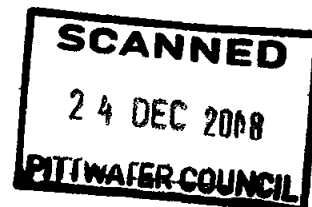


19 December 2008

The General Manager  
Pittwater Council  
PO Box 882  
MONA VALE NSW 1660



Attn Ms Sophie Garland

Dear Ms Garland,

**RE ADDITIONAL INFORMATION – DA NO 41/01  
PREMISES 28 McCARRS CREEK ROAD, CHURCH POINT  
S96 PROPOSED NEW DWELLING**

I refer to the above s96 Application to Modify Consent currently under your consideration and the concerns raised by the adjoining neighbours

In response to the matters discussed at the 'Issues Meeting', please find attached revised plans prepared by Archiworks Architects Pty Ltd, which seek to clarify the form and treatment of the windows and deck areas to the dwelling, with a view to addressing the neighbours concerns in relation to privacy loss

We note the objections from neighbours to the proposal. We also note that there is no objection from the immediate neighbour to the south with the concerns being raised by the neighbour located two properties to the south of the subject site. The separation between the properties is well in excess of 9m, which we considered significantly reduces the issues of potential overlooking and loss of privacy.

Notwithstanding the separation from the concerned neighbour, we wish to draw Council's attention to the high sill window treatments to the south-western first floor bedroom, which has been identified by the concerned neighbour at 32 McCarrs Creek Road as an area of concern. The room itself as a bedroom is not a high use living area and combined with the 2.1m high sills in the majority of the room will not present a significant view across to the concerned neighbour.

The revised plans also confirm the retention of the previously approved opaque glazing, with further opaque glazing and high sills to be provided to each level as specified.

The plans note the following measures detailed over to retain a suitable level of privacy to the immediate northern and southern neighbours to address the issues raised in the notification response.

#### Attic Level

- Opaque glazing to the northern garage wall to be retained
- 1 8m sill height to northern windows of bedroom 3
- 2 1m sill height to southern windows of bedroom 2 (Primary view from bedroom 2 is to the west)
- 

#### Ground Floor level

- Opaque glazing to northern access stairs from garage
- 1 8m sill height to northern windows of Master Bedroom
- 1 6m high external timber louvre screen to study

#### Lower Ground Floor Plan

- 2 1m high sill to northern windows of kitchen and revised wall treatment to provide for solid treatment to floor level
- Opaque glazing to lower sill level of southern windows of the Living/Family Room

#### External treatment

- A 1 8m boundary fence is to be provided to the northern boundary which will limit views to and from the subject dwelling from the northern neighbour, to provide for an increased level of privacy between the properties

We will be addressing the proposed pool changes under a separate S96 as suggested

We look forward to discussing the proposal with Council and should you require additional information, please do not hesitate to contact me on 9999 4922 or 0412 448 088

Yours faithfully

  
VAUGHAN MILLIGAN

The General Manager  
Pittwater Council  
PO Box 882  
MONA VALE NSW 1660

(Fax No 9970 7150)

DA No: N0040/01

Name

PSTABRACK

Address

24 MCCARRS CREEK  
ROAD, CHURCH Pt

Phone

9979 8389

Date

17/10/08

Proposed Development demolition of existing dwelling and construction of new dwelling

At 28 MCCARRS CREEK ROAD CHURCH POINT NSW 2105

I have inspected the DA plans, I have considered them in the context of the relevant Locality Plans and Development Control Plans

☐ Yes ☒ No

I am willing to provide expert reports to supplement my comments should a conflict in opinion arise

☐ Yes ☒ No

I am willing to provide evidence to the Land and Environment Court if the application is appealed

☐ Yes ☒ No

In the interests of public transparency please note that your submission in its entirety will be available to the applicant or other interested persons on request and will also be made available on Council's Internet site through Council's transparent Development Application tracking process. You are encouraged, as is the applicant, to discuss with each other any matters that may be of concern

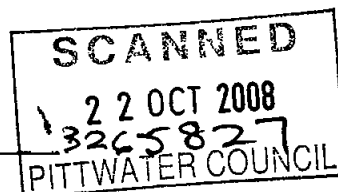
#### COMMENTS

RE ARCHWORKS LETTER DATED 11/JULY/08  
COUNCILS NOTE TO US DATED 2/OCT/08  
REGARDING 28 MCCARRS CREEK RD.  
JOB NOW IN 6TH YEAR OF CHAOS!  
PLAN COPY TOO SMALL TO READ!  
Council must insist owner of 28  
Construct according to Rules of -  
Council at date of original approval.  
As too many "Concessions" have been  
extracted by owners, to all adjacent  
owners disadvantage

Signature

Pstabback

Asad



The General Manager  
Pittwater Council  
PO Box 882  
MONA VALE NSW 1660

(Fax No 9970 7150)

DA No N0040/01

Name MARK ORCHARD  
Address 32 MCCARRS CR RD  
CHURCH PT.  
Phone 9999-5083 or 0419 229 619  
Date 13/10/08

**Proposed Development** demolition of existing dwelling and construction of new dwelling

**At** 28 MCCARRS CREEK ROAD CHURCH POINT NSW 2105

I have inspected the DA plans, I have considered them in the context of the relevant Locality Plans and Development Control Plans

☒ Yes ☐ No

I am willing to provide expert reports to supplement my comments should a conflict in opinion arise

☐ Yes ☒ No

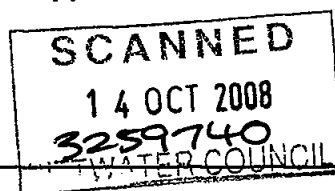
I am willing to provide evidence to the Land and Environment Court if the application is appealed

☒ Yes ☐ No

In the interests of public transparency please note that your submission in its entirety will be available to the applicant or other interested persons on request and will also be made available on Council's Internet site through Council's transparent Development Application tracking process. You are encouraged, as is the applicant, to discuss with each other any matters that may be of concern

**COMMENTS**

Dear Sir,



I have written the attached 3 pages  
with photos which support my objection  
to certain aspects of the unauthorised work  
I would appreciate (and expect) Council  
ordering a demolition order on these areas

Signature

(3 pages attached)

SG



**DA No: N0040/01 – 28 McCarrs Ck Rd Church Point**  
**OBJECTIONS / ISSUES**

I have been the owner occupier of 32 McCarrs Creek Rd Church Point since July 2001. My property neighbours the applicant to the south.

