
Sent: 13/04/2020 4:57:21 PM
Subject: Online Submission

13/04/2020

MS Catriona McIntyre
79A Prospect Road ST
Garden Suburb NSW 2289
catrionajdunn@gmail.com

RE: REV2020/0014 - 14 Capua Place AVALON BEACH NSW 2107

Dear Assessing Officer,

My name is Catriona McIntyre, part owner of 16 Capua Place and I would like to raise a few concerns additional to Patrick McIntyre in regards to the DA 2019/0998.

I would like to include in my submission today some additional notes as PDFs. I would like to attach these as part of my comments. Patrick has sent these notes to the email address of Kye Miles as the officer who began the application and the only email address he has. I hope this is ok.

We are very concerned about the retaining wall and new staircase proposed for the northern side of 14 Capua Place, along the shared right of way. We understand this is a shared access way but it is also the only access by vehicle to 16 Capua Place.

Please refer to Catriona McIntyre Notes Pages 1 and 2 with marked up proposed additions plan 1a and exert from Northern Beaches Council Notice of Determination

1. Our main concern is the proposed placement of the retaining wall and stair is 'inside' the Right of Way boundary. According to the Northern Beaches Council Notice of Determination page 10. Clause 12 Structural Adequacy and Excavation Work clearly states:

"All retaining walls must be places outside the right of carriageway."
and

"(a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary...."

We ask why the proposed retaining wall is being considered when it is clearly inside the right of carriageway?

(Please refer to Catriona McIntyre Notes Page 1 proposed additions plan 1a. markup. The dashed red line on the drawing indicates the placement where this would be expected to be to comply with Northern Beaches Council regulations.)

2. The proposed retaining wall is shown placed inside the Right of Way. We are concerned that this is being considered when it clearly does not meet Council regulations stated in Notice of Determination page 10. Clause 12 Structural Adequacy and Excavation Work.

3. The line of existing embankment is not a legitimate reference point. The Right of Way and Western boundary are the legal references. We understand that the wall and stair should be 900mm offset from both the easement and the Western boundary (as shown in Catriona

McIntyre Notes Page 1 proposed additions plan 1a. markup.) We are concerned that the access is going to be severely restricted to the lane and for parking turning circles for 16 Capua Place if the right of way is built over. Currently the unstructured nature of the existing embankment, allows for flexibility in vehicular access in the right of way. A proposed solid wall will allow no such flexibility.

4. Additionally we make an appeal to the impact this will have on the special surrounding ambience of this right of way. The current Right of Way shares with all the neighbours a special 'natural Northern Beaches' ambience. The natural rocks and bush setting makes this a very unique place to live and the driveway is a major part of this journey home. We always thought we had a shared relationship with this area with our neighbours. We are really concerned that a hard wall along this driveway will be not in keeping with the natural surroundings that are very precious to the area. Can we have more detail and visuals on this? We are concerned as it will be a major impact on our property in particular.

Thank you for your time and considerations of these comments and concerns. Please do not hesitate to contact me in regards to this matter on 0415215306

kind regards,
Catriona McIntyre