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Dear Brittany Harrison
Northern Beaches Council,
1 Park St
Mona Vale 2103

8th August 2025

45a Riviera Ave Avalon (12 Capua Place Avalon)

Dear Brittany

Please refer to my response to your letter dated 16th July 2025

1. SITE CONTEXT – EXISTING AND PROPOSED

Existing deck - RL 69.27

Heavy vegetation is located to along north west side boundary, consisting of a large dense and very tall hedge, further down past the existing deck there are various types of trees and shrubs located along the side boundary. As shown in photos below it is difficult to have any visual sitting of the adjoining neighbours of no. 10

Proposed secondary dwelling floor level – RL 68.77

The proposed new level of the secondary dwelling floor level has been lowered by 500mm
The natural ground level at the south western corner of the dwelling will be 1.53m below the new floor level.

Side building envelope will comply as shown below

Proposed rear narrow deck off the secondary dwelling - RL 68.67

The level of this small narrow deck will be 600mm below the existing deck level .



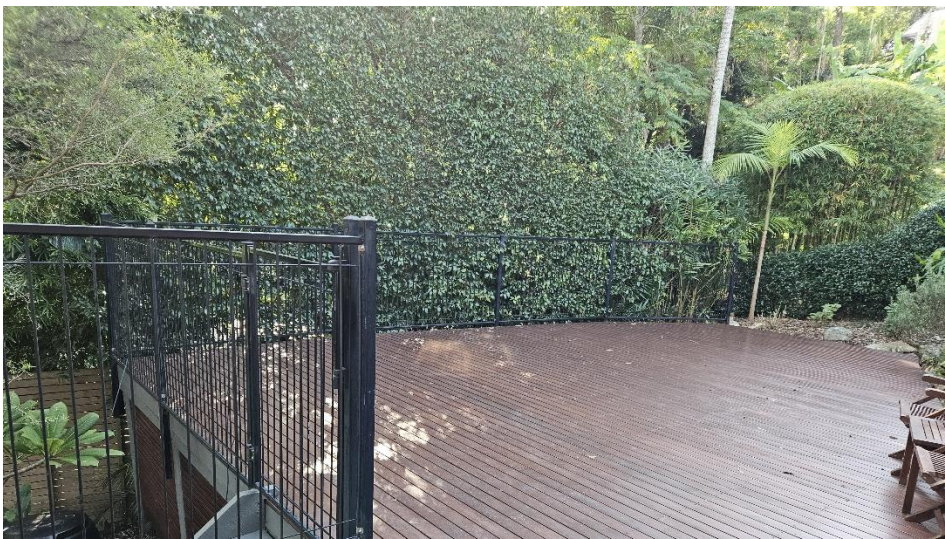
APPROX LOCATION OF NEW FLOOR LEVEL

EXIST. DECK LOOKING SOUTH WEST

PRIVACY

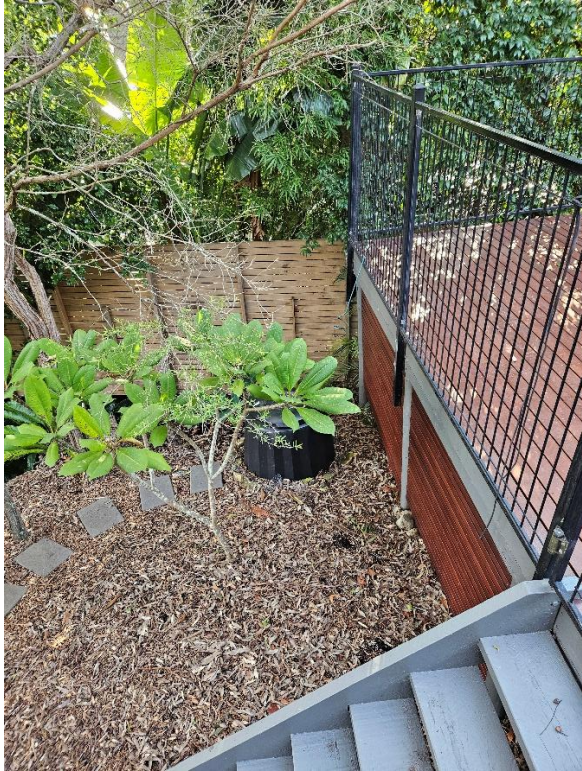


VIEW LOOKING TOWARDS THE NORTH WEST SIDE BOUNDARY. THERE WILL BE NO VISIBILITY TOWARDS THE ADJOINING PROPERTY NO.10 DUE TO THE HEAVY AND TALL HEDGE. THE NEW LEVELS WILL BE 500MM LOWER THAN THIS DECK



4 NEW WINDOWS LOCATED ALONG THE NORTH WESTERN SIDE BOUNDARY WILL NOT AFFECT ANY PRIVACY ISSUES OR OVELOOKING ONTO PROPERTY NO.10 DUE TO LOCATION OF A DENSE AND A VERY TALL HEDGE.

CURRENTLY THE EXISTING DECK ABUTTS THE SIDE BOUNDARY, THE PROPOSAL WILL HAVE A **SIDE SETBACK OF 1.0m WHICH COMPLIES WITH COUNCILS CONTROLS**



VIEW LOOKING TOWARDS THE NORTH WESTERN BOUNDARY PAST THE EXISTING DECK, AS IT CAN BE SEEN, THERE IS **NO** VISIBILITY DOWN UPON PROPERTY NO. 10 DUE TO DENSE VEGETATION, CONSISTING OF TREES AND SHRUBS. KEEPING IN MIND THAT THE NEW FLOOR LEVEL WILL BE **500mm BELOW THE CURRENT EXISTING TIMBER DECK.**

