
From: Paul
Sent: 18/01/2025 3:16:10 PM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: Application No. DA2024/1677 - 7 Cliff Street Manly 2095 - Submission re DA

Submission - DA Application No. DA2024/1677 at 7 Cliff Street Manly

Dear Northern Beaches Council,

We received Council's DA notification as adjoining Neighbours residing at 9A Cliff Street Manly.

Please find below our submission covering various concerns with the development proposal based on the lodged DA plans, pertaining to "Loss of Privacy and Amenity".

The following issues are the primary concerns:

1. 1. Level 1 proposed new Entry Door D1 & Window W1 - **"Loss of Privacy"**.
 - a. * The proposed D1/W1 access to the L1 Bathroom/Laundry are shown as clear glass.
 - b. * The proposed D1/W1 are within 2m of the adjacent boundary.
 - c. * The boundary wall does not screen direct visibility of the Bathroom door and window from the neighbouring property, including when using our side entry staircase along the boundary.
 - d. * This would be a privacy issue (for both parties) given this is a bathroom.
 - e. * We request that a resolution be provided with the following amendment:
 - i. * The Entry Door D1 and Window W1 should be of translucent/frosted glass.
2. 2. Level 1 proposed new Entry Door & Window W4 - **"Loss of Privacy"**.
 - a. * The proposed new location of the Entry Door & W4 is located adjacent to our kitchen window half way along the house.
 - b. * The proposed glazing for W4 is clear glass (as is presumably the Entry Door which is not numbered or detailed in the schedule).
 - c. * The proposed Entry Door & W4 are within 2m of the adjacent boundary.
 - d. * The boundary wall does not screen direct visibility for both parties, as residents/guests enter/exit, causing loss of privacy.
 - e. * We request that a resolution be provided with two amendments:
 - i. * The Entry Door & W4 should be of translucent/frosted glass.
 - ii. * A timber screen should be installed to the boundary wall adjacent to the walkway and entry door of a sufficient height and length to provide privacy to this entry/exit area.
3. 3. Level 2 & 3 proposed Windows W9 and W15 (above the Level 1 Entry Door) for the proposed new staircase - **"Loss of Privacy"**.
 - a. * These proposed windows are located adjacent to our kitchen window and master bedroom/ensuite windows, within 2m of the boundary.
 - b. * The proposed glazing for W9 and W15 is clear glass.
 - c. * The issue is a loss of privacy due to both direct line of sight and overlooking caused by the location of these proposed clear windows. Residents would directly look at each other as the proposed staircase is ascended/descended between L1, L2 and L3.
 - d. * Notwithstanding that W9 & W15 have proposed retractable louvres, as this is a staircase within 2m of the adjacent boundary, with no benefit of view/outlook and given it looks directly into our home, we request a resolution as follows in accordance with NSW DPHI building codes:
 - i. * Install translucent/frosted glazing to proposed windows W9 & W15, and/or
 - ii. * Install fixed, vertical angled blades oriented east/west to mitigate direct and overlooking privacy issues.

4. 4. .Level 1 proposed Window W5 - **"Loss of Privacy and Amenity"**.

- a. * ·This proposed new window is a oversized window addition, located within 2m of the adjacent boundary overlooking our lower level bedroom window, rumpus window, garden path and lower deck, and it also has a line of sight into our dining and kitchen windows situated slightly above, causing a significant loss of privacy and amenity when utilising these private & entertaining areas.
- b. * ·Notwithstanding that the proposed timber screen may mitigate some concerns, this would be dependent upon the design of the battens (width/spacing/type/angle) and the proposed height of the timber screen.
- c. * ·As this is an oversized window within 2m of the adjacent boundary, with no benefit of view/outlook and given it looks both directly into our home and also overlooks our garden path and lower deck, we request that a resolution be provided with one of the following amendments in accordance with NSW DPHI building codes:
 - i. * ·W5 to be reduced in size and be installed with translucent/frosted glass, and/or
 - ii. * ·The proposed timber screen should be comprised of closely spaced / wide battens for the full height of the proposed screen (not partially as shown) to mitigate direct and overlooking privacy issues.

5. 5. .Level 1 proposed raised Walkway/Terrace addition - **"Loss of Privacy and Amenity"**.

- a. * ·The proposed Walkway and Terrace is raised 0.9m (RL 14.51) above the existing ground and terrace level (RL 13.61).
- b. * ·The proposed Walkway and Terrace is located within 1m of the boundary.
- c. * ·Due to proposed raising of 0.9m, the new level would be situated only 1m below the top of the existing boundary wall, therefore creating a significant overlooking issue, impacting our existing privacy and amenity.
- d. * ·This areas impacted include our lower level bedroom, rumpus room, side garden path, rear deck, garden and pool area, where we currently spend time relaxing in privacy with no such issues.
- e. * ·The proposed timber screen to the proposed Walkway will not be effective in mitigating the overlooking issues as it does not extend for the full height and length of the proposed Walkway and Terrace.
- f. * ·We request that a resolution be provided with the following amendments:
 - i. * ·The Walkway and Terrace should not be raised above existing ground/terrace level, the existing pathway provides adequate access to the existing rear terrace.
 - ii. * ·Install a privacy screen comprising fixed vertical/angled blades (similar to those installed to our decks), or comprising closely spaced / wide battens for the full length and adequate height adjacent to the boundary, in accordance with NSW DPHI building codes.

