
From: DYPXCPWEB@northernbeaches.nsw.gov.au
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07/10/2025

MR Betti Paris
19 - 19 Norfolk AVE
Collaroy NSW 2097
[REDACTED]

RE: Mod2025/0502 - 21 Norfolk Avenue COLLAROY NSW 2097

Betti Paris and Frank Tesoriero
19 Norfolk Avenue
Collaroy NSW 2097

7 October 2025

Northern Beaches Council
council@northernbeaches.nsw.gov.au

Subject: Objection to Proposed Development: 21 Norfolk Avenue Collaroy, 2097
Modification number: Mod2025/0502

Dear Sir/Madam,

We are writing to object to the proposed development modifications, which seek several variations to key planning controls under the Northern Beaches Local Environmental Plan (LEP) and Development Control Plan (DCP).

As the owners of 19 Norfolk Avenue, Collaroy, which adjoins the subject property to the east, we are concerned that the proposed non-compliances will result in adverse and unjustified impacts to our property's residential amenity.

Grounds for Objection

1. Non-compliance with Building Height Limit

The proposal seeks to increase the building height to 8.874 metres, exceeding the maximum permitted height of 8.5 metres. This constitutes a clear breach of height limits.

While the numerical variation may appear minor, it results in increased overshadowing, particularly for our backyard during critical afternoon periods in winter. The additional height compounds the impacts on direct sunshine in winter months in our backyard, solar access, visual bulk, and loss of openness, all of which the height control is intended to prevent.

Furthermore, no compelling or site-specific justification has been made to show that compliance with the 8.5 m height is unreasonable or unnecessary, as required by the LEP if a variation is to be considered.

2. Breach of Front Setback Requirement

The proposed garage has now been moved approximately 0.6 metres further forward than in previous modifications, significantly increasing its encroachment into the front setback and further exacerbating the development's non-compliance with DCP Control. The proposed front setback of 5.889 metres fails to meet the required minimum setback of 6.5 metres.

This encroachment reduces the separation between the dwelling and the street, contributing to:

- Visual dominance and streetscape inconsistency with other properties
- A reduction in perceived space between dwellings
- Erosion of the existing character of Norfolk Avenue, where front setbacks are consistent and contribute to a green and open street profile
- Impact of winter sun on the front rooms of our property at both levels

The non-compliant setback worsens the bulk and scale impact of the proposed dwelling from the street and surrounding properties and should not be supported.

3. Failure to Meet Landscaped Open Space Requirements

The proposal also falls well below the required 40% minimum landscaped open space, as required under DCP Control - Site Coverage and Open Space.

This shortfall reduces:

- Overall visual and environmental amenity of the site and adjoining properties.
- The ability to provide adequate soft landscaping, trees, and natural elements.
- Opportunities for deep soil planting and effective stormwater infiltration.

Cumulative Impact on Neighbouring Amenity

The combination of increased height, reduced setback and decreased open space results in a development that:

- Overshadows adjoining private open space (notably our rear yard)
- Increases the visual bulk and enclosure effect on neighbouring lots.
- Sets a precedent for overdevelopment inconsistent with the planning controls designed to protect residential amenity and neighbourhood character.

Request for Refusal

Given the clear and compounding breaches of the planning controls - namely the excessive building height, inadequate front setback and failure to meet landscaped open space requirements, we respectfully request that Council refuse the proposed variations and require the applicant to submit an amended design that fully complies with the applicable LEP and DCP provisions.

The controls exist to ensure that all residents enjoy equitable amenity, privacy, sunlight, and visual openness. Departures from these standards should not be approved where they adversely affect adjoining properties and lack adequate justification.

Please do not hesitate to contact us if further clarification is required. We are happy to provide photographs or additional details to support this objection.

Yours faithfully,
Betti Paris and Frank Tesoriero
19 Norfolk Avenue
Collaroy NSW 2097