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**Sent:** 27/03/2022 2:56:26 PM  
**Subject:** DA2022/0241 - Attention: Kye Miles

Dear Kai,

Please find our submission below:

On reviewing the documentation provided for this DA, we have serious concerns.

In the document prepared by Watermark Planning, they refer to the approved subdivision as a rationale to approve non compliant setbacks. We find this assumption invalid. We did not object to the subdivision because we had no knowledge of what was to be built on the footprint. We note that there are no measurements on the subdivision footprint but when viewing the current proposal, it is obvious that the proposed dwelling boundaries have moved outside the footprint.

We also strongly disagree with Watermark Planning's subjective comment that "The impact of the lesser setback is not to the detriment of any neighbouring property." By avoiding the setback regulation, the bulk of the building is allowed to increase, which significantly impacts on us. Watermark Planning, nor anyone, have consulted with us in regard to this DA. We also note that Watermark Planning have submitted an inaccurate view (see Fig 6, P7) of the proposed dwelling looking east. This view in their document is a north east view & shows the house to our northern boundary. A true east view would show the close proximity of our house to the proposed dwelling and demonstrate the significant impact from the proposed eastern & southern boundaries. We cannot see any reason there should be an exemption to the setback regulations and strongly object to this to be allowed.

"The proposed dwelling has compliant side setbacks West - 3.066m **East - 19.127m** South – 1.497m (Garage) 10.2m (Living) A rear setback of 3.543 is proposed, which is lesser than the required 6 metres. This is considered reasonable in this instance, as it was in the subdivision application. The impact of the lesser setback is not to the detriment of any neighbouring property. It does not result in loss of solar access. The sit is lower than the northern neighbour and it does not result in unreasonable bulk or loss of views. It still allows for ample landscaping and allows for the **retention of amenity for the site and neighbours, with the key yard area for the subject site being located on the eastern side of the approved lot**"

The above is an excerpt from the Watermark Planning document (P18). On viewing the plan, we find the highlighted East measurement confusing and incongruent with the plan. We also rigorously dispute that the "yard" on the eastern boundary retains any amenity for us (the neighbours). Such highly subjective statements are unfair and untrue.

We have lived in our house for over 44 years. One of the lovely features of our house is our western verandah where we enjoy the afternoon sun, especially in winter. This verandah, and our adjoining lounge room, do not receive sun all day until the afternoon. The bulk of the proposed dwelling would block all the afternoon sun, meaning we would not receive any sun all day on this verandah. Especially in the winter, we need this sun for light and warmth and, in our retirement, it is a favourite place to spend the winter afternoons. There are other rooms that are also impacted by this loss of solar access. There is my sewing/exercise/living room on the western side that we use often throughout everyday. The loss of solar access will mean that I will need to have the lights on, use heating and puts us at risk of developing mould. From the shadow diagrams you can see that the proposed dwelling will lead to the loss of all the sunlight to our main outdoor private space and our western facing rooms. Consequently, these areas will no longer receive the minimum 3 hours of sunlight. Watermark Planning stated that "surrounding properties do not benefit from views". Watermark Planning have never visited our property so they could not understand that we have lovely vista from our dining area, back deck and also our western verandah. The vista from our dining area and our back deck is a beautiful view of the western sky and the hues of the sunsets. The vista from our western verandah is to the northwest sky and canopy treeline. The proposed development will obliterate all of those vistas. The bulk of the building will make us feel closed in and the proposed east facing windows - in particular the massive stairwell and WIR windows - looking down on our property and outdoor space are intimidating and would result in a complete loss of privacy in our backyard and back deck.

Finally, when viewing the Engineering Referral Response for the subdivision of the proposed site, it states that the driveway needs to be 3 metres. The subdivision survey document shows the driveway to be 3.55metres. Using the scale on the proposed DA2022/0241 plans, the driveway appears to be only approximately 2.5 metres and that is inclusive of the overhanging eaves of the dwelling on Lot 1 of the subdivision. We question if the driveway is compliant to provide access to a dwelling.

Kind Regards,

Stephanie Brown