6. 6. .Level 2 proposed Deck - **"Loss of Privacy & Amenity"**.

- a. * ·The proposed Deck extension begins 1m before the existing deck starting point and is located within 2m of the adjacent boundary, causing a significant overlooking and privacy issue into our dining/kitchen area windows and lower deck and garden/pool area.
- b. * ·We request that a resolution be provided with the following amendment in accordance with NSW DPHI building codes:
 - i. * ·Install a privacy screen comprising fixed vertical/angled blades (similar to those installed to our decks), or comprising closely spaced / wide battens for the full width of the proposed deck facing the adjacent boundary with a minimum height of 1.7m.

7. 7. .Level 3 proposed Balcony - **"Loss of Privacy and Amenity"**.

- a. * ·The addition of a new Level 3 with oversized Balcony off the bedroom, will cause overlooking into our lounge area window and entertaining deck. The proposed planter box will not mitigate the overlooking issue.
- b. * ·We request that a resolution be provided with the following amendments in accordance with NSW DPHI building codes:
 - i. * ·Install a privacy screen comprising fixed vertical/angled blades (similar to those installed to our decks), or comprising closely spaced wide battens for the full width of the proposed balcony facing the adjacent boundary with a minimum height of 1.7m.

Privacy screening in accordance with the NSW Department of Planning, Housing & Infrastructure

Privacy screens

Privacy screens: windows

A new window must have a privacy screen as per the table below.

Habitable window side or rear setback	Room height above ground level	Privacy screen required
<3m	<1m	No
<3m	>1m	Yes*
3-6m	<3m	No
3-6m	>3m	Yes*

*Not required for bedroom windows of less than 2m²

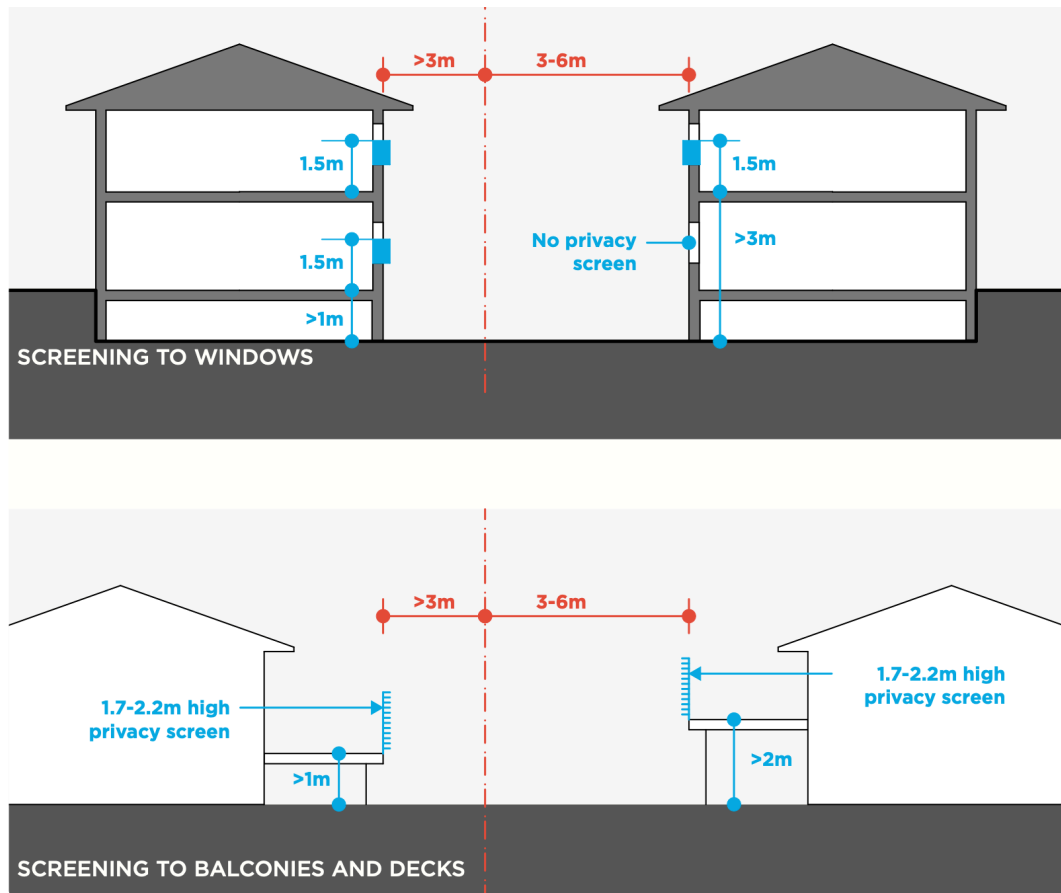
Privacy screens: balconies, decks, patios, terraces and verandahs

A new or addition to an existing balcony, deck, patio, terrace and verandah must have a privacy screen of 1.7-2.2m high on the edge that faces the relevant boundary if it:

- has a floor area more than 3m², and has a setback of less than 3m from a side or rear boundary and a level more than 1m above existing ground level, or
- has a setback of 3-6m and a level more than 2m above ground level (existing)

A privacy screen means a screen that:

- faces the boundary
- has openings less than 30mm wide,
- has a total area of all openings less than 30% of the surface area of the screen, or is a fixed un-openable window with translucent glass.



Thank you and regards

Paul Whittard
9A Cliff Street, Manly 2095
