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Subject: Online Submission

26/09/2021

MR Trevor Collins
17 / 48a - n/a Queenscliff RD
Queenscliff NSW 2096
trevor@foreshores.com

RE: Mod2021/0668 - 48 A Queenscliff Road QUEENSCLIFF NSW 2096

Dear Alex,

As the owner of the unit that the terrace garden will become part of I would like to respond to Mr Hrones submission to Council. I would like to apologise to him for the bark/mulch being blown onto his property. I was unaware that this was happening and once I did become aware of it I had the bark removed from the area that it was blowing from and when the garden is constructed we will be advised by our landscape architect of a more suitable mulching material to be used that will be stable.

Mr Hrones comments regarding the site being level prior to the terraces being built are incorrect as the terraces have been built around existing rock outcrops to give some soil depth for plants to grow. We applied for a MOD last year for the terrace gardens and also two other additional items. Two of the items were approved but the garden was not approved. I had extensive meetings with the heads of the Planning Department and Compliance Officers to help resolve this issue as the private advice we received was that the garden we built met the conditions of the original DA.

The result of the discussions with the Council's Compliance team who have already investigated the recurring neighbour claim that the landscaping is unauthorised. The Compliance team in turn confirmed that the landscaping is legitimate however also dubiously deemed that the RL's of the terraces were not in accordance with approved plans. For the owners to redress this order, to iron out what was a questionable conclusion considering the stamped plans have no RL's and consultation and agreement with the neighbours occurred at the time of placement (since reneged), the owners could either take legal action over the order OR alter the levels as suggested and this is the course we have taken.

Mr Hrones has a concern on the installation of a water feature. The design of the water feature is that the water is circulated not allowing mosquitoes to breed. The reason this water feature was installed is that one of the previous owners in Mr Hrones' unit block was concerned that there might be the ability for someone to congregate on the upper terrace and cause disruption to their lifestyle and the installation of the water feature would not allow that to happen. This is not a priority for us and could be removed and replaced with landscaping only if additional plans did not have to be drawn up and submitted to Council as this is becoming very expensive. Mr Hrones is concerned about a four meter tree being planted effecting his natural light, however there is not tree of this description in the landscape design.

Mr Hrones has also brought to your attention that the owners of 48a Queenscliff Road have planted out part of the Council reserve. This was done to comply with working on Council reserve permit that we obtained from Council when the retaining walls were being built with the condition that we reinstate the reserve. Council signed off on this and refunded our bond indicating that they were satisfied with the restoration. Regarding the plants that Mr Hrones

suggests are effecting his view, these were not planted by the owners by 48a, as part of the rectification work. The bottlebrush trees were planted by two of his neighbours in 1a Greycliffe. I have noticed there is die back recently which could be the result of them being poisoned. The banksia and other vegetation hasn't been altered or added to by us. If Council is happy for me to prune the offending trees I am happy to do so or alternately Mr Hrones may like to apply to Council himself.

Regards,

Trevor Collins