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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 7/03/2023 8:50:56 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

07/03/2023

MS Jennifer Faddy  
- 19 Gubbutteh Rd RD  
Little Bay NSW 2036  
[REDACTED]

**RE: DA2022/1128 - 38 The Drive FRESHWATER NSW 2096**

Dear Sir/Madam

I write regarding the proposed dwelling at 38 The Drive, as owner of Unit 1/11 Lodge Lane. The rear boundary of the site sits about 1m from my bedroom window.

The current iteration of the development does not comply with height limit, which should not be approved. There is no reason to depart from the controls when the building bulk creates such impact. I remain particularly concerned about

Views from the foreshore:

- the impact on views from the foreshore

The location of the pool, with the pool edge 1 metre from the boundary:

- The location of the pool does not comply with the rear boundary setback requirements, as the objectives of the rear setback controls have not been met namely

- To ensure opportunities for deep soil landscape areas are maintained.
- To create a sense of openness in rear yards.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.
- To provide opportunities to maintain privacy between dwellings.

The pool deck is about 1m from my bedroom window, and appears to be built up at least 300mm from the existing ground level in one corner, resulting in a higher boundary fence and loss of light and air. Given the proximity of 11 Lodge Lane this is not a conventional "backyard" situation, and even more regard must be given to meeting the objectives. In addition, the development appears to be a series of self contained units so the noise impacts are likely to be significant.

As the pool does not meet the requirements or the intent of the DCP my request is that it be moved east and swapped with the grassed area to allow adequate open space between the pool and the bedroom and lounge room windows of Unit 1 at 11 Lodge Lane.

Impacts from the Entertainment wing:

I will also suffer privacy impacts from overlooking into my bedroom window from the elevated rear (entertainment) wing and request that this be redesigned to sit at the ground level rather than being elevated.

Yours sincerely  
Jennifer Faddy