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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 25/01/2024 3:42:44 PM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

25/01/2024

MR Cameron Nelson  
93 Marine Parade ST  
Avalon Beach NSW 2107  
[REDACTED]

**RE: DA2023/1780 89 Marine Parade AVALON BEACH NSW 2107**

Introduction

My name is Cameron Nelson, my wife Jan and I own and have lived at 93 Marine Parade, since 1995. Our old family homes are at 66 and 81 Marine Parade. Our family still owns the house at 66 where our children live.

Our submission

Historically the 2 storey house at 89 Marine Parade has always been visually dominant with its large, high windows and proximity to the cliff edge. It was built when the adjoining houses were closer to the street. Now, the house is outside the defacto building line causing issues of overlooking, loss of privacy and view blocking. The side setbacks don't comply with Council's DCP. It stands out in the view from Bangally Reserve where many go to climb the headland and admire the sea views.

The houses that have now been built around it adhere to the defacto building line and appear to be set further back, are less conspicuous and have generous side setbacks. The angle of the Eastern boundary of these properties and the North to South rise means it is impossible to prevent some overlooking of the northern neighbours. However these issues are limited if compliance with the setback, window privacy and building envelope requirements in Council's DCP are met. This also allows greater sharing and enhancement of the view and amenity of the location for all neighbours without one building dominating.

Our concerns are that the new building is non-compliant with the DCP and does not adequately address the principles of the Pittwater 21 LEP for this location. The development application seeks approval to retain the current non-compliant side setback and raise the floor level on the eastern elevation placing it well outside the building envelope (as shown on the plan). This plan retains and worsens all the elements of the old house that are objectionable to the neighbours. This is apparently to achieve more view, however the view is not diminished 1 meter further away.

This project is, in our opinion, not a rebuild of the existing house but a totally new development and we hope it will be assessed as such. Requesting council approval for the non-compliance is unreasonable and unnecessary in this sensitive location. The bulk and scale of the proposed house is also excessive with eaves extending from side boundary to side boundary with no wedding cake to limit the visual impact viewed from the street or the ocean.

We ask that council request the applicant resubmit plans that, at least, are fully compliant with the current DCP for a new dwelling. That considered modifications are made that might minimize any impact on neighbours and make the house more appropriate for the C4 environmental living zone and the view sensitive location.

Sincerely, Cameron and Jan Nelson