
Sent: 19/08/2021 6:47:56 PM
Subject: Online Submission

19/08/2021

MR Cameron Johnstone
35 - Eton Road ST
Lindfield NSW 2070
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RE: DA2021/1229 - 7 Pavilion Street QUEENSCLIFF NSW 2096

Dear Catriona Shirley,

We write to advise that, we are the owners of Unit 2, 5 Pavilion Street Queenscliff and we have received a letter from Council in relation to DA 2021/1229 lodged by the owners of 7 Pavilion Street.

We would like Council to record that we object to this Application on the basis of its severe impact on views from our property, the stark wall effect of the proposed structure, the height of the proposed structure and the potential to block natural sunlight to our property.

We would also like to make reference to our previous submissions on DA 2018/1892 which has turned out to have a substantial impact on our views. This application will significantly further impact our views in turn devaluing the property.

1. Height restriction

a) We currently let our unit and we don't have access to the property to consider the impact to Unit 2. Based on the applicants statements we understand in good faith it will have minimal impact. However, we have been provided photos of the proposal by Unit 1 and these are set out in their submission to the DA. The proposed structure far exceeds the height restrictions for fencing. If there is a height limit, why should this structure be approved?

2. Impact on view from the property

a) We understand the proposal impacts Unit 1's ocean views and the natural sunlight presently available to the property as per the images 1, 2 & 3 shown in their submission. Once the structure is built it will have significant impact.

b) It's our understanding the structure proposed never existed with the old residence and therefore this will eliminate the view Unit 1 currently enjoys.

3. Safety concerns

a) The safety/security concerns raised by the applicant as reasons for needing this fence are not valid, as our garden gate is locked at all times. The garden is only accessible for purposes of maintenance and the carrying out of any necessary repairs, that is, gardening, window cleaning etc, in which case the workers involved are wearing safety harnesses. The garden layout and gate are 100% compliant with the conditions laid down by Council in the DA approval when our block of units was built.

Any so called 'intruders', would have much easier access to number 7 Pavilion Street by accessing one of the many gaps in number 7's front hedge or by simply climbing over their wall.

4. Privacy concerns

a) The privacy situation of 7 Pavilion Street compared to the privacy it enjoyed when the old six storey apartment building existed at 5 Pavilion Street has not changed, if anything, it has probably improved due to the installation of our window louvres. The previous building had the same footprint and the same dimensions.

b) We question if the owner wants privacy couldn't they consider window louvres or frosted glass along the side of their house. This doesn't appear to have been considered by the applicant and I would have thought it has minimal impact on views and provides additional privacy. The proposed installation has a significant impact based on the photos Unit 1 has provided to us.

c) The installation of the umbrella as shown in the images provided to us by Unit 1, demonstrates this provides privacy to the pool area and does not significantly impact Unit 1's views.

d) The removal of the "Black slate privacy screen"

The applicant has raised the issue of the "black slate privacy screen" that was referenced in the DA application. We understand it was never agreed to by the owners of 5 Pavilion Street, and the screen was removed after discussions with Council because it wasn't approved on the DA submitted.

Kind regards,

Cameron & Leanne Johnstone
Owners 2/5 Pavilion Street Queenscliff 2096