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**Sent:** 25/11/2019 10:01:20 AM

**Subject:** RE: Mod2019/0409

**Attachments:** Submission Letter - LAUBSCHER - 20181290 – Mod20190409.pdf; letter.pdf;

To Whom it May Concern,

I can unfortunately not attend the panel meeting on Wed 27 November 2019. I am in Seattle for business this week.

Our input was given earlier on in the process and attached hereto again for your ease of reference.

The panel's original decision made in December 2019 does not make any sense to any of the neighbors and was completely unexpected. The panel's decision significantly damaged the surrounding neighbours. In response to my outreach to the council to find out whether a channel exist for us to discuss the panel's decision at the time, we were told that no such channel exist. That left us frustrated and disappointed.

Please convey this message to the panel as necessary.

Regards,

hennie

Hennie Laubscher  
171 Ocean Street  
Narrabeen, NSW 2101

20 September 2019

General Manager  
Northern Beaches Council - Warringah  
725 Pittwater Road  
DEE WHY NSW 2099

To Whom it May Concern,

**DA NO: 2018/1290 – Mod2019/0409**  
**PREMISES: 2 TOURMALINE STREET, NARRABEEN**

I refer to the Development Application referenced above. My wife Amanda and I are the owners of No. 171 Ocean Street, Narrabeen, which is situated to south of the subject site.

To most stakeholders' biggest surprise, notwithstanding a clear recommendation for refusal by the Council's assessment team, the Development Determination Panel approved application DA NO: 2018/1290 subject to some small changes. How the panel came the conclusion that they did, is still a mystery to the immediate neighbors.

Despite the Council's demonstrated lack of care about the impact of the proposed development on the neighboring properties, we hereby again, for the third time, would like to raise our concerns in writing about the loss of privacy that may result from the proposed development.

The current plans will result in a significant loss of privacy to the pool area, alfresco and internal living area and kitchen of No. 171 Ocean Street. We have repeatedly asked for minimum sill heights of 1.6m, the Council approved a plan for 1.5m sill heights. It would seem from the plans provided, that some of the modifications to window sizes do not even meet the 1.5 m sill height requirement. Given that these windows look down directly on our swimming pool, we are not comfortable with current plan for these windows. We have also repeatedly asked for obscure glazing on all windows facing our property. The most recently submitted documentation and plans and other related documentation do not have details or a schedule/guide providing us with confidence that the windows depicted on the plan will be finished in that way. To be clear, we request full-window obscure glazing on the following windows: W6(2), W7(2) and W8 on the South Elevation view of the provided plans. The inhabitants of the property at 2 Tourmaline are not currently known to the immediate neighbors for doing the right thing by their neighbors. We therefore ask the Council to do as necessary to ensure that our privacy concerns are addressed effectively and specifically.

The proposal also provides for a large entertaining deck on the eastern elevation of the proposed upper floor addition. The deck is large. Whilst it is understood that the deck is designed to maximize views of the ocean, it also provides direct views into the rear yard, pool and internal living areas of No. 171 Ocean Street. The most recently submitted documentation seems to suggest a glass finish on the southern side of the entertainment deck where the privacy screen directing the views should be. We ask that council pay attention to that and do the necessary to address that effectively and specifically.

Please see the following extract from the submitted "Statement of Environmental Effects" as provided by the applicants. The text in yellow is one more example of the kind of false statements being made from time to time by the applicants in their application paperwork and that may have contributed to Council's unexpected approval of the said application.

D8 Privacy		
<p>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</p> <p>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</p> <p>4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</p> <p>5. Planter boxes, louvre 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.</p>	Yes	<p>No privacy issues have been identified to neighbouring properties and appropriate glazing will be utilized to provide necessary level of privacy to the occupants.</p>

We would be happy to discuss this matter in further detail.

Regards



Hennie Laubscher



20 November 2019



Hendrik Pieter Laubscher  
171 Ocean Street  
NARRABEEN NSW 2101

hennie@bigblue.com

Dear Sir/Madam,

**Application No.** Mod2019/0409  
**Address:** 2 Tourmaline Street Narrabeen  
**Description:** Modification of Development Consent DA2018/1290 granted for alterations and additions to an existing dwelling house

Council is writing to inform you that the above application is being referred to the Development Determination Panel (DDP) for determination on **Wednesday, 27 November 2019 at 10.00am** held at **Northern Beaches Council, 725 Pittwater Road, Dee Why.**

The agenda and assessment report will be available to view on Council's website 7 days prior to the meeting date. To view the agenda and for further information on the DDP meetings, please visit [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au) > Planning and Development > Building and Renovations > Determination Panels.

The panel members have reviewed the application and have considered all public submissions received by Council. If you have concerns with the report, recommendation and/or conditions, there is an opportunity to address the Panel.

**Should you wish to register to address the Panel, please contact Livia Kekwick on 9942 2739 by 4pm two days prior to the meeting.**

Please note this is a closed internal panel meeting. Each speaker will meet with the Panel individually and representations will be restricted to between three and five minutes. Alternatively, written representations may be made by email to [livia.kekwick@northernbeaches.nsw.gov.au](mailto:livia.kekwick@northernbeaches.nsw.gov.au) for the Panels attention.

Yours faithfully

Livia Kekwick  
**Senior Administration Officer**