

20 January 2020

Thomas Prosser

Northern Beaches Council

Re DA 2019 / 0306: 18 Alexander Street Collaroy NSW 2097

I refer to the notice of determination dated 10 December 2019, refusing the development at 18 Alexander Street, Collaroy, NSW 2097.

The reasons for refusal was based purely on the development engineers assessment that the proposed development was inconsistent with the provisions of Clause C4 Stormwater of the Warringah Development Control Plan. It is noted that there is no building over or adjacent to Constructed Council Drainage Easements.

The applicant submits that there is no non-compliance with either the Development Control Plan or the Local Environmental Plan. These policies and Control Plans do not prevent building over an overland flow area. The decision to refuse the application was based purely on a merit based conclusion that was inconsistent with the expert report provided to council to support the application.

Mr Duncan Howley from council's engineering department has advised the applicant's consultant that they simply will not support any liveable area above an overland flow, which is not prescribed in councils policies but is simply what the engineering department prefers.

It is noted that all other concerns raised by neighbours in relation to the development have been assessed as reasonable and accepted by the council's planning department. The applicant is therefore proposing, as part of this appeal to remove all liveable areas above any overland flow on the property and leave this as an open deck area. This removes the secondary dwelling from Lot 9.

Please find attached the application form requesting a review of determination as well as the amended plan to remove all liveable areas above the overland flow path.

Thank you



Brendan Waights

Applicant

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NORTHERN BEACHES COUNCIL
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Signature