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

6<sup>th</sup> June 2025

45a Riviera Ave Avalon (12 Capua Place Avalon)

Dear Brittany

Please refer to my response to your letter dated 16<sup>th</sup> May 2025

**1. C4 Environmental living zone**

*It complies with the low impact residential development in the area with special ecological, scientific or aesthetic values*

- The proposed garage has been reduced to increase the side setback and thus reducing the amount of wall encroaching above the side building envelope. No excavation has been proposed along the North eastern side boundary in the revised drawings. There will be no affect upon the ecological, scientific or aesthetic values  
The external stair on the southern boundary off Capua Place has been deleted

*The revised design will not have an adverse effect on those values*

- The revised design is of a scale that has been integrated within the landform and landscape
- There will be no effect upon the riparian and foreshore vegetation, native flora and fauna and their habitats  
Majority of the proposed works are located above an existing timber deck. The deck is to be removed and landscaping reinstated along the north western side boundary. No major vegetation has been removed, any minor vegetation that has been removed has been planted by the owners.

**2. Clause B6.3 Off Street Vehicle Parking Requirements**

The proposed garage has been reduced to provide for a greater side setback to the north western side boundary.

The reduced garage will provide for better spatial separation between adjoining properties. Majority of the proposed revised garage complies with the side building envelope. Only a small portion contravenes this. It is requested that this slight non compliance be supported

as it difficult to adhere to this control due to the topography of the site, the siting of existing buildings and the right of carriageway. Therefore the garage is difficult to be located elsewhere or moved due to these restrictions on the property.

3. **Clause B8.1 Construction and demolition – excavation and landfill**

The revised drawings have deleted any excavation or landfill along the side boundaries

4. **Clause C1.5 Visual Privacy**

Windows 04, 05, 06 and 07 do not pose any privacy concerns. The secondary dwelling is located on the ground floor level and overlooking is not possible, given the side boundary fence and a large thick hedge that prevents any overlooking onto the neighbouring property. These windows are also located in a hallway and not habitable space.

5. **Clause C1.25 Public Road reserve-Landscaping and Infrastructure.**

The proposed external stair in the road reserve from Capua place has been removed

6. **Clause D1.9 Side and rear building line**

The revised drawings have deleted the pathway along the north western side boundary and has been reinstated to landscaping.

The area along the north eastern side boundary has remained, no excavation, stepping blocks have been included to the natural topography of the land to provide access. Currently there is an existing gate located at the top with existing natural steps for access to the existing timber deck.

The retaining wall has been removed. Vegetation between the side boundaries and the secondary dwelling have been reinstated.

7. **Clause D1.11 Building Envelope**

The proposed garage has been reduced to provide for a greater side setback to the north western side boundary.

The reduced garage will provide for better spatial separation between adjoining properties. Majority of the proposed revised garage complies with the side building envelope. Only a small portion contravenes this. It is requested that this slight non compliance be supported as it difficult to adhere to this control due to the topography of the site, the siting of existing buildings and the right of carriageway. Therefore, the garage is difficult to be located elsewhere or moved due to these restrictions on the property.

8. **Clause D1.14 Landscaped area – environmentally sensitive land**

This has been covered in the above

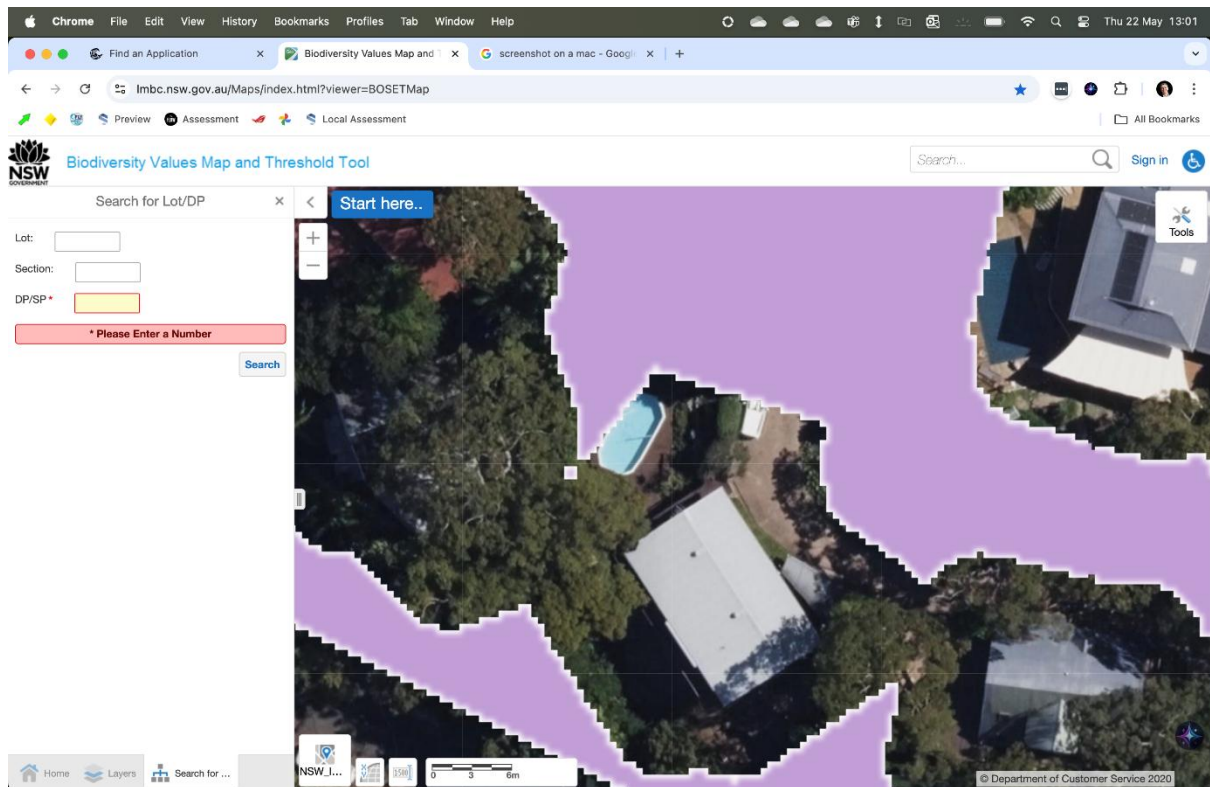
9. **Clause D1.1 Character as viewed from a public place and D1.4 Scenic protection -General**

The proposed stair of Capua place has been deleted from the drawings

## 10. Interdepartmental Referral – Biodiversity

Thank you at accepting the revised values maps

**THE BIODIVERSITY VALUES MAP HAS BEEN UPDATED, THE PROPOSED WORKS ARE EXCLUDED FROM THIS AREA**



Yours Sincerely

Jitka Jankovec

( Director) JJDrafting Australia Pty Ltd.