
From: Dinusha Peiris
Sent: 1/07/2025 4:42:21 PM
To: Council Northernbeaches Mailbox
Cc: Shane Oliver
Subject: TRIMMED: Submission for Mod2025/0277-DA2019/1069
Attachments: Submission regarding DA Mod20252077.pdf;

To Nick England, assessing officer,

Please find attached submission & confirm receipt.

Regards,
Shane Oliver & Dinusha Peiris

Sent from my iPad

Dear Nick England

Submission regarding DA Mod2025/0277 for 205 Riverview Road, Avalon Beach, NSW, 2107

We are immediately next door to the south of the above residence at 203 Riverview Road.

We note that the applicants present the proposed modifications as improving the original plans in terms of reduced bulk and footprint of the property. However, we also note that the changes have worsened the overshadowing and loss of privacy impacts on our house, due to the significantly increased height of the top level and proposed extension of the inclinor along the southern border of the property.

We have the following concerns:

- As shown in the submitted plans the building is 220 mm higher than in the approved plan at its highest point (being the garage roof). Significantly, from our property, the roof of the master bedroom extending westward from the garage is 720 mm higher than originally approved. (see Plans - AXO Comparisons 1 and 2 which show an RL of 32.780 in the approved plans and now 33.500 in the amended plans giving the extra height of 720 mm).
- This appears to be worsened by the flattening of the roof of the master bedroom (whereas previously it was to be a sloping to the south gabled roof) and the southern wall of the master bedroom now being further south which means that at its south-western edge (and possibly along its whole southern edge) the roof of the master bedroom now appears to be even more than 720 mm higher than in the approved plans (this is based on visual inspection of the West Elevations Amended DA).
- Further, the height of the corner of the master bedroom level now exceeds the 8.5m limit that applies to development, which is significant given the impacts on our property. Hence, we ask that that the design be changed to allow for a considerably lower height of the roof above garage & master bedroom level to avoid this.
- This extra height further worsens the shading impact on our property compared to the approved plan which we objected to in 2020. We also note that the previously approved plan was initially rejected by the Council and involved a prolonged period where the concerns with the height of the top floor were discussed at length. However, due to the lack of compromise indicated by the applicant, the plans were eventually passed by Council to avoid further escalation.
- This increase in height running around a metre along our northern border will block all direct sunlight from the north facing bedroom, kitchen and deck on our middle level. This is based on the North Elevation plan shown, as the South Elevation Plan is not provided at all (as what has been labelled the South Elevation is really the West Elevation). However, the impact is evident in the shadow diagrams which show a significant increase in overshadowing.
- Additionally, the modified lower floor plan shows that the southern wall now looks to extend 2.5 metres to the west compared to the approved plan which has a major impact on our potential view to the northwest. While it's true that this is currently mitigated by the Leighton Green trees on our property their long-term existence should not be assumed and it should be noted that these have been planted in response to and with the aim of providing screening from both the

existing balconies and the proposed increased height and built structure due to ongoing development at the 205 property.

- The inclinator on the amended plan now extends beside the house to connect with the proposed mid-level further to the east compared to the current docking station which means it runs further along the border than is currently the case. This is in violation of inclinator set back requirements (as is the existing inclinator) but will now mean significant loss of amenity for our house as it's now proposed to run right past our windows next to the kitchen, living space and a bedroom with significant noise and privacy issues. The lack of an adequate set back from our property means that this extension to the east of the inclinator should be rejected. Given the existing inclinator does not comply with setback requirements, this should not then be used as a basis for its extension. Further, both we and the Council opposed the existing inclinator when it was applied for, and it was only approved (by the Land & Environment court) on the grounds that it was well to the west of our house and on an assertion that it could be screened on the northern side of the border. We note that it has been screened from our house, but only by plants on our side of the border.
- The stairs coming down from the carport and along the southern side of the house will be running past a bedroom. We ask that these stairs start closer to the road and hence fall to ground level sooner than the bedroom window, hence avoiding privacy issues.
- We also raise that the amended plans which are significantly different to the approved plans do not represent the increased heights and other additional built structure relative to the current house but rather show the incremental impacts relative to the previous approved plans. This does not provide the degree of information necessary for neighbours and anyone else to interpret the impacts and respond to the proposal.
- Flowing from this we note that the modified proposal for all intents and purposes is a new set of plans for the house and should be treated as a new development application as opposed to a modification to the existing approved plans.
- From a general perspective the increased height lines of the garage and house roofs will further reduce the views of Pittwater from Riverview Road and for those living on the eastern side of the Road

kind regards

Shane Oliver and Dinusha Peiris

203 Riverview Road
Avalon Beach, NSW, 2107

Phone:

Shane:

Dinusha: