

Richard Evans  
Unit 4  
25-27 Victoria Parade  
Manly  
NSW 2095.

February 13 2022.

Director – Key Sites Assessments  
Attention: Mr Brendon Roberts – Team Leader  
Department of Planning, Industry and Environment  
Locked Bag 5022,  
PARRAMATTA  
NSW 2124

Online application at; [http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=10672](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10672)

Dear Sir,

REGARDING: MP 10\_0159 MOD 1, ROYAL FAR WEST MANLY CONCEPT PLAN MODIFICATION

#### OBJECTION TO THE PROPOSAL

We write by way of objection to the ‘Response to Submissions’ dated December 2021 to the approved Part 3a development proposal for the Royal Far West site.

We have no political association with Royal Far West (RFW) and have made no reportable political donations.

Although some improvements have been made to the application, there remains privacy, noise and overshadowing concerns for the revised proposal.

The reasons for our objection are detailed below.

##### 1 Building C setbacks

- The increase boundary setback (western boundary adjacent Block C) although much improved (from 1.6m to 3.7m) is well short of the 4.6m approved Part 3a setback. This impacts shadowing and amenity to all the homes of Block no 25 and is **still 0.9m short of the Part 3a** approved development.
- The scheme remains **short of compliance with the Apartment Design Guide (ADG)** requirements (as required under the Part 3a conditions of approval). The justification in Planners report at P34 that the developer is “unable to achieve the required setback” is **not a valid argument** as there is ample site with which to develop a compliant scheme. The objectives of the ADG have not been satisfied nor are they close to “deemed to comply” as **they result in significant additional overshadowing**. Note that no drawings are submitted to indicate what a ‘complying ADG’ scheme would look like for comparison! **What is the justification for “deemed to comply?”**
- How can this issue be assessed accurately, without a drawn comparison to ADG?

##### 2 Height of Building C

- Far from improvement, the **overall height has now been generally increased** from the previous submission by 0.35m (RL 32 to 32.35 and the Lift over-run also increased 0.65m from RL35.15 to RL35.8 .
- Additional **plant to the roof will also generate additional height**. This is not identified graphically but simply noted in the report.

- All of these factors further impact shadowing no 25-29. We request that the height be modified to restore sunlight to our property.

3 – Building C privacy from commercial use.

**Building C has been redesigned with windows (previously no windows) to face west** from commercial levels directly to bedrooms of no 29. No details or screening are given

Our serious concerns include but are not limited to:

- How do you intend to manage the **privacy of these owners** (screens, fixed windows, etc)?
- How is the occupancy and appropriate commercial usage of these premises being managed? (**What caveats are being put in place** to ensure: No noise generating uses, excessive hours of operation, Light spill etc)

4 Building B issues .

This has been redesigned with a chamfered southern edge to restore some winter sunlight to our property offering some improvement to the previous proposal.

Note our objections remain:

- The application as a Part 75 W modification, particularly in regard **location of Building B**, (being substantially the same as the Part 3a submission) **has not been adequately addressed** in the Planners ‘Response to submissions’ -see page 27. We believe this remains an issue for the development and the Dept of Planning to consider the **legal requirement for compliance** and appropriate planning pathway.
- Building B casts shadow onto communal land as indicated. (Planners report page 32 of the **Planners report is incorrect** suggesting there is no communal land on Blocks 25—29).

*“In relation to communal open space, we note that No. 31 and No. 29 Victoria Parade currently do not have any communal open space areas with what is referred to within the request for RTS prepared by the Department as “communal open space” on No. 25 - 29 Victoria Parade either common circulation spaces providing ground level access to the ground floor level apartments or north facing private open space associated with the rear apartments as depicted in Figure 5 over page.”*

- There is ‘communal shared open space’ on title as indicated. **Building B cannot overshadow this.**
- **Building B casts shadow** to shared and private open space and living rooms of GF units of both Blocks 25 and 29, **over and above Part 3a approval.**
- A new lift tower has been placed to the west of Building B casting additional shadow. This has not been previously disclosed.

Yours sincerely,

Richard Evans

Owner of unit 4, 25-27 Victoria Parade

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