
Sent: 6/06/2023 4:23:08 PM
Subject: DA2023/0617 - 22 & 24 Angle Street Balgowlah

Attn: Maxwell Duncan
Application No. DA2023/0617
Address: 22 & 24 Angle Street Balgowlah
Dear Maxwell,

We are the owners of 72 West St the adjoining property to 22 & 24 Angle St.

While we have engaged Anna Williams of Blackwattle Planning to help us complete a formal notice of objection submission, we did want to specifically highlight our concerns with the proposed easement.

The development applications Stormwater Management Plan has been submitted including an easement on 72 West St which has not been approved or agreed to. Critical steps under section 88k of the Conveyancing Act have not been followed prior to making this submission, and hence we have not been in a position to make an assessment of the proposed easement or gain an understanding of how this impacts our ability to develop our property.

The remainder of the documents in the development application are produced under the incorrect assumption that this easement will be on 72 West St, specifically the Environment Effects documentation which references this plan:

Pg 19 - "4.2.8 Stormwater Management

Clause 3.7 of MDCP 2013 requires the management of stormwater to comply with the provisions of Council's Water Management for Development Policy. Stormwater is to be collected from the site, directed to the required on-site detention and filtration systems and piped to West Street via a new inter-allotment drainage easement burdening 72 West Street. The proposed stormwater management solution developed for the site is detailed in the Stormwater Plans prepared by NB Consulting Engineers."

This seems misleading and underpins the entire application. Should this concern just be included as part of our notice of objection? Or does this require a specific lodgement or legal letter?

Cheers,

Adam and Shelley