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Send to: Northern Beaches Council                      Job no. 1915                      Date: 05th October 2019  
 D.A: 1092/2019                      Page no. 01

**PROJECT: 64 Fairlight Street Fairlight NSW 2094**  
**SUBJECT: Response to letter from Kate Farrow 2/ 66 Fairlight Street Fairlight NSW 2094**

As the architect for the above Development Application I write on behalf of the applicants and owners Ian Donaldson and Lucy Shepherd in response to the emailed objection received on 31th October 2019 from Kate Farrow of 2/66 Fairlight Street Fairlight NSW 2094.

Prior to responding to her comments and objections on the above DA1092/2019 we would like to make it clear that Marion Hambly is also a resident of Unit 2 66 Fairlight Street Fairlight and not Unit 1 66 Fairlight Street Fairlight as she claims in her objection. Unit 1 66 Fairlight Street Fairlight is owned by a woman called Lynn and is the ground floor flat not the first floor flat, and was sold to her by Adam Moore of Stone Real Estate Manly.

We believe that if the address noted as intentionally erroneously numbered her objection should be ignored as she would appear to be attempting to distance herself from the other occupant of her real apartment Unit 2 66 Fairlight Street Fairlight, Kate Farrow.  
 We believe this should be thoroughly investigated by Northern Beaches Council, and both objections viewed as one as per 62 Fairlight Street Fairlight and the Hembergers..

Thus using the same order as the email my comments are:

	<b>66 Fairlight Street Fairlight</b>
	My clients are entitled to lodge a request for a modification of the Development Standards for both Height and FSR and they are to be reviewed by council.
	The position of the pool is of no concern in terms of safety due to compliant design, fencing, gates and another external gate and effective landscaping. This is an emotive argument without planning or safety foundation.
	The pool pump is clearly shown on documents as being enclosed under a planter bed and will have acoustic treatment to the doors that cover it. This would have to meet local council noise regulations The issue of noise past 10pm is not a planning issue The spa used as an example was illegal. Our clients are seeking a legal pool- If the complainants bedroom faced the rear of their property and rear yard pool was proposed would a similar argument be raised and accepted? We think not.
	Pool drownings – the majority of pool drownings occur with occupants children being unsupervised or poorly supervised, or pool fences and safety procedures not being in place or poorly maintained. A compliant pool behind a lockable gate, with a compliant pool fence and gate, kept closed at all times should not be a safety concern if unauthorised people do not enter the premises.

We would appreciate consideration of our responses when addressing these comments

The owners and I are available to meet Council and /or the owner of 2 / 66 Fairlight Street Fairlight at any time to discuss her concerns and the responses contained in this letter.

Sincerely

David McCrae  
**Principal MM + J Architects**