

19th August 2021

Thomas Prosser  
Northern Beaches Council  
PO Box 82 Manly  
NSW 1655 Australia

**DA: 2021/0886**

**Site: 106 Bynya Road Palm Beach ("Site")**

Dear Thomas

Further to our telephone conversation, we write to provide you with additional information in response to the submissions from No.125 Bynya Road and No.2 Ralston Road, Palm Beach.

We confirm that there are no view impacts caused by the proposed application.

**Item 1** Proposed new stairs from pool area near the north / eastern boundary in relation to the native tree;

We confirm that there are no proposed changes to the existing hedges and tree. The proposed stair has been modified in position to shift further away from the boundary and would be built to ensure the existing tree is not impacted.

The images below show the relevant tree circled in yellow which is within the property boundary of the Site and is less than 5 meters in height. The Site's boundary is beyond the existing hedge and tree.



**Item 2** Existing outdoor terraces at the front (northern) and rear (southern elevations);



The proposed application includes rebuilding an existing open shade pergola (northern elevation) and a proposed open pergola over the existing front and rear terraces. Existing terraces are located near the middle of the subject property which maintains a large boundary separation of 11.5 metres including existing vegetation at the property boundaries.

There is no proposed potential intensification of existing spaces or noise generated from these proposed structures.

Proposed solid walling requested by the neighbour at No.2 Ralston Road to be located in the middle of the site and existing outdoor areas is untenable as (1) this would restrict existing amenity for the site and (2) does not address potential noise concerns between properties because the terraces are existing. Additional privacy measure could be more appropriately addressed at the boundary between No.2 Ralston Road and the Site by landscaping or fencing. Note, however, that No.2 Ralston Road has requested that my client cut their trees along said boundary, which goes against her wish to reduce noise.

**Item 3** Proposed new pool cabana, paving and stormwater runoff;

We confirm new surface drainage will be installed to collect water run-off from the new cabana and additional terrace areas. This has been noted on the revised plans.

In relation to proposed existing ground water run-off to Ralston Road, we understand this is caused by a spring water leak; not runoff from the Site. The owners contacted Northern Beaches Council in November 2020 regarding the water run-off (refer email below) and were later advised to contact Sydney Water. Sydney Water investigated the water leak/seepage and found it was not from the mains but a spring water leak (ref 79394485). Sydney Water advised to refer the matter back to Northern Beaches Council, who ultimately confirmed that it was spring water. Reference numbers regarding conversations are attached in the below email.

From: [no\\_reply@northernbeaches.nsw.gov.au](mailto:no_reply@northernbeaches.nsw.gov.au)

Date: 10 November 2020 at 12:14:31 pm AEDT

Subject: Northern Beaches Council Customer Request Advice

Dear Sir/Madam

Thank you for your request to Council about Drainage and Flooding - Private Drainage Investigation at 106 Bynya Road PALM BEACH NSW 2108

Your request has been assigned to the Environmental Compliance team.

If you need to provide us with any more information about this issue please call 1300 434 434 between 8.30am to 5pm Monday to Friday and quote your reference number **DF2020/2156**

Council endeavours to investigate matters as soon as possible in accordance with the Compliance and Enforcement Policy. The timeframe to finalise the matter is dependent on the complexity of the investigation and the cooperation of any other party involved.

Staff do not discuss the details of the investigation with you as it involves private information, which is also why staff keep your details confidential. Council will contact you upon completion of the investigation.

Kind regards

Northern Beaches Council

Should you require any further information please don't hesitate to contact us.

Yours sincerely

Adam Hampton  
ARCHITECT NARB: 7740