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**Sent:** 14/05/2019 10:38:19 AM  
**Subject:** SP58961 - DA Submission/complaint  
**Attachments:** SP58961 Lot 51 DA Submission.pdf;

Good Morning,


Please find attached a submission/complaint in regards to lot 51 of 1-5 Collaroy St, Collaroy.

Kind Regards

Nathan Newmarch

General Manager / Licensee-in-charge




Find us on 

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Development & Compliance Services  
Northern Beaches Council  
Civic Drive  
725 Pittwater Road  
Dee Why NSW 2099



Dear Sir / Madam,

**STRATA PLAN NO.58961  
LOT 51 / 1-5 COLLAROY ST, COLLAROY, 2097**

As the strata managing agent of the Owners Corporation, I have been asked to write to you on behalf of the Owners Corporation of Strata Plan 58961 in regards the unapproved Gym operating from Lot 50/51 at 1-5 Collaroy Street, currently trading as Evolve MMA.

The Gym is currently operating in contravention of Councils LEP and Land Use Permissibility list which shows "Recreation facility (indoor)" as permitted with consent. To our knowledge there has been no consent granted by Council for this business to operate.

Having contacted the owner of Evolve MMA and the owner of lot 51, we have been advised that a DA has been submitted to Council for the development. The Owners Corporation has not received a copy of the DA application and has not given its consent to such an application being made. The lot owner has knowingly attempted to circumvent the approval process required by the Owners Corporation and Council.

The Owners Corporation wishes to lodge its formal complaint in relation to this unauthorised business operation and request a copy of a formal DA Application that has been submitted.

In addition to the fact the gym is operating without approval, the Owners Corporation have several concerns regarding, the noise impact on residential units, increased traffic flow to the property, length of the advised operating hours, specifically after 6.00pm (Mon, Tues, Thurs Fri 9.30am-10.30am & 4pm-7.30pm; Wednesday 9.30am – 10.30am & 5.30pm-7.30pm; Saturday 9am-10am)

The Owners Corporation has received several complaints from lot owners and tenants regarding noise from the gym and this has been raised with the tenant also.

Yours faithfully



Nathan Newmarch  
Strata Managing Agent