
Sent: 28/02/2019 9:35:43 AM

Subject: FW: SP12935 objection to DA 42 Victoria Parade ManlyMod2019/0029 – DA367/2010 attention Renee Ezzy

Attention: Development Assessment

Planner: Renee Ezzy

Mod2019/0029 – DA367/2010

Lot CP SP 10040 42 Victoria Parade Manly

Dear Renee

We are the strata managing agents for SP12935 743 Ashburner Street Manly and write to you in that capacity under instruction of the Owners Corporation to raise the following objections to this development application.

- The new drawings from 2019 modification highlight only two changes yet seem to carry forward changes proposed in the 2018 modification. The Northern Beaches Planning Panel refused this application in December 2018. Several changes from last year have been included but not highlighted in the current 2019 modification:
 - Change of floor level heights
 - Reduction of 'open' balcony on Level 4 for solar access to neighbours
 - Enclosure of rear balconies for extra bedroom and living space on Levels 1 and 2. (In 2011 LEC granted these balconies on a condition that they remain open so as to have no further impact on adjoining neighbours)
 - Addition of louvres across these enclosed balconies Levels 1 and 2 protruding into southern setback
 - Addition of windows, and changes to window heights on East & West
 - Addition of louvres to windows along Western elevation protruding into setback and along Eastern protruding into Dungowan Lane
 - Several changes in Basement including steps up to Victoria Parade with no illustration of the proposed exit at Ground Level
 - Two new Fire Egress Walls required as per Safety Report of 2018.

The building application:

- Is oversized building and this has been recognised by the Land and Environment Courts as well as MIAP, and now the NBPP, yet every variation has further sought to increase the bulk and scale of the building. The 2019 application continues this trend with the mostly flat roof, reduction of setbacks and enclosed balconies, addition of visitor bike racks opposite adjoining neighbours entrance Lobby.
- Provides minimal set backs on the Eastern, Southern and Western boundaries. The lack of set back as well as the oversize of the building have significant impact on the amenity of neighbours with the extra shadow created by height and bulk, as well as loss of sunlight, and potential for slippery pathways and fungus growth.
- Does not allow appropriate sunlight to the west across Dungowan Lane.

It appears that each modification increases the building for the benefit of the applicant with further impact on the amenity of neighbours, and that this impact is not given due consideration.

The 2014 approval provided an outcome that was basically acceptable to the LEC and MIAP. Now the

Developers seek to have increased floor levels, mostly flat roof, no setback on the Eastern elevation bordering Dungowan Lane, extra windows on east and west elevations, and enclosed rear balconies.

The Owners of SP12935 believe that there is no justification for an increase in the height of the levels of each floor in the Modification, as a height of 2.95 metres was approved, and ask that this application as it is be denied.

Sincerely

Ann Fernance



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