

# A D D E N D U M

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## ADDENDUM TO REPORT OF GEOFF MOSSEMENEAR, EXECUTIVE PLANNER DATED 11 MAY 2021

**SUBJECT:** 182 KURRABA ROAD, KURRABA POINT  
**APPLICATION NO.** DA 333/19/2  
**AUTHOR:** GEOFF MOSSEMENEAR, EXECUTIVE PLANNER  
**DATE:** 31 May 2021

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### BACKGROUND

This report should be read in conjunction with the report LPP06 dated 11 May 2021, concerning a Section 4.55 application (**DA333/19**) seeking NSLPP approval for modifications to the approved development involving alterations and additions to convert a duplex into a residential flat building with strata subdivision including an increase in the height of the building by 350mm.

### PURPOSE

The purpose of this addendum is to respond an email correspondence received from the applicant requesting amendments to **Condition C18 (Privacy)**.

### APPLICANT'S REQUEST

The applicant's email correspondence is as follows:

*We have reviewed the report and welcome the positive recommendation.*

*One query in relation to the amended Condition C18. This condition (as amended) does not reflect the updated window tags that were captured in the s4.55 plans submitted. Can you update the table found in C18 to reflect the windows you seek to have obscure or frosted entirely or obscured or frosted to a height of 1.5m?*

*Our concern is that if the condition, as amended, is approved as is, it will be referring to the wrong windows referenced on the new consent plans.*

*We note that with the supported internal configuration changes, there are no longer ensuite windows to the northern elevation. We presume the privacy measure relating to ensuites can be removed entirely. If you are of the opinion that a portion of the windows facing 178 Kurraba Rd are still to be treated (opaque or frosted), please consider that almost all of these windows are now bedroom windows (by virtue of the amended floor layouts) that are not typically "high traffic" windows, generating only passing outlook, in rooms often populated in the evenings, reducing the chances of incidental overlooking.*

*Can this please be addressed prior to the meeting so that further applications and confusion at the CC stage can be avoided.*

Re: 182 KURRABA ROAD, KURRABA POINT

## CONSIDERATION

Consideration has been given to the applicant's request for amendments to Condition C18.

It is noted that the application did not make it clear that other windows in Condition C18 were affected as it mainly addressed a change to the privacy screens on the balconies.

### C18 in the recommendation reads as follows:

#### *Privacy*

C18. *The following privacy devices are to be provided:*

<i>Privacy Measures</i>	<i>Windows/Location Details</i>
<i>Ensuite Windows – Obscure or frosted glazing to whole window.</i>	W21; W38; W56
<i>Doors/Full Height Windows – Obscure or frosted glazing to lower part to a minimum height of 1500mm above the finished floor level.</i>	W57; W58; W63; W64
<i>Windows – Bottom half of window to be obscure or frosted glazing or external fixed louvres directed to block overlooking of neighbour's windows.</i>	W22; W23; W39; W40; W61; W62
<i>Privacy Screens – Balconies Solid balustrades and obscure or frosted glass screens to a height of 1.6m above finished floor level are to be provided to the northern edges of balconies at the nominated locations.</i>	<i>Balconies on the northeast corner on: Lower ground floor (upper) Ground floor Level 1 Level 2</i>

*Note: The window numbers are identified on drawing numbered DA\_200\_01 Revision 04 dated 15 January 2020*

*Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.*

*(Reason: To ensure an adequate level of privacy is provided to adjoining property located at Nos. 176 and 178 Kurraba Road)*

A further examination of the submitted plans has revealed that the window numbers were not shown on the proposed northern elevation but were shown on the floor plans only.

It is considered that a further amendment to **Condition C18** is required to include the window numbers as shown on the submitted floor plans.

**Re: 182 KURRABA ROAD, KURRABA POINT**

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**Condition C18 is to be amended to read as follows:**

**Privacy**

C18. The following privacy devices are to be provided:

<b>Privacy Measures</b>	<b>Windows/Location Details</b>
<b>Ensuite Windows</b> – Obscure or frosted glazing to whole window.	W39
<b>Doors/Full Height Windows</b> – Obscure or frosted glazing to lower part to a minimum height of 1500mm above the finished floor level.	W16; W26; W37; W41
<b>Windows</b> – Bottom half of window to be obscure or frosted glazing or external fixed louvres directed to block overlooking of neighbour's windows.	W17; W18; W27; W28; W40
<b>Privacy Screens</b> – Balconies Solid balustrades and obscure or frosted glass screens to a height of 1.6m above finished floor level are to be provided to the northern edges of balconies at the nominated locations.	Balconies on the northeast corner on: Lower ground floor (upper) Ground floor Level 1 Level 2

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure an adequate level of privacy is provided to adjoining property located at Nos. 176 and 178 Kurraba Road)

**Conclusion**

Following a request from the applicant and a further examination of the submitted floor plans and elevations, it is recommended that Condition C18 be amended to incorporate the appropriate references to window numbers and their locations.

**RECOMMENDATIONS:**

- A. **THAT** the addendum be noted.
- B. **THAT** Condition C18 be amended to read as follows:-

**Privacy**

C18. The following privacy devices are to be provided:

Re: 182 KURRABA ROAD, KURRABA POINT

<b>Privacy Measures</b>	<b>Windows/Location Details</b>
<b>Ensuite Windows</b> – Obscure or frosted glazing to whole window.	W39
<b>Doors/Full Height Windows</b> – Obscure or frosted glazing to lower part to a minimum height of 1500mm above the finished floor level.	W16; W26; W37; W41
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<b>Privacy Screens</b> – Balconies Solid balustrades and obscure or frosted glass screens to a height of 1.6m above finished floor level are to be provided to the northern edges of balconies at the nominated locations.	Balconies on the northeast corner on: Lower ground floor (upper) Ground floor Level 1 Level 2

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure an adequate level of privacy is provided to adjoining property located at Nos. 176 and 178 Kurraba Road)

SIGNED

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**GEOFF MOSSEMENEAR**  
**EXECUTIVE PLANNER**

Endorsed by

**GAVIN McCONNELL**  
**A/MANAGER DEVELOPMENT SERVICES**