

ANNEXURE A EXISTING VIEW



ANNEXURE B PROPOSED VIEW



Mr T J Abbott
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12 September 2012

Director - Metropolitan & Regional Projects - South
Major Projects Assessment
NSW Dept of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

E-mail: plan_comment@planning.nsw.gov.au

Dear Sir/Madam

NOTIFICATION OF PREFERRED PROJECT REPORT FOR CONCEPT PLAN - ROYAL FAR WEST SCHOOL, 12-22 WENTWORTH STREET, MANLY (MP10 0159)

I refer to my submission dated 26 October 2011 and confirm that I am the owner of Unit 532/25 Wentworth Street.

I note I have read the notification of Preferred Project Report for the Royal Far West School site. Nothing in that report overcomes the applicant's failure to address the requirements for the site as directed by the Director General pursuant to section 75F of the *Environmental Planning & Assessment Act*.

I repeat that the environmental assessment required by the Director General must address, among other things, the following key issues:-

1. height, bulk and scale of the proposed development;
2. impacts of the proposal on solar access, acoustic privacy, visual privacy, view loss and wind impacts on surround development;
3. details of the measures to be implemented to achieve a high level environmental and residential amenity including protection of the amenity area and significant function.

In my previous communications with your office, you represented that the applicants would address the outstanding matters, in particular there would be a view loss report, that apparently has not occurred. Not only has it not occurred, but the only relevant change to the development to address the concerns in particular those that live in the Peninsula Building (in of which, of course, my unit is) is the set back of six metres from the building line in Wentworth Street. I note there is no set back for the building from the South Steyne Building alignment.

I refer you to, in my previous submission, to *Tenacity Consulting Pty Ltd v Warringah Council* [2004] NSW LEC at page 140. I repeat the steps enumerated by Commissioner Roseth.

- "27. *The second step is to consider 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.*
28. *The third step is to assess 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.*
29. *The fourth step is to assess 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."*

I refer you, in particular, to the fourth step. It is noted the Preferred Project Report breaches a number of the Manly Council planning controls. The question has to be asked "*Where an impact on view arises as a result of non-compliance to one or more planning controls then a moderate impact may be considered unreasonable.* With a complying proposal the question should be asked as to "*whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact with the views of the neighbours*".

Setting back further the proposed building from Wentworth Street and South Steyne, would not unduly impact on the project but would largely reduce the view loss problems which impacts on a large number of residents. Further, what a pity the designs are not skilful, the building is ugly, and would be a serious blot on the landscape.

I summarise my objections to the project as follows:-

Height & Width of Buildings

1. As noted on page 20 of the Preferred Project Report, the proposed heights significantly exceeds the council's wide-frame maximum envelope control. The project should not exceed 12 metres along Wentworth Street and South Steyne. The proposed height of 13.8 metres causes additional view loss and visual impact. The proposed height of the RFW Building should be reduced from the proposed height of seven storeys and set back at least ten metres from Wentworth Street and six metres from the Steyne building alignments.

It is noted that the height of both the Peninsula Building (seven storeys, not eight) and the Sebel Building (nine storeys) were projects that we built before the current Manly Council Urban Desired Guidelines were introduced.

Pedestrian Links

2. I'm not sure how it could be said that a six metre set back to the eastern end of Wentworth Street could alleviate congestion for pedestrians around the corner of Wentworth Street and South Steyne, when it is now suggested that that area be utilised for tables and chairs (ie outdoor café style eating). The width of it, of course, is not even conducive to that, a comparison might be had with the Rialto Square where the outdoor courtyard areas would exceed 20 metres (the Preferred Project Report).

Social Impact

3. The Applicant says that a social impact statement was not required by reason of the Director General's requirements to the project. The requirements that I set out above, in my view, would require such a statement to be part of the application.

Traffic

4. As we have already previously stated there is gridlock already in Wentworth Street at peak times, particularly around school pickup and let off times and on weekends when there is more tourist-type activity. It is not feasible to have ingress and egress from Wentworth Street. The Preferred Project Report does not address any of this.

Residential Amenity


4. It is submitted by the developer that the proposed concept plan has been designed in a manner to minimise unreasonable amenity impacts. In fact, in my view, the designed concept plan has been designed to maximise amenity impacts. The large footprint for the project, the commercial activity, the hotel in its size and height, the loss of view combined with traffic congestion, none of which has been properly addressed in either the original plan or reviewed plan.

A lot of the problems with the site could be simply addressed by having adequate setbacks from Wentworth Street and the Steyne. This would prevent most of the severe view loss that will be suffered by occupants of the Peninsula Building which face Wentworth Street and others.

