

## Memo

Department

**To:** Development Determination Panel -12 August 2020

**Cc:**

**From:** Alex Keller – Principal Planner

**Date:** 12 August 2020

**Subject:** No.70 Lauderdale Avenue Manly - Development Application  
No.DA2020/0092 - Demolition of existing structures, construction  
of two (2)semi-detached dwellings and Torrens title subdivision of  
one lot into two.  
Submission to Panel – Fogarty – No.20 Rosedale Avenue

**Record Number:** 2020/

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### **Background**

A submission was received from the adjacent notified landowner (Fogarty) at No.20 Rosedale Avenue in relation to recommended conditions of consent for DA2020/0092. The submission related to 2 separate matters below.

### **Consideration**

#### **1. Landscape Planting Intrusion on Views**

This submission issue is seeking that landscape planting at the front of the site is reduced to 3m in order to minimise view intrusion that may occur from planting up to 6m high as provided in conditions 2(ii) and 2(iii). This issue has been addressed to the same effect in association with the consideration made to the late submission received from No.72 Lauderdale Avenue (Montgomery). Discussion on site on 12/8/2020 advised that this issue was already under consideration specify planting being 3m or lower due to the submission received from No.72 Lauderdale Ave.

#### **2. Building Height Intrusion Views**

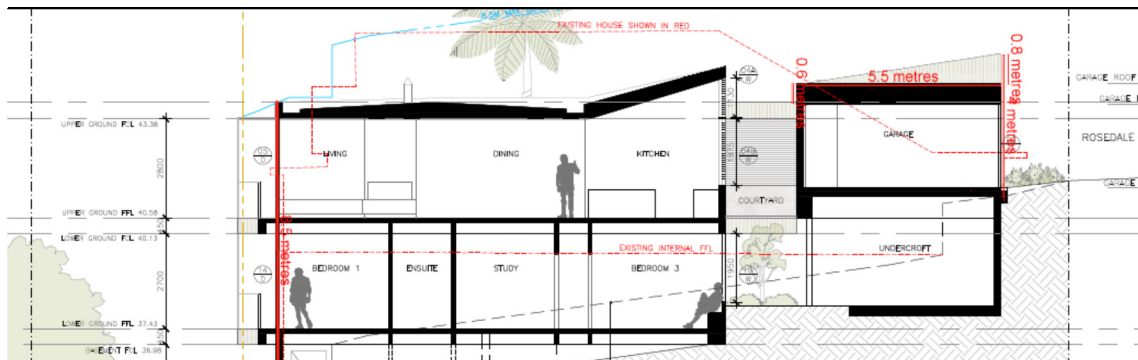
This submission issue is seeking the proposal will remove the direct existing partial shoreline element that is visible in the vicinity of .North Harbour sailing club and parts of the water interface along Wellings Reserve. The submission seeks that the design could retain more of this element by a complaint wall height and lowering of the building (including removal of parapet elements).

Additional view photos are included as an attachment to this Memo

The submission issue contends that the height of the upper floor for the proposal could be lowered or made compliant with the wall height control would allow the shoreline to be visible from a standing position from the front balcony / sunroom of No.20 Rosedale Avenue.

The cross section below (Reference drawing No.DA11) shows that the upper level is 2.8m and a 0.4m parapet creates a height of, or near RL43.79 at the southern edge of the building. This is regarded as the 'control point' of the view impact against the distant shoreline of Wellings Reserve when overlooking the site from dwellings opposite in Rosedale Avenue. It is not considered that the garage or the kitchen skylight apex has an unreasonable view impact due to the length of the proposed building and higher topography between the site and the northern side of Rosedale Avenue.

Diagram 1: Extract drawing No.DA11



### Assessment Conclusion:

The view assessment in the report concludes that the view impact is “minor”. The building does not comply with the side boundary envelope or the wall height control that impact views. The building is 8.5m high and therefore is at the LEP height limit. Variations to the building form controls have been considered on merit. A reduction in the overall height may be achieved by a condition that provides a maximum height of the southern edge of the building and roof above the living area of RL43.25 (a reduction of approximately 0.45m) will marginally improve and retain more of the viewable area of the shoreline from a standing position on the front terrace at No.10 Rosedale Avenue and adjacent residences of No.12 to No.16 Rosedale Avenue. The view loss is considered to remain as “minor”. Retention of more of the view from a sitting position is considered to be unrealistic.

### Recommendation

The panel include the following changes to the recommended conditions:

- Condition 21A be included to read as follows:

#### *“Amendment to Approved Plans*

*The following amendment is to be made to the approved plans:*

*The maximum height of the building along the southern parapet edge and roof area for the living rooms and adjacent terraces of proposed dwelling 70A and 70B is to be reduced to RL43.25 in order to improve view impacts from dwellings overlooking the site in Rosedale Avenue.*

*Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.*

*Reason: View sharing."*

A handwritten signature in cursive script that reads "A. Keller".

Alex Keller

**Principal Planner**

## Attachment



**View from standing position front sun room / sitting room.**

**(Note the Kitchen is at the rear of the house for No10 Rosedale).**





**Direct view southwards (site is diagonally to the left)**



**Direct view toward site – Standing position.**





**Close up (photo zoom) of point of interest of Welling reserve shoreline and water interface.**





**Alternate iconic view toward Sydney Heads**



**view to south east along Rosedale Avenue.**





**View from front balcony area across the site.**





**Alternate view directly southwards to opposite side of the street (toward No.72 Lauderdale Avenue)**



**View directly across from front bedroom of No.10 Rosedale Ave . Note deck / terrace at front above carport.**



**View from internal area Living room at front of No.10 Rosedale Ave.**





**View direct across site from terrace level (above garages) directly opposite the site. No 12 – 14 Rosedale.**