

Doyle Consulting Group

Planning and Development Services

ABN: 55278784425

Lance@doyleconsulting.com.au

Mob 0414747395

Attention: Daniel Milliken

Re: Development Application for Construction of New Dwelling (DA 2019/0804)

Property address: No. 30 Beauty Drive Whale Beach

Dear Mr Daniel Milliken,

I am writing to you on behalf of the owner of Number 28 Beauty Drive, Mr Trevor Russell in response to the notification of the above Development Application for I have been engaged by Mr Russell to examine the proposal and make representations on behalf of the Russell family in regard to matters identified during the notification purposes for the above Development Application.

The proposal is an improvement over the earlier DA submitted for construction upon the subject site however there still remains several issues of concern as follows-

Landscaping

it is assumed that the applicant seeks to provide rooftop gardens on the proposal to compensate for the proposed landscaping being less than the controls expressed within the Pittwater 21 Development Control Plan. I would suggest that Council not give this rooftop landscaping any determining weight as this landscaping, if it can be termed such, will have a material impact upon the views across the subject site and should be deleted. This

Construction Management Plan

Should Council be minded to consider granting consent to the proposal as submitted, it is critical that Council request the applicant to provide a comprehensive construction management plan, particularly addressing parking and traffic movements during construction, as this site is at the termination of a narrow road and due to the extent of excavation, demolition and construction is likely to result in a

significant impact upon traffic and safety in the locality. We ask that this be submitted for Councils' consideration and approval and not be left to the hands of the private certifier to ensure that the proposal as submitted is able to accord with Councils' expectations of a construction of this type in a locality that is significantly constrained.

Dilapidation Report

In terms of the construction itself, we note that significant excavation is to occur on the subject site and request that a condition of consent be imposed requiring that the applicant carry out a dilapidation report on my clients' property prior to the commencement of any works on the subject site and a further report be carried out at the conclusion of all works on the subject site.

This dilapidation report is to be carried out by a party mutually agreed to by my client and we also request that a condition be placed on Councils' consent requiring that all works identified in the second dilapidation report (which we request to be carried out prior to the occupation of the subject site) be completed prior to the issue of the final Occupation Certificate for No.30 Beauty Drive.

View Loss

As advised under an earlier submission to the previous DA, the issue of view loss and the preservation of any remaining views is paramount in my clients concerns over the proposal and as such I provide the following comments.

The current view available from my clients deck and study area is from this deck area across to the Pittwater waterway primarily Stokes Point and Careel Bay. The proposal, if constructed, will result in the loss of the majority of this view and this view is currently illustrated in the photograph on the following page.



VIEW TO PITTWATER ACROSS SUBJECT SITE FROM DECK OF 28 BEAUTY DRIVE

These views are clearly acknowledged in the SEE and the development application plans and photomontage, and as such this recognition should be given more weight in the preparation of the proposal and as this weight has not been given we provide the following-

The author of the SEE has provided an assessment of the proposal within the Statement of Environmental Effects under the provisions of the *Tenacity* judgement however I note that the photomontage provided is inaccurate in that it does not include the provision of the proposed rooftop garden to the nearest roof and also does not reflect the potential view loss from landscaping towards the Beauty Drive frontage of the subject site as indicated in the landscape plan provided.

As the proponent relies upon the photomontage for the assessment of the proposed view impact, I require the proponent to either provide height poles certified by a registered surveyor or, if no height poles are provided, the montage to be certified in accordance with the Land and Environment Court Directions as follows-

Requirements for photomontages

1. *Any photomontage proposed to be relied on in an expert report or as demonstrating an expert opinion as an accurate depiction of some intended future change to the present physical position concerning an identified location is to be accompanied by:*

Existing Photograph.

- a) *A photograph showing the current, unchanged view of the location depicted in the photomontage from the same viewing point as that of the photomontage (the existing photograph);*
- b) *A copy of the existing photograph with the wire frame lines depicted so as to demonstrate the data from which the photomontage has been constructed. The wire frame overlay represents the existing surveyed elements which correspond with the same elements in the existing photograph; and*
- c) *A 2D plan showing the location of the camera and target point that corresponds to the same location the existing photograph was taken.*

Survey data.

- d) *Confirmation that accurate 2D/3D survey data has been used to prepare the Photomontages. This is to include confirmation that survey data was used:*
 - i. *for depiction of existing buildings or existing elements as shown in the wire frame; and*
 - ii. *to establish an accurate camera location and RL of the camera.*
2. *Any expert statement or other document demonstrating an expert opinion that proposes to rely on a photomontage is to include details of:*
 - a) *The name and qualifications of the surveyor who prepared the survey information from which the underlying data for the wire frame from which the photomontage was derived was obtained; and*
 - b) *The camera type and field of view of the lens used for the purpose of the photograph in (1)(a) from which the photomontage has been derived.*

I therefore request that as the proponent has assessed the view loss potential based on the montage with no planting on the roof that any development consent stipulate that no planting occur to the rooftop areas of the subject site as this has the potential to result in significant view loss and will be difficult if not impossible, for the height of any planting to be controlled and/or monitored.

I also request that there be no landscaping of a height greater than 4 m be provided within the Beauty Drive frontage of the subject site between the proposed dwelling and the street frontage. This is to ensure that the remaining view corridor following

the construction of the proposal will be the sole visual avenue for the residents of 28 Beauty Drive to enjoy the remnant views across to Pittwater.

Please advise of the likely time and date of your visit to my clients property to gain an adequate understanding of the proposal and in this respect we request that Council direct the applicant to provide either a certified photomontage or height poles certified by a registered surveyor to ensure the accuracy of the photomontage to ensure an accurate assessment of the likely impacts is able to be carried out.

Should you require any additional information or wish to discuss this further please contact me.

Thank you for the opportunity to provide this submission to Council.

LANCE DOYLE

TOWN PLANNER

DOYLE CONSULTING GROUP

22nd August 2019