

Attached is a PDF copy of our objections, and photographic views from our home superimposed with diagrams of the proposed Boat Harbour precinct.

Kind Regards,  
[REDACTED]

BEFORE  
Approved Concept Plan 2011





AFTER  
Proposed Modified Concept Plan 2017





AFTER  
Proposed Modified Concept Plan 2017



Following their analysis of public and private views, RLA concluded that:

- The differences between the Modification and the Concept Approval will primarily be evident in the mid-slope locations in the visual catchment to the west of the site, or distant views from the coast of Bass Point;
- The proposed increased height will not create significant changes to the composition of views, relative to the Concept Approval built form.
- There would be a minor quantitative increase in view loss of the ocean in parts of the views looking east or north-east across the site from existing residential areas that are sufficiently elevated to have views over the site. However, the overall composition of the Concept Approval and Modification views are qualitatively similar.
- The increased height of the hotel, in its amended location further north, does not cause a significant increase in view blocking compared to the Concept Approval and the re-orientation of the envelope causes a decrease in horizontal bulk visible from the residences assessed;
- The increased height in some built forms will add a minor amount of additional height to some forms within the subject site, in particular in the commercial precinct. The additional height leads to less visibility of roof surfaces from some elevated viewing places, but no significant increase in view loss;
- The application of the planning principle in Tenacity to the three private residential views determined that the differences between the views of the Concept Approval envelopes and the conceptual Modification envelopes are minor and not significant.

In summary, it is RLA's expert opinion that when considering the Concept Approval and the Modification, the overall views achieved are qualitatively similar; and the proposed envelopes in the Modification appear compatible and consistent with the intended future character for the site established by the Concept Approval.

26 Mystics Drive  
Shell Cove, NSW 2529  
26.03.2018

Dear Sir

## **NOTIFICATION OF RESPONSE TO SUBMISSIONS**

### **Shell Cove Boat Harbour**

Application No: MP 07-0027 MOD 1, Boolwaroo Parade, Shell Cove

Here are our objections to the proposed modification of Application 07-0027 Boolwaroo Parade Shell Cove, following notification of response to submissions:

#### **RELOCATION AND INCREASED BUILDING HEIGHTS**

##### **1. HOTEL**

We object to the proposed relocation and increase in height of the modified Hotel, (from 8 to 11 storeys). In the Approved Concept Plan 2011 the proposed Hotel blocked our view of the ocean and horizon off to east north east side of our property. However, in the Proposed Modified Concept Plan 2017 the Hotel has been moved to a more significant position immediately in front of our home, completely blocking the view of 2 of the 13 tall Norfolk Island Pines, sections of the Pacific Ocean between Shellharbour and Big Island, (off Port Kembla), as well as Big Island itself. This new location of the Hotel will have a major impact on the northerly views directly in front of our home from our first floor balcony. One of the major reasons we purchased our property was because of the ocean views to the north. The proposed modified Hotel will be a significant 'Eyesore' immediately in front of our home, and will greatly reduce the value of our property. (See attached photos).

##### **2. APARTMENTS AND RESIDENTIAL BUILDINGS**

We object to the proposed increase in height of the Apartment and Residential Buildings, (up to 6 storeys). Residential apartments and homes in the Marina Precinct are currently approved for heights of between 2 and 4 storeys. At these heights, there was no negative visual impacts on our views from our home. The modified increases in heights of 4 to 6 storeys will have an extreme negative impact on our view to the north, blocking out sections of Shellharbour Village, the lower half of 4 large Norfolk Island Pines, the ocean water between Warilla and Red Point, as well as the golden sands of Windang/Perkins Beach, (in the Port Kembla area). The proposed increase in height of the Apartments and Residential Buildings will block and destroy picturesque ocean and beach views currently seen from our front balcony, as well as greatly reduce the value of our property. (See attached photos).

#### **REVIEW OF RLA'S CONCLUSIONS, following their analysis of public and private views**

1. 'The differences between the Modification and the Concept Approval will primarily be evident in the mid-slope locations in the visual catchment to the west of the site, or distant views from the coast of Bass Point'.

The RLA report completely ignores the significance of the visual catchment to the south of the site. Our property is almost immediately to the south of the site, and the visual impact of the development greatly affects a number of properties in Mystics Drive, Makaha Way and Shallows Drive, Shell Cove. This should be addressed again by RLA.

2. 'The proposed increased height will not create significant changes to the composition of views, relative to the Concept Approval built form'.  
The increase in height, particularly for the Apartments and Residential Buildings, does create significant change to the composition of views from our front balcony. Whereas the heights in the Approved Concept Plan had no visual impact on our coastal views, the Proposed Modified Concept Plan cuts out half our view of Shellharbour Village, cuts through the middle of 4 large Norfolk Island Pines and a huge Fig Tree, and completely removes our view of the golden sands of Perkins Beach and the ocean at Port Kembla.
  
3. 'There would be a minor quantitative increase in view loss of the ocean in parts of the views looking east or north-east across the site from existing residential areas that are sufficiently elevated to have views over the site. However, the overall composition of the Concept Approval and Modification are qualitatively similar'.  
There is a significant quantitative increase in view loss from our home, of the ocean in front of Perkins Beach. In fact the full length of the beach sands and the ocean water at Perkins beach will be cut off due to the height increase of the Apartments and Residential Buildings. Also, the overall composition of the Concept Approval and Modification are not qualitatively similar. The visual impact due to the increased height and re-orientation of the Hotel to an E-W alignment will be a major eyesore for residential homes to the south of the Marina site. A number residential homes along Mystics Drive have front balconies facing north, with the proposed new Hotel location immediately in front of them.
  
4. 'The increased height of the hotel, in its amended location further north, does not cause a significant increase in view blocking compared to the Concept Approval and the re-orientation of the envelope causes a decrease in horizontal bulk visible from the residents assessed'.  
The horizontal bulk visible from residences south of the site will increase due to the re-orientation and increased height of the Hotel, as the Hotel will be immediately in front of north facing properties, (it was previously to one side).
  
5. 'The increased height in some built form will add a minor amount of additional height to some forms within the subject site, in particular in the commercial precinct. The additional height leads to less visibility of roof surfaces from some elevated viewing places, but no significant increase in view loss'.  
Any increase in view loss is significant. The Approved Concept Plan already has resulted in increased view loss which we've had to accept. Any further increase in view loss is unacceptable. No doubt in 2 or 3 year's time the developers will submit further amendments with 'no significant increase in view loss'. But each change adds to the previous view loss.
  
6. 'The application of the planning principle in Tenacity to the three private residential views determined that the difference between the views of the Concept Approval envelopes and the conceptual Modification envelopes are minor and not significant'.  
They may be 'minor' to RLA, (who were commissioned by Frasers), but any changes to the height of the Hotel and the Apartments and Residential Buildings are 'significant' to us, due to impact they make on our property and our lives. It is unclear how the application of the planning principle in Tenacity should have any relevance to our situation in Shell Cove.