
From: Scott Chadwick
Sent: 5/06/2024 7:22:52 AM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: DA 2023 1780 (amended plans)89 MARINE PARADE AVALON
LETTER OF OBJECTION.
Attachments: Amended Plan comments - letter to Northern Beaches Council.pdf;

Scott Chadwick
Mob [REDACTED]

7 May 2024

Northern Beaches Council
725 Pittwater Road
Dee Why
NSW 2099

91 Marine Parade
Avalon Beach
NSW 2107

Re: Commentary regarding **Amended Plans** - DA2023/1780 at 89 Marine Parade, Avalon Beach

Dear Maxwell,

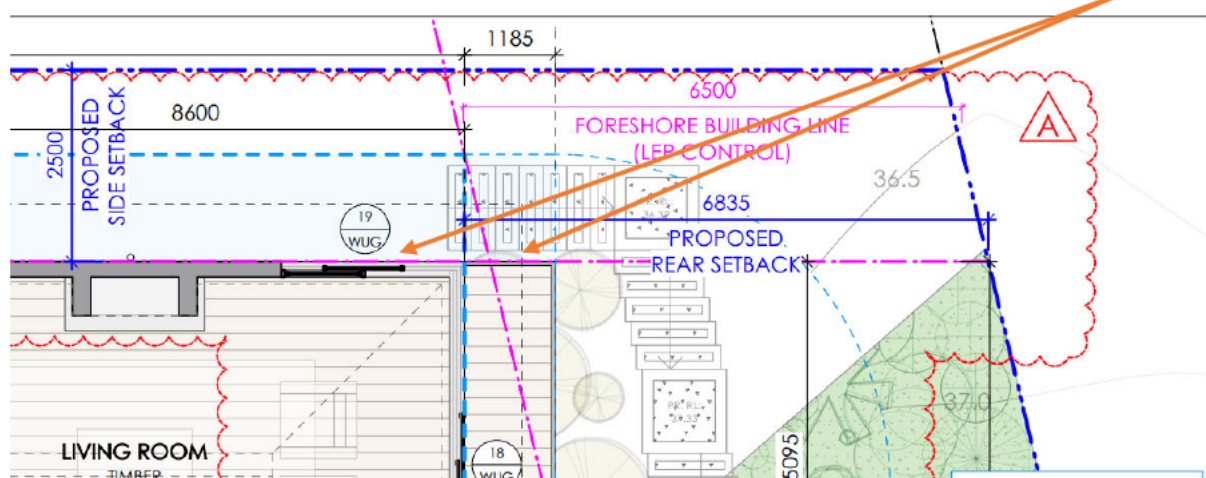
We write regarding the Amended Plans submitted for the above DA.

We support the increased side setback to 2.5 metres on the northern elevation of the proposed development. This overcomes one of our key objections.

However, we still have concerns with regard to the non-compliant rear setback within the foreshore building line, breach to the boundary envelope and loss of privacy resulting from the window/glazed door and deck serving the principle living room on the northern elevation looking into our principal outdoor living space and bedroom window.

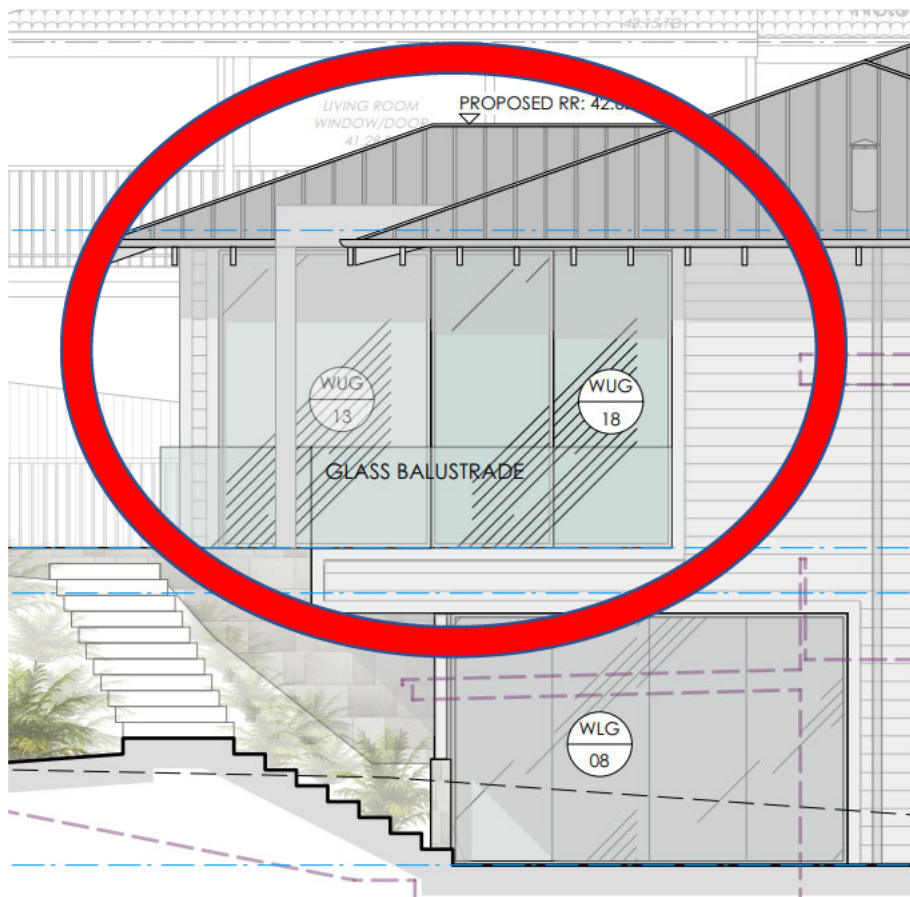
1. **Privacy Impact.** One of key areas of outstanding concern is the loss of privacy resulting from the window/glazed door serving the living room and deck along the northern elevation, looking directly into our principal outdoor living area and bedroom at a distance of less than 9 metres. Figure 1 demonstrates the area of ongoing concern.

