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Dear Errin,

Please find **attached** my objection to the proposed Multiple Dwelling development at 42 Wellington Street, Manly (Application No. A007001519), which I have submitted via Development.i.

Could you please confirm receipt of my objection? I also request that my name not be published publicly.

I have copied in:

- Potential delegates for the application, noting the significant public concern already evident in Development.i through submissions lodged prior to the commencement of formal public consultation; and
- the Strategic Planning team currently reviewing the LMR zone provisions for Manly, noting the applicant's reliance on the proposed LMR provisions rather than the *current LMR requirements against which the application must be assessed*. The resulting development outcome is excessively high and out-of-character with the predominant streetscape building heights. This proposal therefore provides a useful case study for the review of the proposed LMR provisions and underscores the need for *sensitive, place-based* planning protections for Manly.

I have **attached** photographs and included them in my objection submission to assist Development Assessment and Strategic Planning officers in understanding the established, predominant and valued low-rise streetscape character of Wellington Street. Contrasting with the incongruous 3 storey building frontage proposed in this application, due to the local topography, building frontages along Wellington Street are **set back and predominantly present as no more than 1 and 1.5 storeys in height, with many rooftops actually sitting below street level**. I reproduce these photos below FYC:

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The key issues raised in my objection include:

1. **Height and streetscape character** – The proposed building is substantially taller than the established Wellington Street streetscape and is detrimental to the character and appearance of the street. The uppermost storey fronting Wellington Street should therefore be removed to better reflect the predominant height and scale of buildings along Wellington Street. Significant planning case law recognises the importance of maintaining streetscape continuity and ensuring new development responds sensitively to the prevailing height and scale of the built form.
2. **Neighbouring amenity impacts** – The building's height, bulk and scale result in unacceptable impacts on neighbouring amenity, including privacy loss, obstruction of bay views, overshadowing and an increased sense of enclosure.
3. **Overdevelopment of the site** – Excessive site coverage, inadequate setbacks and insufficient landscaping combine to create an overbearing and insensitive development outcome.

As a resident of Wellington Street, I respectfully request your careful and rigorous assessment of this application, particularly given the opacity and discrepancies of the plans, renders, and site calculations, and the extent to which the submitted material understates the development's true scale and impacts. I am hopeful that any issues can be addressed during the assessment process, thereby avoiding the time, cost and inconvenience associated with a potential appeal.

Thank you for your consideration of the matters raised in this email and the attached submission.

Best regards,

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Objection to development application at 42 Wellington Street (Application No. A007001519)

Dear Errin Xiaofang Lu,

I *strongly object* to the proposed Multiple Dwelling apartment development at 42 Wellington Street, Manly, which is:

- *excessive in height and street presence, entirely incongruous and out-of-character with the predominant building heights along Wellington Street*
- *detrimental to neighbouring residential amenity through privacy loss, overshadowing, a sense of enclosure, and insensitive obstruction of views; and*
- *overdevelopment of the site, characterised by excessive site coverage, inadequate setbacks and insufficient landscaping.*

As a resident of Wellington Street, I respectfully request that Brisbane City Council (BCC) upholds its planning codes and refuses this application. These issues are covered below.

The proposed apartment building is significantly taller than the predominant and established Wellington Street streetscape

The most significant concern is the height of the proposed development, which is entirely out of character with the established built form along Wellington Street.

Non-compliance with BCC's building height limits for area

The proposal comprises a building of generally **four storeys and 11.5 metres in height (*three storeys where fronting Wellington Street*)**. This exceeds the maximum building height of **two storeys and 9.5 metres** prescribed for the site within the Low-medium density residential (LMR) zone.

Accordingly, the proposal does not comply with the height provisions contained within **AO3, AO4.1 and AO4.2** of the Multiple dwelling code.

Failure to satisfy PO3 and PO4

The proposal also fails to satisfy the relevant performance outcomes.

PO3 requires development to be "*consistent with the intended form and character of the local area including the predominant height of existing or approved buildings in the street*".

