
Sent: 13/10/2020 10:21:45 AM

Subject: DA2020/1121 - Lot 5 DP 6000 10 Gardere Ave, Curl Curl

Attachments: Garland objection.pdf; STREET FACADES.pdf; FIRST FLOOR PLAN.pdf;
INTERNAL ELEVATION WINDOWS & CURRENT VIEW.pdf;

Please find attached submission in relation to the above Development Application.

Should you have any queries in relation to the attached, please do not hesitate to contact me.

Kind regards

Rebecca Zerk

Town Planner

**REBECCA ZERK
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RICHMOND NSW 2753
(02) 4578 8844**

12 October 2020
Northern Beaches Council
PO Box 82
MANLY NSW 1655
Att: Alex Keller

RE: DA2020/1121 – Lot 5 DP 6000 10 Gardere Avenue CURL CURL

Dear Sir

I have been engaged by the Owners of No. 12 Garadere Ave Curl Curl in relation to correspondence they received notifying of the proposed demolition of the existing, small scale single storey dwelling located at number 10 Gardere Ave, Curl Curl and its replacement with a large, two storey dwelling. This land neighbours their property at the east and, due to the negative impacts this development would have on views to the water, visual privacy, and amenity currently valued by them, I wish to lodge an objection to the proposal.

Of primary concern with the proposed design is the loss of water views the Owners of No 12 will experience should this development occur. The Owners currently enjoy views from their verandah, lounge room, dining room and bedroom to both Curl Curl and the Manly Headland (see attached photographic references and plan detailing the impacts of the development on view loss). Whilst it is appreciated that some view loss would arise as a result of redevelopment, the extent currently proposed is excessive.

We have prepared plans to detail the current views afforded from the dwelling at No. 12. The photographic evidence of the views are provided on plan 1301 NN3 (and at the end of our written submission), and the location from where each photo was taken provided is on NN2. As is evidenced by the attached, the proposal is extremely detrimental to the current outlook from No. 12 and against the provisions of view sharing as required by Council's DCP D7 – Views and the Planning Principals. An assessment of the proposal in relation to those planning principals is provided below:

- 1. Step One – Assessment of the views to be affected.** *“Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.”*

As is evidenced from the attached photographs, the current views include vistas to Curl Curl Beach towards the northeast. These views are available from both the front

elevated verandah as well as the main living area. Water views are available towards the east from the bedroom and dining room, and views to the Manly Headland towards the southeast from the elevated verandah, lounge room and the bedroom.

The views currently available from the dwelling when considered in the first part of the assessment are considered to be “highly valuable” towards the northeast and southeast and “valuable” towards the east.

2. **Step Two – Consideration from what part of the property the views are obtained.** *“For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.”*

Views experienced from the dwelling are available from both a sitting and standing position. Whilst it is understood that some loss will result from the proposal, should the proposed dwelling on No. 10 be sited with a greater setback than what is currently proposed, the loss of views resulting from the proposal would be mitigated.

As previously advised the Owners of No. 12 are not opposed to the redevelopment of the adjoining site, but merely the impacts that development will have on view loss.

3. **Step Three – Assessment of the extent of the impact.** *“This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.”*

Evidence to the extent of view loss is detailed in drawing NN3. Given the extent of loss, which includes complete loss of water views to the east, complete loss of Headland views to the southeast and extensive loss of views to Curl Curl Beach at the northeast, we assess the extent of the impact to be severe.

4. **Step Four – Assessment of the reasonableness of the proposal that is causing the impact.** *“A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable”*

A number of elements of the proposal are non-compliant with Council's Development Control. These non-compliances relate to B3 Side Boundary Envelope, B7 Front setback, D1 Landscaping, D7 Views and D8 Privacy.