Figure 1 – Location of window/door and deck overlooking principle outdoor living area



Source: Extract from Amended Plans with own annotation

Figure 2 – Extent off glazed area overlooking principal outdoor living space



Source: Extract from Amended Plans

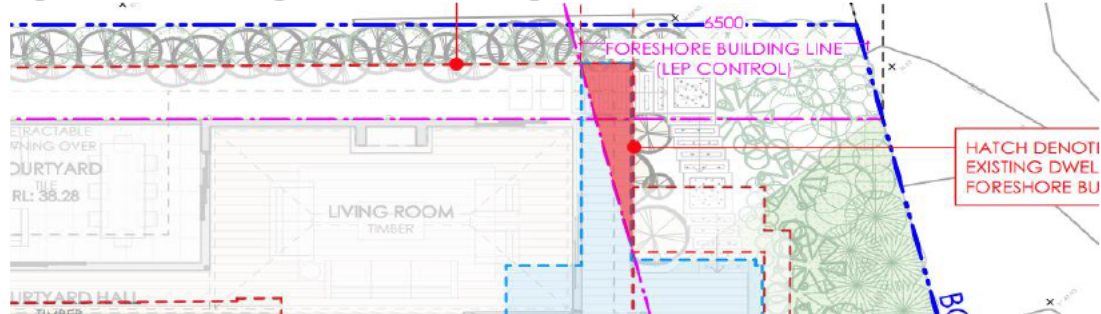
Recommendations to mitigate privacy impact:

Should Council determine to approve the subject DA, despite the ongoing concerns outlined in this letter, it is requested that fixed louvres and a privacy screen are conditioned to the living room window and northern aspect of the deck. It should be noted from the photo montage and your site visit that we have had to install a privacy screen to our balcony at the southern aspect to protect the privacy of our neighbours at 89 Marine Parade. It is reasonable to expect the same level of privacy of our principle outdoor living space and bedroom.

Notwithstanding the above, the deck should be removed at the point where it breaches the Foreshore Building Line.

2. **Non-compliant rear setback within the Foreshore Building Line** – As detailed in the previous point and as shown in Figure 3, one of the remaining key areas of concern is the breach to the foreshore building line. This occurs as shown in figure 1 and 3 where the deck extends into the foreshore area. The breach could be resolved by simply pulling back the rear elevation by removing the deck off the Living Room. This amendment would also reduce privacy impacts.

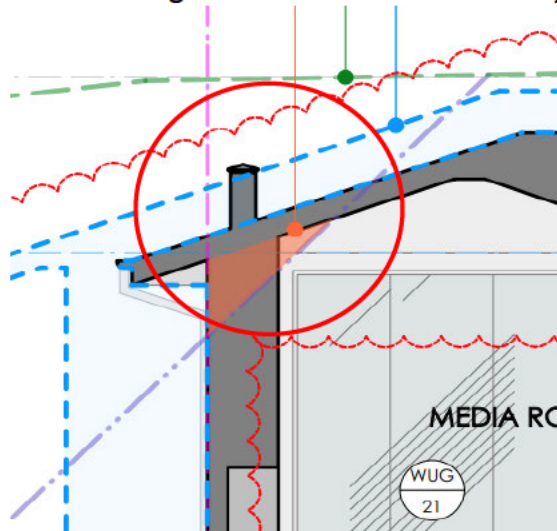
Figure 3 – Remaining Foreshore Building Line breach



Source: Extract from Amended Plans

3. **Non-compliant side boundary envelope** - It is acknowledged and appreciated that the side setback has been increased, which has resulted in a reduced side boundary envelope breach. However, given the bulk and scale of the proposed development, a breach at the upper floor elevation still occurs and results in an overbearing and oppressive impact on our amenity. The remaining breach is as shown in figure 4.

Figure 4– Remaining breach to the side boundary envelope



Source: Annotated extract from Amended Plans.

Conclusion and recommendations

It is requested that the assessment refer to this letter and our original submission, particularly noting the image in Photo 1 which includes the existing built form and level of overlooking.

As previously outlined the existing building already presents an unacceptable impact but a considerably larger built form, with increased floor height, would create a significantly greater impact than existing. To repeat, we are not asking for any unreasonable

amendments to the proposed developments or ones which reduce our neighbours desired internal floor space.

It is therefore requested, that prior to assessment the following amendments should be made or conditioned accordingly:

1. Pull the rear elevation of proposed development to within the foreshore building line by removing the covered terrace and balcony serving the living room.
2. Remove any fenestration from the northern elevation of the proposed development (large-glazed window/door to living room) or condition fixed louvred to remain in perpetuity.
3. Remove the rear balcony to the living room or add a 1.8 metre privacy screen to the northern edge of the balcony.
4. Pull back the side elevation further at the northern elevation to meet the side building envelope numerical control.

Thank you for giving us the opportunity to provide additional commentary to the Amended Plans. Should the DA proceed to the Development Determination Panel for determination, we request the opportunity to provide representation.

Kind regards,

Scott and Jaye Chadwick

[REDACTED]

[REDACTED]