
Sent: 25/10/2022 3:23:47 PM
Subject: DA2022/0653 1 Bellevue Parade, North Curl Curl
Attachments: Fourth objection to DA2022.pdf;

Please find attached our fourth objection letter relating to DA2022/0653 for 1 Bellevue Parade, North Curl Curl.

Regards

Brian and Tricia Machon

Fourth objection to DA2022/0653

1 Bellevue Parade, North Curl Curl

Previous objections dated 30/5/2022, 21/9/2022 and 4/10/2022

Amended Plans dated 17/10/2022

Our issues and concerns raised in all of our three objection submissions have not been addressed. The issues of ocean view sharing have not been resolved as the proposed development is still excessively high, bulky and does not comply. Particular attention needs to be directed to the principals set out in *Tenacity Consulting v Warringah* [2004] NSWLEC 140 (*Tenacity*). This is clearly documented in our third objection letter dated 4/10/2022 and must be read in addition to this objection letter.

We request the heights posts to be updated and verified by a surveyor to reflect the latest amended plans. We request Council to come on site to our property to view the impact of the latest proposed extension, showcasing the permanent loss of ocean and North Head views.

The only alteration to the amended plans dated 17/10/2022 has been a reduction to the roof pitch by 800mm. No alterations have been made to the excessive ceiling height of 2600mm and the excessive floor cavity of 700mm, which would lower the overall height and lessen the impact. Very little effort has been put into the latest amended plans.

The amended plan does not comply with the Planning Controls. The amended plan shows a maximum height of 9.5m. The maximum height allowed is 8.5m and needs to be addressed. The third level addition has no set back on the front (Bellevue Parade) and the eastern side (Bellevue Place) where it is going to be a straight edge building 6m high, which will not fit into the streetscape. The house is on a corner block and has two viewable frontages.

Council, please verify on the latest amended plans, is the new extension encroaching on the 6m building alignment set back as it is unclear on the plans.

We request a redesign to reduce the height, bulk and scale of the development through the following: reducing the height of the roof to maintain the 8.5m height compliance rule, reducing the ceiling height to the standard height of 2.4 metres and reducing the floor cavity height. All these adjustments should be represented in the next amended plan, instead of numerous minimal alterations to amended plans that do not contribute towards the end goal of compliance and “ocean view sharing” for our property and neighbouring properties.

In conclusion, the latest amended plans have not met the issues of non-building compliance in regards to height and bulk and ocean view sharing as set out in *Tenacity Consulting v Warringah*.

Brian and Tricia Machon