Furthermore, reducing the height and scale of the buildings, including the hotel, addressing the parking problems would also significantly overcome a lot of the problems and particularly those problems that will be undoubtedly be suffered by those living near the project.

In all of the circumstances I ask that you reject the project as proposed.

Yours sincerely


TIMOTHY J ABBOTT

Chris King - Response to Notification of Preferred Project Report for Concept Plan Application - Redevelopment of Royal Far West School Manly (MP10_0159)

From: Elke Sehmer <elke_sehmer@hotmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 9/11/2012 3:31 PM
Subject: Response to Notification of Preferred Project Report for Concept Plan Application - Redevelopment of Royal Far West School Manly (MP10_0159)
CC: David Lennard <david_lennard@hotmail.com>, <chris.king@planning.nsw.gov.au>

Director – Metropolitan & Regional Projects – South

RE: Application MP10_0159 – Redevelopment of Royal Far West (RFW) School, 12-22 Wentworth Street Manly

Dear Sir/Madam,

I refer to the recent Preferred Project Report (PPR) submitted by URBIS on behalf of the RFW and the letter from the NSW Planning & Infrastructure Department dated 30 August 2012 from Mark Schofield. I have several objections outlined below regarding the proposed plan, and plan amendments:

1. Setback from Wentworth Street – the new proposal indicates buildings with a Wentworth Street frontage will be set back 6 metres from the property boundary. The setback will not be replicated however on the South Steyne boundary. Whilst I see this as a starting point, I don't feel that the setback should be limited to Wentworth Street. A setback on the South Steyne frontage would be keeping with the village atmosphere that the Manly community has sought to promote. We cannot rectify planning mistakes from the past so citing existing building heights as a justification for the height or design principles governing a new development should be considered as a guideline only. Each application needs to be assessed on its own merit with thought being given to local government guidelines, community needs, building aesthetics, and infrastructure impacts. I don't feel that adequate consideration has been given to these factors in the case of this development. Furthermore, the setback on Wentworth Street seems token attempt by the developers to concede to some community demands without actually doing a great deal. This is particularly relevant given the impact the development will have on property sale prices and rental returns for neighbouring apartments during building and post building phases.

A far better approach would be to maintain *as a minimum* a 6 metre development perimeter

set back on *all* street frontages with a staggered building height design in place from level 2.

2. Parking – a minimum of 100 spaces accessible by the public needs to be built into the plan. At the moment it appears that additional parking is being considered but this is not a mandatory requirement. RFW have been promoting the development as a means of bringing business into the area. It would be ludicrous to contemplate such a development of the scale being looked at here without factoring in additional parking into the building design. I cannot see that parking has been adequately addressed by the amendment to the plan or the original plan submission.
3. Traffic –the development will add to the congestion and delays motorists and residents experience in Wentworth street and significantly reduce the amount of parking available to the Isthmus parking precinct members. This is especially relevant during peak weekday and weekend periods given the development includes a hotel and residential component.

This development is being promoted as a means of supporting and sustaining RFW activities so they can continue their work now and in the future. In the correspondence I have reviewed, there doesn't appear to be a minimum RFW tenure guarantee that ensures the usage for which the development is presumably being created, i.e. as an ongoing education/medical and residential facility for children, will continue indefinitely once the development obtains approval to proceed. As a resident my concern is that once built, residents will be left with another high rise development that contributes nothing back to the community it is housed in, nor to the children it was designed to support. I also feel RFW board members should be required to disclose any financial interests or benefits they may gain personally or through related corporate entities as a result of the development. Only then will we have a clear understanding of the dynamics involved and be privy to all the associated facts governing this development that enable us to make an informed decision.

I trust that you will consider my comments and objections to this proposal and look forward to your response in the near future.

Regards

Elke Sehmer
304, 25 South Steyne
Manly NSW 2095.

virginia.macleod@gmail.com

The Director General
NSW Department of Planning and Infrastructure
23 Bridge Street Sydney 2000

10 September 2012

Dear Sir,

I write concerning the submission on

Royal Far West facilities development Wentworth Street & South Styene MANLY: MP10 0159

I see no difference in the proposed modifications to these plans and the floor space has been increased. The only concession is a small increase in set back along Wentworth Street. None of the important problems with this development concept have been addressed so I will reiterate what I said in my earlier letter.

This land is zoned as Special Purposes for community use, and has been used since 1938 to operate the Royal Far West children's scheme providing medical and educational support to children from country NSW. It has been further supported by the Manly community.

