

To whom it may concern,

I request for the below condition in the Conditions of Consent for DA N0367/12 to be amended from:

Condition F12 - "The area of the site identified as 9(d) zoning is to be a separate lot on the plan of subdivision to be submitted with the subdivision certificate application." Amended to:

Condition F12 - "The area of the site identified as 9(d) zoning is to be identified on the plan of subdivision to be submitted with the subdivision certificate application."

I spoke to the Land and Development manager, John Hudson, of the RMS. He is in agreement with my subdivision surveyor, Brian Dewing from Burton & Field, that it makes no sense to **include a separate lot** for the area identified as 9(d) SP2 zoning and just **identifying it** on the plans is sufficient. There are no formal plans that exist from RMS or anyone for the proposed road widening and the surrounding properties affected by the same SP2 zoning and road widening will not have a lot created for them.

I have attached DP1177671, which is my next-door neighbours' subdivided lot, and is almost identical to ours and created less than a year from when our DA was approved, no lot has been created for the proposed road widening. Both my surveyor and the RMS agree that rather than create a separate lot now, it makes sense for the RMS to create a separate lot along with the rest of the block of surrounding properties, when they choose to widen the road. That would make the most sense, as it did with my next-door neighbor's subdivision.

During my discussion with the RMS they said that they only ask for a lot to be created for very large 80+ lot subdivisions, but as this is only a 2-lot subdivision and a formal road-widening proposal has not been created it does not sense and is not correct. The internal RMS letter sent to Pittwater Council on 01/03/13 that the condition F12 was based on stated:

"The subject property is affected by a road proposal as shown by pink colour on the

attached plan. RMS raises no objections to the submitted application provided any new building or structures are erected clear of the land required for road (unlimited in height or depth).

The area required for road should be identified as a separate lot in any plan of subdivision"

Please see a signed letter from John Hudson, the Land and Development manager of the RMS, in which he states that this should be changed, so there is no mention of a separate lot. It should read:

"The area required for road should be identified on any plan of subdivision".

John Hudson's phone number is 02 8849 2397 is you wish to speak to him.

Brian Dewing from Burton and Field phone number is 02 9868 4660 if you wish to speak to him.

Please see attached the signed letter from the RMS and also email correspondence between the RMS, myself and Nick Armstrong from Northern Beaches Council.

Please consult with Nick Armstrong, as he already has knowledge of the matter. Do not hesitate to contact me if you have any queries.

Warm regards,

Marc Bellomo
0402 503 286
NO367/12
98 Wakehurst Parkway,
Elanora Heights NSW 2101

Email Correspondence

From: Marc Bellomo <marc.bellomo@gmail.com>

Subject: **Re: FW: urgent inquiry**

Date: 1 June 2018 at 8:44:34 am AEST

To: Nicholas Armstrong Nicholas.Armstrong@northernbeaches.nsw.gov.au

Hi Nick,

Please see the signed letter attached from John Hudson, the Land & Development Manager of the RMS. Please let me know if that will suffice? John's phone number is 8849 2397 is you wish to speak to him. Please note he goes on leave after today.

Thank you for your help,

Marc Bellomo

0402 503 286

On 1 June 2018 at 08:29, Nicholas Armstrong

<Nicholas.Armstrong@northernbeaches.nsw.gov.au> wrote:

Hi Marc,

The condition was originally included within the consent as a recommendation from RMS (point 2. in the letter that I forwarded you earlier).

If RMS are now under the impression that the condition is no longer necessary, this could be resolved through the submission of formal correspondence from the RMS (on a letterhead and signed) that confirms this condition is not required.

Kind Regards,

Nick ArmstrongPlanner

Development Assessment Mona Vale

t 02 9970 1195 m 0412 045 168

nicholas.armstrong@northernbeaches.nsw.gov.au

northernbeaches.nsw.gov.au



northern
beaches
council

From: Marc Bellomo [mailto:marc.bellomo@gmail.com] **Sent:** Thursday, 31 May 2018 5:18 PM **To:** Nicholas Armstrong **Cc:** Brian Dewing; Brian Whealing; Samantha Bellomo **Subject:** Fwd: FW: urgent inquiry

Hi Nick,

Thank you for your assistance. It is greatly appreciated and has been extremely helpful.

In regards to

" 13. Condition F12 – The subdivision plan is to be amended to include a separate lot for the area identified as 9(d) zoning. "

I spoke to the Land and Development manager of the RMS. He is agreement with my subdivision surveyor that it makes no sense to **include a separate lot** for the area identified as 9(d) SP2 zoning and just **identifying it** on the plans is sufficient. There has been no formal plans that exist from RMS or anyone for the proposed road widening and the surrounding properties affected my the same SP2 zoning and road widening will not have a lot created for them.