The key issues that we find with the above DA are (addressed below):

1. Extreme PRIVACY Concerns:

Relates to increased windows and increased height of southern rooms, marked "Bed 2" on "Section AA" plan. The reality differs to the revised plans in that there are actually windows running along the entire southern side of the top floor, whereas the revised plans appears to only show limited windows.

My home has North facing windows along the entire northern side of the house which is incredibly valuable and, until this unacceptable development, totally private. We have 4 primary areas with northern aspect windows: Kitchen, Dining Room / Lounge Room and outside Deck. All are now dramatically impacted by the total disregard for privacy.



a) Picture # 1: The above photo has been taken from our Deck. The applicant can now view straight on to our entire Deck which has aspects to both the north (angle of this photo) and west. Workmen have been seen to be peering onto the deck where my wife and children are sunbaking, etc.





b) Picture # 2: The above photo has been taken from our Kitchen north facing windows. Once again, the applicant can now view straight into our Kitchen from any one of the windows on his southern side. The issue would only be amplified if / when the applicant trims or removes the trees in the right foreground – once done the remainder of the southern windows are clearly seen.





c) Picture # 3: The above photo has been taken from our Dining Room and Lounge Room north facing windows. Once again, the applicant can now view straight into our living area from any one of the windows on his southern side. The issue would only be amplified if / when the applicant trims or removes the trees in the right foreground – once done the remainder of the southern windows are clearly seen.

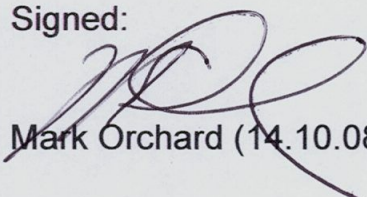
2. Over-development of site, particularly HEIGHT of project

Apart from the Privacy concerns that we've expressed above, there is the concern of over development of the site in terms of sheer height of building work. Additionally, the area of hard to soft surface area ratios appears to be contrary to Councils Building Code.

We encourage any or all parties to view and experience our concerns first hand upon the property, given sufficient notice.

These notes form as an integral part of the "Comments" page.

Signed:

  
Mark Orchard (14.10.08)

**This DA Submission Form must be completed and attached to your submission**

The General Manager  
Pittwater Council  
PO Box 882  
MONA VALE NSW 1660  
  
(Fax No 9970 7150)

DA No 0040101  
Name MARK ORCHARD  
Address 32 M<sup>C</sup>CARRS CR RD  
CHURCH POINT  
Phone 9999 - 5083  
Date 14/10/08

**Proposed Development**

**At**

**Political Donations and Gifts Disclosure Statement (sec 147 EP&A Act 1979)**

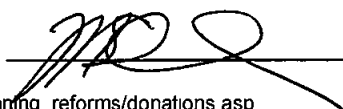
I have read and understood the attached information relating to political donations and gifts disclosure

A political donations and gifts disclosure statement is required

☐ Yes ☒ No

Name MARK ORCHARD

Signature



Date 14/10/08

Note For more information see [www.planning.nsw.gov.au/planning\\_reforms/donations.asp](http://www.planning.nsw.gov.au/planning_reforms/donations.asp)

I have inspected the DA plans I have considered them in the context of the relevant Locality Plans and Development Control Plans

☐ Yes ☐ No

I am willing to provide expert reports to supplement my comments should a conflict in opinion arise

☐ Yes ☐ No

I am willing to provide evidence to the Land and Environment Court if the application is appealed

☐ Yes ☐ No

In the interests of public transparency please note that your submission in its entirety will be available to the applicant or other interested persons on request and will also be made available on Council's Internet site through Council's transparent Development Application tracking process. You are encouraged, as is the applicant, to discuss with each other any matters that may be of concern

