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Subject: Online Submission

21/08/2019

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RE: DA2019/0807 - 19 Kooloorra Avenue FRESHWATER NSW 2096

Submission to Council re Demolition and Renovation works 19 Kooloorra Avenue

We have inspected the plans and read the accompanying information and have decided to make a submission.

We have listed below our legitimate concerns and used what we feel are reasonable requests to this development.

Excavation Works

The proposed development requires considerable excavation and lowering of ground levels adjacent to our western boundary. Considering the sandy ground, we are concerned that such excavation will undermine our fence and possibly even the foundations of our house.

The development should include the provision for a properly engineered structure to retain material within our property without causing settlement or lateral movement.

A properly engineered retaining wall should be provided along the boundary fully within the property, inside the existing fence line to account for the permanent change in levels accompanied by the proposed lowering of the ground floor level and driveway of the new house. A dilapidation survey should be undertaken detailing the condition of the fence, driveway, rear garage and western side of our house prior to the commencement of any demolition work as a record of the condition, so any damage caused can be recorded and promptly rectified at the developer's expense.

Risks During Demolition

The existing house is old and contains asbestos. We are concerned that any uncontrolled demolition works will create airborne asbestos fibres that are a health concern particularly to our grandchild.

A survey should be carried out by a licensed asbestos assessor to identify all areas of asbestos within the property before work commences on site. Prior to the commencement of any other demolition work, all asbestos materials should be removed, packaged and safely disposed of by a Safework licensed asbestos removalist in accordance with the NSW Code of Practice "How to Safely Remove Asbestos". As our property is so close to the sources of asbestos, we expect that removal work will include air quality monitoring and a clearance certificate from an independent asbestos assessor.

As the demolition activity creates a lot of noise, dust and general inconvenience, we request that demolition be scheduled so that it does not correspond to a holiday period (Xmas/summer holidays or Easter) to minimise the potential for inconvenience of the neighbours.

Privacy

There are 9 windows on the eastern side of the proposed development that look onto our property. Whilst there are a lot of windows, we are only concerned with the large first floor window that is at the rear of the proposed dwelling. This window is a privacy concern as it looks directly into our rear family room area and onto our main outdoor entertainment just outside the back of our house. We consider it is reasonable for some modifications to be made to protect our privacy such as reducing the window to a high level window or replacing the window with a

skylight as well as consideration for the provision of some boundary screening.

We also note that our western side windows were configured to minimise western sun and contribute to environmentally friendly alternatives to reducing our footprint for internal heating and cooling. The plans for the second floor addition to 19 Kooloorra Ave will effect this process and as such we reserve permission to remediate these windows if necessary in the future, to permit more natural light into our upstairs living area.

Shadow lines

Shadow diagrams indicate that the increased height of the proposed building will result in shading of our outdoor entertainment area during the middle of the day when it is most likely to be in use. The impacts of shading of the second storey would be reduced if it was set back further from our boundary. If these plans are changed we would also strongly object to any further increases to the height of the building that would also increase the shadow areas.

Fencing

The proposed new entertainment at the rear of the property is located along and immediately to the boundary to our property. To reduce the increased inconvenience caused by noise and activities in this area it would be desirable to retain and continue the solid brick wall that is part of the existing garage further northwards along the eastern boundary and/or erect a privacy / noise attenuating screen along the length of the proposed entertainment areas.

The submitted plans indicate an RL that varies from 4.36 at the front to 6.2 at the rear of the boundary, with the excavation to reduce the RL to 3.91 for 80% of 19 Kooloorra Ave will mean that at some levels there could be a drop of 2.3m. As our block has a sloping contour there would need to be further consultation as to what a 1.8m boundary fence level would be fabricated with and the dimensions of, as this has impact on privacy issues to our property.

Trees

The Landscaping scope of works indicates that there will be the replanting of 2 X 4m mature trees.

We are requesting that the style and height of the new trees to not further increase the amount of shade generated onto our rear entertaining area. Norfolk Pine: To avoid the inconvenience caused by construction vehicles and the proximity of the heritage Norfolk Pine in Kooloorra Avenue it would be best if all construction vehicles and delivery / removal materials could be restricted to the Charles Street side.

Should amended plans be received we request a review of the changes.

We appreciate the opportunity to make this submission and acknowledge the process the council allows to respond to this development.

Regards

Andrea and Graham Bohm