
Sent: 28/04/2023 12:56:37 PM
Subject: DA2023/0299 - 29, 31, 35 Reddall Street, Manly (Our Ref:23-046)
Attachments: Attachment 1.pdf; Submission Final.pdf;

Hello Jordan,

Please see attached submission with regards to DA2023/0299 - 29, 31, 35 Reddall Street, Manly.

Kindly acknowledge receipt of the same.

Regards

Bob

Bob Chambers | Director



9211 4099 |
Level 2, 55 Mountain Street, BROADWAY NSW 2007
PO Box 438, BROADWAY NSW 2007
bbcplanners.com.au
bob.chambers@bbcplanners.com.au

Attachment 1: Detailed description of the proposal as provided in the Applicant's Statement of Environmental Effects

29 Reddall Street (Lot 1) – Site area = 468.5m²

Basement

- *Two car garage and turning area*
- *Plant room*
- *Pool equipment room*
- *Electrical and comms room*
- *Water tank storage and plant room*
- *Internal stair and lift access*
- *External stair access*

Ground

- *Entrance foyer*
- *Laundry*
- *Three bedrooms, one with an ensuite*
- *Bathroom*
- *Indoor/outdoor dayroom*
- *Internal stair and lift access*
- *Outdoor terrace and cabana*
- *Swimming pool and spa*
- *Landscaping*

First Floor

- *Master bedroom with ensuite and WIR*
- *Open plan kitchen/living/dining area*
- *Butler's pantry*
- *Guest WC*
- *Internal stair and lift access*
- *Northern side balcony*
- *Eastern rear balcony*

31 Reddall Street (Lot 2) – Site area = 468.5m²

Basement

- *Two car garage and turning area, with associated ROW for Lot 1*
- *Plant room*
- *Pool equipment room*
- *Electrical and comms room*
- *Water tank storage and plant room*
- *Internal stair and lift access*
- *External stair access*

Ground

- *Entrance foyer*
- *Laundry*
- *Three bedrooms, one with an ensuite and WIR*
- *Bathroom*
- *Indoor/outdoor dayroom*
- *Internal stair and lift access*

- Outdoor terrace and cabana
- Swimming pool and spa
- Landscaping

First Floor

- Master bedroom with ensuite and WIR
- Open plan kitchen/living/dining area
- Butler's pantry
- Guest WC
- Internal stair and lift access
- Northern side balcony
- Eastern rear balcony

35 Reddall Street (Lot 3) – Site area = 497.2m²

Basement

- Two car garage and turning area, with associated ROW for Lots 1 and 2
- Plant room
- Pool equipment room
- Electrical and comms room
- Water tank storage and plant room
- Internal stair and lift access

Ground

- Entrance foyer
- Laundry
- Three bedrooms, one with an ensuite
- Bathroom
- Indoor/outdoor dayroom
- Internal stair and lift access
- Outdoor terrace
- Swimming pool and spa
- Landscaping

First Floor

- Master bedroom with ensuite and WIR
- Open plan kitchen/living/dining area
- Butler's pantry
- Guest WC
- Study
- Internal stair and lift access
- Northern side balcony
- Eastern side balcony

8 College Street (Lot 4) – Site area = 455.1m²

Basement

- Two car garage and turning area, with associated ROW for Lot 5
- Plant room
- Pool equipment room
- Electrical and comms room
- Water tank storage and plant room
- Internal stair and lift access

Ground

- Entrance foyer
- Laundry
- Three bedrooms, one with an ensuite
- Bathroom
- Indoor/outdoor dayroom
- Internal stair and lift access
- Outdoor terrace
- Swimming pool and spa
- Landscaping

First Floor

- Master bedroom with ensuite and WIR
- Open plan kitchen/living/dining area
- Butler's pantry
- Guest WC
- Internal stair and lift access
- Northern rear balcony
- Eastern side balcony

9 College Street (Lot 5) – Site area = 473.7m² (including access handle)

Basement

- Two car garage with turning area
- Plant room
- Pool equipment room
- Electrical and comms room
- Water tank storage and plant room
- Internal stair and lift access

Ground

- Entrance foyer
- Laundry
- Three bedrooms, one with an ensuite and WIR
- Bathroom
- Indoor/outdoor dayroom
- Internal stair and lift access
- Outdoor terrace
- Swimming pool and spa
- Landscaping

First Floor

- Master bedroom with ensuite and WIR
- Open plan kitchen/living/dining area
- Butler's pantry
- Guest WC
- Internal stair and lift access
- Wrap around balcony on northern and eastern elevations."



