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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
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**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

08/05/2024

MR Rory McDonnell  
1 / 1 - 21 Cherry Lane ST  
Warriewood NSW 2102  
[REDACTED]

**RE: DA2024/0404 - 13 Fern Creek Road WARRIEWOOD NSW 2102**

For DA20240404 - Submission Close 8 May 2024 - Our initial submission is as follows:

- Overshadowing - sunlight in the back garden is already limited. The proposed development is elevated as such will cause extended periods of overshadowing during daylight hours.
- Privacy - The proposed development consists of 3 levels and is built into the hill causing the property to be further elevated. This renders the existing fence non effective from a privacy perspective. In addition the front of the proposed property directly overlooks the rear of our property, i.e. the following areas:
  - o Garden
  - o Master Bedroom
  - o Living room.
  - o Alfresco AreaIn summary we will have absolutely zero privacy at the rear of our property, the residents will have full visibility from the living and bedroom areas.
- Flood prevention measures - The area is prone to flooding. During heavy rains we have experienced flooding in the back garden from water flowing down from the elevated area (hill) at the rear of our property. The vegetation on the hill has somewhat alleviated this issue. The removal of this vegetation will make the area prone to flooding.
- The proposed development plans show a roadway running directly adjacent to the fence. This poses a high risk from a health and safety perspective. This risk needs to be mitigated from a planning perspective, the current plan does not address this risk, i.e. the risk of a vehicle (work vehicle (during the development) or a passenger vehicle) leaving the lane in an uncontrolled fashion and entering the rear garden of one of the adjacent properties via a wooden fence.
- The compliance of the site plan is questionable, the ratio of the residential floor plan vs the area of the overall site needs to be reviewed and confirmed compliant with local planning laws.
- Construction safety and prevention of damage to neighbouring properties - we've had previous issues when vegetation on the hill behind our house was cleared.
  - o Flying rocks and debris over the fence, we have a young daughter playing in the garden.
  - o Windows and cladding chipped, our next-door neighbour's window was shattered.

On the 6th May 2024, we spoke briefly to a Council Planning Officer working on this DA's and requested a formal extension.

The Council Planning Officer advised a formal extension could not be granted but a late submission would be considered provided it was received before the application is determined.

Once our nominated town planner has carried out the assessment, we will submit accordingly.