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19/03/2019

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**RE: Mod2019/0050 - 138 - 140 Old Pittwater Road BROOKVALE NSW 2100**

Submission re MOD2019/0050 - 138-140 Old Pittwater Road, Brookvale

I wish to submit my objection against this development and would have done so earlier had the opportunity been available.

Bushland that has already been bulldozed due to CC2017/0662 is part of a well documented Wildlife corridor and eats into the ever decreasing remaining native bushland in our area. The adjoining Allenby Park is known habitat for Wallabies, Bandicoots, Echinda's, Powerful Owls, Goanna's and other wildlife and this particular area had an intact previously un-disturbed plant community and was a sizeable area of bushland linked to the Manly Dam Catchment.

I now sadly realise this development is unlikely to be stopped and as a result I am incredibly concerned about the application, approval and notifications processes followed. I wish to request information about compliance to the Conditions of Consent.

I also have grave concerns regarding the newly notified DA2019/0200 - 130 Old Pittwater Road, Brookvale - with the same Developer. This is obviously a linked development with plans to bulldoze even more bushland.

Of further concern is that based on these DA's, it appears that no-one is looking at the big picture - each of these developments individually destroy parcels of bushland "consistent with surrounding developments" however collectively they destroy the habitat and corridors for flora and fauna within our local area.

Community Consultation:

This Modification was notified to only 7 houses in Allenby Parade and Corkery Crescent combined and to the other adjoining warehouses. This is extremely unacceptable when it is adjacent to a Public Reserve used by 100's of community members who deserve and have the right to be consulted.

The original DA2012/1377 was refused in March 2013 by Warringah Council for a number of reasons. The Developer reworked some plans and took them to Land and Environment Court which was upheld in October 2013. This result was NOT advised to the same NOTIFICATION map - only to anyone who had raised an objection and on the NBC website. The Community held the belief that the Application had been REFUSED - as they were not well versed in Council processes - where you have to go and find it out for yourself.

I have been advised that using this approval, a Private Certifier was able to approve a

Construction Certificate which has resulted in the bulldozing and excavation of the site. There is no community consultation required as this was part of the Consent. And now the site has been bulldozed!

The only reason this Modification it is up for consultation now is that the Developer has changed the approved design and on further analysis it was discovered that the change in design is to link it to the development of the neighbouring site - 140 Old Pittwater Road.

Relationship to DA2019/0200 - 130 Old Pittwater Road, Brookvale:

As previously mentioned this DA has recently been lodged - showing a linked development to the MOD2019/0050.

However, there is NO consistent communication for the 2 DAs from Council. Whilst I understand that there is probably no requirement to do this - I am again disappointed that NO common sense is applied to these approvals. Council has even put a different Planning Officer on this DA.

Conditions of Consent:

Based on Land & Environment decision, there are Conditions of Consent to be complied with during demolition and construction work. See pp5 &6 of Statement of Environmental Effects. Can the community please see evidence of the required WEPP and Induction records (Condition 26), the Compliance Certification for tree clearance and vegetation management (Condition 27) and the Project Ecologist having been on site during the excavation works and proposed development works (Condition 27)?

What evidence is there from the Project Ecologist of Conditions 28 - 31 being complied with?

Condition 25 - Temporary Bushland Protection fencing - has this been implemented?

Condition 39 - Permanent Bushland Protection fencing - is this specified in plans?

Condition 49 - Is there a BMP for this development?

See photographs on pages 5&6 of the Statement of Environmental Effects dated Feb 2019 which do not appear to show any fencing in place whilst bulldozing is underway.

I look forward to your consideration of all of the above concerns and seek your review of Community Consultation practices in this type of development.