28 April 2023

RJC:23-046

The General Manager
Northern Beaches Council
P O Box 82
Manly NSW 1655

Attention: Mr Jordan Davies

email: council@northernbeaches.nsw.gov.au

Dear Jordan,

**Re: Submission in relation to DA2023/0299 (“the DA”);
Demolition works, subdivision of three lots into five and construction of five new
dwelling houses with swimming pools, associated landscaping and parking.
 (“the proposal”);
29, 31, and 35 Reddall Street, Manly (“the development site”).**

We write in relation to the above DA on behalf of Mr Justin Graham (“our client”) and his family. They live at 30 Reddall Street, Manly (“our client’s home”) which is located opposite the development site on the south western side of Reddall Street and which is therefore prone to potential and significant view loss arising from the proposal.

Our client’s home presently has an ocean view from the north east facing ground floor balcony and windows and an ocean view which includes the surf break at Fairy Bower reef from the north east facing first floor balcony and windows. To give you an impression of the first floor view, please see the panorama photo overleaf.

Our client and his family are keen surfers. They enjoy and highly value their view of the surf break, which in the local context can be reasonably considered to be “iconic”. (As a reflection of this significant view, our client’s home was named ‘Bower View’ when it was previously used as a rental property).

Our client has asked us to prepare this submission on his family’s behalf. Additionally, our client is in the process of obtaining a View Impact Assessment from John Aspinall of Urbaine Design Group. It will identify, illustrate and quantify the extent of the view loss and state how the extent of view loss can reasonably be reduced to better promote view sharing. The View Impact Assessment will be provided to Council under separate cover early next week.

As described in the Applicant’s SEE, the proposal is as follows: -

“The development application proposes demolition of the existing site structures, the Torrens Title subdivision of three lots into five lots and the construction of five new dwellings with swimming pools.”

A more detailed description of the proposal is provided in **Attachment 1**.



We make the following submission on behalf of our client and his family.

1. The Applicant’s “Assessment of View Sharing” is based on photography from 2019

Care needs to be exercised by Council in its consideration of the “Assessment of View Sharing” which has been submitted in support of the DA as the photographs it includes are all dated 9 August 2019. (We understand they were taken to inform a prior DA). The photographs from our client’s home, therefore would not have been informed by the concerns of our client and his family about the significance, to them, of the view of the surf break, hence the photo used for the “existing” view and the “modelled” view from their first floor balcony, which is included in the “Assessment of View Sharing”, is taken from a position in which the view of the surf break is partially obscured by existing vegetation (see Survey View Point 9). You can compare it with the photo above.

2. The Applicant’s “Assessment of View Sharing” appears not to reflect the actual proposed height of the dwelling on 29 Reddall Street

Drawing DA04 in the set of the architect’s DA plans is the “Roof/ Site Plan” on which are identified the three (3) existing dwellings and the five (5) proposed dwellings. Reference to the proposed new dwelling at 29 Reddall Street (which is the dwelling in our client’s direct view line of the surf break at Fairy Bower reef has solar panels on its roof with a height of RL29.07mAHD. Reference to Section AA on Drawing DA08 shows

the 8.5m height limit line running along the line of solar panels. The “Assessment of View Sharing”, in contrast, contains a ‘View Point 9: View with 3D Model’ which shows 29 Reddall Street as having a maximum ridge height of RL28.89mAHD, some 0.81m lower than the top height shown on the DA plans.

This needs to be checked by the Applicant and a revised view assessment prepared.

3. The proposal is non-compliant with the 8.5m height limit

Reference to Drawing CD06 shows that, by the architect’s calculation, the northern corner of the roof of the proposed new dwelling on 29 Reddall Street is “below the 8.5m height limit by 5mm”. However, reference to Drawing DA04 and Survey Plan Sheet 2 shows an existing ground level of around RL20.61mAHD inbetween the two existing dwellings on 29 and 31 Reddall Street, close to where the roof of the new dwelling is shown with a top height of RL29.7mAHD. This gives a maximum height of 9.09m.

