

Andrew Pigott, Manager – Planning and Assessment
Phone: 9970 1163
Mobile: 0418 443 167

Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Tim Archer
nava.sedghi@planning.nsw.gov.au
lee.mccourt@planning.nsw.gov.au

10 September 2014

Dear Mr Archer,

Re: Site Compatibility Certificate Application – Bayview Golf Course, Bayview

Thank you for providing Pittwater Council (Council) with an opportunity to comment on the site compatibility certificate application received for Lot 1 DP 66290, Cabbage Tree Road, Bayview (Bayview Golf Course).

In consideration of the proposed development's consistency with the criteria listed in clause 25(5)(b) and having regard for the proposal's compatibility with the surrounding land uses, Council provides the following comments;

(i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,

The Arboricultural Impact Assessment (Footprint Green Pty Ltd dated 30th June 2014) is the same report provided at pre-lodgement stage, which assesses 243 trees located within close proximity to the proposed development footprint. The conclusion section of the report states that 98 trees are to be retained and 136 trees removed.

Since the report was written, the 10/50 Vegetation Clearing Entitlement has come into effect in NSW. The Code of Practice allows for all trees (over 3 metres in height) within 10 metres of a building containing habitable rooms, and all other vegetation (under 3 metres in height) within 50 metres of a building containing habitable rooms to be removed without approval. The Code overrides any related conditions of consent. As the site is located in an area where the Code applies, the ramifications of this new legislation mean that if the development were to be approved, none of the trees assessed in the arborist report would be able to be protected via condition as they would be permissible for removal under the 10/50 Code of Practice.

So in effect, 243 trees are likely to be lost to this development. Offset replanting of trees for those approved for removal also would not be effective, as all vegetation under 3 metres in height within 50 metres of the development can be removed without consent, meaning that replanting of trees is not required (or can be removed once planted). Any offsets would then be required to be located further than 50 metres from the proposed development which would have to be located on the golf course, eating into fairway space and this option is highly unlikely to be favoured by the Golf Club as an 18-hole course would then not be feasible.

The Flora and Fauna Assessment (Footprint Green Pty Ltd dated 2nd July 2014) covers the basic requirements in assessing potential impacts to threatened species. It has determined habitat type and area of each within the subject site (a total of 20,000 square metres) as being Open Forest (1,375 sq.m), Modified Landscape (7,150 sq.m) and Golf Fairways, Greens and Tees (11,475 sq.m). It has determined that the proposed development will be able to retain the full 1.375 sq.m of Open Forest habitat.

As discussed above, the open forest habitat cannot be protected as it is now permissible to be cleared under the 10/50 Vegetation Clearing Entitlement Code of Practice, within 50 metres of any building containing habitable rooms. The report also discusses the wildlife corridor as mapped under Council's DCP which the subject site is located within. The report states that "corridors of dense vegetation facilitate movement of ground dwelling fauna such as frogs, reptiles, mammals and small insectivorous birds, however the golf course does not contain large areas of this contiguous habitat".

Pre-lodgement discussions with the application and landscape plans at that stage indicated that native vegetation would be planted immediately adjacent to the development to offset the loss of trees approved for removal and to enhance the wildlife corridor in the area. With the 10/50 Vegetation Clearing Entitlement, none of this offset planting is feasible and as such, this proposal is not feasible.

In order to issue a Site Compatibility Certificate Application, the Director-General must be "of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria (relevant to natural resources)

- the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,
- the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land"

With the recent introduction of the 10/50 Vegetation Clearing Entitlement and its impact on the inability to protect trees and vegetation in the vicinity of the subject site, it is not agreed that the proposed development is compatible with the natural environment currently on the site, for the reasons discussed above. The impacts associated with tree and vegetation loss will be significant, particularly with the inability to offset these losses and enhance habitat within the wildlife corridor. There are also a number of planning issues associated with the potential loss of all trees and vegetation on the site, such as lack of screening leading to visual impacts to the surrounding locality.

