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Send to: Northern Beaches Council

Job no. 1915  
 D.A: 1092/2019

Date: 24<sup>th</sup> October 2019  
 Page no. 01

**PROJECT: 64 Fairlight Street Fairlight NSW 2094**

**SUBJECT: Response to Objection letter from Doris Hemberger 62 Fairlight Street Fairlight NSW 2094**

As the architect for the above Development Application I write on behalf of the applicants and owners Ian Donaldson and Lucy Shepherd in response to the emailed objection received on 23<sup>rd</sup> October 2019 from Doris Hemberger of 62 Fairlight Street Fairlight NSW 2094. We note that she is the wife of Bernard Hemberger who has previously objected and lives at the same address and we believe their objections should be counted as one objection only, not two.

Using the same order as the email my comments are:

<b>62 Fairlight Street Fairlight</b>	
1.	
a	<p>How exactly does a swimming pool with a compliant pool fence with effective compliant lock, accessible only from a pathway in front of the house, accessed through a lockable gate behind a compliant front fence constitute a hazard to children and to their grandchildren?            Are they suggesting that children and their grandchildren have been taught to believe it is acceptable to trespass on other people's property to use someone else's pool?            Are there numbers of young children in the area that are not being effectively supervised by their parents or guardians?            The suggestion is that any property that is anywhere near a property that has children as occupants cannot have a swimming pool. How could this be enforced?            Surely a compliant fence within a secured yard fulfils the safety requirements and is sufficient?</p>
b	<p>The proposed pool is too small to be suitable for laps, and no lap pump is to be installed.            It is for enjoyment of the owners and guests.            If this pool would cause a noise issue for the occupants in the bedrooms of 62 Fairlight Street I would assume that would be for the hours between 9.30pm and 6.30am?            Is there any likelihood that this type of pool would be used between those hours?            Currently the complainant has had no issue with the owners using their front yard during these times            Given the distance involved, the bin enclosure wall and landscaping and the positioning and usage we do not believe that the pool area will generate noise levels unacceptable to sleeping occupants of 62 Fairlight Street</p>
c	<p>Has the complainant detailed knowledge of the suggested pool pump?            Has the complainant provided an acoustic report to back up such claims?            The detailed plans and sections clearly note that the pool pump will be built into the rear wall of the bin enclosure and will have effective acoustic screening and this is note din documents.            The last thing our clients would want even for themselves is a noisy pool pump and the location and design was developed in consideration of theirs and neighbours possible noise pollution issues.</p>
d	<p>What exactly is the perceived character of the street?            The pink building beside the complainants home at 60 Fairlight Street?            The white boxes further down, the new developments across the street?            The street is made us of various building types and styles and we believe this adds to the character of the street.            The first floor addition has been built largely within the body of the existing roof and the windows are screened.</p>

e	The complainant comments on it being unacceptable or outrageous are subjective and should be ignored.
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We would appreciate consideration of our responses when addressing these comments

The owners and I are available to meet Council and /or the owner of 62 Fairlight Street Fairlight at any time to discuss her concerns and the responses contained in this letter.

Sincerely

David McCrae  
**Principal**  
**MM + J Architects**