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Subject: Online Submission

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RE: DA2020/1489 - 8 Forest Road WARRIEWOOD NSW 2102

DA2020/1489, 8 Forest Rd Warriewood (Sector 5, Warriewood Valley Land Release)
My submission sets out to deal with the specific aspect of the proposal now under consideration in Application DA 2020/1489; whereby the circa 100 year old farm homestead would, if consented to, be demolished leaving only the stone plinth upon which it stands. I say that this aspect should certainly be refused, for the reasons listed hereunder and that the Applicant should, if consent is to be issued to the current DA, be required by a condition to restore and retain the farmstead upper-works above the plinth to the state that it was previously inhabited in under permanent occupation.

Planning for Bushfire Protection 2019 S.8.2.3 "Historic buildings In relation to buildings identified as having heritage significance, the usual requirements for bush fire protection may conflict with the conservation of significant heritage fabric and/or its setting. Development affecting heritage issues and related requirements, should be considered on an individual basis. The application of PBP is to be considered in the context of the conservation principles, processes and practices of the Illustrated Burra Charter (Australia ICOMOS, 2013). The development of a suitable bush fire safety proposal that considers constraints of heritage issues may require a performance based solution and therefore may require a BFDB".
I assert that 8 Forest Rd farmstead house has a lawful continuing use right under S. 4.65 of the Environmental Planning Act 1979 and that the damaged fabric of the structure (roof and gutters, flooring / fencing against vandals and etc), ought be restored by the Applicant to its previously habitable condition, as originally agreed with Pittwater Council in 2015 and later confirmed in the successful appeal before Commissioner G Brown DA N0 0440 2015..Prescribed Condition (i).

The effect of continuing non-compliance by the Applicant with this Consent Condition since 3 May 2017 might reasonably be considered an example of unapproved demolition by neglect. Council should now proceed to take the matter of non-compliance to the Land and Environment Court, without delay.

David James OAM (for services to Local Government and conservation of the Environment).