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**Sent:** 24/02/2020 12:20:15 PM  
**Subject:** Submission re DA2020/0108 - 837 Pittwater Rd Collaroy  
**Attachments:** submission re #837 granny flat to NB Council.docx; Stephanie Graham - NSW Plan - Deposited Plan 1010026.pdf;

Hi

Can you please pass this submission onto the Planning Dept.

Thanks and regards

Stephanie Graham

## Submission re DA2020/0108 – 837 Pittwater Rd Collaroy

We have owned 13 Cumberland Ave for over 10 years. It is one house over and behind #839 Pittwater Rd. We have Right of Carriageway (ROW), DP635859 which is shown on our property documents, over #11 Cumberland's driveway which is directly behind #837 and is owned by the same person. Mr Monk added another ROW, DP1010026, onto the end of our original ROW which we did not know about until 2 years ago after vehicles started using it on a daily basis, effectively extending the ROW over to the middle of the rear of #11 so vehicles could drive to and from #837 via a covered ramp between 2 buildings. Council previously advised DP1010026 does not show up on their records as it was not part of any previous DA however I believe the owner should have nominated the existence of this ROW in his new DA for the granny flat and enclose a copy and seek confirmation as to whether it should have been included and if it to continue being used. We also believe there are anomalies with information on DP1010026 as opposed to what is actually there which we believe could void its legality.

I have asked the owner of #11 if there will be any impact to our use of the driveway during the dismantling of what's left of the old shed and the building of the granny flat but have not heard back and as a rule he does not let us know if they, their family and/or trades people are going to block the driveway for any length of time so I looked on your site to see if I could get the information there and while it sounds like it is all going to be done from Pittwater Rd, I would like this verified and confirmed. I believe new boundary fences will also be built in place of the what was the side of the old shed which could cause more disruption to our use of the driveway if they intend using it for access and materials.

One of the forms has an incorrect address on it and we query some information provided as it may be possible that a form used for a recent nearby granny flat has been overwritten and some relevant information was not updated correctly.

We have the following comments/queries:

1. **The Site Management Plan** shows a solid line across the rear boundary ie it does not show DP 1010026 which is the ROW from #11 down the ramp into #837. We would like to know if this DP is still in use and will be used during and after the building of the proposed granny flat and we would like to know if DP1010026 should have been included on the DA for the granny flat.
2. **The Site Management Plan** shows a Skip Bin between the existing house and the proposed granny flat and we cannot understand how it can get there from Pittwater Rd though the proposals state several times that there is adequate access from Pittwater Rd to the granny flat and once again we would like this clarified please.
3. **The Waste Management Plan** has **the incorrect site address on it – it has 843 Pittwater Rd instead of 837 Pittwater Rd.** Can you please confirm the demolition material quantities are correct for 837 Pittwater Rd in particular the concrete waste as it states only 1.5m<sup>3</sup> with Other General Waste being 8m<sup>3</sup>. There was a large shed approx 15.24m wide by approx 15m+- long (?) at the rear of #837 which has been partially dismantled and I believe the floor was completely covered by concrete. While it looks like they are going to retain some of the concrete there is still a lot of concrete to get rid of which is why I query the amount. It is possible other documents may contain anomalies if they have been overwritten and perhaps they should be checked as well.
4. **Statement of Environmental Effects:**