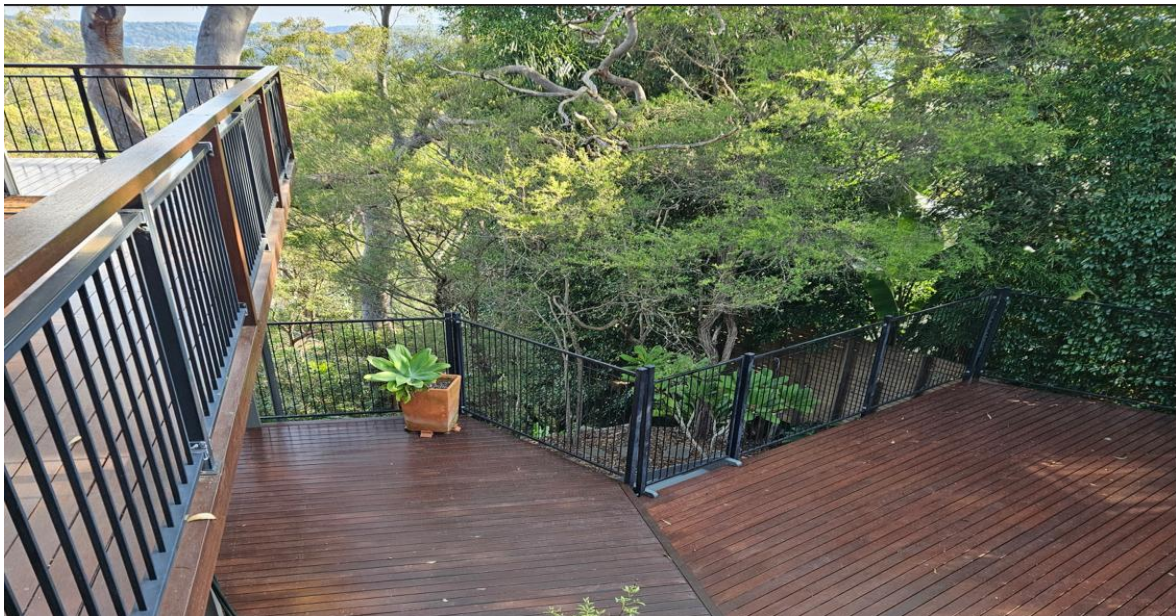


PHOTO ABOVE AND BELOW SHOW WHEN STANDING OR LOOKING OUT FROM THE REAR DECK AND SLIDING DOORS THERE WILL BE NO VIEWS OR OVERLOOKING DOWN UPON NEIGHBOURING PROPERTY NO. 10.



VIEW LOOKING TOWARDS THE REAR OF THE SITE AND SLIGHTLY TOWARDS THE NORTH WESTERN SIDE BOUNDARY. THE FLOOR LEVEL WILL BE LOWERED BY 500mm (house) AND 600mm (deck) FROM THE EXISTING DECK LEVEL, THERE WILL BE **NO** OVERSEEING OR OVERLOOKING DOWN UPON THE NEIGHBOURING PROPERTY NO.10.

It would be a disadvantage for any neighbours to remove their vegetation if they prefer to have privacy, as everyone likes to have privacy within their own private domain.

BUILDING ENVELOPE

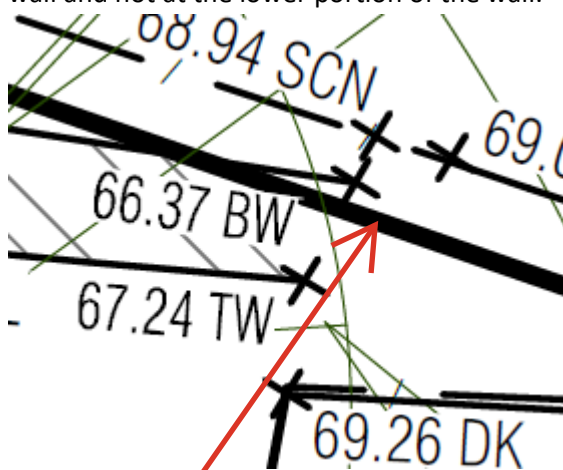
Side building envelope complies as shown below. The natural ground floor level at the south western corner of the dwelling is 1.53m below the floor level of the new dwelling. The retaining wall as mentioned on page 2 is slightly away from the corner.



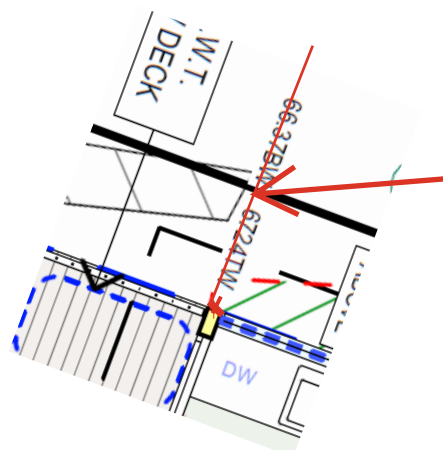


The corner of the existing deck is an approx.. location of the corner of the new dwelling. The timber screen as shown is on Natural ground level and on top of the brick wall.

