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**Sent:** 5/05/2022 11:34:05 AM  
**Subject:** DA 48 Johnson St. Freshwater  
**Attachments:** Letter N beaches council 4 April22.pdf;

Dear Sirs,  
please see the attached correspondence For Messers Duncan and Croft.



MEDCALF | GRANT  
LAWYERS

Our Ref: 5191  
Your Ref:

Northern Beaches council

By Email Only  
[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Attention Maxwell Duncan and Adam Croft  
Dear Sirs

**RE proposed Development 48 Johnson Street Freshwater  
Northern Beaches Council DA 2020/1723 Modification 2022/0091 and  
New DA 2022/0279**

As we advised in our letter to council of 28 March 2022, act for Mr and Mrs Crowley who live at 50 Johnson Street Freshwater.

A development application has been made for the adjoining property and our clients are very concerned about the application and the variation to the development application which has been lodged with Northern Beaches Council.

Apart from the fact that there is a 3.5m excavation within 900mm of their side boundary the filed geotechnical application does not adequately indicate what safety precaution are being made.

Worryingly there appears to be an interference with an aquifer which runs down Johnson Street from Harbord Road and our clients have noticed that early maps of the area on the uphill side of the site to our clients there appears to be some sort of stream which is constantly running and sends water down Johnson Street.

It has been observed again lately particularly in heavy rains and they are concerned that an excavation of 3.6m fed by rainfall and an aquifer or underground spring could seriously threaten their property,  
If the proposed development which is effectively a three storey project, with one storey under natural ground level is approved it will require in the proposed construction a sump and a flotation pump which would run continually creating an enormous noise nuisance.

During the course of any construction which is 3.5m under the natural level of the ground, there could be a catastrophic failure if adequate safeguards are not put in place in terms of supporting our clients' property.

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The source of the spring and the exact flow path is not known however a very early map of the area shows apparently the natural spring. It does not appear on the latest deposited plans but earlier plans, we are show this natural spring or stream. We are endeavouring to obtain a copy of the plan from the Land and Property Information Service .

The spring, we believe has been overlooked possibly because it was not noted on the latest DP. Our clients are concerned for their property and those of their neighbours to ensure that they are protected. Those concerns include that the ongoing maintenance of any spring or groundwater flowing is adequately dealt with in the course of considering the development application.

Yours sincerely

**MEDCALF GRANT**



**Paul Tocchini  
Solicitor  
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LLB, LLM (HONS)**