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**Sent:** 15/05/2019 4:06:48 PM  
**Subject:** Submission - Development Application DA 2018/1886 - Amended Plans - Lot 7  
DP 238331 - 10 Courtley Road Beacon Hill (Attention: Mr Nick England)  
**Attachments:** 190515113419.pdf;

Dear Mr England

Please find **attached** our correspondence for your kind attention.

Kind regards,

**Dominic Tam JP**

Solicitor | Notary Public | Registered Migration Agent | Registered Marriage Celebrant

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14 May 2019

The General Manager  
PO Box 82  
MANLY NSW 1655

Attention: Mr Nick England - Planner

Dear Mr England,

**Re: Development Application DA2018/1886 – Amended Plans**

**Address: Lot 7 DP 238331 10 Courtley Road BEACON HILL**

**Description: Demolition works and construction of a dwelling house**

We have been engaged by Feng Ying Zhao and Ru Jiang Wang, the owners of 14 Courtley Road, Beacon Hill to undertake an assessment of DA 2018/1886 and provide a submission to council on their behalf. This assessment is based on a review of the development application plans and documents available on Council's website during the notification.

The proposed development results in overshadowing, overlooking their property and privacy issues

## 1. Overshadowing

Section 62 of the Warringah Local Environmental Plan 2000 (LEP) outlines the following intent:

- Access to sunlight. Development is not to unreasonably reduce sunlight to surrounding property. In the case of housing, sunlight, to at least 50% of the principal private open spaces, is not to be reduced to less than 2 hours between 9am and 3pm on June 21, and where overshadowing by existing structures and fences is greater than this, sunlight is not to be further reduced by development by more than 20%.

The proposed new dwelling will be situated within 0.92 meter to the property of 10 Courtley Road Beacon Hill. Its proposed height as measured from the ground to the top will be 9,240 metre which will cast a huge shadow to the property of 14 Courtley Road Beacon Hill particular between the hours from 12 noon to 3:00pm from the Westerly sun.

## 2. Privacy and Overlooking

Section 65 of the Warringah Local Environmental Plan 2000 (LEP) outlines the following intent:

- Development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwelling. In particular:
  - The windows of one dwelling are to be located so they do not provide direct and close views (i.e. from less than 9metre away) into the windows of other dwellings, and

- Planter boxes, louver screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.

The proposed dwelling where from its the south-east elevation will have 2 windows at the ground floor, 4 windows on level 1 and balcony on level 1 and stairs and open space on ground floor.

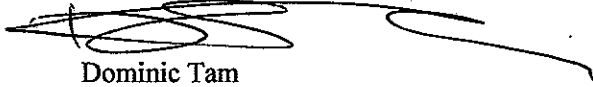
The window head height on level 1 will be 6,317 meter measured from the ground and this will directly overlooking the habital rooms and principal private open spaces of 14 Courtley Road Beacon Hill.

#### Conclusion

Under the current circumstances and the proposed amended plan, 14 Courtley Road Beacon Hill experiences overshadowing, reduced privacy with overlooking from 10 Courtley Road Beacon Hill.

Given these concerns, the proposed amended plans should be amended with a suitable redesign to address the above concerns so as to comply with the LEP.

Yours sincerely,  
Dennis Wong & Co



Dominic Tam