- a. **B9 Rear Boundary Setbacks** second paragraph states ***"There is currently a small retaining grassed area to the rear where the secondary dwelling will be positioned. In order to avoid building above this the granny flat has been moved back creating clear access and good separation between both dwellings."*** Whether the granny flat has a 3m or a 6m rear setback, it would be completely contained in what is currently the concrete area which was the old shed with plenty of space around it to meet its requirement for free space once the concrete is removed so I doubt if this statement is relevant or perhaps it tries to give an argument for placing the granny flat only 3m from the rear boundary. It is of no consequence to us where the granny flat is built but we query why such a statement was made if it is not true and/or did not need to be there.
- b. **C2 Traffic Access and Safety** states ***"Good access will be provided to the granny flat from the side of the house and the street"***. This statement does not include any reference to access from #11 Cumberland and if access from #11 is to be retained, it should be shown on the plans.
- c. **C3 Parking Facilities** states ***"The site already contains ample off street parking"***. This statement is incorrect as there is no off street parking except for the single garage on Pittwater Rd which I believe is not used on a regular basis because of its size, condition and position. I am aware no parking is required for a granny flat however the mother who I assume the granny flat is for, has a vehicle as will most probably anyone who lives in the existing house so it may pose a problem as Pittwater Rd is a clearway after 3pm weekdays unless they intend to continue to access that property through #11 and park their vehicle partially or completely at #11 or elsewhere possibly in Cumberland Ave as is their prerogative. Please note that in all our time of living here we have had our use of the right of carriageway over #11's driveway blocked on numerous occasions and restricted on countless others and this continues to happen as we are not advised of such occurrences in advance and the owner has seen fit to park his vehicle so as to restrict our access to our rear yard/garages in the recent past as did his mother and father before him.
- d. **D18 Accessibility** states ***"the existing driveway and access path will remain untouched to site. Access will be provided to granny flat along the eastern side of existing dwelling of the existing house"***. There is no driveway on #837 only a single garage on the front boundary so this statement is incorrect. It does not make much sense to use the eastern side when there appears to be no path across the front of the house when the entrance to the granny flat is on the western side where the path is which would be more direct.

We have no issue with a granny flat at #837 and see it as an improvement and just need some points checked and/or clarified as to how it is going to happen etc.

Many thanks.

regards  
Murray and Stephanie Graham  
13 Cumberland Ave  
Collaroy 2097  
24/02/20

PLAN FORM 2

SIGNATURES AND SEALS ONLY

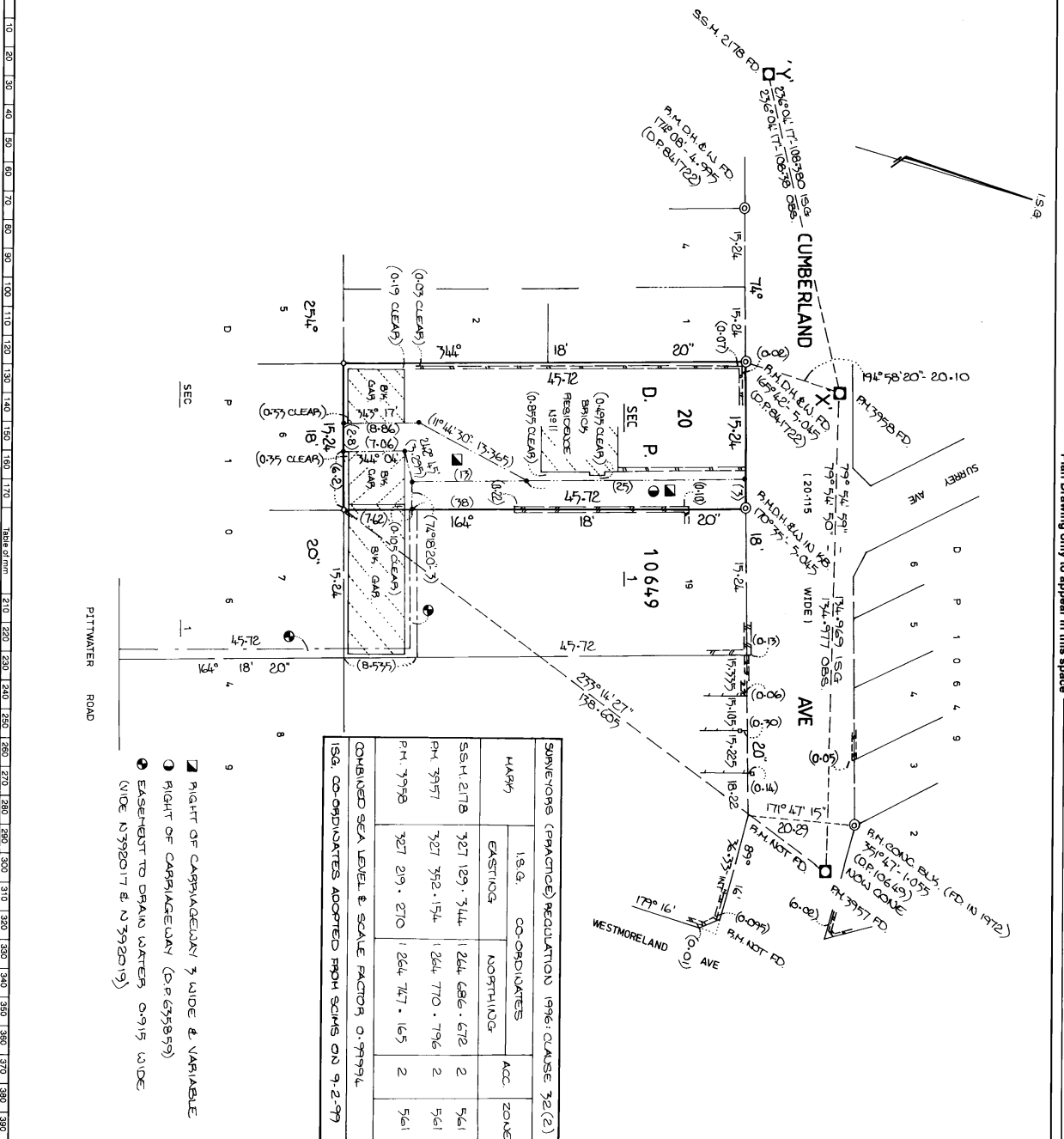
MetLife Banking Corporation  
Attn: 007 457 741 131 175  
Attorney ONLY and sure under  
Power of Attorney No. 831 Bank 10574  
Solicitor  
New South Wales Solicitor General  
WITNESS  
Bank Officer  
Bank Officer