Our assessment resulting from the use of the planning principals results in a severe loss of highly valuable and valuable views to the Manly Headland and South Pacific Ocean (respectively). Highly valuable views to Curl Curl Beach are also impacted. We have suggested that the impacts may be reduced by providing a greater street setback to the new dwelling. This will allow views from the elevated verandah and main living space to be maintained. Further, it is requested that the balcony fin wall and privacy screen proposed to the new dwelling's front verandah be removed and that a condition of consent be imposed to prevent the inclusion of any screening (whether permanent or temporary) to ensure the views current afforded are maintained.

Further It is requested that Council provide as a condition of consent that windows within the first floor of the northwest elevation be provided with obscure glazing. This would greatly assist in maintaining privacy.

In light of the above, we request that a meeting be held on-site with the Owners of No. 10, their designer, Council planning staff, the Owners of No. 12 and myself to discuss the matters raised. We would greatly appreciate if you could advise a suitable day and time that this could occur.

Yours faithfully



Rebecca Zerk
Town Planner



Photo 1



Photo 2



Photo 3



Photo 4



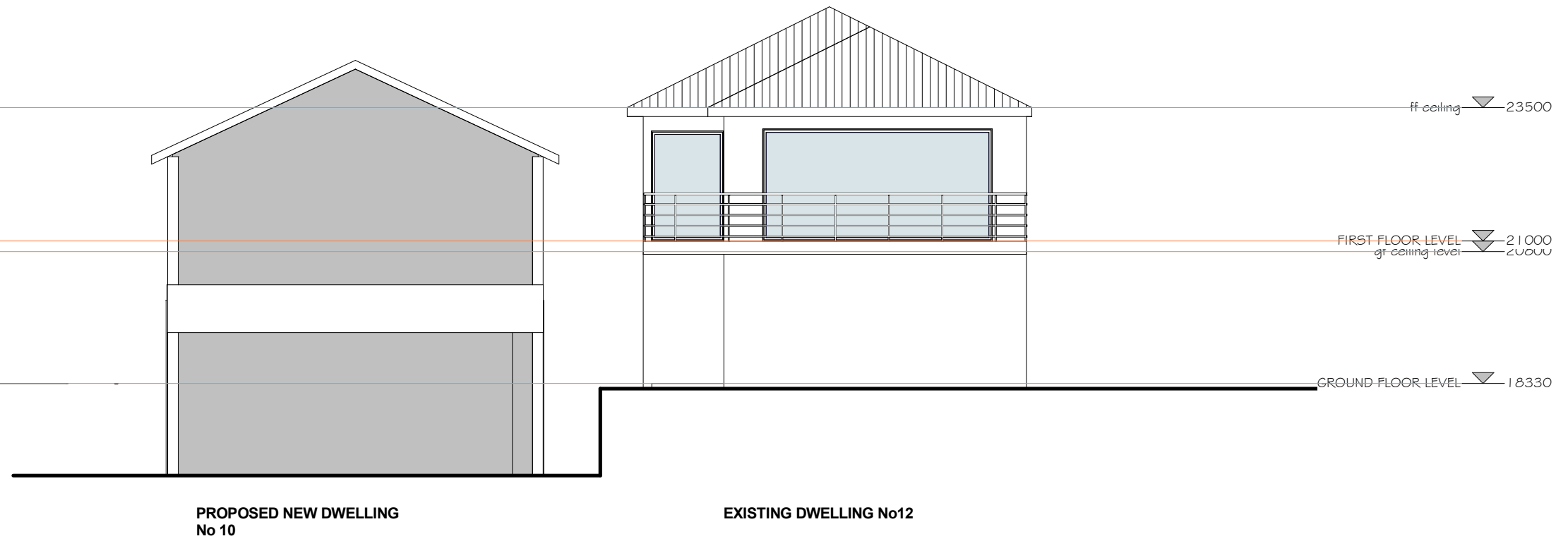
Photo 5



Photo 6

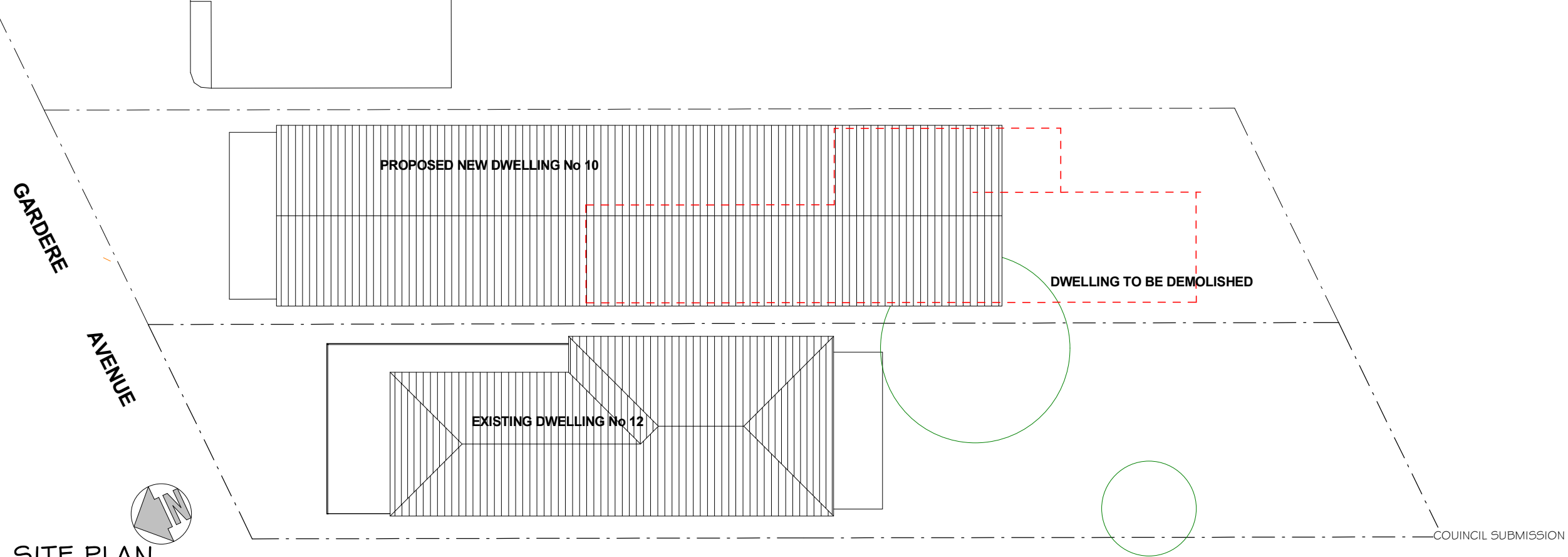


Photo 7



STREET ELEVATION

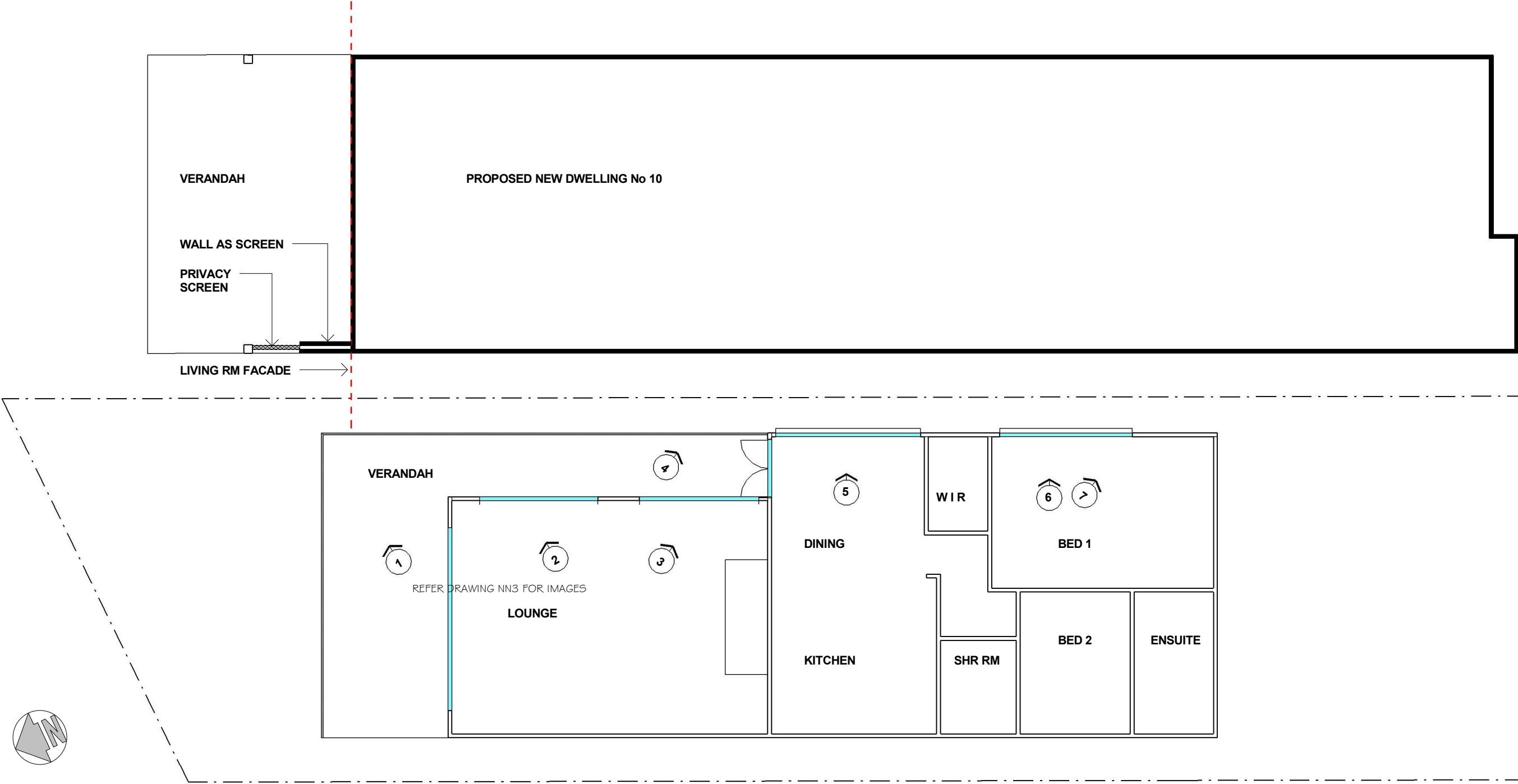
