
Sent: 2/09/2019 11:08:57 AM

Subject: MOD2019/0378 to DA2018/0880

Attachments: Attention Thomas Prosser.docx; Scan_20190902.png; Scan_20190902 (2).png;

Attention: Thomas Prosser

Attached is our objection to the above modification at 49 Lauderdale Ave Fairlight.

Trevor and Ann Kennedy (owners 43 Lauderdale Ave)

Northern Beaches Council Planning and Development

Attention Thomas Prosser

Re: MOD2019/0378 to DA2018/0880 : 49 Lauderdale Ave, Fairlight

Preamble:

Our objections are predominantly for our neighbours in 45 Lauderdale Ave and the Unit block of 1a Bolingbroke Pde. Ms Norris and Mr Timms are spokespeople for the concerns of the whole block of six. Nevertheless, to a lesser extent, our privacy and views will also be impacted.

We are concerned at the continued development of Nos 49/51. Please see our earlier submissions of 14/09/2017 and 14/06/2018. In these we pointed out that a single dwelling previously owned by Patricia Ulrichson, and subsequently by her son, has after being sold to the Manions, been turned into now four and perhaps in the future (since 51 contains two kitchens plus a "kitchenette") five dwellings. The block for the 49 development is extremely narrow and the part being developed is of small area, because the parcel of land contains a piece of land many metres below, level with the garage roofs of the block of Units at 1a Bolingbroke.

Number 49

It is surprising when looking at the East Elevation to see that this building is actually elevated above ground level on piers. It would be thought that out of consideration for their neighbour at No 45 that they would have cut back from the existing lower ground level. Instead, pylons and little consideration.

A full Determination Hearing was held 10th October, 2018. There had been ten neighbour objections to the original submission. This Determination directed that louvres be placed over the Eastern windows. The current submission shows that only two out of the ten Eastern windows have louvres. Thus, the remaining windows look into all the Western windows of No 45, taking all their privacy. Further, the Determination stipulated louvres, implying angled, not the battens shown in the Eastern Elevation drawings. A sensible solution would be that these were fixed vertically, angled to look at the water view, not the neighbours in 43 and 45 Lauderdale. On the Eastern Elevation Drawing 2018-050-A04 the "louvres" look more like horizontal battens to a height of 1.8 metres. Not aesthetically appealing to the residents of 45 or 43 allowing privacy for the residents of 49, but not their neighbours.

Again lack of consideration to their neighbours in 45 is shown in that the latest Amendment again seeks to refute the Determination's direction that there is vegetation screening, by proposing to put a three metre high fence down between 45 and 49. Scant consideration indeed!

Objections

1. Number 49 is on piers. The modified Site Plan points out that there is a noise source from road traffic. So, perhaps a better plan than putting the building on piers would have been to cut back from the lower land level, before fill was put in from under number 51. This concept would have helped negate the noise problem highlighted by the Site Plan.
2. Three metre fence of unspecified material between 49 and 45.
3. Two metre wide balcony and Lack of Privacy, especially for 45 but also for us at 43 because 49 would be looking into our Kitchen, Lounge, Dining Room, Sun Room, downstairs Bedroom and upstairs Bedrooms. The Unit block of six at 1a Bolingbroke will be especially impacted by the balcony's overhang of the stone wall, looking into their bedrooms. Ms Norris and Mr Timms represented the six Unit's objections.
4. Louvre Change. Change from Determination's directions to have Louvre screens over the Eastern windows to the request to have just two windows with slats, not fixed louvres angled toward water views, not 45 and 43.
5. Views. The new submission's Site Plan is deceptive in showing 45's present view being to the SSE and SSW when, in fact, they once had views to the full west. This is now restricted by 51's development and will be restricted to SSW with 49's development so that they can only just see to the end of Davis Marina. Our view from 43 to North Harbour Reserve will similarly be obliterated, having already been hampered by 51's development.
6. Aesthetics. Our recollection is the original submission stated "cladding to be determined". The Modification now proposes James Hardie fibrous cement sheeting. This is not in keeping with the building materials of the neighbourhood. Further, it is curious that nearly all windows are on the Eastern side, looking into the neighbours and not onto their family to the West.
7. The Secondary Dwelling. This seems more like an airless bunker. Given that the Manion family had a guest house on the Hawkesbury River which had to be sold to facilitate the 49/51 development, one wonders whether the five kitchen development of the property is designed for a similar commercial property in a residential area. With parking space at a premium now, five residences with comings and goings will bring noise and increased parking problems to a peaceful neighbourhood.