Crown Lands Office Approval  
PLAN APPROVED  
Landed Officer  
Paper No.  
Field Book

Subdivision Certificate  
I certify that the provisions of s. 158A of the Environmental Planning  
and Assessment Act 1979 have been satisfied in relation to the  
proposed:  
(insert subdivision or new road)  
set out herein  
Authorized Person/General Manager/Authorized Officer  
Division No.  
Division Certificate No.  
When the plan is to be lodged electronically in the Land Titles  
Office, the plan must be signed electronically in the Land Titles  
Office and the signature must be verified by the Registrar General.  
The signature must be in the form of a signature or original  
and the signature must be in the form of a signature or original

FORMS REFERENCE: 60061 CHECKLIST

Plan Drawing only to appear in this space



WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP1010026

Regulation: 31-1-2000

C.A.:

Title System: TORENS

Purpose: EASEMENT

Ref. Map: U 2760-41

Last Part:

PLAN: OF RIGHT OF  
CARRIAGEWAY 3 WIDE &  
VARIABLE WITHIN LOT 20  
SECTION 1 IN DP10649  
Lengths are in metres. Reduction Ratio 1: 300

L.O.A.: WARRINGAH  
Locality: COLLARVOY  
Parish: MANLY COVE  
County: CUMBERLAND

This is a true and correct plan in  
accordance with the provisions of the  
Regulation 31-1-2000.

Surveyor's Declaration  
I, the undersigned, being a duly qualified  
Surveyor, do hereby certify that the  
survey represented in this plan is  
correct and that the survey was  
conducted in accordance with the  
Regulation 31-1-2000 and was  
completed on 13/02/2000.  
The survey relates to:  
The land shown in the plan and  
shown in the plan that is not the  
subject of the survey.  
Zone Subdivision:  
Surveyor's Signature: [Signature]  
Surveyor's Name: M. GRAHAM  
Surveyor's Registration No.: 1229

Prints used in preparation of survey: completion  
DP10649  
DP 841722  
DP 637587

NOTE: FOR USE ONLY for statements of intention to  
decide public roads, to create public reserves, drainage  
reserves, easements, restrictions on the use of land or  
other purposes.  
PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT,  
AS AMENDED, IT IS  
INTENDED TO CREATE:  
1/ RIGHT OF CARRIAGEWAY  
3 WIDE & VARIABLE.