



John Brunton (9710 0474)
File Ref: DA12/0476

24 October, 2012

Dr John Roseth
Chairman
Sydney East Region Joint Regional Planning Panel
GPO Box 39
SYDNEY NSW 2001

Dear Dr Roseth

**Council Submission: JRPP Reference Number 2012SYE065
(DA12/0476) Shearwater Landing – Staged Development of 161
Residential Lots at 15R Bate Bay Road and 452 Captain Cook Drive,
Greenhills Beach**

[In response, please quote File Ref: DA12/0476]

At its meeting of 22 October 2012 Council considered a report on this development proposal and resolved to make a submission to the Panel when it considers this matter on 7 November, 2012. During its deliberations Council had the benefit of a presentation on behalf of the applicant from Mr Tom Breen and Mr Damian Vella. Through questions and answers Councillors were able to explore several of the issues relevant to the proposal.

After considering all of this material Council resolved to inform the Panel that it has serious concerns about the subdivision of the land into six superlots, and before any applications are submitted for construction of the infrastructure or further subdivision, the proposal be amended by:

- (a) Adjusting the lot layout in the vicinity of Bate Bay Road so that less lots gain vehicular access from Bate Bay Road and gain access to internal roads.
- (b) Widening a section of Road No. 1 in the vicinity of its intersection with Road No. 4 to enable cars to safely park in Road No. 1 without obstructing through traffic when visitors park in Road No. 1 to utilise the pedestrian accesses to the beach.
- (c) Reducing the slope of the future lots in the northern section of the subdivision (particularly north of Road No. 4) by lowering the elevation of the landform.

- (d) Formulating a new remediation strategy for the site that incorporates processing of sufficient material so that a greater volume of material can be utilised in the capping layer and the quantity of material to be imported to the site is reduced.
- (e) That Council ask for reduced ground level height on Bate Bay Road so as to reduce the impact on the houses on the southern side of Bate Bay Road.
- (f) That on 149 Certificates, information be provided to affected parties in regards to the sporting fields and of the improvements and upgrades.
- (g) That a better style of sound barrier and privacy screen be afforded between the school and residences.

Several of these items relate to matters about which there has been previous correspondence that has been provided to the Panel. In addition to the above items, Council requested that there be a thorough investigation on the quantity and type of contamination found within the site, the companies undertaking the work and the processes utilised to remove contaminated material. This is to ensure that adjoining residents and the adjacent estate are not adversely impacted.

As a further point, Council decided that if the proposed remediation is pursued that a notation be placed on section 149 certificates indicating the possibility of contaminated fill.

The representatives of the applicant remained in the Council Chambers following their presentation and are therefore aware of the decision made by the Council. Consequently, the applicant will be able to respond to these concerns when the Panel considers the Council's submission.

Yours faithfully



John Brunton
Director - Environmental Services
for J W Rayner
General Manager