
Sent: 14/02/2020 8:08:43 PM

Subject: Re: DA 2019/0645: 26 Whistler Street, Manly, NSW 2095

Hi Claire,

I understand that the development has submitted revised plans and although I see there is some additional landscaping details added (which is a good thing) the main and most significant concern we have is in respect to the height, width and overall excessive bulk and scale of the proposed development and the inherent side effects of that being shading of Short St, view loss to our office in level 5 of the Manly National Building which is essential for the well-being of office workers in the amenity of the property and the effects it will have on Short St turning it into a wind tunnel with over-bearing buildings on both sides.

I am also more than a little disappointed in Council staff who I suspect must have given the Developers some feedback on the problems with this development and yet now the new plans have actually extended its height beyond the previous illegal building height proposed and added another communal floor level on top plus a lift overrun beyond that.

I therefore re-attach my previous complaints below as they are still relevant and in fact more so. Surely the extra communal area on top must blow the FSR right out of the water despite the obvious errors in its previous calculation.

Bulk and Scale

It is my considered opinion that the proposed development at 26 Whistler St is a gross over-development of the site and appears to be driven by greed and without regard to residents in the adjoining Manly National Building nor members of the general public who frequent the public open space in Short St.

My primary objection is the bulk and scale of the development and the effects therefore, in over-shadowing Short St and loss of views to residents and occupants in the Manly National Building.

The Statement of Environment Effects appears fundamentally flawed in its assessment of Floor Space Ratio which is a tool to control bulk and scale the gross floor area should consider any floor area above ground. To this end the FSR report submitted ignores about 600 sq m of floor space on the ground floor which would put the FSR over 4.5:1 which represents 50% more than the required limit of 3:1. I completely disagree with the assertions made by Boston Blyth Fleming in the SEE in regard to FSR and bulk and scale.

Existing Rights

It is my experience as a structural engineer working on hundreds of projects over the last 25 years, I have seen existing use rights applied to maintain building envelopes in alterations and additions only. It is my understanding based on the indirect advice of various Councils and planners that once a building is completely demolished then developers are required to adhere to all current DCP and State Planning requirements. Its existing rights relate to its land use not to the scale of the development. The reasons proposed in the SEE to ignore FSR do not make any sense whatsoever and do not appear to have any justification.

Height Limit

The development exceeds the height limit with its lift shaft, pergola, planter boxes, privacy screens and plant room. The height limit should be maintained throughout the whole structure with due allowance for future additions such as telecommunications, solar panels and other plant which should all be under the 25m limit.

Furthermore, due to the bulk and scale of the development which far exceeds the required FSR limits, the development extends to the maximum height over virtually the full width of the site when viewed from the east. There is a minimal side setback to the northern and southern boundaries that would be sufficient to allow more light into Short St and limit view loss to residents in the Manly National Building.

Ground water Effects

It is proposed to install an infiltration tank below basement level. The installation of this tank looks like it may extend below the water table. The MNB is a very large building founded on a high-level raft footing. Substantial engineering assessment would be required to ensure adjoining buildings are not affected by sudden changes in the water table that may be due to de-watering during construction or even due to increased absorption by the proposed change in stormwater disposal method.

Shading of Short St

The bulk and scale mentioned above will significantly reduce the afternoon sun on the now popular Short Street mall area. Short St is a popular pedestrian thoroughfare and the previous Manly Council and now Northern Beaches Council have promoted the conversion of Short St into a relaxed open public space that is an escape from the hustle and bustle of the Corso.

The small grassed area in Short St would have significantly reduced sunlight if this development was approved and would struggle to survive. Short St would become more like a cold wind tunnel. Although the property at 48-52 Sydney Rd is quite high at 6-storey but the upper levels are progressively set back from Short St such that it is not as over-bearing as a large vertical alignment.

Design Excellence

There is a tremendous opportunity here to create a building that adds value to its immediate surrounds. The current building has a carpark on the ground floor. A smaller development could afford one level of basement car parking and a ground floor level with commercial or retail outlets that add to the vibrancy of Short St. A building with substantial setbacks to the south, east and northern sides above a podium at level 3 or 4 would also maintain current access to afternoon sunlight without feeling over-bearing. This opportunity has been completely overlooked by this developer and as such, in terms of meeting the site's requirements I would not place this in the category of "Design Excellence". It might have some varying textures to attempt to hide the ugly box nature of the building but design excellence does not result in a structure that ruins the quality of life for the community using a public open space or owners/tenants using adjoining buildings.

View Loss to Manly National Building

I own and work in an office in level 5 of the MNB. We bought this office due to the great district views to Ivanhoe Park and glimpses of Manly Oval where I spent a lot of time during my cricket playing days. This view is very important to us. To have a leafy outlook as an eye break from hours at the computer is essential to the amenity of our workplace. The proposed development would completely block our direct outlook to Ivanhoe Park and Manly Oval. We would also no longer be able to see the sun setting on the horizon at the end of a long day.

The loss of view from this development would also almost certainly reduce the value of our property and potential loss of rental income if we were to rent it out in the future.

Landscaping

The SEE refers to a landscaping plan. This plan does not appear to be available on the Council website and the architectural drawings do not show any evidence of planting on the ground floor or podium levels. Any landscaping should be deep soil planting to be able to sustain substantial planting.

Whistler St

Although the application contains a solar access assessment on the properties on the western side of Whistler St and states that they will still achieve the minimum required, the proposed development would definitely have an adverse effect on their solar access and would significantly reduce their amenity and potentially some loss of views.

Kind regards

Simon Waddington