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**From:** Simon Kacimaiwai  
**Sent:** 8/08/2022 4:00:08 PM  
**To:** Council Northernbeaches Mailbox; Jessica Simpson  
**Subject:** Submission for Council re DA2021/1801 55 Woolgoolga Street North Balgowlah  
**Attachments:** Council Submssion.pdf;

Hi Council, Jessica

On behalf of 8 Dorrigo Avenue Nth Balgowlah please see attached our submission in relation two the above DA.

Best regards

Simon Kacimaiwai  
Mob: [REDACTED]

Attention:  
CEO Northern Beaches Council  
Jessica Simpson - Acting General Counsel

RE: DA2021/1801 55 Woolgoolga Street North Balgowlah

CC: Annelise Tuor - Chair of Northern Beaches Local Planning Panel  
Louise Kerr - Director of Planning and Place  
Jorde Frangoples - Director of Transport and Assets

Dear Commissioner,

As residents of 8 Dorrigo Avenue North Balgowlah, my partner and I write this submission in relation to the Conciliation Conference that has been scheduled for the 15<sup>th</sup> August between the Northern Beaches Council, the applicant and the Land and Environment Court; proceedings no# 202200134464.

We would like to reiterate, that we remain fully supportive of the council (panels) decision to approve the DA conditional on the directions of the panel being adhered to in full.

We believe the decision taken by the 'council panel' was responsible, considerate of all parties and most importantly has taken into account the current and future impact of *climate change* at a local ground level.

As you will no doubt have seen nationwide, and globally, the impact of climate change is here and now. Flooding previously thought to be once in 100 year events has now been experienced almost quarterly by untold thousands across Australia from the streets of Manly and the wider Sydney basin to the far north of Queensland.

Indeed, you will have noticed our recently elected prime minister and foreign minister travelling the globe in recognition of the urgent need for climate change action, largely driven by the domestic events of the last 12 months which has cost the nation billions.

I respectfully put it to you the mandate is one that should receive focus at an international and domestic level and it is disheartening that we as participants to this entire discussion having already agreed with the councils ruling to proceed with the development providing certain conditions are met, must now undergo a secondary appeal. The ruling by the council was fair, considerate of all parties and most importantly considers the human aspect of climate change impact.

Imagine if you will a burst watermain in your backyard left unaddressed for 4 long weeks, spurting huge volumes of water across your yard, your garage, across your back porch. Being lower level situated properties, this was in fact the reality of ourselves and our surrounding neighbours mere weeks ago, visual images of which we have many.

I would like to reiterate we as residents of 8 Dorrigo Avenue are prepared to provide total and unrestricted access to our property so that an *easement* can be constructed, and we have made this clear in all our discussions with the applicant. The best answer is not the way of the '*shortcut*', it should be the way which considers what is truly best for all parties. The addition of an easement in conjunction with water dispersal is without doubt the most efficient solution for not only the surrounding neighbours but also the applicants themselves.

An Easement can be readily designed with costs kept to a minimum. The willingness and ease of *neighbourly cooperation* in the easement construction sends a clear signal of just how smoothly this entire process could be if managed appropriately. Most importantly it will mean the applicants stormwater is discharged in line with council standards and regulations, eliminating the chances for further property damage, and other occupational health and safety issues that may otherwise arise.

Whilst we could wax lyrical with an additional 20 points, we will refrain in the hope the multitude of concerns will be brought to your attention by our surrounding neighbours as well.

I would respectfully ask that the Commissioner/Council seek to enforce the Panels original ruling. The applicant would still be able to modify the application to council at any stage and the applicant can still use section 88K of the Conveyancing Act if he wishes.

Again, we fully support the Panels decision and we look forward to seeing you all on the 15<sup>th</sup> August.

Regards

Simon Kacimaiwai & Valerie Moushigian  
8 Dorrigo Avenue North Balgowlah NSW 2093  
Mobile: [REDACTED]