Concern is also raised with regard to the proposed reliance upon the remaining golf course land to provide for the required 60m wide Asset Protection Zones to the west and north-west of the proposed seniors housing site. The portion of the remaining golf course to the north and north-west of the proposed seniors housing site contains sections of dense vegetation, including canopy and understorey vegetation. It is likely that additional canopy trees and vegetation will be required to be removed in order to meet the provisions of *Planning for Bushfire Protection 2006*, none of which appears to have been considered by the Arboriculture or Flora and Fauna Impact Assessment Reports supporting this application.

The clearing of 20,000m² of the site to provide for a seniors housing development, in addition to the likely clearing required to accommodate Asset Protection Zones will result in unreasonable impacts upon the natural environment, and is incompatible with the current use of the site as a wildlife corridor and the vegetated character of the locality.

(ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,

The application was accompanied by a master plan for the redevelopment of the golf course (Papworth + Parker Golf, May 2014) and "in principle" commentary from golf course design and construction consultants to support the ongoing use of the remainder of the site associated with Bayview Golf Course. However, despite this documentation, Council remains concerned with regard to the centralised location of the proposed seniors housing development, particularly as it relates to the proposed 4th, 5th and 6th holes.

The golf course master plan does not appear to be consistent with the recommendations of the Bushfire Risk Assessment Report in relation to the management of Asset Protection Zones and is compromised by the introduction of the 10/50 Code of Practice. The ability to require/condition off-set and placement plantings is also compromised, as the land where the replanting should occur is not part of the development site, and is subject to the lodgement and determination of subsequent development applications.

Furthermore, the location of the road crossing between the 3rd and 4th holes has been deemed unacceptable by Council when considered in conjunction with the proposed vehicular egress point to service the seniors housing development.

At this stage, the applicant has not demonstrated that the proposed seniors housing development is compatible with the ongoing use of the site for the purpose of a golf course.

(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,

There are discrepancies in the supporting documentation with regard to the location of the pedestrian access path and driveway to service the development. Both the accessibility report (Accessibility Solutions, 8 July 2014) and traffic assessment report (Transport and

Traffic Planning Solutions, 22 June 2014) identify the egress point as being in the location of the existing driveway (not shown on the survey detail provided), located to the far east of the proposed site. However, the proposed point of egress as shown on the Site Masterplan (Marchese Partners, 30 July 2014) is located in excess of 40m to the west and upslope of this point.

This flaw in the application results in further errors in the statements within the traffic assessment report (Transport and Traffic Planning Solutions, 22 June 2014) relating to safe sight distance lines. The consultant's report has identified that the current driveway location is able to achieve safe sight distances, however as the proposed driveway is located 40m west of this point, and closer to the crest of a hill, the proposed driveway fails by the traffic consultant's calculations for safe sight distances.

Council also highlights that the design of the intersection to Cabbage Tree Road as shown on the Site Masterplan (Marchese Partners, 30 July 2014) is unacceptable, as it does not comply with current Australian Standards.

With regard to accessibility, the applicant has not provided certification that the path between the proposed point of pedestrian egress and the closest bus stop is able to meet the provisions of clause 26, as the certification provided thus far is based on what appears to be an incorrect location. The applicant would be required to demonstrate that the footpath required within Council's road reserve is able to meet the design criteria identified by SEPP HSPD. Furthermore, the applicant has not identified that the proposed access pathway is safe, as it is shown to be susceptible to flooding at certain times after rain/storm events.

Flood levels within the vicinity of the site may also impact upon the ability for emergency service vehicles to access the site. Potential isolation during flood events is mentioned in the Pre-Development Flood Assessment (Martens Consulting, August 2104), with recommendations including sheltering-in-place and evacuation to the north of the site if the site is impacted by the PMF flood extents.

Council questions the suitability of the site for a seniors housing development that is unable to be reached in the event of a flood emergency, and also questions the suitability of evacuation to the north of the site where no accessible or readily available path is provided/proposed. Council notes that the proposal is inconsistent with the S.E.S. 'Policy' that requires access to be maintained to a seniors housing development during the PMF event.

Council identifies the need for additional information outlining evacuation strategy and structural integrity of the buildings etc. The additional information is also required to demonstrate how the development will incorporate the PMF/1% AEP + climate change overland flow paths through the site – whilst ensuring an acceptable level of risk to property and life is maintained for the life of the development.