**COMMENTS** (You may use the space provided or attach a separate document)

---

---

---

---

---

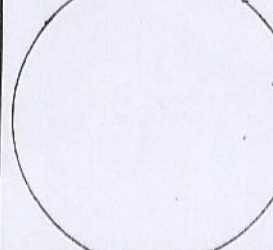
---

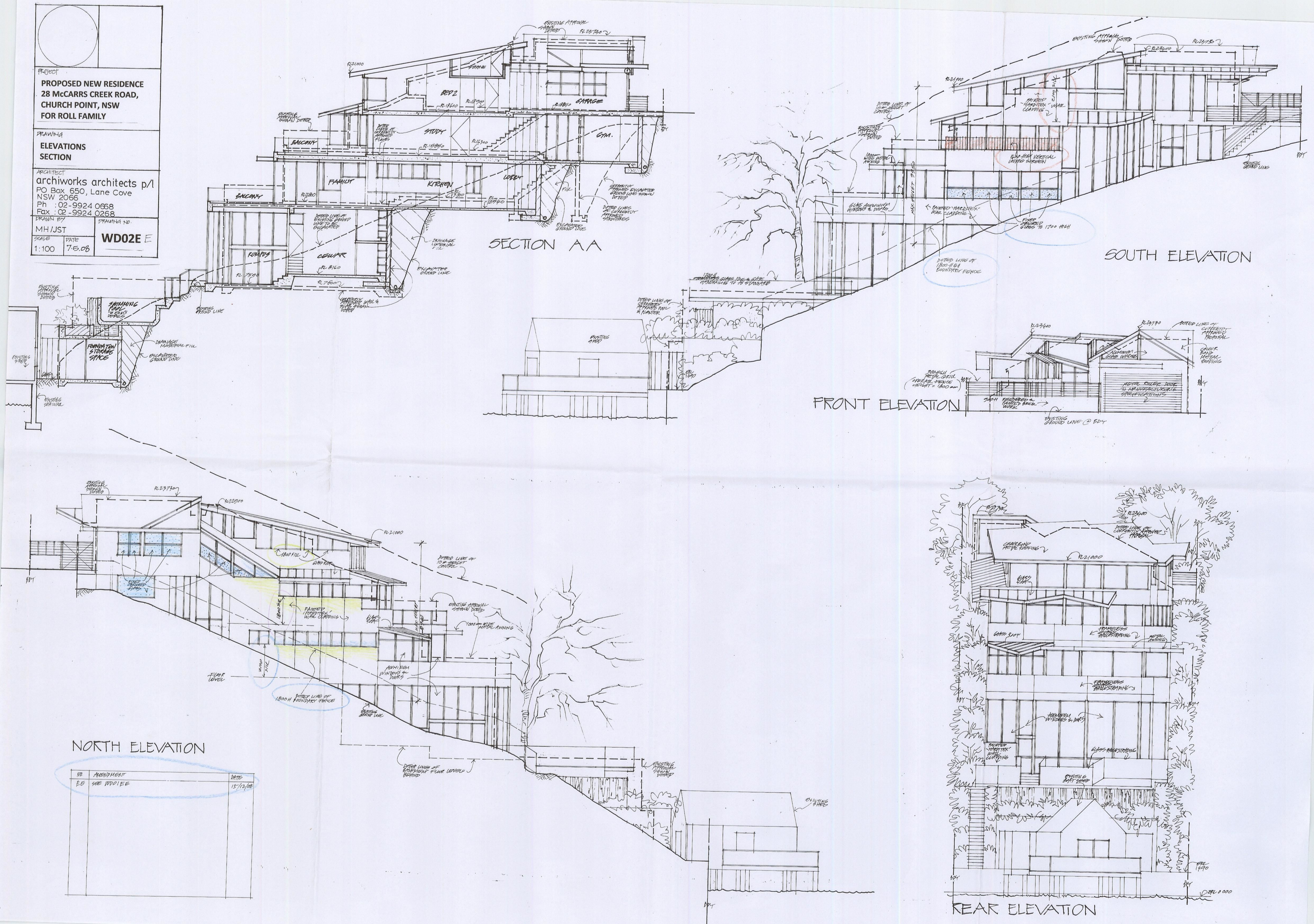
---

---

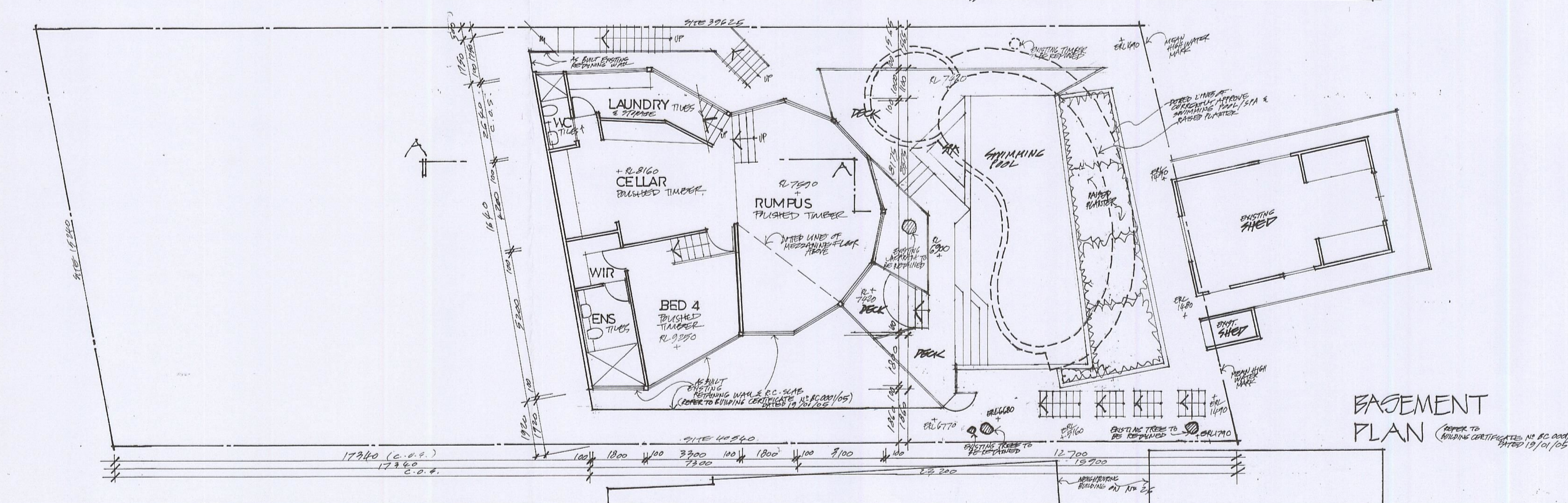
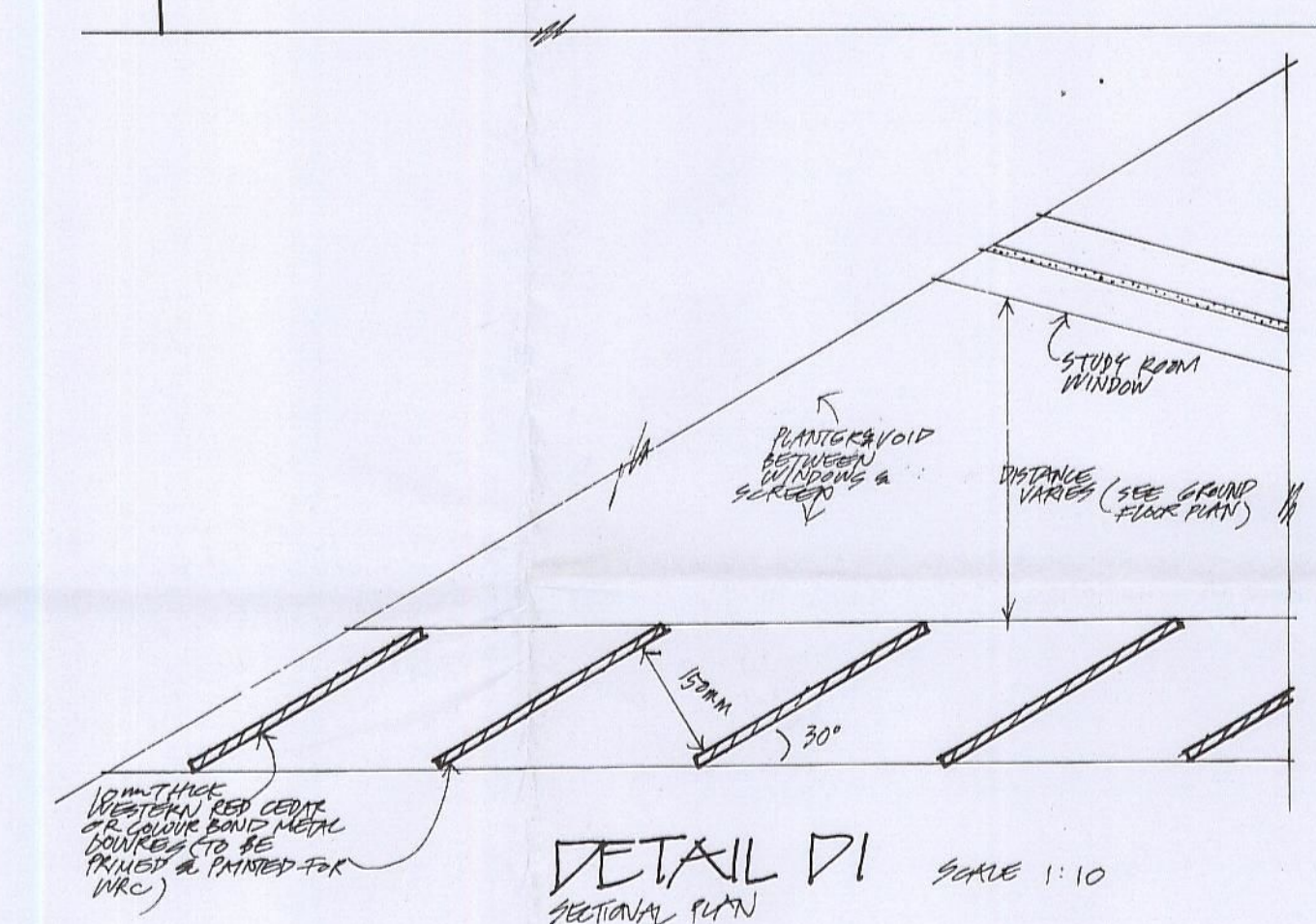
