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**Sent:** 11/03/2020 5:13:31 PM  
**Subject:** Online Submission

11/03/2020

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**RE: DA2020/0103 - 30 Fairlight Street FAIRLIGHT NSW 2094**

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9th March 2020

DA2020/0103 : 30 Fairlight Street

I have reviewed the information relating to the proposed development, and wish to object for a number of reasons:

1) Overall size and bulk of the development.

The plans show that the maximum allowable Floor Space Ratio (FSR) of 0.75 is exceeded by 33%, with a consequent request to allow a variation from the standard. This includes various statements such as:

- a) ...(the proposed development).. "is consistent with the height, bulk and scale of developments in the immediate locality
- b) "The majority of residential flat buildings in the local area are 4 stories and above"
- c) "the height and scale of the proposed development is responsive to context, compatible with that of adjoining development and will not result in unacceptable or jarring residential amenity or streetscape aspects"
- d) ... (the development would be) ... "consistent with the prevailing front set back of neighbouring properties", and
- e) "Most observers would not find the proposed building offensive, jarring or unsympathetic to its context and surroundings"

The photomontage included as part of the submission (pg 11 of the Statement of Environmental Effects) shows that this is not the case. The neighbouring buildings on Fairlight St are generally less than 4 stories, they are on larger sites, they are less bulky than the proposal, they have mature landscaping and generally, are less imposing than the new development would be .

In particular, the neighbouring development at 26-28 Fairlight, is 3 stories, is on a substantially larger plot, well set back from the road, has mature landscaping, and has each successive storey well set back from the one lower. This gives an overall impression of spaciousness, with the building and the block appearing to be in a reasonable proportion, both in relation to the size of the plot and also the shape/ height of the building.

The neighbour on the other side (#32) is a single storey residence with mature gardens.

The 4 storey development at 24 Fairlight Street is also on a much larger block and has predominant setbacks to its west boundary of about 6m and to its east boundary of 15m. It should be noted that, unlike the proposed development, these setbacks comply with the SEPP65 Apartment Design Guide 2015.

By contrast, the proposed development takes up most of the groundspace of the block and is essentially a high rectangular block, with only a very slightly smaller top storey. While there are statements about the setback, the fact that the garages/ entrance lobby storey start right at the street line, with no setback, means that the building ends up looming over the footpath on Fairlight St, unlike all of the other buildings on the street

There is currently a gradual sloping line of roof height, from 28 Fairlight up to the block on the corner of Fairlight and Woods, consistent with the slope of the street. The photomontage clearly shows that this would be disrupted by the new development . Any new development should maintain this line, to ensure that the development fits in with its context and surroundings.

Overall, the proposal is simply too big for this single, narrow residential site.

## 2) Rock Excavation

The Geotechnical report makes clear that significant rock excavation will be required, up to 6.6m in some areas. This will generate vibrations, which it notes could cause damage to the neighbouring properties. This requires various mitigating actions (as yet unplanned and therefore uncoded) in order to reduce this risk.

The reports notes that this involves an Unacceptable level of Inherent Risk relating to landslip . It then makes various recommendations which would, if implemented effectively, reduce the risk to Acceptable levels.

As a neighbour, I am concerned that this relies on the various controls being put in place and these operating as planned. If any of these controls fail, or cheaper solutions utilised, then our neighbouring properties could be damaged by the considerable rock excavation.

I ask that Council asks for further details of these controls and considers how it can ensure that they could be carried out effectively before giving any kind of approval to this element of the design.

## 3) Tree Removal.

The proposal requires the removal of 33 trees, with 5 to be retained. New landscaping is proposed, but by and large, these are smaller, will take time to mature, and in some cases, are limited to what can grow in planter boxes.

This is a considerable change to the nature and aesthetics of the site. Many of us enjoy the natural and healthy views of greenery, the sound-reducing qualities of the trees as well as the haven they provide for many native birds.

In its place, an over developed and excessively bulky high rectangular block is proposed.

I note the requirement 3.3.1 of the Manly Development Control Plan 2013 that developments should "protect and enhance the urban forest of the Northern Beaches", "protect and enhance

the scenic value and character that trees and/or bushland vegetation provide" and "to retain and augment important landscape features and vegetation remnant populations of native flora and fauna".

I do not believe that this proposal meets these requirements.

#### 4) View Sharing

The ultimate impacts on views cannot easily be determined from the plans and a photomontage. A number of the reports comment on the potential for views to be impacted, but note that they have not had access to the various neighbouring properties to assess the impact, and instead have relied on real estate sites and their photos.

The proposal suggests that a "tenacity" assessment should be carried out, with views assessed from photomontages of the development. Other suggestions have been that height poles/ templates be put up to assess the impact on view sharing.

I would ask that , before the development can be considered, a comprehensive view sharing assessment is completed , including an actual consideration of the views from homes nearby along with the erection of template poles so that the true height and bulk of the building can be appreciated.

#### 5) Car Parking

The proposal allows for 10 car spaces, which it acknowledges is less than the absolute minimum (11).

However, I believe that the nature of these apartments should be considered - they are designed to be well in excess of the minimum size requirements, enjoying priceless views of Sydney Harbour, and can be expected to sell to affluent homeowners. It can reasonably be assumed that many of these will be 2-car households, and therefore, will result in an increase in on-street parking.

Does this fit in with the Council's parking plans for the Tower Hill area?

#### 6) Proposed plans for 32, Fairlight Street.

The proposal also includes indicative plans for the neighbouring property (32 Fairlight St), despite saying that its offer to the owner has been rejected.

The comments appear to be making the argument that the proposed development at 30 Fairlight would not impede any future development plans at 32 , and (helpfully?) shows how 7 units could be fitted onto that site. These units, however, are of the minimum size requirement of 75m<sup>2</sup> , as opposed to its own plans for more substantial units of 113sqm to 161sqm.

This argument to me seems spurious.

In any case, any proposed development for 32 Fairlight Street would need to go through its own DA process. This proposal should not be taken as giving any kind of implicit approval for any development at 32 Fairlight.

#### 7) Annexure C of Statement of Environmental Effects

This gives a preliminary assessment of the proposal against relevant local and state planning controls, dated May 2017, and would appear to have been used for pre\_DA meetings with the Council.

While I haven't reviewed this in detail. I note a number of areas where comments here are at odds with the current plans - eg it quotes FSR of 1.13 (50% over the minimum); 14 car parking spaces . I conclude from these differences that this preliminary assessment relates to an earlier set of plans. As a result, this Annexure should not form part of this proposal.

I trust that this letter clearly explains why I object to this proposal. Please feel free to contact me if you need any clarification on any of this.

Regards,

Eilis Hurley