
Sent: 9/11/2022 1:43:48 PM
Subject: DA2022/0653 1 Bellevue Parade, North Curl Curl

Fourth objection submission
DA 2022/0653 1 Bellevue Parade, North Curl Curl
Previous objection submissions dated 30/5/2022, 21/9/2022, 4/10/2022

We still strongly object to DA2022/0653 for alterations and additions to a dwelling house of 1 Bellevue Parade, North Curl Curl.

We are not satisfied with the final amended plans dated 7 November 2022. No adjustments to the final plan have been made. The only adjustment the applicant has made throughout the entire DA process has been a very slight reduction in the roof pitch by 1.1m. This slight amendment to the Development Application plan does very little to address and does not rectify the issues of non-compliance of height, setbacks and non-compliance of view sharing. Our issues and the issues of our neighbours, set out in all of our objection submissions, have not been met or addressed by way of alterations. Very little effort has been put into correcting the proposed Development Application, ignoring and failing to adjust any of the non-compliant issues.

NON-COMPLIANT OF HEIGHT (Clause 4.3) – it is still over the maximum 8.5m height. It breaches Clause 4.6 (Height of Buildings development standard contained in the Warringah Local Environmental Plan 2011) . It is still over the maximum height by 700mm. The non-compliant height of the proposed development negatively contributes to the visual impact and loss of amenity to the properties Nos 2,4,6 and 8 Bellevue Parade, North Curl Curl.

VIEW SHARING (D7 Views, Clause 61 and Tenacity) – no attempt has been made on the final amended plans to rectify this, there have been no changes to help facilitate view sharing. The DA still fails to satisfy the established view loss principle set out in Tenacity Consulting v Warringah Council [2004] NSWLEC 140 (Tenacity) and view sharing set out in Clause 61 of the Warringah Local Environment Plan 2000 which states that “development is to allow for a reasonable sharing of views”. Due to the non-compliant height, bulk and scale of the proposed development, the proposed development does not contribute towards the objectives and requirements of ensuring reasonable sharing of views between properties. The proposed development will unreasonably restrict the beach, ocean and North Head views enjoyed by the occupants of properties at Nos 2,4,6 and 8 Bellevue Parade, North Curl Curl. The ocean views that we would lose, if this development application is approved, is whole, prime ocean views, which are highly valuable and highly sought after. This would be considered “unreasonable and severe”. We would lose the iconic North Head. It would obliterate these views from our first floor kitchen and living areas.

SETBACKS (Front and side Clause 4.1.4.1(a)) It states that “Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity”. On the plans it does not show a setback for the front, eastern and western side of the property.

In conclusion, DA2022/0653 1 Bellevue Parade, North Curl Curl should not be supported and thus should be refused by the Council Assessing Officer and Council Management. We request Council to consider all the aspects of non-compliance when determining the final outcome.

The final amended plan dated 7 November 2022 does not address any of the non-compliant issues (height, view sharing, setbacks). It would set a dangerous precedent should Council approve this non-compliant Development Application.

Brian and Tricia Machon