In all this, as our earlier letters (first on 51, then on 49) stress, this has been "increase by stealth". This occurred with 51 and we were hampered by our inability to see the plans until the last minute due to Council amalgamation causing plans to be centralised onto a common Data Base and being unavailable for viewing. With 49, adjudication has been given, directions made by the Determination, but the Manions now seek to change the Determination which was generous to them. They now seek a 2 metre balcony with screens (further blocking views to the SW), a change to the direction to have louvres on the East window to putting slats on two windows out of ten, and changing to a 3 metre high fence to completely dominate 45's West, instead of the directed vegetation screening. It is a building which has firstly used fill from the underneath of 51 to raise the ground level at the

Moreton Bay Fig Tree wall, then has further lifted the building on piers, when consideration for neighbours would have cut in at the lower ground level. It now has a near airless concrete-block Secondary Dwelling placed under the garage in order to attempt to circumvent Determination 10. Circumvention of the Determination is a feature of this attempted Modification.

Trevor and Ann Kennedy

Development Assessment DA2018/0880

Ann Kennedy

Thu 14/06/2018, 4:25 PM

To:council@northernbeaches.nsw.gov.au <council@northernbeaches.nsw.gov.au>;

We are the owners of 43 Lauderdale Ave. One property (45 Lauderdale) separates us from 49/51 Lauderdale (owned by the one extended family, the Manions). We are concerned at the apparent gross over-development of the sub-divided site, 49/51 Lauderdale).

The increased bulk and height of the re- development at 51 and the development proposed for 49 mean there would be virtually no open space left around the buildings. The proposed development at 49 goes very close to the boundary of 45 Lauderdale.

We have already seen a significant reduction in our view to the west, past Davis Marina to North Harbour with the completion of the enlarged footprint of 51 Lauderdale. As the development proposed for 49 appears to mirror 51 in height and will supposedly use the lower portion of the original block below the fig tree and the retaining wall, we stand to lose most of our views to North Harbour, past Davis Marina.

Of concern also is the change to the vegetation balance which will result from the proposed development at 49. The significant fig tree and the large Kentia palm will have to be sacrificed and will continue the de-vegetation that has characterised this sub-divided development. A single house with an extensive, established garden is to be turned into a block with little or no vegetation or outside leisure areas and smothered with four self contained dwellings.

There have been several amendments to the original plans for both 51 and the sub-division as the development has progressed over time, and it appears that these, submitted at appropriate intervals, will allow further gradual encroachment on available open areas.

This must raise the question that had the family submitted the sub-divide and 49/51 Lauderdale as a single project, would it have been accepted under the council's floor space ratio regulations? To convert a single dwelling into four self contained dwellings :- 2 houses, one flat and one secondary dwelling(?) is surely overdevelopment for the available size of land.

Considerable loss of privacy and amenity for neighbours will result if this next stage of the project is approved.

We therefore request some set back or reduction in height/bulk of the proposed development at 49 Lauderdale, to retain the amenity of the neighbours.

Ann and Trevor Kennedy

ATTENTION : Anita Ugarkovic

Ann Kennedy

Thu 14/09/2017, 11:22 AM

To:council@northernbeaches.nsw.gov.au <council@northernbeaches.nsw.gov.au>;

re "Renovation" at 51 Lauderdale Av Fairlight : further to our phone conversation

We have had difficulty viewing the plans of what we originally were told was a small renovation. Following some initial building and then a very long cessation of work, a subsequent notice of a modified DA appeared on the site.

We had difficulty seeing this revised DA as we were told all plans were being centralised with the councils' amalgamations. Later we were able to view the DA the day before objections closed. The new DA now contained a separate flat. The property now included three kitchens, many bedrooms and some kind of lap pool.

Builders are at work on this at the moment and we can view the water-side of the building.

Every time it seems that the building has reached it's greatest height and proximity to the water it goes further.

Is this building complying? Would somebody be able to inspect this? We are more than willing to provide access to our balcony for a quick initial overview.

We are willing that this enquiry is made in our name.

Thanking you, in anticipation,

Ann and Trevor Kennedy (43 Lauderdale Av 99494813)