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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 10/10/2024 4:16:04 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

10/10/2024

MS Leanne Robinson  
46 Headland RD  
North Curl Curl NSW 2099

**RE: DA2024/1244 - 23 Tasman Street DEE WHY NSW 2099**

Our property at 46 Headland Rd North Curl Curl is the direct neighbour to the South and rear of the applicant's property.

It is a matter for Council to determine whether the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the application and that there are sufficient environmental planning grounds to justify the proposed development contravening the development standard in terms of the proposed height of the building. We do not wish to make any submission regarding these issues but do acknowledge that consent to the proposed alterations and additions would increase habitable space in the dwelling and reduce potential greater impacts such as further development to the rear of the property as outlined at page 10 of the Clause 4.6 Request. However, if Council is satisfied that the applicant has established the above and proposes to grant consent to the application, we ask that Council and the applicant consider a request for conditions to be added to the consent/application that would to some extent alleviate the visual privacy and overlooking issues that we consider are created or exacerbated by the proposed alterations and additions.

At low densities there is a reasonable expectation that a dwelling and some of its open space will remain private.

The attic space in the applicant's residence is currently well utilised by the occupants for work and recreation purposes. Their use of the space is observable from certain parts of our dwelling and open space. The floor height and current large windows to the South result in the occupant's overlooking the rear of our dwelling, deck, patio and backyard when using the attic space. The increased ceiling height and increased habitable space created by the proposed alterations is likely to result in the space being used on an even more frequent basis. This will add to the frequency of our dwelling being overlooked from a considerable height. The proposed addition of a balcony to the South of the current attic space also adds to the likely increased frequency of overlooking and increases the area of our backyard that will be overlooked given the extended floor space to the South and therefore increased proximity created by the balcony.

We are already very conscious of the overlooking of our property and the ability of the occupants of the property at 23 Tasman St to observe us in our home, on our deck and patio and in our backyard. We accept that this is already the case and is to some extent unavoidable. We also appreciate the applicant's desire to maximise the ocean and local views from the South of the attic space, but are concerned about increased overlooking and reduction in visual privacy.

We acknowledge that the use of screens or landscaping to provide some privacy from the overlooking would also necessarily obstruct the views from the attic and balcony and are

therefore not viable options. We also acknowledge that deleting or reducing the size of the full length windows W5 and W6 or requiring solid balcony balustrading as per the current second storey Southern balcony would also restrict the enjoyment of Southern views from the attic space.

In those circumstances, we request that Council and the applicant consider windows and doors at W5, W6 and D2 and glass balustrading on the Southern balcony that is treated with privacy window film or tint that restricts the external view into the attic space (subject to any restrictions to ensure compliance with DCP Policy D12). This will not have any impact on the applicant's access to sunlight or views to the South but will increase their privacy in that we and other neighbours will not be able to see into the attic space. We acknowledge that this will not solve the issue of increased overlooking into our dwelling and open space. However, the fact that we will not be able to see, or will have a more restricted ability to see into the attic or onto the balcony, means that we will have less awareness and consciousness of the occupants overlooking us, and will therefore have an increased sense of visual privacy. We also intend to investigate possible measures that we could implement within our dwelling/open space to reduce the overlooking/privacy issues.

We thank you for considering our concerns/request.

Leanne Robinson and Roy Putaansuu