

SUBMISSION FROM BARRY AND GLYNNIS CONDON

RE: DA2019/0326 (S DAVEY) , LOT 2 DP504480 SPICER ROAD OXFORD FALLS

Attention Kye Miles

Dear Mr Miles,

We spoke briefly about a week ago regarding this application, and unfortunately it is impossible to say now when we can lodge this submission. We are now in Borroloola, NT, where there is currently a complete Telstra blackout, duration unknown. Nobody here has an operating landline, internet or mobile service, and all Eftpos is non-operational. However, we will lodge as soon as possible.

We own Lot 1, DP504480, adjacent to this Davey property, Lot 2 of the same DP.

Originally these 2 properties were owned by the one family and the blocks were divided roughly north/south. At some stage, DP 504480 divided them roughly east/west.

This left the current Davey residence tucked into the north-western corner, with non-complying setbacks from either our property or the rear unbuilt road reserve, not even at the time that DA was approved. And certainly not under current rules. The original access to that house is long gone and the current access actually impinges on our property. With our consent the Daveys have parked partly on our property, as did the previous owners.

However, when Mr Davey spoke to us early last year about his desire to re-build, we advised him that the issue of his house access should be properly addressed - that is, it should not impinge on our property at all. We think that there is ample access available on the southern side of the property for example. He protested that to move it would be very expensive, and he didn't want to do that. No further discussion took place on that issue.

However, he asked early in 2018 if he could clear an area of our property adjacent to the current house because he needed to have bushfire compliant clearance for inspection purposes - we understood that a DA submission was underway. He had indicated 2 or 3 years back that he had had discussions with the (Warringah) Council and that the Council had expressed reluctance to allow a new dwelling in the same position as the current house, and that the best position for it would in fact be where the currently-proposed shed is to be located. We have no proof that this actually occurred and we have never approached either the old Warringah or the NBC to ascertain the facts.

We are concerned that this current DA for a cheap shed is a manoeuvre to exclude this area from being the site for a new dwelling. This may be used to apply pressure on the Council to allow Mr Davey to re-build on the site of the current dwelling, which is excessively non-compliant regarding setbacks and consequently impinges on our amenity.

Yours sincerely

Barry and Glynnis Condon

1 Spicer Road, Oxford Falls. 2100

1 May 2019