As I mentioned before I have attached DP1177671, which is my next door neighbors subdivided lot, and is almost identical to ours and created less than a year from when our DA was approved, no lot has been created for the proposed ride widening. Both my surveyor and the RMS agree that it makes sense for RMS to create a separate lot along with the rest of the block of surrounding properties, which they would have to do anyway, when they choose to widen the road. That would make the most sense, as it did with my next door neighbour's subdivision.

During my discussion with the RMS they said that they only ask for a lot to created for very large 80+ lot subdivisions, but as this is only a 2 lot subdivision and a formal road widening proposal has not been created it makes no sense. The internal RMS letter sent to Pittwater Council on 01/03/13 that the condition F12 was based on stated:

"The subject property is affected by a road proposal as shown by pink colour on the attached plan. RMS raises no objections to the submitted application provided any new building or structures are erected clear of the land required for road (unlimited in height or depth).

The area required for road should be identified as a separate lot in any plan of subdivision"

Please see a signed letter from John Hudson, the Land and Development manager of the RMS, in which he states that this should be changed, so there is no mention of a separate lot. It should read:

"The area required for road should be identified on any plan of subdivision".

John's phone number is 8849 2397 is you wish to speak to him.

Will it be sufficient for my subdivision plans just to have the SP2 zone identified, but not formally made into a lot in order to get my Subdivision Certificate? As I am sure you can appreciate I do not have the time it would take to formally change it via a Section 4.55. My subdivision surveyor from Burton and Field needs to know in order to create the Subdivision Plans

As always thank you greatly for your help. This should hopefully bring any remaining issues holding me up to a close. Do not hesitate to contact me if you have any queries

Warm regards,

Marc Bellomo
0402 503 286

----- Forwarded message ----- From: **KETHESON Annelly**
<Annelly.KETHESON@rms.nsw.gov.au> Date: 31 May 2018 at 10:17 Subject: FW: urgent inquiry To: Marc Bellomo <marc.bellomo@gmail.com> Cc: HUDSON John D <John.HUDSON@rms.nsw.gov.au>, DARKE Tracie M <Tracie.DARKE@rms.nsw.gov.au>

Hi Marc,

For your information.

Kind Regards (on behalf of John Hudson),

Annelly Ketheson

Property Officer Property & Acquisition | Business Services *Every journey matters*

Roads and Maritime Services 27-31 Argyle Street. Parramatta NSW 2061



From: KETHESON Annelly **Sent:** Thursday, 31 May 2018 8:57 AM **To:** 'Marc Bellomo' **Cc:** HUDSON John D; DARKE Tracie M; Development Sydney **Subject:** RE: urgent inquiry

Hi Marc,

In regard to your email hereunder, please see attached RMS response

Kind Regards (on behalf of John Hudson),

Annelly Ketheson

Property Officer Property & Acquisition | Business Services *Every journey matters*

Roads and Maritime Services 27-31 Argyle Street. Parramatta NSW 206



From: Marc Bellomo [<mailto:marc.bellomo@gmail.com>] **Sent:** Wednesday, 30 May 2018 4:41 PM **To:** SYDNEY PROPERTY - DA **Cc:** Brian Dewing; Brian Whealing **Subject:** Fwd: urgent inquiry

Hi John,

Thank you greatly for your time. As discussed it is our preference to have 2 lot plan of subdivision with a notion shown on the subdivision plan showing the approximate road widening rather than separating it into 3 separate lots. If you could write the letter we discussed so I can forward it to Northern Beaches Council it would be greatly appreciated.

Also if you could give the approximate dimensions or location of the proposed road widening it would be greatly appreciated, so my surveyor can mark the approximate widening on the subdivision plan if he has to. Or even if you could send any related road plans so I can give it to the surveyor.

The actual wording on my conditions of Consent submitted to council is:

Condition F12 - "The area of the site identified as 9(d) zoning is to be a separate lot on the plan of subdivision to be submitted with the subdivision certificate application" Apparently 9(d) zoning is now known as a SP2 zone

For your reference the Lot 124 Sec DP 13152:

Address 98 Wakehurst Parkway, Elanora Heights NSW 2101

RMS reference number SYD13/00116

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchProperty.aspx?id=422924>

Once again thank you greatly for your help. If you could please email me tomorrow it would be greatly appreciated

With great thanks,

Marc Bellomo
0402 503 286

----- Forwarded message ----- From: **Development Sydney**
<Development.Sydney@rms.nsw.gov.au> Date: 30 May 2018 at 15:03 Subject:
urgent inquiry To: AMIN Ahsanul <Ahsanul.AMIN@rms.nsw.gov.au>, SYDNEY
PROPERTY - DA <Sydney.Property.Da@rms.nsw.gov.au> Cc: Marc Bellomo
<marc.bellomo@gmail.com>

Good Afternoon

Can you please contact Marc as soon as possible to answer his inquiry for the dimensions attached in rms letter and zoning plan.

kind regards

Sharon Verhoeven Precinct Administration Support

Network Management | Journey Management T 02 8849 2490

Roads and Maritime Services Level 5/27 Argyle Street Parramatta NSW 2150



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