

---

**Sent:** 16/10/2022 12:23:49 PM  
**Subject:** DA2022/1454, Lot 10 DP 28920, 8 Surf Side Avenue Avalon Beach  
**Attachments:** objection no.8.pdf;

Attention:~

Adam Susko,  
Principal Planner

Dear Sir,

I attach a submission in relation to the Notice of Proposed Development  
DA2022/1454, Lot 10 DP 28920, 8 Surf Side Avenue Avalon Beach

Yours faithfully,

Amanda Stabback

16<sup>th</sup> October 2022

The General Manager  
Northern Beaches Council  
Attention: Mr. Thomas Burns

## **DA2022/1454 – PROPOSED NEW RESIDENCE AT 8 SURFSIDE AVENUE, AVALON BEACH**

Dear Sir,

I am the owner of 9-10 Surfside Avalon Beach, directly to the north of the subject site. I have reviewed the plans for Number 8 Surfside Avenue, Avalon Beach. My husband and I do not object to the construction of a new residence at No. 8 but do object to elements of the proposed residence. We made considerable changes to the design of the house on our property to accommodate the views from the existing residence at No 8, at the request of the current owner. It is therefore disappointing that the plans were not shown to us prior to being lodged with Council.

Our primary objection is to the roof terrace which is designed to look over our property to access the views to the north. These views are already accessible from the extensive proposed eastern and western first floor decks at the front and rear of the property, as well as the first floor living areas and kitchen which are all oriented to the north overlooking our property. The northern elevation demonstrates this clearly.

The roof terrace is unnecessary and will have significant visual and acoustic privacy impacts upon our property.

In addition to the above, the application breaches the Northern Beaches Council LEP and DCP in terms of height, front and side setbacks, building envelope and landscape ratio. These breaches may be understandable with alterations and additions to an existing dwelling, but the proposal is for a new dwelling and there is no apparent justification for the lack of compliance.

The applicant claims to comply with the height limit, but this has been taken from the ground floor level, not the existing ground level. It is therefore our understanding that the lift will breach the 8.5m height limit required by the LEP. No Clause 4.6 request to amend a development standard has been submitted with the application.

The front setback is non-compliant, it is approximately 3.0m when it is required to be 6.5m.

The side setbacks are non-compliant, they are 1.48m to the north and 1.4m to the south when they are required to be 1.0m to one side and 2.5m to the other side.

The proposal is non-compliant with the building envelope on the northern side.

The proposal is non-compliant with the landscape ratio, 57.4% when it is required to be 60%.

In relation to the roof terrace, page 7 of the Statement of Environmental Effects includes a photo and caption: *Fig 6: View from the subject site, looking north towards the neighbouring development under construction, and the nearby dwelling at No 11 Surfside Avenue, with a similar rooftop terrace. However, the roof terrace at No. 11 was never approved; it was called a "service roof" on the stamped plans. It should therefore not be used as a justification for construction of a roof terrace at No. 8.*

Pittwater DCP Section C1.5 Visual privacy states:

*"Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building."*

Pittwater DCP Section C1.6 Acoustic Privacy states:

*Outcomes*

*Noise is substantially contained within each dwelling and noise from any communal or private open space areas are limited.*

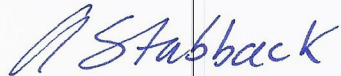
The proposed roof terrace clearly breaches both of the above controls. It is elevated, located in the middle of the building and does not incorporate privacy screens or acoustic barriers. Privacy screens would be incompatible with the use of the roof terrace as its purpose is clearly to access the views. Three trees are proposed to be removed along the northern boundary which currently provide screening and visual separation between the properties, and which would aid in the provision of visual privacy. They are proposed to be replaced with Hibiscus "Rubra", a small to medium tree that will provide little to no privacy or screening.

It is our understanding that residential roof terraces are not permitted in Pittwater. The roof terrace would look entirely over our property and is a noise source that is unacceptable. We urge Council to:

1. Require the plans to be amended to delete the proposed roof terrace and access lift to this level.
2. Review the setbacks, decks, openings and tree removal on the northern façade of the proposed dwelling with a view to limiting the privacy impacts to 9-10 Surfside Avenue.

Thank you for your consideration of my submission.

Yours faithfully,



A Stabback