

OBJECTION SUBMISSION-Review 2020/0006; DA 2019/342

Ppty:79A Lauderdale Ave, Fairlight

Attention: Clare Ryan

We refer to Review of Determination of Application DA 2019/0342.

In drawing 04 SECOND FLOOR PLAN the southern deck is dimensioned as 5.424m and the southern top floor beyond the deck as 2.000m. Each of those dimensions is an error. Each of those dimensions fails to comply with Condition 13C of Judgment Approval 11 December 2018 –DA 2016/326 and with Requested Conditions of Consent sought in this Review Application (DA 2019/342). Each of the Judgement Approval and the Requested Conditions of Consent specified the deck be limited to 4.000m and the dimension to the southern external wall extremity be 3.424m. Please see dimensions in the annexed Plan being the Plan incorporated by reference in the Requested Conditions of Consent which appear at Appendix 3 and which is also referred to in Appendix 4 to the Statement of Environmental Effects dated February 2020. The Statement omitted to include the Plan. The Plan is a survey of the proposed SECOND FLOOR by Bee & Lethbridge, Registered Surveyors dated 09/09/2019.



The Owners of 72 Lauderdale Avenue insist that this Review Application be considered as incorporating those conditions as conditions of any Approval sought. The Owners of 72 Lauderdale Avenue insist that those Requested Conditions of Consent, including the Plan annexed hereto, be conditions of any Approval ultimately granted. We note Requested Condition of Consent 26B provides that all dimensions of the SECOND FLOOR including all structures are to be strictly in accordance with the Plan hereto.

The Statement of Environmental Effects dated February 2020 inaccurately states at page 4 under the heading BACKGROUND:

“The owners of 72 Lauderdale agreed to withdraw their objection to DA 2019/0342. The owners of 72 Lauderdale Avenue have confirmed with Council that they do not object to development application DA 2019/0342.”

In fact, the owners of 72 Lauderdale Avenue have not withdrawn their objection, but: upon condition that DA 2019/0342 incorporate in any Approval the Requested Conditions of Consent (incorporating the annexed Plan) and that no development shall proceed on the subject property other than in accordance with and subject to the Requested Conditions of Consent and the Restrictions on Use of Land registered on the Land Title of the subject property; then, the owners of 72 Lauderdale Avenue are satisfied as to their objection to DA 2019/0342.”

Mrs Michelle Montgomery
72 Lauderdale avenue, Fairlight ,13 March 2020

M. Montgomery



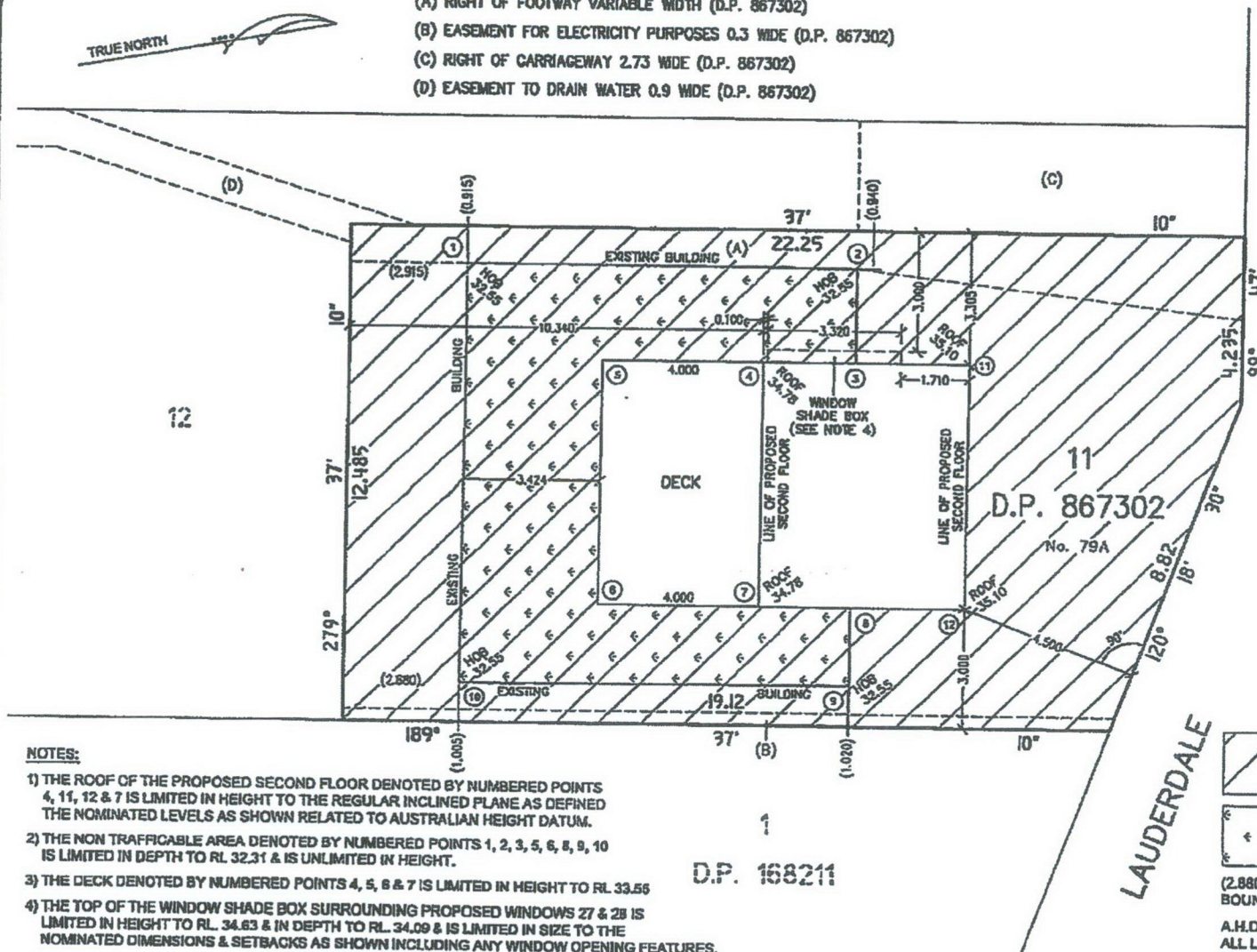
59.
JAL

TRUE NORTH

- (A) RIGHT OF FOOTWAY VARIABLE WIDTH (D.P. 867302)
- (B) EASEMENT FOR ELECTRICITY PURPOSES 0.3 WIDE (D.P. 867302)
- (C) RIGHT OF CARRIAGEWAY 2.73 WIDE (D.P. 867302)
- (D) EASEMENT TO DRAIN WATER 0.9 WIDE (D.P. 867302)

AVENUE

B



ORIGIN OF LEVELS
SURVEY CONTROL MARK P.M. 978
(PIN IN STEEL COVER BOX)
RL 28.198 A.H.D.

NOTES:

- 1) THE ROOF OF THE PROPOSED SECOND FLOOR DENOTED BY NUMBERED POINTS 4, 11, 12 & 7 IS LIMITED IN HEIGHT TO THE REGULAR INCLINED PLANE AS DEFINED THE NOMINATED LEVELS AS SHOWN RELATED TO AUSTRALIAN HEIGHT DATUM.
- 2) THE NON TRAFFICABLE AREA DENOTED BY NUMBERED POINTS 1, 2, 3, 5, 6, 8, 9, 10 IS LIMITED IN DEPTH TO RL 32.31 & IS UNLIMITED IN HEIGHT.
- 3) THE DECK DENOTED BY NUMBERED POINTS 4, 5, 6 & 7 IS LIMITED IN HEIGHT TO RL 33.55
- 4) THE TOP OF THE WINDOW SHADE BOX SURROUNDING PROPOSED WINDOWS 27 & 28 IS LIMITED IN HEIGHT TO RL 34.63 & IN DEPTH TO RL 34.09 & IS LIMITED IN SIZE TO THE NOMINATED DIMENSIONS & SETBACKS AS SHOWN INCLUDING ANY WINDOW OPENING FEATURES.

- DENOTES AREA LIMITED IN HEIGHT TO RL 32.55
- DENOTES NON TRAFFICABLE AREA
- (2.880) TYPICAL - DENOTES EXISTING WALL TO BOUNDARY SETBACK BY SURVEY (D.P. 867302)
- A.H.D. - DENOTES AUSTRALIAN HEIGHT DATUM
ALL LEVELS ARE RELATED TO A.H.D.



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PLAN SHOWING BOUNDARIES & DIMENSIONED PLAN OF EXISTING
& PROPOSED BUILDING ON LOT 11 IN D.P. 867302
KNOWN AS No. 79A LAUDERDALE AVENUE, FAIRLIGHT

L.G.A.: NORTHERN BEACHES

CLIENT RANKIN ELLISON - LAWYERS (Mr M. CALLANAN)			REF No.
PROPERTY No. 79A LAUDERDALE AVENUE, FAIRLIGHT			21254
DATUM A.H.D.	SCALE 1:100 @ A3	DATE 09/09/2019	SHEET No. 1 of 1
SURVEYED C.L.	DRAWN R.M.	DWG No. 21254B	REV No. 00