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Sent: 4/03/2022 4:53:17 PM
To: DA Submission Mailbox
Subject: Online Submission

04/03/2022

MR joe sanossian
221 / 18-22 Dale ST
Brookvale NSW 2100
[REDACTED]

RE: DA2022/0068 - 18 - 22 Dale Street BROOKVALE NSW 2100

We object to the validity of the DA2022/0068 on following grounds

A. Breach in Strata laws requirements for Strata Buildings

1. The [Development Application] DA is for supply and installation of two Vergola awnings at common areas at top of two open shafts. The proposal has No majority consent of the owners, which is required in such major alteration and addition on the building in common areas.
2. The DA does not give the purpose for the supply of the Vergola awnings
3. The process of presenting the Vergola to the owners was done with little information as follow;
 - a) No other alternative option or info was given to owners to participate and make informed decisions for the choice of supply Vergola ,
 - b) Pecuniary interest was raised in the matters at latter time but that was not reported to the owners for their considerations and the implications of such acts
 - c) The latest expenditure report I requested shows that about\$16,500 was spent to repair leaks in the shaft area with success report from the contractor and that matter was not reported to the owners during decision makings
 - d) The Vergola Awning was affected/ requested by few owners [not more than 6 of 99] hence the strata law requires first approval by the all owners corporation for Vergola before the matter goes to the council for DA approval, in that case the cost of the Vergola should be paid and maintained by the requesting owners if the DA get approved [in principle] no strata owner could expect other owners to pay/contribute for private service in a strata building
4. The funds for the installation of Vergola is fluid between 50k -100k which is concerning of what would be the final required fund if it approved
5. The building needs funds for improvements such as use of solar energy, provision of efficient A/C and modern IT facilities for all owners benefits

B. Objection to Vergola awning on planning grounds

1. The proposed DA is overdevelopment and has no justification for such development on planning grounds [ref; requirements for engineer reports, services required to operate Vergola, maintenance issues and structures required for access to Vergola in such a small area, etc] and
2. The proposal would change the character of the building of being open space, providing natural light and air circulation with no maintenance issues
3. The proposal will create expensive maintenance and liability issues given the location, accessibility and complexity of the Vergola when it fails its functions [Vergola does not give guaranty any leaks]
4. The proposed DA will unduly affect the surrounding businesses in the building