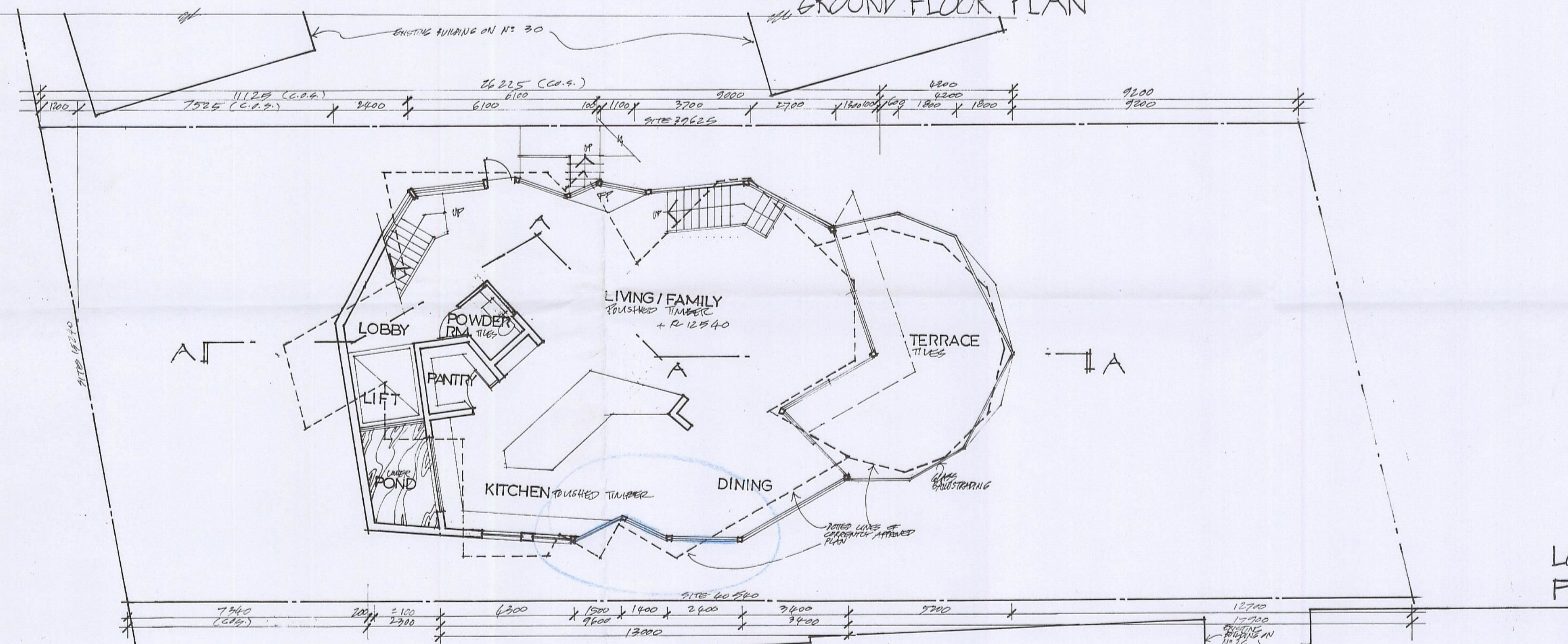
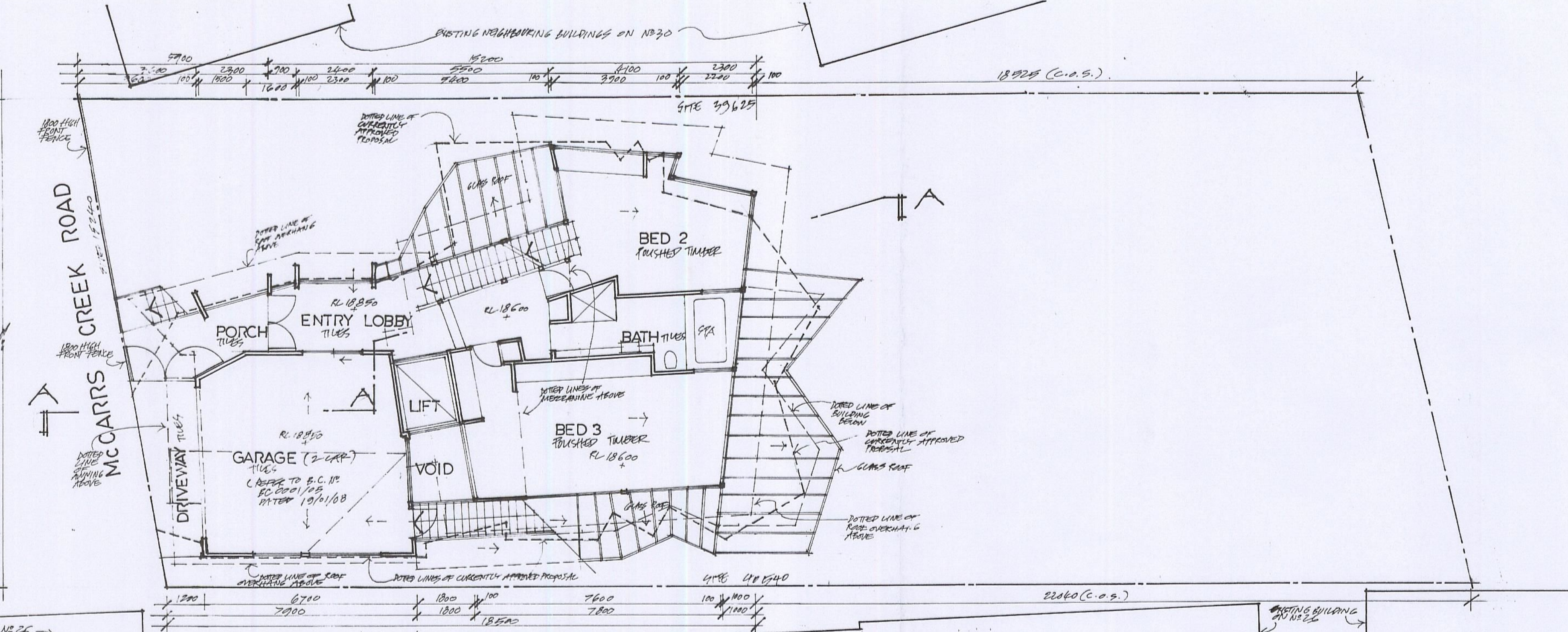
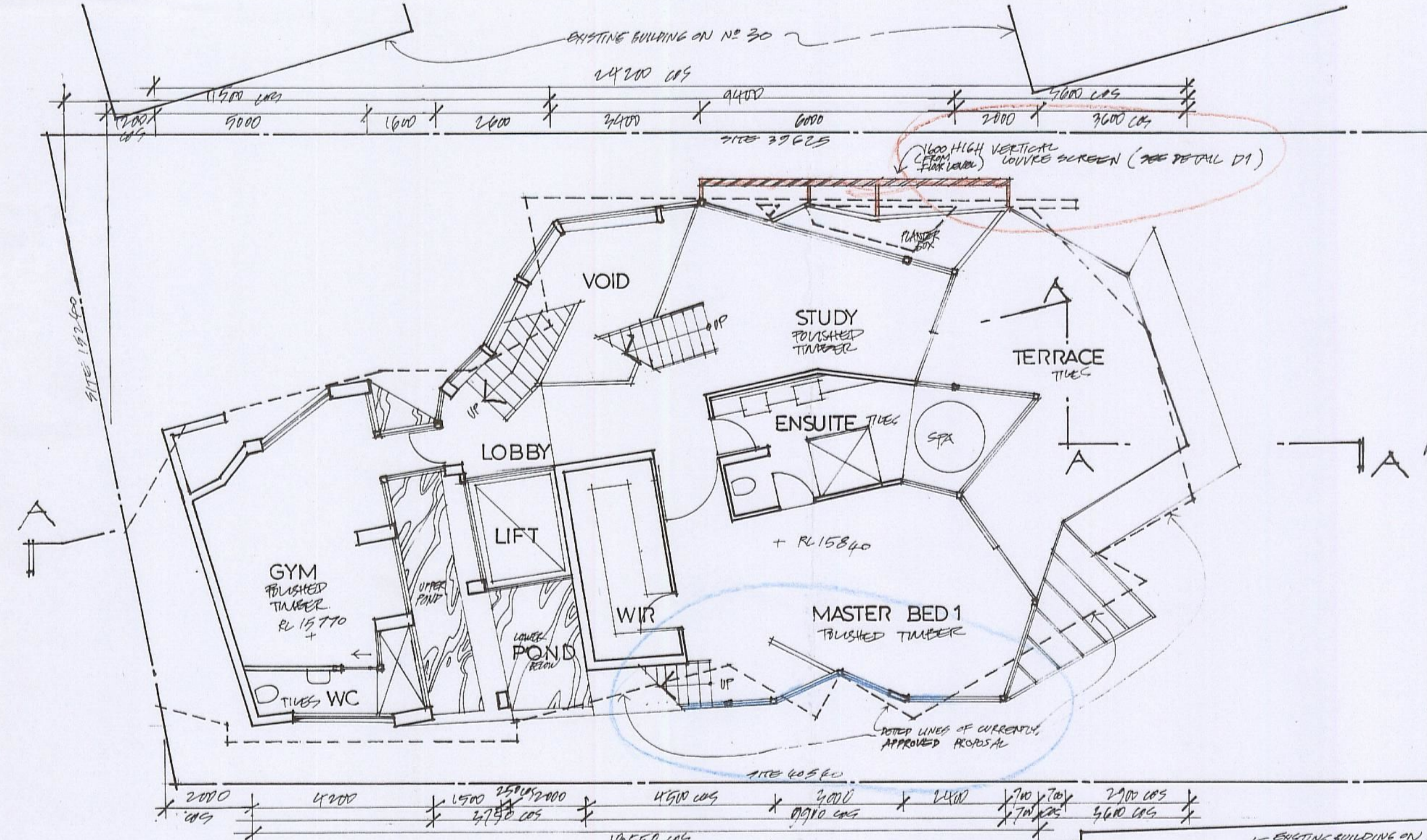
Signature



