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MEMORANDUM

DATE: 20 September 2022

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Megan Surtees

SUBJECT: Item 4.4, DA2022/0221 - 3 Suwarrow Street FAIRLIGHT

REFERENCE: Late submission from Julie and Stuart McInnis

Dear Panel Members,

The purpose of this memo is to advise the Panel that a late submission has been received from Julie and Stuart McInnis, which raised the following matters:

- **Issue 1:** insufficient side setbacks
- **Issue 2:** extent of impact of overshadowing
- **Issue 3:** encourage Panel to accept recommended condition relating to obscure glazing of windows

Issue 1

As detailed within the Assessment Report, the proposal results in numerically non-compliant side setbacks for both dwellings. However, the assessment found that these non-compliances are considered acceptable, in this instance, and is not considered to result in any unreasonable amenity impacts.

Issue 2

As detailed within the Assessment Report, the proposed development results in a degree of overshadowing to the adjoining properties, particularly to 1 Suwarrow Street, Fairlight, as this property is located to the south of the subject site.

An internal site visit was conducted at 1 Suwarrow Street, Fairlight and the internal living areas were observed to be located at the rear north-western and front south-eastern areas of the dwelling, and the main external private open space is in the western portion of the site. The assessment of **3.4.1 Sunlight Access and Overshadowing** of the Manly Development Control Plan found that the proposed development satisfactorily achieves the underlying objectives of the control and, notwithstanding the technical numerical non-compliance, is acceptable, in this instance.



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Issue 3

The submission strongly encourages the Panel to accept the recommended conditions relating to privacy, particularly **Condition No. 12 Amendments to the approved plans**, which requires obscured glazing to each window along the southern elevation of the first-floor level to the dwelling on **Lot A** so as to minimise adverse privacy impacts.

Recommendation

The Panel note the submission.

No changes required to the recommendation or conditions contained in the Assessment Report.