The Manly community through its elected council has sought to create a sympathetic urban/seaside environment, with ample walkways, views and open space. The necessity for increased urban density means more people will be living in Manly and open community space should be increased rather than diminished.

The proposed 164 room hotel with 32 residential units development is excessive in height and volume presenting as a series of unrelieved blocks. It exceeds Manly Council guidelines by about 30%. It will overshadow the local school, and the surrounding streets. It offers nothing to the community, only a hotel – Manly has plenty already. Formerly some affordable housing was included, and senior citizen accommodation (though the inhabitants were evicted after a few years and the facilities reverted to the RFW.)

Manly Village Public School playground is very cramped and it seems that some sharing of facilities between the RFW school and the adjacent public school could benefit both parties. The proposed playground for the RFW is little more than a shaded lightwell.

I urge you to reject this proposal so a more suitable development, mandating some community space, can be negotiated between Manly Council, Department of Planning and the Royal Far West.

Yours sincerely

Virginia Macleod

Royal Far West Proposal - Submission

We oppose the proposed development of the Royal Far West for the following reasons:

1. **Visual Impact** - the *Visual Impact* within the Manly Village Public School (MVPS) school grounds would be *HIGH* (using the rating scale in the proposal). The proposed 8 storey administration building would run along the boundary behind the MVPS library. Such an imposing building would totally overwhelm the school and playground. There would also of course be privacy issues where the upper storey windows allow views into the playground.
2. **Department of Education Land** - within the proposed development are 3 tracts of Department of Education land. How has this land become part of the development? The roll of MVPS has increased from 250 to over 600 in the past 10 years. With the school bound to take pupils living within the catchment area the space to student ratio will get progressively less as the school roll continues to increase. Before the new BER hall was built the playground area was small. Now with the hall built it is even smaller. Logically if RFW has no use for the Department of Education land as a school, it should be made available to MVPS and/or could be shared with the RFW.
3. **Lack of Community Consultation** - the *Stakeholder Consultation Report* specifies that consultation must be undertaken in accordance with the *DoP Guidelines for Major Project Community Consultation 2007*. This document actually specifies P&Cs. Apparently 6 community consultations to discuss the proposed development have been held. MVPS P&C was not invited to any. Our school shares a boundary with RFW so for us to be left out of the consultation process is clearly a contravention of the DoP Guidelines. How could we have been overlooked when we are clearly the most affected by the development?
4. **Increase in Traffic** - the proposed new buildings (164 room hotel, administration block, retail outlets and apartments) would mean an increase in traffic entering or leaving RFW. Many of the MVPS children walk or ride bikes to school. This increase in traffic would add to the hazards for the children going to and leaving the school grounds.
5. **Impact on MVPS Physical Education** - because MVPS has such a small playground, it takes advantage of what the surrounding areas have to offer. MVPS children frequently go to the ocean beach or run/walk around the block as part of PE. Sadly these activities would have to be curtailed with this development which includes shops, apartments and a hotel.
6. **Vehicular Access** - the "primary vehicular access point" for the proposed development lines up with the entry/exit of the Council carpark. As any local would affirm, it takes courtesy and patience when exiting the carpark; adding another entry/exit directly opposite would exacerbate an already chaotic situation. Most of the cars exiting RFW would be visitors to Manly and would be unlikely to follow the courtesy rules that the locals observe.
7. **How long will it take?** - realistically a development of this magnitude and scale will take many years. There will be huge noise concerns for teachers and children. There will be heavy machinery entering and exiting the building site; a hazard for children going to or leaving school. Possibly the buildings slated for demolition will contain asbestos.
8. **Another Licensed Premise** - we are concerned that the 5 star hotel will have a public bar associated with it. Manly has enough problems with the current licensed premises. For one to be so close to a school is of major concern to us. Is it even legal to have one so close to a school?

Submitted by: Manly Village Public School P&C

As volunteers for the Royal Far West School in Manly we are very concerned that the country children that the centre was set up to serve will be very much the losers if the current development proposal for the site is approved.

Our key concerns are:

- the exploitation of the prime eastern section of the site for commercial gain rather than provide a sunny, beachside playground area for the children;
- the sheer bulk and size of the development;
- the incompatibility of a hotel use adjoining a children's medical facility; and
- traffic and parking issues including the location of the main access point directly opposite the Coles Car Park entrance in Wentworth St

We do not dispute that the facilities need to be upgraded but please do it with the children's needs, as the number one priority.

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Rona Smith	5/30 Ashburner St Manly	Rona Smith
Tom Moore	7 Cliff St. Manly	Tom Moore
Jennifer Mulvaney	18/2 Pearson St East Balmain	Jennifer Mulvaney
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