

The General Manager
Pittwater Council
1 Park Street
Mona Vale

Dear Sir

As part of Pittwater Council's consent to our building plans at 62 Herbert Avenue Newport (PO523/97), dated 10 9 1997, Council included a condition (no 8), that we apply for a road reserve lease within five years of the approval date. This condition could not be met by us as Council ceased issuing leases from around 1997. This information was confirmed in recent correspondence from Mr George Veness, Senior Property Officer, Pittwater Council.

The leasing of road reserves was discontinued as a consequence of the introduction of the Roads Act 1993. Leases were gradually discontinued over a period of time from around 1997 onwards as Council became aware of the implications of the revised Roads Act.

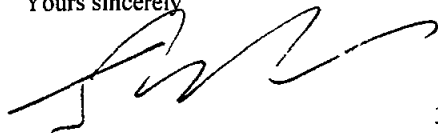
'It would be an oversight if a lease was granted and under the roads act it would also have been illegal'

As the insertion of this condition appears to be inappropriate, we request that you please remove it from the consent.

We are aware of the issues regarding off street parking and we are taking steps towards evaluating alternative options. As leasing the road reserve is not possible, we are looking into the possibility of purchasing the road reserve from Council. A meeting was held with Mr George Veness on 29 10 8 at Council's offices at Warriewood in order to commence the discussion. From that discussion, and from Council's policy document, it is clear that this is not a simple or quick process. Our understanding is that the likely time frame is around 12 months. Numerous other authorities need to provide approvals. There is no guarantee of success. Council is unable to commit to a sale price and therefore the total cost of the purchase is unknown.

Given the above, we ask that Council does not impose any new conditions with regard to car parking as this will be a major departure from the conditions that were made when our building plans were approved in 1997 and, based on which, we proceeded with the additions to our home.

Yours sincerely



30 10 8

Jeremy Richman



30 10 8

Ariella Richman