(iv) in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,

The subject site has been identified as a High Priority area that is essential to fauna movement on Council's Wildlife Map in P21 DCP. The site serves as a key link between the Major Habitat Areas mapped to the north-west of the site and the Pittwater Waterway. Given the RE2 Private Recreation zoning and the current use of the site as a golf course, it would be reasonable to assume that the integrity of the High Priority wildlife corridor would be maintained.

However, the proposed development may potentially eradicate the wildlife corridor link between the Major Habitat Areas to the north-west of the site and the waterway. Unfortunately, the information provided to support the application has not demonstrated otherwise, as the reports fail to consider the likely impacts of bushfire prevention methods, the lack of proposed replacement plantings and the introduction of the 10/50 Code of Practise.

Furthermore, the residential use of the proposed site is likely to result in additional impacts upon the remaining portions on the golf course, contrary to the objectives of the RE2 zoning of the land. The clearing of remaining portions of the golf course site to accommodate an Asset Protection Zones associated with a seniors housing development and the inability to enforce replacement plantings is inconsistent with the zone objective identified by PLEP 2014, which aims to protect and enhance the natural environment for recreational purposes.

(v) *without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,*

The existing golf course is predominantly surrounded by 1 and 2 storey single dwellings in a low density area, situated in a landscaped setting dominated by canopy trees, representative of the dominant character of the existing locality.

The presence of six (6) multistorey apartment towers in conjunction with an overly large communal facilities / administration building, is completely inconsistent with the existing character of the visual catchment of the site, which predominantly comprises recreation open space and single residential dwellings, surrounded by canopy trees.

The visual impact of the development and the resultant inconsistency with the existing character of the area is amplified by the significant loss existing vegetation, the lack of proposed replacement plantings and the inability to rely upon the requirement for replacement plantings on adjoining sites. The proposed development would dominate the streetscape, standing 4-5 storeys tall on the side of the slope, with little-to-no surrounding vegetation to soften the visual appearance of the development as viewed from the street and surrounding residences. This outcome would be completely at odds with the newly adopted PLEP 2014 and Council's local planning strategies for the site and the locality.

The site is located within the Mona Vale locality and immediately adjoins the Church Point and Bayview Locality, and the Bayview Heights Locality. The desired future character statement for the Mona Vale Locality identifies that the height of future development should be maintained below the tree canopy, with existing and new vegetation, including canopy trees, integrated with the development.

The desired future character statement identifies that development should minimise site disturbance, and achieve a balance between the maintenance of the natural features of the environment and the development of the land. The desired future character aims to ensure that locally native canopy trees and vegetation is retained and enhanced to assist the development blending into the natural environment and to enhance wildlife corridors.

The desired future character statement forms part of P21 DCP and is representative of the community's expectations for future development within Pittwater. Council contends that the proposed 4-5 storey apartment complex, that essentially results in the removal of all natural vegetation and canopy trees from the site and erodes the existing High Priority wildlife corridor, is inconsistent with the desired future character of the Mona Vale Locality.

In addition to the criteria addressed by clause 25(5)(b), Council also provides the following comments with regard to the way in which the application has been made, the land to which the application applies and the application of SEPP (HSPD) on the subject site.

Firstly, the extent of the site to which the application applies varies between plans and differs depending upon each supporting document. Figure 1, below, demonstrates the different configurations of the site.