1 : 100



SITE PLAN

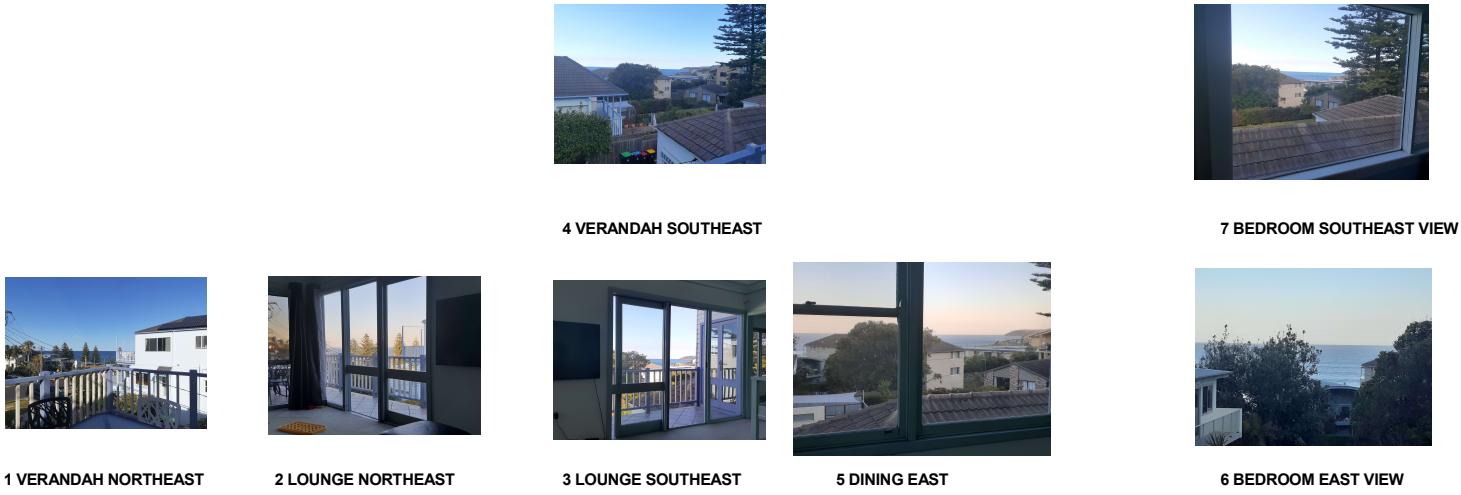
DRAWN BY GRAHAM ZERK 11A/40 BOWMAN STREET RICHMOND 2753 ph 45788844 EMAIL zerk@netspace.net.au

ALL DIMENSIONS INCLUDING LEVELS TO BE VARIFIED ON SITE
DO NOT SCALE OFF DRAWING

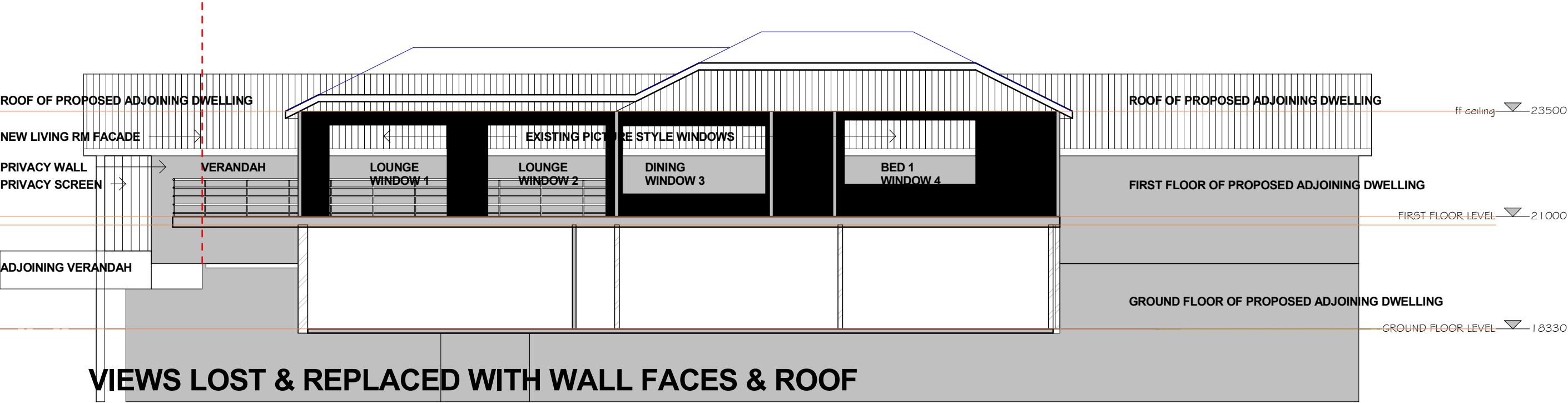


FIRST FLOOR PLAN

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CURRENT VIEWS FROM WITHIN DWELLING & FROM VERANDAH



EAST VIEW FROM WITHIN No 12

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