
Sent: 18/06/2020 11:16:00 AM
Subject: Mod 2020/0234 - DA94/2011 - 3A Dalwood Avenue SEAFORTH NSW 2092 - ATTN Jordan Davies
Attachments: z8324council 180620.pdf;

Please see submission for Mod 2020/0234 - DA94/2011 **attached**.

Kind regards

ROMANO DI DONATO OAM

IMPORTANT CHANGE: -

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all email communications for ROMANO DI DONATO - Solicitor + Notary Public should be made to
romano@romanodidonato.com.au
(in lieu of romlaw1@tpg.com.au).**

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ROMANO DI DONATO Solicitor + Notary Public Suite 1102, Level 11, 84 Pitt Street, SYDNEY NSW 2000 (near Martin Place) T: +61 (02) 9262 6699; F: +61 (02) 9262 6655; E: romano@romanodidonato.com.au

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Our ref: RDD:8324

18 June 2020

ATTN: Jordan Davies

The Manager
Planning & Development Northern Beaches Council

Email: council@northernbeaches.nsw.gov.au

Dear Mr Davies,

Re: Mod 2020/0234 - DA94/2011
3A Dalwood Avenue SEAFORTH NSW 2092
Submission by Bob & Jenny KOPAC (3 Dalwood Avenue, Seaforth NSW 2092)

I refer to your letter of 5 June 2020 in respect of my clients Bob and Jenny Kopac, the proprietors of adjoining property at 3 Dalwood Avenue, Seaforth.

They are concerned that the proposed new structure of a chimney is projected to exceed the height restriction for the property in the Restriction As to User of DP 610184, being a height restriction enforceable by my clients and by council. Within that height restriction "*No building or other structure shall be erected or constructed*".

My clients do not consent to the chimney exceeding the height restriction as, and apart from anything else, it would create a precedent for future breaches. The restriction is very clear in that it prohibits any form of structure to exceed that height, and to do otherwise would be unlawful.

They suggest that if a chimney is required, that the proprietors at 3A Dalwood Avenue devise a compliant one that exits the building lower and at the side of their building, always within the height limited by the restriction.

Can you please acknowledge receipt of this submission.

Yours faithfully



ROMANO DI DONATO OAM

Encl:

