
Sent: 16/12/2019 7:51:37 PM

Subject: DA2019/1284 Issues of concern regarding the proposed development of 54 Golf Parade Manly

Attachments: DA2019_1284 54 Golf Pde Submission Response KAYE 1 Balgowlah Road Manly.pdf;

Please see submission response attached - 54 Golf Pde DA2019/1284.

Michele Kaye

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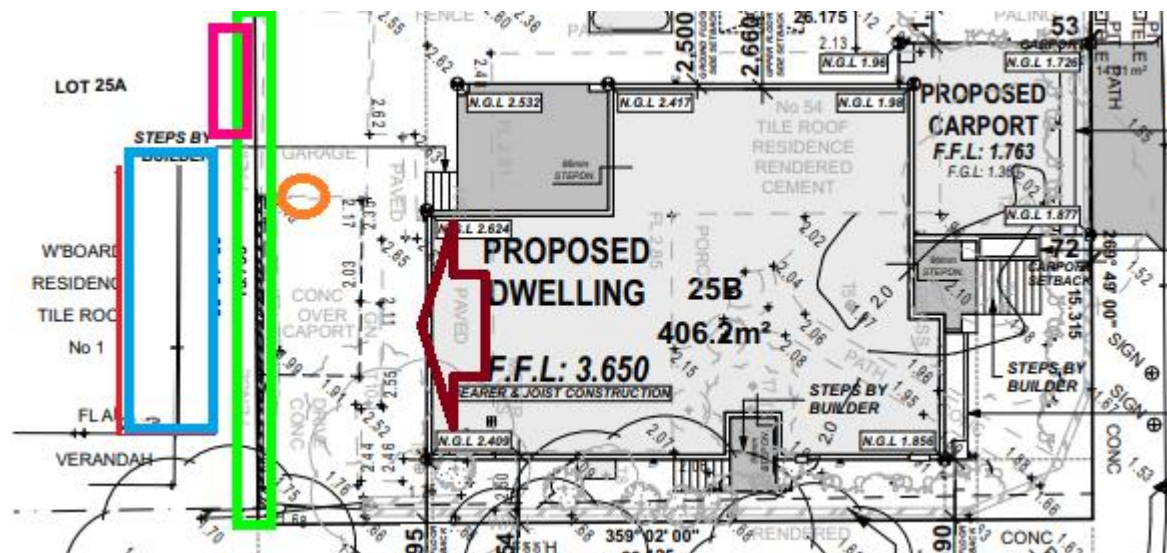
16 December 2019

To Assessing Officer

RE: Submission re 54 Golf Parade Development Application Reference # DA2019/1284

Thank you for your notice of proposed development and the opportunity to provide comment. It should be noted that the owner of 54 Golf Pde hasn't attempted to contact me regarding this DA submission, which I feel would have been a positive neighbourly thing to do, potentially saving time and expense.

My concerns follow, along with requests for amendments which are mainly due to this DA having 8 non compliances out of the 14 Manly LEP and DCP controls. I trust and rely on Council to protect my rights by enforcing and applying these guidelines.



Plan A

Building Height:

This non-compliance is a major concern for me. The height of the building looks very imposing and a significant change from the existing building. I understand flood level guidelines mean the property will be raised higher than a normal two story building, however the 2.6 and 2.75m ceiling heights are excessive and should be curtailed to a reasonable ceiling height standard of 2.4m. The roof pitch also adds another 2.364 meters which is excessive and almost adds another story to the building. The purchasers knew they were buying a property in a flood zone and are developers so are familiar with the Manly LEP and DCP requirements. It appears they have expected to get around these council standards and have applied regardless of them to build a large five bedroom house on a 420m² corner block! The roof has a 'decorative gable vent' in the pitch and an additional gable at the top just for aesthetics. It is unreasonable to request a Clause 4.6 Variation for the height which is contributed to by 2.6 and 2.75m internal ceiling heights and an aesthetic

roof design. The zone objectives are not to protect decorative and non-compulsory features. If this Variation is granted it will be directly violating the objective "to control the bulk and scale of buildings". The height has a direct impact on privacy and solar access. The height, with the exception of some more modern out of character buildings is not consistent with the prevailing building height and streetscape character.

My property is over 100 years old, If Manly Council thinks that allowing a building next to it of 9.9m is 'retaining the streetscape character' then it is not acting in the residents' interests.

Request: Reduce internal ceiling height to 2.4m and amend the roof pitch to smaller than 2.364m.

Does not comply with LEP requirements:

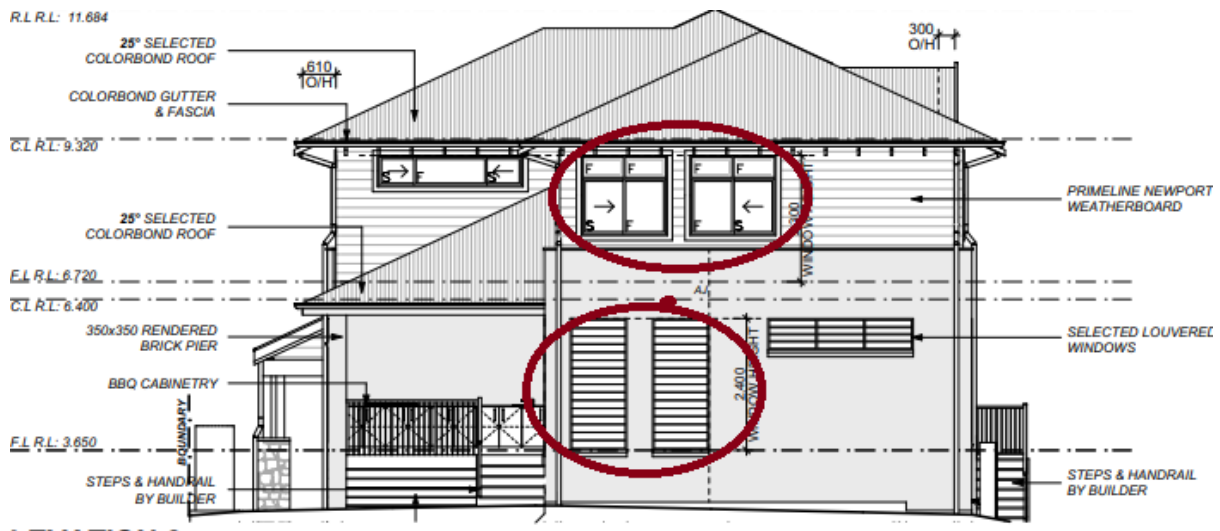
Hall and Hart have stated on the 'Statement of Environmental Effects' that "the proposed development has been designed to comply with Manly DCP and LEP". However there are significant and numerous non-compliances and it seems that no care or intent to comply with LEP or DEP requirements was considered upon purchasing, and that the developers have had a preconceived design not sensitive to the local area and controls. The compliance table 2.4 on the Statement of Environmental Effects has 14 LEP and DCP Controls - out of these 14 controls, 8 are non-compliant on the DA submission which is over 50%. Maximum Floor Area is not compliant, the justification of this was that to comply with FFL restrictions they have to not comply with FSR restrictions(?). The justification describes the addition of a 'theatre room' as 'unnecessary', and this theatre room was not actually required but rather the result of having a spare space to use up after the carport became detached from the house to meet council guidelines. My major concern is that the Minimum open space is approximately half that which the Manly LEP and DCP require. This is associated with the significant noncompliance with set back from rear boundary. This matter has attempted to be explained away by 'Justification' that allotment is not very deep - however this is exactly the reason for the set back principle - so that smaller lots are not over-built at the expense of other smaller lots amenity. The new occupants purchased a lot of a certain size - that was their choice - in smaller lots especially, occupiers (me and my children) rely on council for protection (via compliance standards) from over-building.

Request: The bulk and footprint of the building be reduced and the amount of green space increased.

Flooding Concerns:

The flood management plan has recommended the use of 'flood fences' (which have a gap of 100mm at the bottom to allow flood waters to pass). I have significant, *grave* concerns with this type of fencing and **do not agree** to this type of fencing being installed. My property has brick fences all the way to the ground on all surrounding boundaries, including the current fencing on the north side of the proposed development which is INCORRECTLY marked on the plans as a PALING FENCE, when in actuality it is a 100cm rendered double brick fence, topped with palings that provides a flood barrier for my property (refer to green markings on plan above). If this 'flood fencing' is erected then water will pass under this fence and get trapped in my house due to the other impervious fences not letting the water escape. There is no doubt that my property will then flood.

Request: That the property's northerly fence be of the same flood-proof efficacy as it is currently (note that on the DA it refers to the new fence as 'acoustic fence'). I also expect that this replacement fence will be fully funded by the neighbour.



Plan B

Will infringe privacy:

The Manly Development Control Plan 2013 states "development should be designed to avoid elevated structures constructed in extended columns that dominate adjoining sites such as elevated open space terraces...". The DA has an elevated alfresco terrace/deck that will look right into our bedroom windows and backyard. Due to its elevation it will be higher than the fence and will infringe the privacy of me and my children.

There are large louvered windows on the lower floor as well as windows directly above on the second floor (refer to red markings on Plan B above) proposed on the rear of the building, so from inside they will be able to look directly into our backyard and bedrooms. Bedrooms marked in blue on Plan A.

Request/s:

1. The deck be moved to the western side of the property where it is not adjacent to our bedrooms and instead to Balgowlah Rd where there is no other property and more in line with our front verandah.
2. The deck have blocked out sides/screening for privacy.
3. All windows on the northern side of the proposed building (as shown on elevation 4) should be reduced in size and changed to highlight-type windows with a sill height of at least 1.6m above the finished floor level.

Parking problems:

Moving the driveway for this property to Golf Pde will mean that local street parking is reduced if the current driveway on Balgowlah Road is not removed and the current street sign is not adjusted. Please confirm the carparking is for two car spaces. As the building is 5 bedrooms it needs significant off street parking options. My property has no off-street parking and I rely on street parking close to home, which will now be even more competitive than it currently is.

Request: Council ensures at least two off site car parking spots are created; the mouth of the driveway is not overly wide, and the current driveway and signage is removed to maintain as much street parking as possible.

Building and construction: Within the documents uploaded online I cannot find a statement discussing site working hours, noise, traffic management, parking for construction personnel, protection of neighbouring assets etc. This includes arrangements to replace my clothesline currently located on the garage wall (indicated in pink on Plan A). As well as proposed care plan to keep my dog safe and contained in my yard during construction.

Request: Please advise construction guidelines.

Landscaping:

I do not agree with the bamboo planting on the northern boundary as per the landscaping plan. I do not want 'Doli Blue Bamboo' and 'Small Weavers Bamboo' to be planted. Bamboo is a non-native weed and grows out of control and spreads. It also has a mature height of 9m - this will affect lighting into and outlook from my backyard.

There is a water feature proposed approximately 300 cm from my bedroom window (highlighted in orange on Plan A) and I have a significant concern about the noise pollution from this feature (my children and I can hear the ocean at night when lying in bed and I fear this will be blocked out by the noise of the water feature).

Request/s:

1. Please replace all bamboo on plans with another (native) plant species that won't grow more than two metres on the northern side of the boundary.
2. Please place water feature at the front of your property.

In conclusion, I welcome new neighbours to our community. I understand that the development of this block is inevitable, and I may request to do a renovation in the future and do not want to be unreasonable.

I agree with my neighbours in 52 and 50 Golf Pde and do not feel that the design has tried to comply with LEP and DEP requirements. As stated, we rely on these to protect our homes' value and amenity.

I am happy to be contacted by the Council if any further information is required.

With kind regards

Michele Kaye
Owner, 1 Balgowlah Road Manly