



northern  
beaches  
council

## MEMORANDUM

**DATE:** 24 April 2024

**TO:** Development Determination Panel (DDP)

**FROM:** Michael French, Planner

**SUBJECT:** Item 3.5 - DA2023/0729 - 6 Monash Parade, Dee Why

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The purpose of this memo is to advise the Panel that there have been two (2) late submissions received from the applicant, which seek to address and overcome the recommended reasons for refusal of DA2023/0729. The applicant has submitted a Visual Impact Report and Visual Impact Images that were taken from site visits and obtained via a GIPA request. The items raised within the late correspondence is otherwise addressed within the Assessment Report. Despite this, the following response addresses particular comments made within the late correspondence:

***View Loss – Request that the proposal be approved based upon submitted information, particularly considering the preservation of high-value views***

Comment:

For the reasons discussed within the report, the proposed development is not considered to be representative of a 'skillful' or 'sensitive' design that aligns with the requirement of *Clause D7 Views*, and the planning principle established in *Tenacity v Warringah Council*.

Regarding the Visual Impact Report's assessment of view loss from 8 Monash Parade, the document cites 'Figure 8' and 'Figure 9' of the Assessment Report to depict retained views over the western side boundary. However, it should be recognised that view obstruction from other positions on the rear deck will to a larger extent, obstruct the views of Long Reef Beach, including the land/water interface, as best depicted in 'Figure 7' of the Assessment Report.

The Visual Impact Images and Visual Impact Report present an alternative option for the southern-facing privacy screen along proposed rear balcony—a suggested adjustable louvred style privacy screen rather than a fixed slatted privacy screen. While the option of an alternate privacy screen option is acknowledged, this solution is not deemed adequate enough to overcome and address the underlying issues as outlined in the assessment report.

It is acknowledged that a significant portion of view corridors remain unobstructed, notably towards the north/north-east of various objecting sites, including 9/149 Oaks Avenue, 11/186 Pacific Parade, and 13/186 Pacific Parade. Additionally, it is acknowledged that from 4/186 Pacific Parade, views remain unobstructed towards both the north-east and south-east directions and at 8 Monash Parade, an expansive view to the east is maintained. However, while a significant portion of views remains unaffected, the extent of view loss directly linked to non-compliances, particularly considering the

sensitivity of this application as evidenced by the submissions, necessitates a wholly compliant development. Such a proposal, without setback and envelope non-compliances, would better meet the WDCP objectives, particularly in relation to view loss.

**Conclusion**

There is no change to the recommendation for refusal.

**Recommendation**

No changes required to the recommendation or conditions contained in the assessment report.