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**Sent:** 7/06/2021 3:34:59 PM

**Subject:** Re: Issues of Concern Submission: DA2021/0398 Lot A DP341278 90 Lawrence St FRESHWATER

Dear Sir/Madam,

Further to my below email and a brief conversation with Nick Keeler, I wanted to confirm that I am not rescinding any of my concerns raised below, and would appreciate each point being responded to, indicating as to how the concern has been addressed.

This proposed development looks more fit for dual-frontage land, rather than single, front-access land. It is not in character with any of the nearby properties, and having a viewing platform into our back yards and bedrooms is indeed an imposition – especially when there is opportunity to face a balcony in a northern or easterly direction. The northern direction would also face the “shared open space between primary and secondary dwelling where they could enjoy outdoor activities between two families” (from Statement of Environmental Effects dated 28 May 2021).

I also note that:

- the revised drawings still contain misleading inaccuracies regarding the slope of the land.
- The landing area of the proposed alfresco deck is still within the 6m setback.
- The planting of 3 trees along the rear boundary over 5m in height (as proposed by council) will not provide privacy to our property, being diagonal to the proposed development.
- I request Shade Diagrams of the impact of having 5+m trees along the rear boundary.

I look forward to your response to the above and below issues.

Kind regards,  
David Klineberg

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**From:** David Klineberg <dklineberg@bigpond.com>

**Date:** Friday, 7 May 2021 at 4:04 pm

**To:** council@northernbeaches.nsw.gov.au <council@northernbeaches.nsw.gov.au>

**Subject:** Issues of Concern Submission: DA2021/0398 Lot A DP341278 90 Lawrence St FRESHWATER

Dear Sir/Madam,

Re: Issues of Concern Submission: DA2021/0398 Lot A DP341278 90 Lawrence St FRESHWATER

I am writing to raise several issues of concern and **TO OBJECT** to the proposed development of 90 Lawrence St Freshwater.

My property (24 Palomar Pde) is located diagonally at the rear of 90 Lawrence St, and is significantly impacted by this non-compliant application, as outlined below and with attached images.

This submission frankly ignores – even masks - every aspect that impacts adjoining owners/residents and is not acceptable.

· Slope of land

Drawings submitted inaccurately show the true slope and level of the land. Towards the rear of this lot, the slope becomes >25 degrees and a cliff. It has misleadingly been labelled “area not surveyed”. The slope continues at a sharp angle (refer council landslip slip map). I note that the statement in the applicant’s Geotechnical Report states “No cliffs or large rock faces were observed on the property or in the near vicinity.” This statement is simply incorrect.

This has direct implications for retaining structures, stormwater run-off, privacy, and sunlight on the rear properties.

· Variation of rear setback

To place a substantial second property right at the back of an elevated 65m long block of land itself is not at

all consistent with the pattern of buildings and shows a complete lack of respect for neighbours – let alone attempting to justify non-compliance with the WDCP minimum requirement of 6m. To be clear, every element of the WDCP B9 Objectives are compromised:

- To ensure opportunities for deep soil landscape areas are maintained. >> All rear trees are proposed to be removed.
- To create a sense of openness in rear yards. >> This construction directly imposes on the rear yards of 24 and 26 Palomar Parade, destroying the green outlook and daylight enjoyed today.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings. >> Windows and full-length 'front deck' peer directly into the bedrooms and private back yards of 24 and 26 Palomar Parade.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements. >> When looking at google maps, it does not appear that there is a single other dwelling (other than legacy apartments) within 20m of the rear boundary along that part of Lawrence St.
- To provide opportunities to maintain privacy between dwellings. >> Privacy is completely removed, along with the trees.

• Privacy (refer attached images)

This proposed property will directly peer into our bedroom windows, impacting our privacy – especially if those trees were to be removed.

Having a full-width "front deck" directly looking down into our back yard is very obtrusive, given my wife, kids & I regularly use our back yard for playing, dining and entertaining.

• Sunlight

Our backyard is the main outdoor area of our property and is north-facing. A substantial 4.8m high construction on elevated land, within 6m of the rear boundary will create a heavy shadow across our back yard, especially in winter. We dearly value every bit of sunlight we can get, given it is already limited by Lawrence St properties and their trees.

I note that shadow diagrams were not included in the DA submission. I suggest that the statement that "There are no effects of shadowing, bulk or scale or adverse effects on the local environment" is not correct.

• Stormwater run-off

Given the proposed development, there will be increased stormwater run-off and overflow – especially given the roof area is 88m<sup>2</sup>. With the steep slope of the land and significant sandstone, especially in downpours, a proportion of this water will inevitably flow down into adjoining properties and public walkway (already hazardous when wet).

• Area Calculation Sheet

I could not find the area calculation sheet in submissions – can you please indicate where it is included?

I note there are other WDCP compliance issues contained in the submission by 26 Palomar Parade.

I am happy to be further consulted on what could potentially be a more appropriate addition to 90 Lawrence St.

Kind regards,

David Klineberg

24 Palomar Parade

Freshwater 2096