Similarly, PO4 requires development to *achieve a building height and scale that:*

- *contributes to a cohesive streetscape and built form character;*
- *aligns with community expectations regarding the number of storeys to be built; and*
- *responds appropriately to street conditions, site topography and slope.*

The **Wellington Street streetscape is characterised by an established and predominantly low-rise built form**. Contrasting with the incongruous 3 storey building frontage proposed in this application, due to the local topography, building frontages along Wellington Street are **set back and predominantly present as *no more than 1 and 1.5 storeys in height, with many rooftops actually sitting below street level.***

As a result, *Wellington Street is experienced as a distinctly low-rise streetscape.*

The proposed apartment building is **three storeys fronting Wellington Street and is of a height that substantially exceeds** both:

- the **two-storey built form anticipated by the LMR zone;** and

- the **prevailing height character of development along Wellington Street.**

It therefore *fails to respond appropriately to the established scale and character of the streetscape and is contrary to **PO3 and PO4.***

Additionally, from a case law perspective, there is significant **planning case law** recognising the importance of maintaining streetscape continuity and ensuring that new development responds sensitively to the prevailing height and scale of the surrounding built form. *The proposed development clearly does not achieve this.*

Photographic evidence of the prevailing streetscape

To assist Council officers in understanding the established and predominant low-rise streetscape character as experienced from Wellington Street, photographs of buildings fronting Wellington Street, including the application site, are provided below:

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*It is acknowledged that 44 Wellington Street reaches approximately 9.5 metres in height. However, this is an isolated outcome that does **not** reflect the predominant streetscape character.*

Importantly, an isolated example of taller development does not establish a planning precedent, nor does it override Council's obligation to assess the application against the relevant code provisions and character outcomes, as established in case law.

In Summary

The proposal exceeds the prescribed **two-storey / 9.5 metre** height limits and is of a height that **fails to reflect and be consistent with the established and predominant built form character of Wellington Street**.

Accordingly, the development should be refused.

Alternatively, substantial redesign, including the **removal of the uppermost storey fronting Wellington Street**, is necessary to reduce the building's unacceptable height and achieve a built form that is more sympathetic to the predominant height of existing buildings along Wellington Street streetscape.

Overbearing built form with unacceptable impacts on neighbouring amenity

Overbearing built form and site coverage, with inadequate setbacks, sense of enclosure and unnecessary obstruction of bay views

The proposal appears to provide inadequate front, and side setbacks, with unnecessary and insensitive runs of built-to-boundary elements. This is compounded by a site coverage of approximately **56.9%**, which **unnecessarily and insensitively exceeds the maximum 45% site coverage** required by **AO8** of the planning scheme (noting the 56.9% figure itself appears understated based on the submitted plans), is inconsistent with the local area, and detracts from adjoining residential amenity (**contrary to PO8**).

The plans also clearly show the imposition on adjoining buildings, including the overbearing impact with 40 Wellington Street as depicted in the [Western Elevation of Plan No. DA300, Revision 4](#).

The combination of the building's excessive height, bulk, site coverage and insufficient setbacks (**contrary AO7.1 and PO7**) results in an **unduly imposing and dominant built form** that **visually overwhelms the site**, creates an avoidable **sense of enclosure** and **obstruction of bay views** for adjoining properties, and is **inconsistent with the height and massing predominant in the streetscape** and local area.

Overshadowing impacts

The **excessive height and bulk of the building will also increase overshadowing** of adjoining properties, reducing access to sunlight and diminishing the amenity of neighbouring private open spaces and habitable areas. These impacts are exacerbated by the building's limited setbacks and expansive footprint, **contrary to AO3 and PO3**.

Privacy impacts

The **scale, proximity and design** of the apartment building to adjoining properties creates **increased and avoidable opportunities for overlooking** into neighbouring dwellings and private open space areas. Alongside inadequate landscaping, which does not provide genuine buffering with neighbours, the building fails to protect the privacy of neighbouring occupiers, **contrary to AO7.1, AO7.2, PO7, AO14.1, PO14, AO17.1 and PO17, AO28.1, AO28.2, and PO28**.

In summary

The proposal represents an **overdevelopment of the site, with its excessive height, bulk, inadequate setbacks and site coverage** resulting in an unduly **overbearing** and dominant built form that creates **unacceptable amenity, privacy, overshadowing, insensitive obstruction of views, and enclosure impacts.**

Insufficient deep planting and inadequate landscaping

While the applicant claims to provide 10.9% deep planting, this figure is **overstated**, with parts of the nominated area compromised by underground services and hardstand elements. Coupled with limited boundary planting, the proposal **fails** to provide meaningful landscaping that is integrated into the design and layout of the site.

This lack of care is compounded by apparent inconsistencies between the landscape plans and rendered images, which depict a substantially more landscaped outcome than what can feasible be delivered considering the development's footprint coverage.

The proposed apartment development is therefore **contrary** to **AO28.1, AO28.2, PO28, AO29.1, AO29.2, and PO29.**

Given the significant planning issues identified above and their impacts on streetscape character and residential amenity, it is important that BCC Planners give this application careful and rigorous consideration. Doing so will help ensure that the intent and requirements of BCC's planning scheme are upheld and that public confidence in the integrity of Council's planning decisions is maintained.

Thank you for your consideration of these matters.

Kind regards,

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