
Sent: 3/04/2019 8:53:48 PM
Subject: Online Submission

03/04/2019

MRS Jenny Haigh
- 86 RIVIERA AVE
AVALON BEACH NSW 2107
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RE: DA2019/0162 - 11 Wandearah Avenue AVALON BEACH NSW 2107

Development Application DA2019/0162.

Dear Sir/Ms

We wish to present this submission regarding Development Application DA2019/0162, for the construction of a swimming pool at 11 Wandearah Ave. Avalon Beach.

As residents of the adjoining property, 86 Riviera Ave. Avalon Beach, we object to this development as it would have a considerable adverse impact on the amenity of our home.

Pittwater 21 DCP D1.8 Front Building Line

Pittwater 21 DCP D1.8 Front Building Line states, "Built structures (including swimming pools), other than driveways, fences and retaining walls are not permitted within the front building setback."

We are of the view that the Council's DCP therefore prohibits such developments in the front yard.

We note the Development Application itself recognises this, "The proposed pool and associated fences/decks/structures are located within the front building line setback of the dwelling. While it is noted that this is not encouraged by the Pittwater DCP...." see page 5, Statement of Environmental Effects, "Swimming Pool", 11 Wandearah Avenue, Avalon Beach Lot 39 DP 207049.

Adverse impacts include:

1. As our living, recreation, office and sleeping areas are all facing the front of our home, the amenity of our home will be affected.

Further, the proposed site juts out into the intersection of Riviera Ave and Wandearah Ave which would make a pool a dominant feature in the locale, potentially affecting the amenity of many surrounding homes.

2. Previous Unapproved Works Not Addressed. ^[L]_{SEP} Unapproved works carried out in November/December 2017 at 11 Wandearah Ave underpins this proposed DA2019/0162.

These unapproved works adversely impact pedestrian amenity and we observe pedestrians now walk around the corner, of the intersection between Riviera Ave. and Wandearah Ave., on the roadway, rather than on the much reduced footpath. The unapproved expansion of the front yard at 11 Wandearah in December 2017 now projects the property into public

land/space. The building of a pool would, therefore, dominate into the broader local environment.

When the previous unapproved work to construct a stone retaining wall on a section of the council's land at the front of the property was carried out, there was some damage done to a large Spotted Gum that is situated on 11 Wandearah Ave but overhangs our property. We are not aware of any remedial work being carried out to rectify this earlier damage, as was proposed by the Arborist Report carried out at the time. We are concerned that this current proposed work may further compromise the tree and have the potential to cause property damage.

Pittwater 21 DCP, D1.9 Side and Rear Building Line

The building of a pool would also cause adverse impacts to outcomes outlined in the Pittwater 21 DCP, D1.9 Side and rear building line^{[L]_{SEP}}

"Outcomes^{[L]_{SEP}}

Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and to residential properties."

These adverse impacts covered under D1.9 include:

3. There would be adverse impact on the view and vista from our home.
4. There would be adverse impact to our level of solar access. With the building of a proposed boundary fence of 1800 high between our two properties we would lose the sun and its heating effect for a greater portion of the day in our downstairs bedrooms and living areas along the northern side of our home.

This development, if approved, would have a significant adverse impact on the existing character and aesthetics of the immediate locality.

If, however, in the event of the application being approved we would wish to have input into the construction of fences and structures on our boundary.

Yours faithfully

Jenny and Peter Haigh^{[L]_{SEP}}

86 Riviera Ave. Avalon Beach