

4 April 2025

General Manager
Northern Beaches Council
725 Pittwater Rd,
Dee Why, 2099, NSW

Attn: Claire Ryan (Principal Planner)

Dear Claire,

**Re: Request for Information
Development Application No: DA2024/1832 for Use of Premises as a dual
occupancy (detached) including construction of a new dwelling and swimming
pool, alterations and additions to the existing dwelling and strata subdivision at 90
Harbord Road FRESHWATER.**

Reference is made to your letter dated 17 March 2025, requesting further information to undertake a full assessment of the application. As a result of the letter, minor changes to the plans have been undertaken, as noted below:

1. Lot 2 - Front setback increased to minimum 3.5m (Ground and First Floors) with a slight shift to the north to accommodate changes
2. Lot 2 – Side setbacks around kids playroom and behind garage increased to 900mm
3. Lot 2 – First Floor study window changed to “high light”
4. Lot 1 – Driveway provided to 3m width with carport reduced to minimum Australian Standards therefore increasing front setback to Harbord Road

A review of the concerns raised within your letter are outlined below:

1. Clause 4.3 Height of Buildings

A Clause 4.6 Written Request is provided as revised documentation. It is acknowledged there is a minor variation due to historical excavation works relating to the existing swimming pool on the site which distorts the height plane of Lot 2. It is our professional opinion that the Clause 4.6 report adequately justifies that there are sufficient environmental planning grounds to support the application in this instance.

2. B5 Side Boundary Setbacks / B7 Front Boundary Setbacks

The revised architectural plans have amended the setbacks as requested as below:

- Lot 2 - Front setback increased to minimum 3.5m (Ground and First Floors) with a slight shift to the north to accommodate changes
- Lot 2 – Side setbacks around kids playroom and behind garage increased to 900mm
- Lot 1 – Carport reduced to minimum Australian Standards therefore increasing front setback to Harbord Road

3. Development Engineer

Additional information has been prepared to address the requests of Councils Development Engineers. This includes revised stormwater management plans, a driveway longitudinal section plan for Lot 1 driveway and correspondence from Telstra confirming the existing pit can be relocated.

We confirm that the proposal is for strata subdivision.

4. Submissions

We acknowledge the submissions lodged with Council. With respect, the submissions hold no planning merit and do not provide adequate justification to warrant refusal or amendment to the proposal as submitted. A summary of each submission is provided below:

3/159 Wyndora Ave x 2

- 1. Submission regarding daylight and affecting the boundary walls and property values.*
- 2. Comments regarding entertainment decks on western side*

Comment:

1. The proposal meets the requirements of Control D6 within WDCP. Therefore, the objection is not a reason for refusal or modification. Property values is not a planning consideration, notwithstanding we disagree with this opinion, noting that a new build will enhance the area and promote property values in the area.
2. This is factually incorrect. The proposal has no entertainment decks on the western side of the proposal. Again, noting this is incorrect, the objection is not a reason for refusal or modification.

161 Wyndora Ave

- *Submission of support for the application*

Comment:

We agree with the comments provided within the submission supporting the proposal for the site.

92-94 Harbord Rd

The submission raised the following concerns:

- 1. Loss of privacy*
- 2. Loss of sunlight*
- 3. Loss of views*
- 4. Loss of access to breeze*
- 5. Loss of parking*

Comment:

1. My clients site currently has privacy impacts from the adjoining property at 92-94 Harbord Road. The proposal implements adequate measures and landscaping to provide privacy between the two properties. It is noted that the proposed first floor is approx. 13.5m to the façade of 92-94 Harbord Rd. The proposal has been skilfully designed noting that a 0.9m side setback could be applied to that boundary. My clients have strategically designed the proposal with “low” use rooms on the first floor and living spaces on the ground floor. The proposal will have minimal impacts that are expected with residential dwellings in the R2 zone. Therefore, the objection is not a reason for refusal or modification.



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2. The objector's property is to the north of the site, therefore no sunlight access from the proposal to 92-94 Harbord Road. Therefore, the objection is not a reason for refusal or modification.
3. The objector's so called views are across a side boundary and hold no value (i.e. no water views, no district views and no iconic item views). Therefore, the objection is not a reason for refusal or modification.
4. The objector makes reference to loss of "breeze" which is not a planning consideration. Notwithstanding the proposal allows adequate space and setbacks around the dwelling for breezes to pass through the site. Therefore, the objection is not a reason for refusal or modification.
5. The proposal includes a new driveway to Harbord Road which complies with Australian Standards and is supported by engineers. The frontage along Harbord Road in question only allows for one compliant on-street space. Whilst the proposal includes a new driveway, noting the 3m width, one car space can still be retained, therefore the proposal does not result in a loss of compliant street parking and retains that existing. Therefore, the objection is not a reason for refusal or modification.

Summary

We trust that the revised and additional information addresses Councils original concerns, and that the application can now be finalised for determination.

If you have any queries please do not hesitate in contacting me.

Kind Regards

Mathew Quattroville

Four Towns Planning

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