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**Sent:** 5/04/2021 5:05:22 PM  
**Subject:** Northern Beaches Local Planning Panel - 11 Lewis Balgowlah Heights  
**Attachments:** Letter to Panel 11 Lewis Street Balgowlah Heights.pdf;

Dear Livia,

Please find attached my written submission for the planning panel in relation to the assessment report.

Please note that Jason is unable to present to the Panel given he will be chairing a similar panel at the same time, thus I will be talking to the panel.

Regards,

Jaxon Rudduck  
26 Lewis Street, Balgowlah Heights.

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**Date: 5 April 2021**

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Northern Beaches Local Planning Panel  
c/- Ms Livia Kekwick  
Northern Beaches Council  
P O Box 82  
Manly NSW 1655

**Re: 11 Lewis Street, Balgowlah Heights (DA 1758/2020) – Planning Panel Late Submission - Item 3.1, 7 April 2021**

Dear Panel Members

I have read the detailed and thorough 64-page independent planning assessment report by Council staff, which recommends refusal of the DA. It is also noted the proposal is not supported by Council's internal expert urban design and traffic experts.

I agree with the report and conclusions, with some qualifications, being:

- the summary table responding to Section 4.15 of the Act (on page 12 of the business paper) states there are no adverse social impacts. While the provision of child care services is positives, the many adverse impacts lead to the overall social impacts being negative.
- the summary table responding to Section 4.15 of the Act (pg. 12) states that the site is suitable for the proposed development. This is expected to be a typographical error.
- Comments that the proposal has acceptable Sustainability and Landscape outcomes (pgs 28, 37), given the excessive excavation into rock, mechanical stacked parking and reliance on screening to address impacts and lack of meaningful landscaped setting and inadequate setbacks, contrary to the desirable attributes of the area's character.

Notwithstanding these relatively minor differences, the DA should be refused, as recommended. Further additions are suggested below, in order to assist the Panel in the event it agrees with refusal, yet has other concerns or reasons to support the staff's recommended reasons for refusal.

1. Reason 1 - Adding "excessive excavation" to the summary and adding the following (or a new Reason):

The proposal is inconsistent with the following general aims as outlined in Part 1.2 of MLEP 2013:

- (i) *to promote a high standard of urban design that responds to the existing or desired future character of areas, and*
- (ii) *to foster economic, environmental and social welfare so that Manly continues to develop as an accessible, sustainable, prosperous, and safe place to live, work or visit, and*
- (iv) *to ensure all development appropriately responds to environmental constraints and does not adversely affect the character, amenity or heritage of Manly or its existing permanent residential population,*
- (ii) *to ensure high quality landscaped areas in the residential environment.*

The proposal is inconsistent with the following objective of the R2 zone:

*To provide for the housing needs of the community within a low density residential environment.*

While the proposal (arguably) complies with the FSR standard, the scale and intensity of the proposal is inconsistent with the surrounding low density area. The bulk is excessive, exacerbated by areas not included in GFA calculations.

2. Adding a new reason to state:

*The proposal has an excessive bulk, scale, intensity and height. This is further magnified by large areas of carparking, undercroft, circulation and screened areas, which add to physical bulk, yet are excluded from numerical FSR standards. In turn this adds to the overall scale of the proposed building, which is wholly discordant with the area. In terms of context, the scale to the street does not mediate between neighbours, includes a flat roofed design in an area with pitched roofs and fails to mitigate impacts to the streetscape and to neighbours;*

3. Adding a new reason to state:

*The proposal has a poor relationship and integration with the public domain, lacking any meaningful landscape interface, and lacking surveillance and territorial enforcement, important components in objectives related to CPTED;*

4. Adding a new reason to state:

*The proposal does not allow adaptive reuse of materials or flexibility in design over time, involves excessive excavation and does not achieve or represent principles of Ecologically Sustainable Design;*

If you have any queries please contact me on 9389-4457 or 0448-413-558.

Yours sincerely



Jason Perica  
Director