
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 28/06/2024 8:08:15 PM
To: DA Submission Mailbox
Subject: Online Submission

28/06/2024

MR Greg and Susan Marinan
20 Condamine Street ST
Balgowlah Heights. NSW 2093

RE: DA2024/0633 - 25 Valley Road BALGOWLAH HEIGHTS NSW 2093

From: Greg and Susan Marinan
Sent : 28th June 2024
To. : Northern Beaches Council Mailbox
Subject : Objection to 25 Valley Road Balgowlah Heights DA 2024/0633

Attention : Lachlan Rose

The following letter is concerned with our objections to the above DA proposal.

1. We, the owners of 20 Condamine Street are concerned about the natural flow of water in 25 Valley Road, if they are to be excavating under the house re the Basement Floor Plan. As Council is well aware, there are ongoing water issues in various properties on Condamine Street (18,16 and 14),Valley Road (23, 21 and 19) as well as Glade Street.

In 2008-2009, 20 Condamine Street was knocked down and rebuilt with new landscaping. It's backyard heightened, levelled and retained at considerable cost but in so doing various vehicles and machinery were bogged and had to be towed out due to the continuous flowing water in this particular area. 20 Condamine Street have had no water issues since this work was completed. We fully expect this situation to remain as 20 Condamine Street seems to be the only property in this area with minimal water issues.

We want it well and truly documented that if 20 Condamine Street is in any way affected by this excavation, water flow or compromise the integrity of our retaining wall, the cost of repairing this damage will be solely on the owners of 25 Valley Road.

2. When building our retaining wall and drainage system in 2008/2009 we had a verbal agreement with Mrs Shirley Derby, then owner of 25 Valley Road, that our retaining wall fence line would be approximately 150-200 mms inside the existing fence which was the boundary of the property of 20 Condamine Street and 25 Valley Road. This wire fence has since been taken down unbeknown to us and without our consent. That was the original fence and a survey will confirm that this was the fence separating the two properties. This was only one of a suite of conditions both parties agreed to, at that time, so Mrs Derby's protest to Council would cease.

Thus under no circumstances the owners of 20 Condamine Street will allow trellis wires or any other structures to be attached to the retaining wall that is not the boundary of 25 Valley

Road. So, to make it crystal clear the fence that is there now is on the property of 20 Condamine Street.

3. We note the large angophora castata is to be maintained. However, much of its present canopy is over our backyard (as clearly seen in the stormwater plan) constantly showering our backyard with sharp gumnuts, dead thick branches which break apart when hitting the ground and it also sheds its bark at certain times of the year. We know that the canopy over 20 Condamine Street should be cropped within existing council regulations but as there is a large part of the tree over our yard we are asking that more of the tree be lopped. There are also other concerns. We often mind our grandchildren who play in our backyard and it would be a very dangerous situation if any of these branches fell on our family. We are bringing this to your notice now as aged previous owner was not in any condition to address this issue. On the tree report it is stated and I quote, "it is highly stressed and unhealthy". If the tree is unhealthy it could not be of a "high condition". With all the excavations going on under the house, we would be very concerned of the tree's instability and vulnerability to fall onto property.

4. With regards to the height of the proposed structure of 25 Valley Road, we are objecting to the height along the boundary of 20 Condamine Street/ 25 Valley Road. Presently there is a pitched roof allowing light, sunshine and air movement into our property, year round. The proposal of the flat 2 deg roof profile would rob 20 Condamine Street of light, sunshine, air movement and valley views for much of the year. There is also the extension on the northern side of the building (where the verandah is now) which will again deny us of light and sun.

5. If this proposal goes ahead as planned we will have much diminished sun, light or air flow for months on end.

6. Whatever allows 20 Condamine Street to a conscionable share of light, sunshine and air flow would be the minimum we would expect.

7. We have no doubt the new owners of 25 Valley Road would wish to build their dream home. We know first hand, that compromises need to be made to satisfy the various needs of their closest neighbours. Renovations and knockdown rebuilds are stressful times and we the owners of 20 Condamine Street have not set out to make this time more so.

8. However, we feel there are certain elements of this proposal which will negatively effect our living conditions.

9. We also strongly urge the owners of 25 Valley Road to look more diligently into the natural water flow of the Basement Floor Plan. Councils over the years have had minimal success in stemming storm water issues when they, seemingly, more often, occur.

10. By documenting our various concerns in writing, we have been advised that we have legal recourse if our concerns come to fruition.

Your most sincerely
Greg and Susan Marinan
20 Condamine Street.