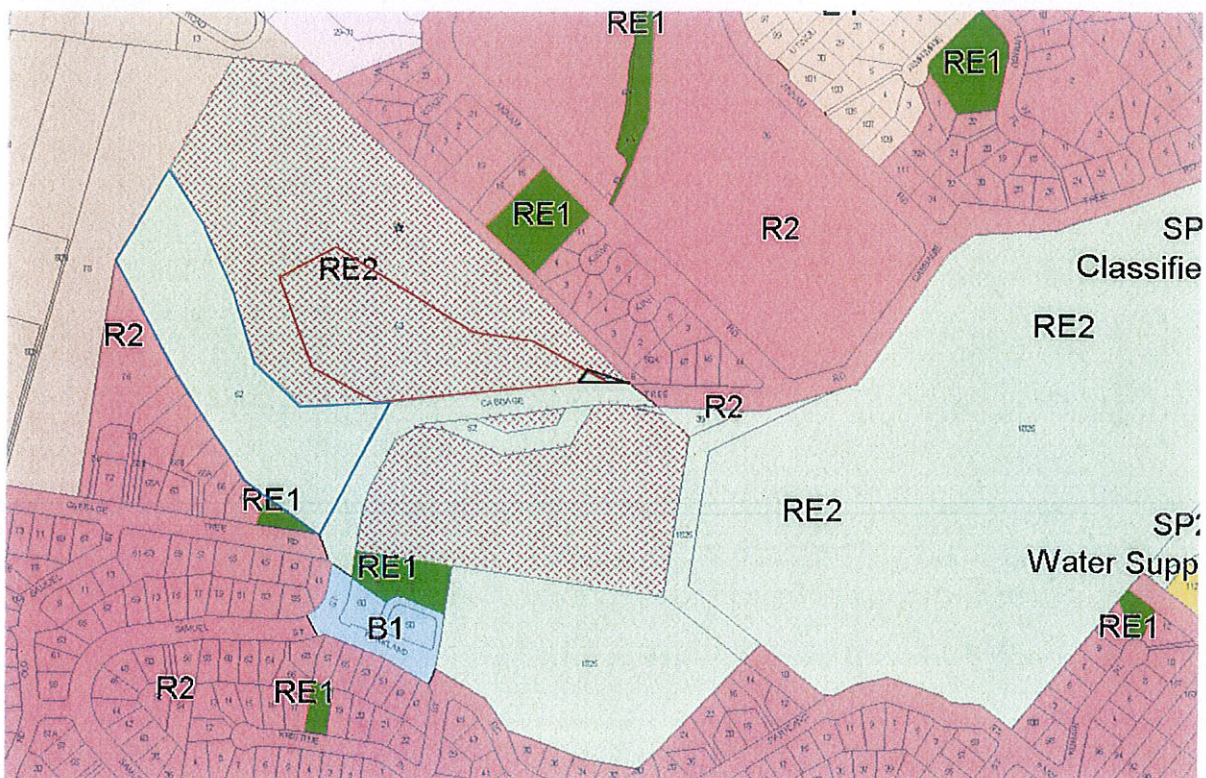


Figure 1 - Lot boundaries and Site Areas

The red hatched area to both sides of Cabbage Tree Road represents Lot 1 of DP 66290, being the site nominated on the application form provided by the applicant. However, this site differs from that described within the supporting statement which makes reference to the entire portion of the site on the northern side of Cabbage Tree Road, comprising the existing 4th, 5th, 6th and 7th holes.

The portion of the site on the northern side of Cabbage Tree Road comprises three separate lots, being part Lot 1 of DP 66290 (red hatched), Lot 1 of DP 19161 (bordered in blue solid line) and Lot 6 of DP 19161 (bordered in solid black line). The proposed development site as shown on the survey plan is approximately shown bordered by a red solid line.

From review of the survey information provided to support the application (Bee and Lethbridge, April 2014), in conjunction with the Site Masterplan documentation for the proposed seniors housing development, it appears that the development relates to part of Lot 1 DP 66290 (red hatched area) and also part of Lot 6 of DP 19161 (bordered in solid black line). The application does not appear to relate to Lot 1 of 19161, which is the remaining land parcel on the northern side of Cabbage Tree Road. In this regard, it is considered that the Site Compatibility Certificate Application has been incorrectly made by the applicant.

Secondly, clause 6 of SEPP HSPD identifies land to which the policy does not apply, including land described in Schedule 1 (Environmentally Sensitive Land). Schedule 1 of SEPP HSPD is as follows;

Land identified in another environmental planning instrument by any of the following descriptions or by like descriptions that incorporate any of the following words or expressions:

- ...
(i) natural hazard
...