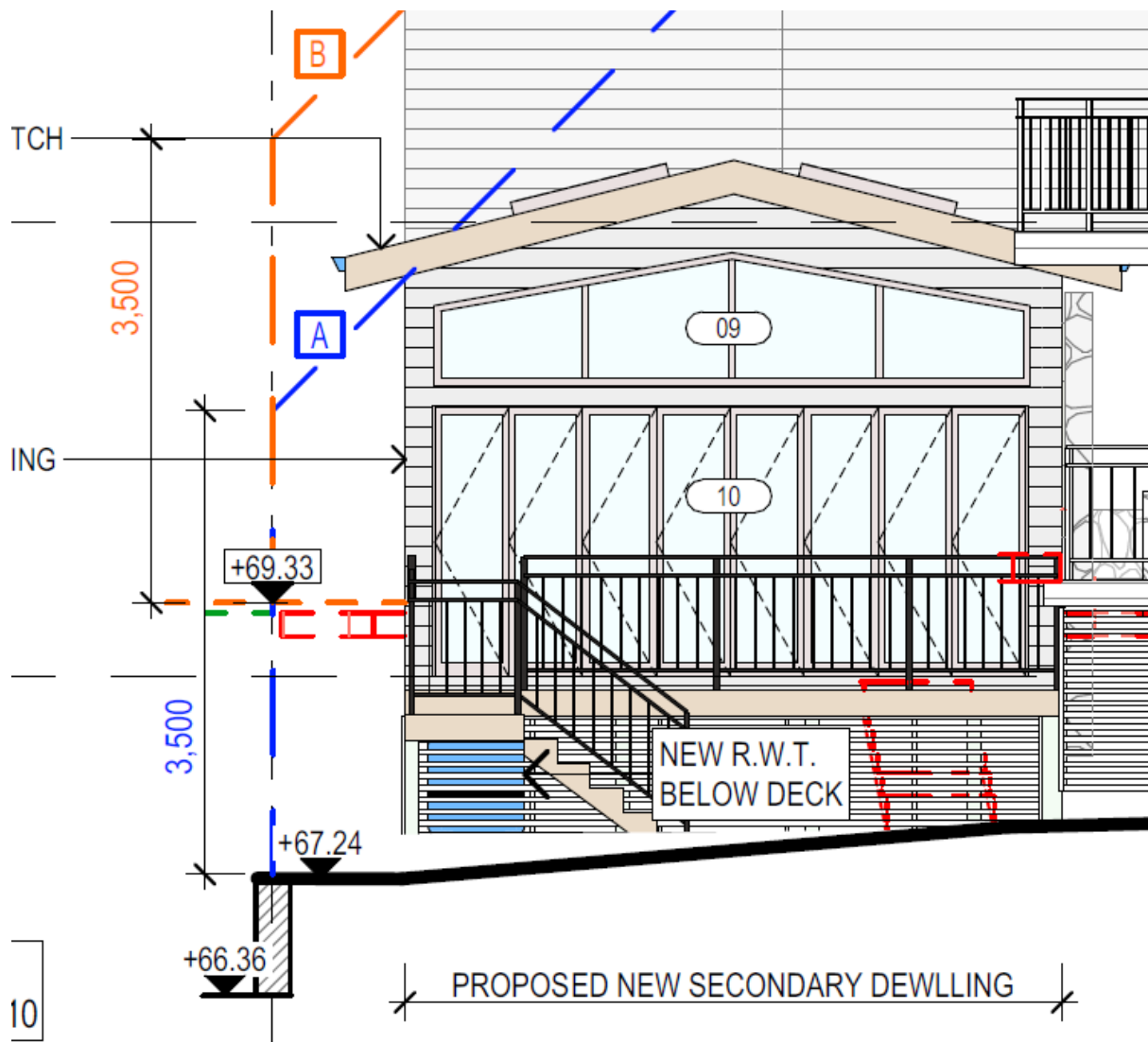
The height at this corner will be 1.53m from the new floor level to the top of the brick wall. The side building envelope is taken at the top of the wall NOT from the bottom of the wall as indicated on drawings. **To be precise, as accuracy is quite important here** the boundary is located on top of the wall and not at the lower portion of the wall.



