

15 March 2022

25-29 Victoria Parade
Manly 2095 NSW

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

Dear Sir,

RE; MP 10_0159 MOD 1, ROYAL FAR WEST MANLY CONCEPT PLAN MODIFICATION

It has come to the attention of the Strata Committee for the Owners Corporation of Strata Plan 87727, 25-29 Victoria Parade ('Owners SP 87727') that members of the Owners Corporation have raised concerns with respect to the 'Response to Submissions' dated December 2021 to the approved Part 3a development proposal for the Royal Far West site.

These concerns – described to the Strata Committee and broadly relating to privacy, noise and overshadowing as described to the Strata Committee – include (without limitation) matters summarised in the attachment hereto.

The Strata Committee notes that the project is currently being assessed by the Department.

To the extent that any individuals have communicated or intend to communicate with you directly to express privacy, noise, overshadowing or other concerns with the revised proposal, this communication is not intended to supercede or amend any individual submission or any other actions taken by any individual in relation to the planned modification.

Your express assurance that these concerns will be given due consideration and addressed in full by the applicant would be appreciated.

Yours sincerely,

On behalf of the Strata Committee

Owners Corporation Strata Plan 87727

Attached: Summary of Concerns:

1 Building C setbacks

- The increased 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 Block no 25 and is 0.9m in excess 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.

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 (not identified graphically, but noted in the report).
- All of these factors further impact shadowing no 25-29. The Owners would like the height to be modified to restore sunlight to the property.
- Note to chamfer the western parapet of Building C (as per the western parapet of Building D) would reduce effects.

3 Building C privacy from commercial use.

Building C has been redesigned with windows (previously no windows) to face west from commercial levels directly visible to no 29. More precise details of how privacy will be managed and how the occupancy and appropriate commercial use will be managed are requested.

4 Building B issues .

This has been redesigned with a chamfered southern edge to restore some winter sunlight to SP 87727 but the following objections remain unresolved:

- 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. SP 87727 owners consider this remains an issue for the development and the Dept of Planning must 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 by suggesting there is no communal land on Blocks 25—29).
- There is 'communal shared open space' on title as indicated. Building B will overshadow this.
- Building B casts shadow to shared and private open space and internal 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.