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**Sent:** 22/01/2021 10:51:03 AM  
**Subject:** DA 2020/1585 60 CASTLE CIRCUIT - submission from proprietors of 52  
Castle Circuit  
**Attachments:** Submission DA 2020 1585.pdf;

Dear Sir/Madam,

Please find attached our letter of submission in relation to the above DA.

Regards

Richard and Judy Kenzie  
52 Castle Circuit, Seaforth

RC and JV Kenzie  
52 Castle Circuit  
SEAFORTH NSW 2092

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Email: [jvkenzie@yahoo.com.au](mailto:jvkenzie@yahoo.com.au)

22 January 2021

Principal Planner  
Northern Beaches Council  
725 Pittwater Road  
DEE WHY NSW 2099

Attention: Alex Keller

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

Dear Sir/Madam

**Application No:** DA2020/1585  
**Address:** Lot 16 DP 200638 60 Castle Circuit Seaforth  
**Description:** Construction of dwelling house and swimming pool

### **Letter Identifying a Matter of Concern**

We are the proprietors of the property at 52 Castle Circuit, Seaforth.

Our property is one of four properties (the others being No's. 54, 56 and 58 Castle Circuit) sharing a driveway, part of which is adjacent to the property (No. 60) which is the subject of the abovementioned DA.

The boundaries of each of No's. 52, 54, 56 and 58 extend to include strips of the driveway adjacent to No. 60 with each property enjoying a right of entry over the driveway as a whole. This means that the driveway is built on privately owned land, and is owned and maintained by the proprietors of 52, 54, 56 and 58 Castle Circuit.

### **The concern - the subject of the objection**

Direct access to Castle Circuit from the subject property (No. 60) exists along the northern street boundary of that property. Notwithstanding this the proposed Development Application identifies in Plans Master Set Pages 4 and 6 what is described as an "Access stair" onto the area of the joint carriageway serving No's 52-58 Castle Circuit – an area over which the proprietors of No. 60 have no legal rights.

As such the DA appears to proceed on the basis of a misapprehension as to the entitlements of the proprietors of No. 60.

As persons entitled to the use of the carriageway and responsible for its maintenance we are affected by the proposal insofar as it anticipates use of the carriageway other than by the proprietors of 52 - 58 Castle Circuit.

We would object to the approval of any proposal that is designed to facilitate impermissible entry onto the carriageway supporting our property and numbers 54, 56 and 58 Castle Circuit.

Yours faithfully

Richard and Judy Kenzie  
52 Castle Circuit, Seaforth