
Sent: 11/06/2021 12:17:12 PM
Subject: Re: DA2021/0524, 45 Park Ave, Avalon Beach

Att. Mr Nick Keeler

Dear Sir

Thank you for notification about the proposed new dwelling on the adjacent property, Lot 55 DP 13325, 45 Park Ave, Avalon Beach NSW, 2107.

Based on the plans the new development appears to be a very substantial free standing residence, comprising of two bedrooms, kitchen, living area, bathroom, external deck and large entertaining area, directly overlooking our backyard.

After reviewing the plans we would like to submit the following concerns for your kind consideration:

1. Shadowing plans enclosed with the building application do not show nor reflect the already existing shadowing from the neighbour's property, from very high (approximately 8-9m) bamboo hedges along our land boundaries and a dense trees canopy of native and noxious trees at the back of the neighbours property, encroaching our backyard.

The size and location of the proposed residence will overshadow the only space in our backyard which is open to the sun and that needs to be addressed.

In that context we are very concerned about the proposal for additional 4 gum trees (that can grow up to 45-60m) to be planted at the back of the neighbours' backyard, which is already overgrown with a very dense bush.

2. Privacy concerns
The proposed new residence will directly overlook our backyard, due to its elevated position and a sloppy land configuration.
In the proposal there is no privacy screen on the deck's south-east side, like it is included on its north-west side.

The new dwelling large paved entertaining area on the south-east side is positioned next to our backyard, and directly overlooks our backyard and pool.

Additional screening by tall plants will only increase the already heavy overshadowing of our backyard.

3. The proposed access to the new residence is via a narrow walkway along our house, in a direct and a very close view from the ground floor bedrooms windows.
This has an impact on our privacy.
To eliminate such concern we expect that the access to the new dwelling site is redirected to the other (north-west) side of the owners existing residence.
4. For safety, security and privacy reasons and to prevent access to our property from the neighbouring site, a fence extending to the very end of the neighbouring property is required before any site work commences, to provide visual and physical separation from the building activities.
5. Our land is exposed to very high costal winds.
There is a large eucalyptus tree on our backyard, very close to the boundary and leaning towards the

proposed residence.

We will take no responsibility whatsoever for any damages caused by falling branches or worse, the tree itself.

We expect that the applicant undertake all necessary steps to assess and mitigate any potential safety risks.

6. Both our and neighbouring properties are classified as the E4 environmentally sensitive areas that also protects the residents peace and quiet, and it was the major consideration when purchasing our house. We request that a caveat is applied to the new dwelling preventing its use for rental to the third parties, in particular a short term letting (e.g. AirBnB).
We believe it should not a concern to the owners since it is our understanding that the purpose of the new dwelling is to accommodate a family member.
7. Our section of Park Ave is a very narrow road, already congested by parked cars, trucks, trailers, restricting access to our property and creating safety concerns. There is no walking path along the street. Any significant new development, with possible rentals to third parties, will increase already heavy traffic and number of cars parked in our street.
It will impact on the road safety and noise levels.

Thank you for the opportunity to submit our concerns for your consideration.

Kind regards

Tadeusz & Barbara Woszczylo

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