On 27 June 2014, Pittwater Local Environmental Plan 2014 (PLEP 2014) came into effect. Clause 7.7 of PLEP 2014 relates to Geotechnical Hazards, and clause 7.7(2) identifies the land to which the clause applies, being the land mapped on the Geotechnical Hazard Map. The proposed seniors housing development is located on land identified by the Geotechnical Hazard Map of PLEP 2014. Council contends that the geotechnical hazard is appropriately described as a natural hazard, and as this is identified by an environmental planning instrument, the provisions of SEPP HSPD cannot be applied.

PLEP 2014 underwent extensive community consultation and represents Council's strategic framework for the future of Pittwater. Under the provisions of PLEP 2014, the site is zoned RE2 Private Recreation, and all forms of residential development, including seniors housing developments, are prohibited. The objectives of the RE2 zoning aim;

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To allow development of a scale and character that is appropriate to the nature of its recreational use and is integrated with the landform and landscape.

Council contends that the proposed development is not only prohibited on the site, but also inconsistent with the objectives for the RE2 zone, being the zoning that underwent considerable consultation with the land owners, surrounding property owners and the greater community.



PLEP 2014 is a contemporary planning instrument developed in partnership with the Department of Planning and Environment over a number of years. This document provides certainty for the community and the developer alike. Ad hoc applications to change permissibility without going through a robust Planning Proposal process undermine community confidence in the Planning System. The Government's Planning Reform Program seeks to reinstate certainty, confidence and a strategic approach to planning. This application subverts this approach.

In light of the issues raised above, Council questions whether a site compatibility certificate can be issued in relation to the site and strongly urges for the site compatibility certificate application to be refused.

It appears that Council's concerns are echoed by members of the local community, with a number of submissions received in objection to the site compatibility certificate application. These submissions have been attached for the Department's consideration.

If you have any questions, please do not hesitate to contact Andrew Pigott, Manager – Planning and Assessment on 9970 1163.

Yours Faithfully,

Steve Evans
Acting General Manager – Pittwater Council

John Peterson
3 Kiewa Close
Bayview NSW 2104

Mr Chris Wilson
Development Assessment Systems & Approvals
NSW State Planning and Environment
GPO Box 39
Sydney NSW 2001

Name of Applicant : Waterbrook Bayview Limited

APPLICATION No Unknown to Public

Report to the Secretary Carolyn McNally on an application for a Site Compatibility Certificate State Environmental Planning policy (Housing for Seniors or People with a Disability) 2004

Location :52 Cabbage Tree Road Bayview 20,000 sqm of land
Applicant :Waterbrook Bayview Limited
Proposal: 115 Seniors living units. LGA : Pittwater Cost \$160million.

My **OBJECTION** is that the proposed development is **NOT** compatible with the surrounding environment and land use as follows:

COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND
SURROUNDING LAND
USES

The Secretary of Planning must not issue a certificate unless he is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i)):

Ecological Impact assessment.

1. **Background-** Review Species Impact Statement

2Habitat classification

-High Priority Wildlife Corridor ,
**Wildlife Corridor in Coastal Zone under Coastal Protection Zone
Policy 71**

3 Corridors- the site is in the middle of **High Priority Wildlife Corridor** shown on Pittwater Council Wildlife Corridor Location Map No 9.

4. State Government Legislation-No comment

5. Local Government Legislation-no comment

6 .Site details: Pittwater Corridor Map 9 --1km to Kooroowall Reserve Bayview
Bushland Reserve Location Map 9 –Pittwater Council ,also 7kms to Garigal
National Park Kuringai Chase . Site 473m from Bay & within Coastal Zone.

Page 2 John Peterson –Objection to Site Compatibility Certificate
Application No Unknown to Public

7. Survey Information-Fauna Species List –Bayview by Pat Antcliff (1998)

List shows 107 fauna species , includes 6 which are Threatened Species , Particularly **the Powerful owl** that uses the site for flight movement and hunts prey (possums , gliders) in the significant old remnant trees that line the wildlife corridor containing the development site .

“Nesting” site of the **Powerful Owl** is **243m from the proposed development site** in Nagana Road Bayview . The Powerful Owl was last heard on the proposed development site at 2am on 5th March 2014 & 4am on 14th March 2014.

The **Powerful Owl** (*Ninox strenua*) is “**Vulnerable**” under **Threatened Species list**. Only 30 pairs have been sighted in the Sydney basin. One pair is located at this site.

