

Living

1 off door clear glass





ANS07

The window (DW02.08) to the hall/stair on Level 02 (DA06 - Eastern Elevation) is to be

obscured glazing. Details of compliance shall be submitted to the Council/Accredited Certifier, prior to the issue of any Construction Certificate. *Reason: To protect the privacy of the rear pool area of No.75 Bower St.*

DW02.08	1200w x 2400	East	Corridor	Fixed clear glass window - doub
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