
From: Fenny Louwe
Sent: 11/08/2025 2:43:23 PM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: Submission regarding DA2025/0972
Attachments: Submission DA2025 0972 from Fenny Louwe 11 08 2025.pdf;

Dear Sir/Madam,

Please find attached my Submission regarding DA2025/0972, 48 Upper Clifford Ave, FAIRLIGHT

Please confirm receipt of the Submission document.

Kind regards
Fenny Louwe

*Fenny Louwe
Accountant
Wyse Productions Pty Ltd*



BAS agent
21378009

Fenny Louwe
1 Ashley Parade
Fairlight NSW 2094
(m) [REDACTED]

(e) [REDACTED]

Attn: Development Assessment Team
Northern Beaches Council

11 August 2025

Application No. DA2025/0972
Address: Lot 23 Sec I DP 3212 48 Upper Clifford Avenue FAIRLIGHT

SUBMISSION OF CONCERNS

I, Fenny Louwe, am the owner of 1 Ashley Parade, FAIRLIGHT and together with my husband, Graham Wyse, we occupy the premises. My property is directly adjacent to 48 Upper Clifford Avenue.

Please find outlined below our concerns, I note, these are not listed in any particular order:

(1)

Denuding of backyard. Currently there is a pleasant leavy outlook from our premises to the back yard of 48 Upper Clifford, although some trees and shrubs have very recently been removed. It is proposed that the 14 remaining trees all will be removed. That means no trees or shrubs will remain with the exception of 4 trees which are actually on the land of 50 Upper Clifford. Nine of the trees to be removed are still classified "medium", meaning they still have a moderately important retention value.

The statement of environmental effects mentions the encouragement of appropriate tree planting and maintenance of existing vegetation. It also mentions the preservation of trees to protect and enhance the urban forest of the Northern Beaches. It further notes that a range of plantings are proposed. None of the plans show any proposed planting of trees or shrubs in the back yard area except for a patch of grass/lawn along side the pools.

So going from a pleasant leavy outlook to a bare and sterile outlook is hardly aesthetically pleasing and does not conform at all with what is noted in the "statement of environmental effects", and council guidelines.

(2)

Loss of view. Currently, from our main bedroom, we enjoy a lovely small patch of view to North Harbour when looking through the gap between the side of 46 and the side of 48 Upper Clifford.

The "statement of environmental effects" notes that regarding Maintenance of Views and having inspected the site that the view sharing outcome is achieved. However, considering the box-like and bulky design of the proposed building and its proximity to the boundary and 46 Upper Clifford our view to North Harbour will most definitely be lost all together. This is hardly view sharing, it is total view loss. The "statement of environmental effects" also notes that with the upper-level stepped in from both side boundaries to maintain view corridors down each flank of the development that a view sharing outcome is maintained. This is not the case at all. This supposed upper-level step back from both sides is not evident from any of the plans.

(3)

Loss of city sky line. This is also of grave concern. Currently we enjoy a lovely distant view of the city skyline, including the various suburbs across North Harbour and Sydney Harbour. This is possible due the shape and design of the current property at 48 Upper Clifford. However, again due to the box-like and bulky design of the proposed development we are at great risk of loosing most, if not all of this outlook. Again, this is not view sharing, it is view robbery. We question why it is necessary for the roof line of the proposed development to include what appears to be unnecessary height and sloping and stepping, and at the same time taking away our city sky line view.

(4)

Objection to the pools. I must note that my property looks direct onto and into the garden of 48 Upper Clifford. This includes my office, living area and kitchen and bathroom. My land is well elevated above the land of 48 Upper Clifford, hence we look directly down. The prospect of now looking straight into a couple of pools including a brick privacy wall, and including the noise aspects of such things, has nearly caused me to have a mental breakdown. Why it is necessary to have two pools when we live 5 minutes' walk from Fairlight pool and the harbour, have the beach and a major swimming complex only 5 minutes' drive away is beyond me.

We must further note that considering the way my land borders, our living spaces, and I must note living spaces, not garden, or shed or garages, but living spaces, will only be approximately 5.35 meters from the eastern proposed pool. This to us is totally unacceptable. We practically sit on top of the eastern pool. We look straight onto and into it, which will be ugly, bare and soul destroying.

In addition, we have major concerns about the noise generated by pool filter pumps, pool heaters and of course the automatic pool cleaning devises. These are such loud and mechanical noises and can be continuous. This is absolutely unacceptable as this will be totally interfering with quiet enjoyment to which we should be entitled. Whether it be day or night. Currently we can even hear the pool engine noises from 50 Upper Clifford and that is much farther away and has a massive tree screen next to it. So we can imagine what it would be like having pool engines right next to us. That would be unbearable. We suggest the position and location of the pool pump could be swapped to the position and location of the rain water tank in the service room, considering the position of the pool pump would also be in very close proximity to our main bedroom. It would be totally unacceptable that we should have to listen to someone else's pool engine whilst in bed.

Of course there are also the concerns of loud screaming, yelling and splashing that comes with every pool, but we understand that that will not count to a concern mentioned in a submission, but of course it still remains a concern for us in particular with no vegetations between the pool and our living spaces to slightly absorb some of that noise, and the proximity of the pool to our living spaces and small outdoor space.

(5)

Erosion. There is land erosion from the north/west side of my property. This is right at the back of 48 Upper Clifford. We have noticed from the plans that a sediment erosion fence is proposed. It is imperative that remedial work is carried out before the sediment erosion fence is placed and any excavation or land clearing commences. We are seriously concerned that if remedial work is not carried out prior to any land clearing or excavation there could be major damage/collapse to the northern side of my land in particular due to the fact we are well elevated above 48 Upper Clifford. We ask this to be recognised and noted in the reports.

(6)

Lift noise: We have not been able to establish much about the lift engine and the noise such machinery emanates, or where the engine is actually housed. These noises can be very loud and could equate to sitting on a generator. Why is a lift necessary in any case in such a small house? How is the engine housed, is it insulated, and where is it?

(7)

Air-conditioning: We have not been able to establish where the outside parts of the air-conditioning units will be placed. Again, our concern is with the noise these units generate and we are particularly concerned if such units were to be placed in close proximity to our main bedroom which although facing south is right on the corner so the position is south/west thereby being very close the proposed new development.

(8)

Privacy: As the proposed development in its entirety extends further north than the current premises this will mean that from the proposed alfresco area the occupants will be looking straight into our living spaces and our very small outdoor sitting area. Even with the proposed privacy screens. Considering the proximity and the location these privacy screens will have nil effect. The distance between the alfresco area and our indoor living area will be mere meters, not the 8 meters that is being talked about. It is more like 3 – 4 meters. Of course, this is totally unacceptable from a privacy perspective.

In closing:

The "Statement of Environmental Effects" is written for and in favour of the applicant, being Mr. Nicholas Allen, and it should only be considered as such. And the same goes with many of the other reports and plans.

We trust that the Northern Beaches Development Assessment Team will take all submissions seriously and consider all items of concern and that a fair outcome can be achieved for all parties.

We must note that all of the above are major concerns, some even grave concerns, and that ultimately whatever is decided we must all live with it for a long time to come. No one, whether developer or owner occupier, should be able to take away enjoyment, quiet enjoyment and privacy etc. from current and established premises and occupants beyond fair and reasonable.

We would like to invite a member of the Development Assessment Team to come over and discuss, see, assess and evaluate our concerns in person as this would provide for a much clearer understanding.