8. Site Coverage-100%

9. Threatened Species , Communities and Populations

Listed by P . Antcliff 107 Fauna Species made up of 69 Birds, 14 Mammals, 18 reptiles and 6 Frogs . 6 are Threatened species.

10. Endangered Ecological Communities

Previously mentioned over entire site and adjacent properties.

Development will **fragment & isolate** these communities from normal habitat.

11. Fauna- Powerful Owl, Common Bent-wing Bat & Red –Crowned Toadlet Swift Parrot (Endangered) and Regent Honeyeater (critically endangered)

Are all Threatened residents over or near the development site

12. Flora –There are 350 flora Species within a 3 km radius of this site.

13. Environmental Loss Summary

Tree removal and damage to trees within 5m of development.

Many many **significant trees** will have to be removed for this development.

These trees , some with hollows , are “food” trees for threatened species e.g.

Powerful Owl looking for possums , gliders . Also there will be disturbance to areas used during the day for “ Nesting” purposes for Long Nose Bandicoots.

The area is also used at night by a range of threatened micro bats (3 species)

The land is OPEN space and should remain same –thank you for your time.

Note : **The NSW Environmental Trust** has funded the **Powerful Owl project**

From 2011 to now with a grant of \$77,023 and Birdlife funded a further \$20,000

To research , ensuring coordination for **the protection** of this species across the landscape. Pity to see all their good research work go to waste, due to this Inappropriate Unit development within a High Priority Wildlife Corridor.

Disclosure to Secretary of Planning & Environment

There have been NO “**reportable**” **political donations**,

relevant to this public submission , application No. Unknown to Public made by John Peterson in the past years .

J G Peterson

John Graham Peterson

3 Kiewa Close

Bayview NSW 2104

Date 30/8/2014

Email:

djkiewa@bigpond.com

From: Rees, Geoff R (SKM) [GRees@globalskm.com]

Sent: Tuesday, 4 March 2014 11:00:04 AM

To: Pittwater Council

Subject: Land Development Issue on Cabbage Tree Road Bayview

Attention; General Manager and appropriate planning and flood plain management personnel;

Dear Sirs;

I am a long standing member of Bayview Golf Club. I am writing to express my concern at the proposed sale of land that Bayview Golf Club is considering, and is proposing to put to the Bayview members at a General Meeting on 13 March 2014. This parcel of land borders onto Cabbage Tree Road and affects some of the holes in the Golf Club.

I am also a resident of Pittwater, with my house at 66A Cabbage Tree Road Bayview.

Attached to this email is a mark-up of the parcel planned to be sold, and I draw your attention to the extent of the land sale. In correspondence circulated to members in regard to the sale it was described as affecting the 4th and 5th holes only, but this is quite incorrect as the proposed parcel of land now issued in the Club's Notice of General Meeting strays significantly onto the 7th hole. This is the triangular portion marked on the attached diagrams.

The whole bottom corner of the land parcel is actually on the 7th fairway or at least very adjacent to it, passing close to the back of the 7th green and then passing behind the green all the way to the main drainage channel adjacent to Cabbage Tree Road. **The whole of the 7th fairway, all the way to Cabbage Tree Road, is a flood plain area that should not be touched or intruded upon.** The proposed bottom corner triangle of the land is well and truly intruding into this flood plain. I have walked the survey line shown in this area and the intrusion into the 7th is very extensive. As you may see below I am a senior person in the large consulting engineering firm Sinclair Knight Merz (SKM), now Jacobs SKM, and I have had many years participating in development projects and project approvals. I am not a radical objector or similar, just an experienced person that can see an unnecessary and inappropriate parcel of land, being considered for development.

Has Bayview Golf Club obtained the approval of Pittwater Council for this intrusion onto the flood plain?