	
<p>PROJECT</p> <p><b>PROPOSED NEW RESIDENCE</b> <b>28 MCCARRS CREEK ROAD,</b> <b>CHURCH POINT, NSW</b> <b>FOR ROLL FAMILY</b></p>	
<p>DRAWING</p> <p><b>ELEVATIONS</b> <b>SECTION</b></p>	
<p>ARCHITECT</p> <p><b>archiworks architects p/l</b> PO Box 650, Lane Cove NSW 2066 Ph : 02-9924 0668 Fax : 02-9924 0268</p>	
<p>DRAWN BY</p> <p><b>MH/JST</b></p> <p>SCALE</p> <p><b>1:100</b></p>	<p>DRAWING NO.</p> <p><b>WD02E</b></p> <p><b>E</b></p>

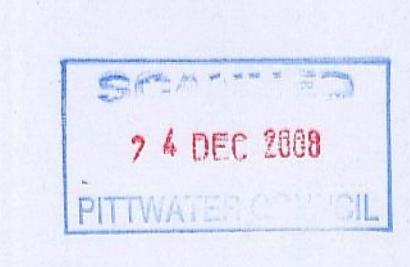






NO	AMENDMENT	DATE
01	INITIAL SCREEN TO STUDY ROOM, HIGH LIGHT WINDOWS TO MASTER BED 1 NORTH ELEVATION, BRICKED GLASS TO STAIRS FROM GARAGE TO MASTER BED, BRICKED GLASS TO LIVING/FAMILY DOWN WINDOWS, HIGH LIGHT WINDOWS TO DINING NORTH ELEVATION	19/10/08

<b>PROPOSED NEW RESIDENCE</b> <b>28 McCARRS CREEK ROAD,</b> <b>CHURCH POINT, NSW</b> <b>FOR ROLL FAMILY</b>	
<b>PLANS</b>	
ARCHITECT archiworks architects p/l PO Box 650, Lane Cove NSW 2066 Ph : 02-9924 0668 Fax : 02-9924 0268	
DRAWN BY MH/JST	CHECKED BY MH/JST
SCALE 1:100	DATE 7.5.08
DRAWING NO <b>WD01E</b>	





PROJECT

PROPOSED NEW RESIDENCE  
28 MCCARRS CREEK ROAD,  
CHURCH POINT, NSW  
FOR ROLL FAMILY

DRAWING

ELEVATIONS  
SECTION

ARCHITECT

archiworks architects p/l  
PO Box 650, Lane Cove  
NSW 2066  
Ph : 02-9924 0668  
Fax : 02-9924 0288  
DRAWN BY  
MH/JST

DATE

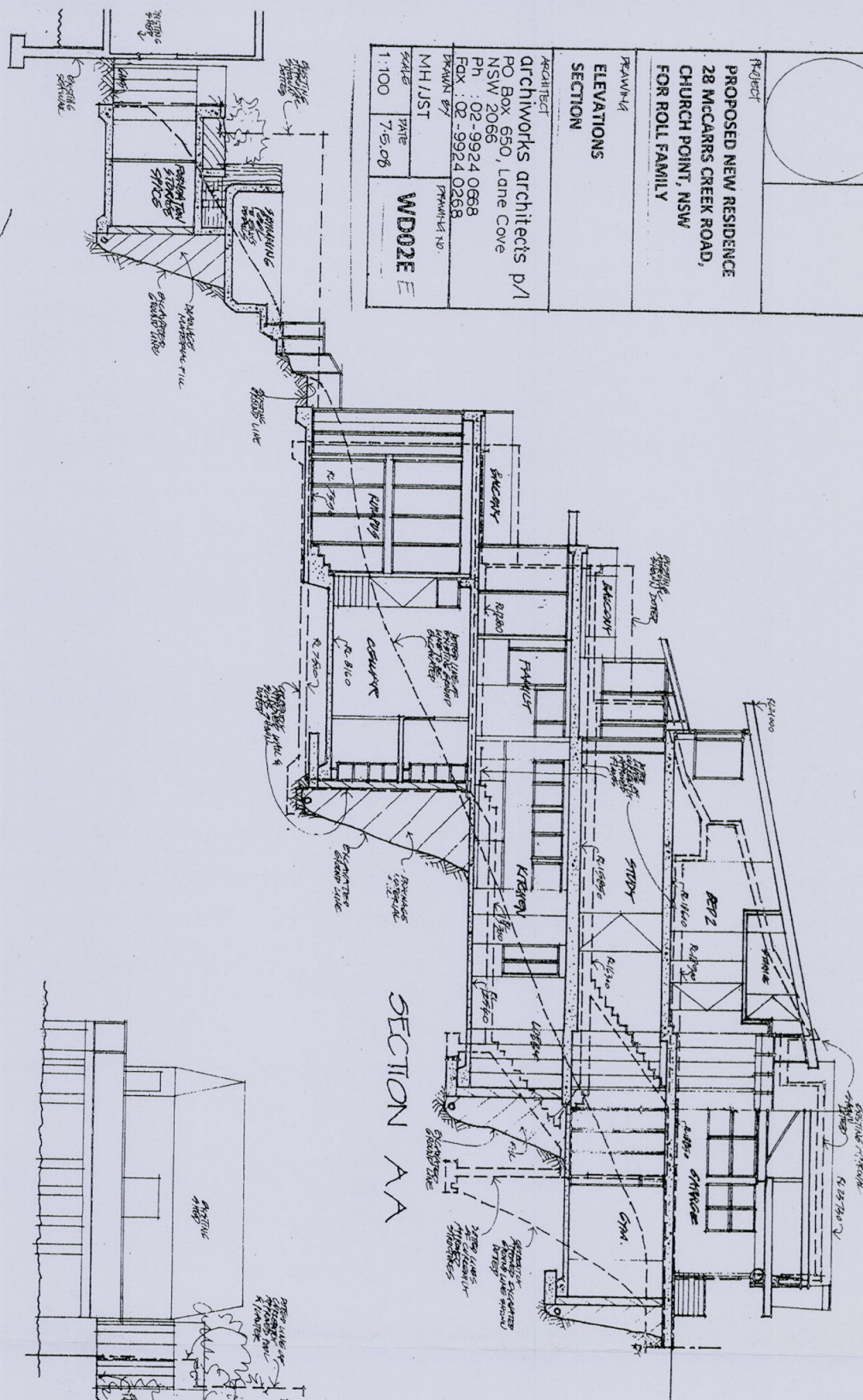
7.5.08

PROJECT NO.