Additionally, taking the same reference point as the architect, the existing ground level (adjacent to the point where the architect says the proposed height is 5mm less than the 8.5m height limit) is RL19.43mAHD. The north eastern corner of the roof of the new dwelling is at RL28.24mAHD. Therefore, the height at this point is 8.81m.

In the case of the new dwelling on 29 Reddall Street the proposal is therefore non-compliant with the 8.5m height limit.

4. The proposal cannot be approved as it is non-compliant with the 8.5m height limit and no Clause 4.6 variation has been submitted in support of the proposal

The DA cannot be approved in its present form. Council should request the Applicant to check the maximum height at all points, review and amend the height plane diagrams, and submit a Clause 4.6 variation request which should be made available for review.

Notwithstanding all of the above, the preferred position would be for the Applicant to significantly reduce the height of the proposed dwelling at 29 Reddall Street in order to better promote view sharing and better protect our client’s existing view. Subject to the proposal otherwise being compliant with the 8.5m height limit this would avoid the necessity for a Clause 4.6 variation request.

5. The proposal is inconsistent with the objectives of the height controls in Manly LEP 2013

The objectives in Clause 4.3 of Manly LEP 2013 include: -

“(c) to minimise disruption to the following: -

(i) view from nearby residential development to public spaces (including the harbour and foreshores)”

In the case of the proposal, it does not “minimise disruption” to the view from our client’s home of the ocean, the surf break at Fairy Bower reef and the foreshore on the Shelly headland all of which can reasonably be considered as ‘public spaces’.

The height of the proposal, and of the proposed new building on 29 Reddall Street in particular, needs to be reduced to “minimise disruption” to the existing view.

6. The proposal is inconsistent with Part 3.4 of Manly DCP

Part 3.4 of Manly DCP relevantly states as follows: -

“3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)

Relevant DCP objectives to be met in relation to these paragraphs include the following:

Objective 1) To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.

Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.

Designing for Amenity

a) Careful design consideration should be given to minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisance (odour, fumes etc.) for neighbouring properties and the development property. This is especially relevant in higher density areas, development adjacent to smaller developments and development types that may potentially impact on neighbour's amenity such as licensed premises.

b) Development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of a development should be considered and assessed from surrounding public and private viewpoints.”

We respectfully submit that the proposal has not sufficiently or carefully considered the impacts on our client's views. The height of the new dwelling on 29 Reddall Street needs to be reduced.

7. The proposal is inconsistent with Part 3.4.3 of Manly DCP

Part 3.4.3 of Manly DCP relevantly states as follows: -

“3.4.3 Maintenance of Views

Relevant DCP objectives to be satisfied in relation to this paragraph include the following:

Objective 1) To provide for view sharing for both existing and proposed development and existing and future Manly residents.

Objective 2) To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to the city, harbour, ocean, bushland, open space and recognised landmarks or buildings from both private property and public places (including roads and footpaths),

Objective 3) To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.

- a) The design of any development, including the footprint and form of the roof is to minimise the loss of views from neighbouring and nearby dwellings and from public spaces.*
- b) Views between and over buildings are to be maximised and exceptions to side boundary setbacks, including zero setback will not be considered if they contribute to loss of primary views from living areas.*
- c) Templates may be required to indicate the height, bulk and positioning of the proposed development and to assist Council in determining that view sharing is maximised and loss of views is minimised. The templates are to remain in place until the application is determined. A registered surveyor will certify the height and positioning of the templates."*

We respectfully submit that the proposal has not sufficiently or carefully considered the above objectives of the associated controls. Views over the new dwelling on 29 Reddall Street from our client's home have not been maximised, the extent of view loss has not been minimised, and the proposal clearly contributes to the loss of our client's primary views. The proposed dwelling on 29 Reddall Street should be reduced in height to better promote the concept of view sharing and to better satisfy the above objectives and controls.

8. Further action

Thank you for the opportunity to make this submission. As noted above, we will provide to you a Visual Impact Assessment prepared for our client by John Aspinall from Urbaine early next week. If you wish to visit our client's home to see the view impact for yourself, our client can be contacted via this office to make the required arrangements.

Yours faithfully
BBC Consulting Planners



Robert Chambers
Director
Email bob.chambers@bbcplanners.com.au