BOUNDARY



LINE OF SIDE BUILDING ENVELOPE



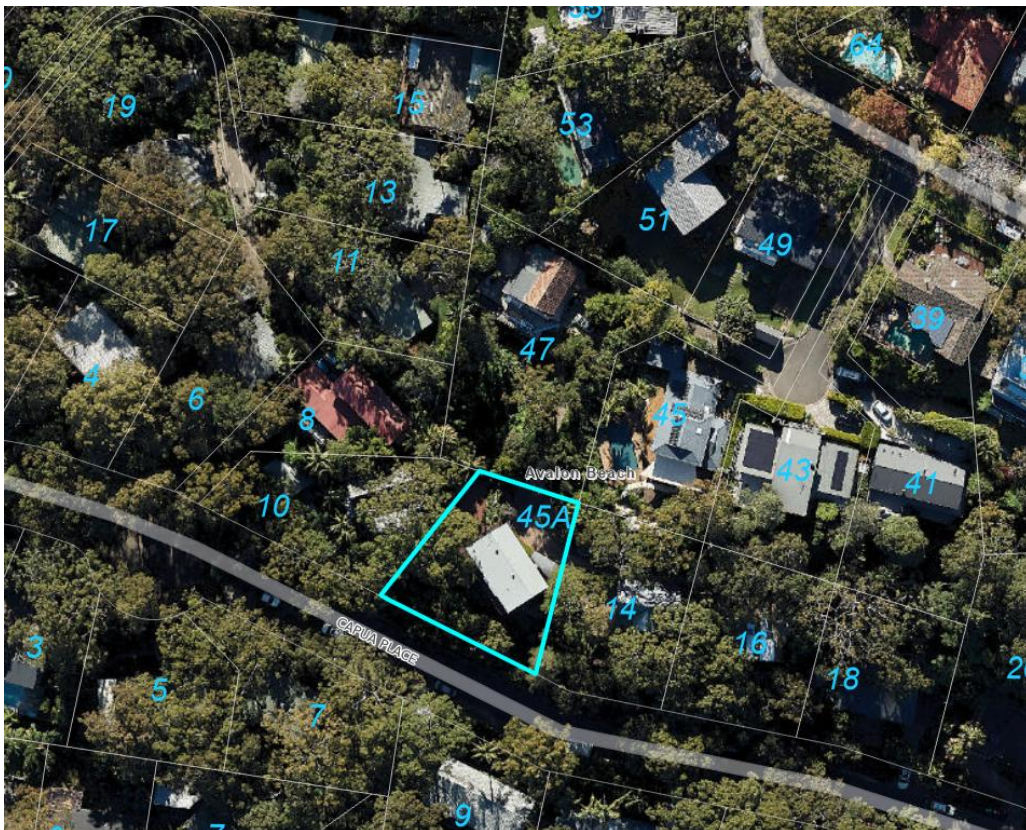
Ground level at the corner of the dwelling 1.53m below the new floor level ---**WALL COMPLIES**

D1.9 SIDE AND REAR SETBACK (page 9)

Given the nature of the site and the property being a battle axe block it is difficult to adhere to a 6.5m rear setback. Via various maps it can be seen that all properties have substantially different setbacks throughout the neighbourhood due to the irregular lot sizes. There are numerous properties in the vicinity with a lesser rear setback.

Regardless the new windows being provided along the north western side boundary, these windows will **not** create any overlooking into the property of no.10 due to the dense hedge located along this side boundary, as seen in various photos.

The bulk and scale of the proposed garage and secondary dwelling will not be visible from no.10 due to the 5m and dense hedge. Refer to photo below.



EXCAVATION -PAGE 3

The proposed bathroom to the secondary dwelling has been raised so that less excavation is necessary. There will be a varied excavation height of up to approx.. 1.5m, this is not substantial excavation, as the area has been created as a stepped garden with loose rocks some larger rocks.



APPROX. AREA OF EXCAVATION

CONCLUSION

As mentioned in the above statement, there will be **NO** adverse impacts associated with the proposed construction to the property to. no.10

The proposed secondary dwelling will not affect the amenity, privacy and or overlooking into adjoining properties, especially to no. 10

Yours Sincerely
Jitka Jankovec
(Director) JJDrafting Australia