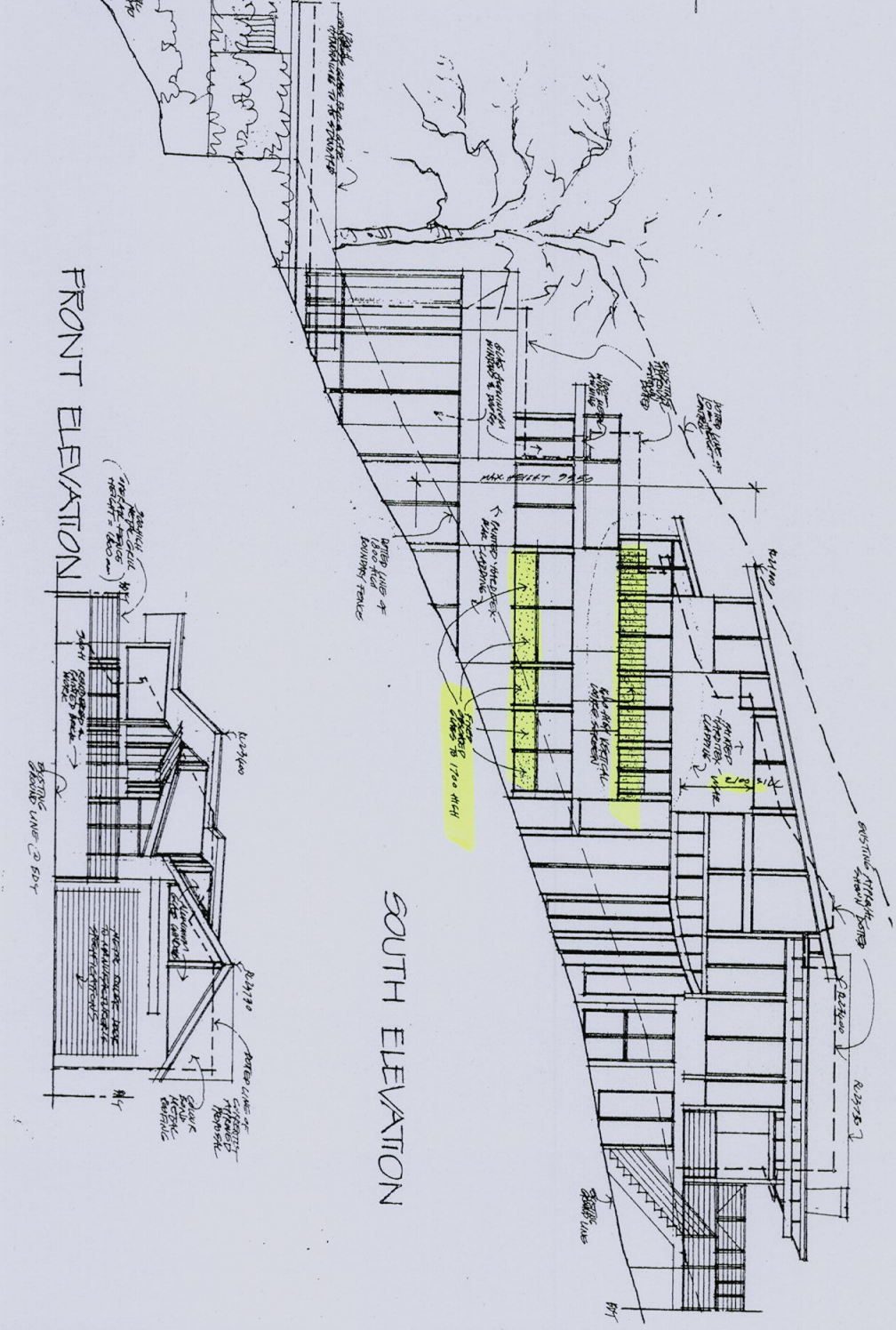
WD02E

SCALE

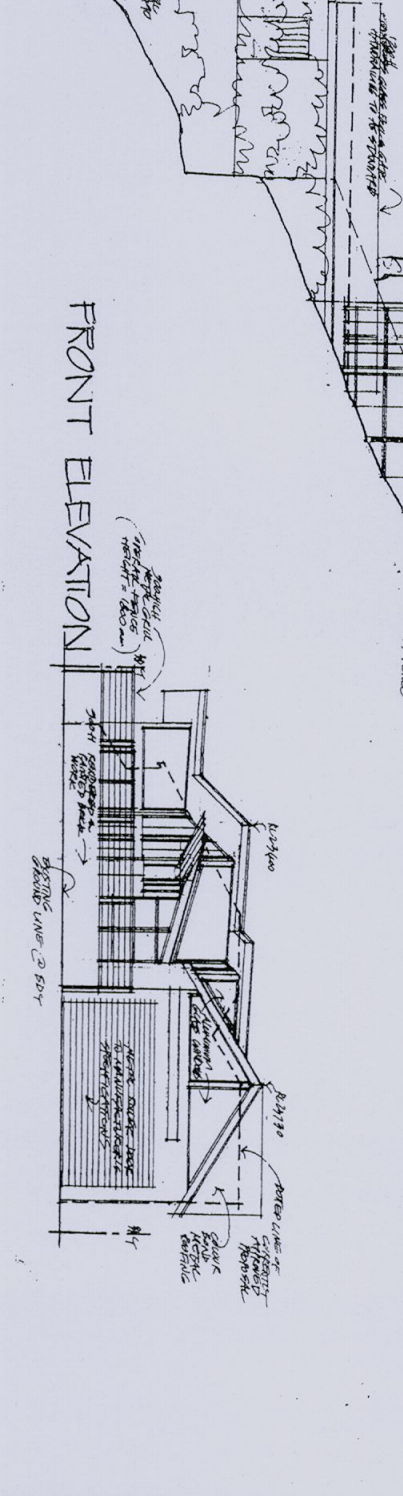
1:100



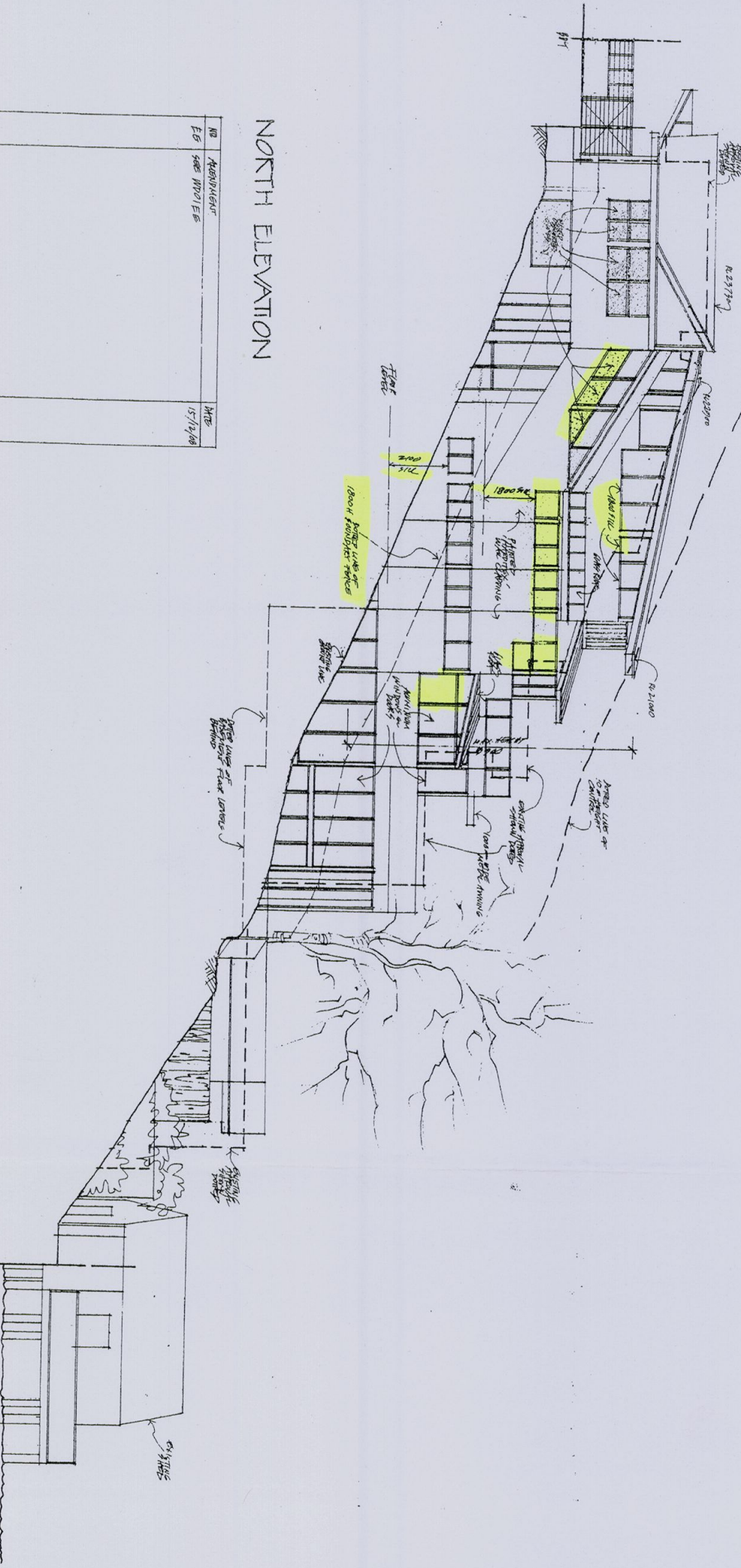
