

From: [REDACTED]
To: [DA Submission Mailbox](#)
Subject: Online Submission
Date: Tuesday, 21 January 2020 2:54:59 PM

21/01/2020

RE: DA2019/1369 - 139 Headland Road NORTH CURL CURL NSW 2099

[REDACTED]

(2) This detailed Submission against existing Development Application DA2019/1369 has been made in accordance with the APPs and the APP guidelines, including the APP2 guidelines of the Office of the Australian Information Commissioner, as issued under the Commonwealth Privacy Act 1988 (Privacy Act), and which came into effect on the 12th of March 2014.

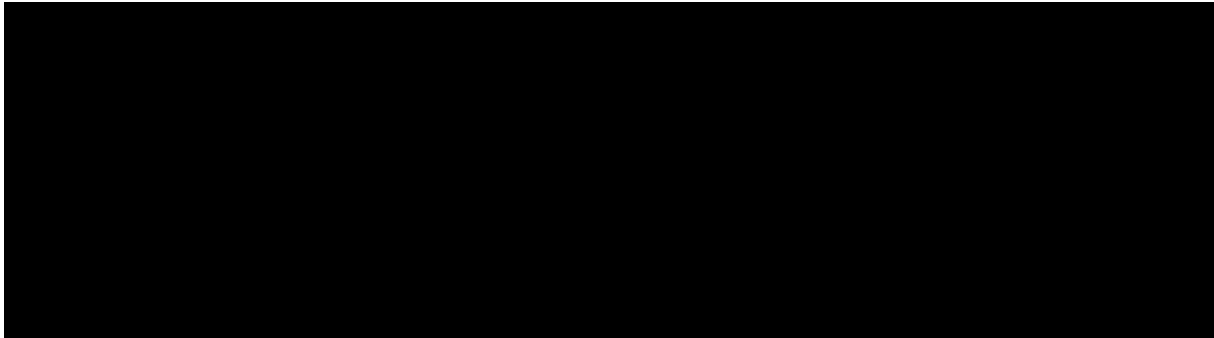
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(5) Submission against existing Development Application for
Proposed Residential Development at 139 Headland Road, North Curl Curl NSW 2099
Lot 6 in DP 1390 DA2019/1369 Land size 567.62sqm

(6) Observations are about each of the deleterious and adverse effects of the new building,

on the future lifestyle and future amenity of the western neighbour at 141 Headland Road, North Curl Curl NSW 2099. We are well aware of the NSW Development Appeals Process, that is provided by "The Land and Environment Court of NSW". The required on-street notice of the existence of the Development Application DA2019/1369 is NOT displayed at 139 Headland Road, North Curl Curl NSW 2099. Indicated measurements are close approximations, obtained by using google earth, google search and the Development Application documentation, and Real Estate Agent documentation.



(8) New three story 139 building, has all the western windows overlooking the western neighbour, looking directly into bedrooms and looking directly into living areas, and looking directly into indoor entertainment areas, and looking directly into outdoor entertainment areas, thus permanently gives complete loss of privacy and thus removes the right to quiet enjoyment, that is enshrined in common law, that all are "entitled to reasonable peace, comfort and privacy", and the unnecessary third story needs to be eliminated.

(9) New three story 139 building, is just TOO HIGH and deliberately blocking sunlight and deliberately blocking the existing ocean views (and neighbourhood views) enjoyed by the western neighbour, and the unnecessary third story needs to be eliminated. Overshadowing the western neighbour, and the unnecessary third story needs to be eliminated. With three storeys the new high-level building at 139 is intended to be over-development, to be so very much higher and very much longer than the existing low-level one storey building, making the western neighbour (home and rear yard) to be completely over-shadowed.

(11) In the Development Application documentation, there is nothing mentioned about the severe loss of morning sunlight of the western neighbour, in all four seasons each year and in particular during winter and spring. The new 139 building will block existing exceptional uninterrupted ocean views, plus views of parts of the surrounding landscape, but also block the easterly morning sun currently shining on the western neighbour onto their sunlit outdoor deck entertaining areas and morning sun currently shining on the western neighbour onto their sunlit lower-level BBQ entertaining areas. The unnecessary third story, blocking morning sunlight needs to be eliminated.

(12) The new 139 building creates the issue of severe view loss by the western neighbour, and do request that the council must ensure the prompt erection of height poles indicting the height of the new building at key points, so that the western neighbour can experience and gauge the actual extent of severe view loss and severe overshadowing.

(13) There is no mention of the loss of amenity, as the new development is not in keeping with the existing streetscape, and is a severe over-development with this new 139 building, yet another a three storey MacMansion, and the unnecessary third story needs to be eliminated.

(14) There is nothing mentioned about asbestos removal from the old 139 building, of all room walls, all room ceilings and all (soffit) eaves.

(15) There is nothing mentioned about minimising building dust, over the twelve months of the demolish and build.

(16) There is nothing mentioned about minimising construction noise, over the twelve months of the demolish and build.

(17) There is nothing mentioned about installation of noise abatement curtains, on all scaffolding and on all boundaries of the property.

(18) Street parking in Headland Road is already overfull with parked cars at night, however building the new double garage at 139 matching the elevation of the existing roadway, is a positive solution.

(19) Located on crown land (on the grassed nature strip) within one metre from the kerb and gutter of the road, the existing 139 letterbox is not within the property alignment. Calculating from where a new front fence could be installed, "The Front Setback" - The wall of the new dwelling is setback 6.5 metre, however and in keeping with "The Front Setback" of the western neighbours, a setback of 7.5 metre would be a more positive solution.

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