SECTION AA



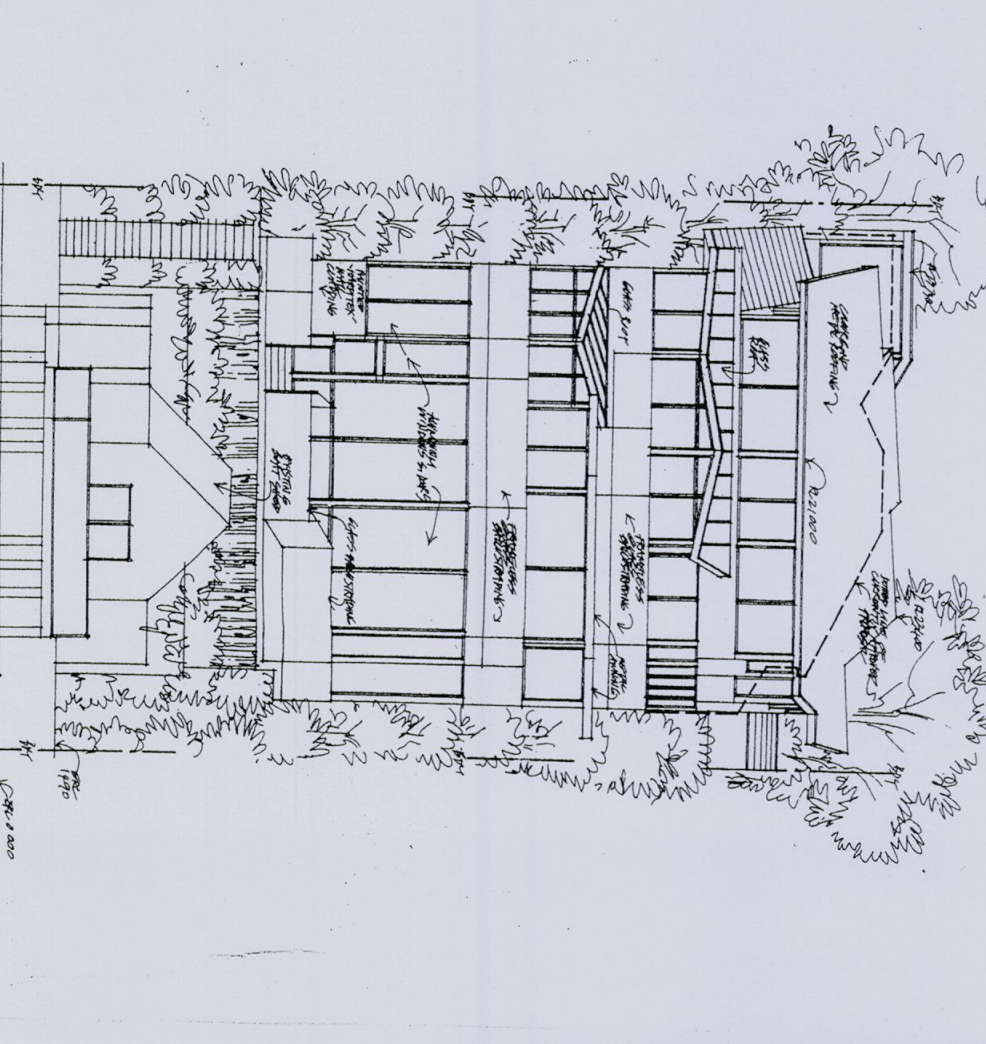
SOUTH ELEVATION



FRONT ELEVATION



NORTH ELEVATION



NO	REVISION	DATE
1	15/12/08	