My objection is on at least three grounds;

- First the development would stray onto a defined flood plain, and in my opinion it is not appropriate to allow development onto a defined flood plain, especially when the intrusion is not actually necessary,
- Secondly the development intrudes now onto the 7th hole, which is perhaps the signature hole on the course, and that was not what we were told in correspondence from the Club when this idea was first floated,
- Thirdly the intrusion onto the 7th changes the whole outlook of the course in that area. Without the triangular area straying onto the 7th fairway area and back of green, the view along that 7th hole currently contains the tree zone on the left hand side giving it a sheltered view as a defined and very pleasant outlook along the whole fairway. The proposed intrusion at the green end of the fairway now imposes a development view on the hole which I believe is both quite unnecessary and unacceptable effect on the signature hole. The development does not need this zone as there is plenty of land still available without it.

I write to Council now to alert Council to the impending vote by Bayview members, which may inadvertently approve a sale of land parcel which should not be developed on.

Could Council offers please review the attachments and have the appropriate planning and flood plain management personnel look at the proposal, because I believe that the land sale proposal is inappropriate in its intrusion onto a defined flood plain? I understand that Council does not have the power to prevent development on flood plain land however in a planning sense there are considerations that would fall into Council's area of authority such as conditions of approval, appropriateness of sytreetscape, environmental impact etc, so I would appreciate any comment that Council might be able to make. As I discussed on a phone call today, I do not actually know if the Golf Club or the potential purchaser Waterbrook Bayview Limited have lodged any form of DA at this point, but if approved by the Bayview members on 13 March, then I am sure such an application will soon follow. The notice to me from Bayview Golf Club also advises that the purchase is subject to Waterbrook obtaining a "Site Development Certificate" from the Department of Planning.

Thank you for your consideration.

Regards

Geoff Rees Jacobs SKM
Project Director, Major Projects
Infrastructure & Environment
+ 61 2 9032 1204
+ 61 459 827 664 mobile
+ 61 2 9928 2505 fax
Geoffrey.Rees@jacobs.com
100 Christie Street
St Leonards, Sydney,
NSW, 2065
Australia
www.jacobsskm.com

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From: John Peterson [djkiewa@bigpond.com]

Sent: Tuesday, 4 March 2014 2:05:01 PM

To: Pittwater Council

Subject: Development proposal

PROPOSAL TO SELL PORTION OF BAYVIEW GOLF CLUB FOR DEVELOPMENT

Reading the Notice of the next General Meeting of Bayview Golf Club (to be held on 13 March 2014), the members will be asked to vote on the sale of 20,000 square metres of land to a developer, namely Waterbrook Bayview Ltd. If the resolution is passed by the members the Club will receive \$10,000,000 for the land situated on the west side of Cabbage Tree Road. To put this into perspective, the area would be larger than that bounded by Park Street, Pittwater Road and Barrenjoey Road, which includes the Pittwater Council building, grass park, war memorial, library, café, community centre and council car park.

The intention is to apply to the State Department of Planning for permission to build housing for seniors and people with a disability, thereby circumventing the need for re-zoning approval and council approval for such a development and sets aside local planning controls.

Apart from avoiding the current Pittwater LEP controls which reflect the communities wishes, this land is described as 'high priority essential to fauna movement' in Pittwater Council wild life corridor location map 9 and is also defined as 'protected' within the Coastal Protection Act 1979.

This development will result in potentially 50 plus units, plus administrative buildings, to a height of 8 metres, to say nothing of the additional strain on existing roads and other infrastructure services.

How have we reached a state where a club, which purports to be a proud member of the district, can by-pass the local community wishes to achieve financial gain? To add insult to injury, the draft agreement with the developer provides Waterbrook Bayview Ltd first right of refusal on any further land sale.

Gary Weynton

4 Konda Close

Bayview NSW 2104

Telephone: 9997 6723

Email: G.weynton@bigpond.com

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From: Kristin Zindel [kristin_zindel@hotmail.com]

Sent: Wednesday, 20 August 2014 9:14:22 PM

To: Pittwater Council

Subject: Proposed development of 115 units on part of Bayview Golf Course

To Whom it May Concern:

I am concerned about the proposed development as stated above on "OPEN SPACE" land in the middle of a High Priority Wildlife corridor; and as the public is not allowed to make any submissions on this development on the NSW Planning website, the Council is the only source of submissions. I would therefore like you to consider this development carefully for the following reasons.

Proposed residential development on Bayview Golf Club land will prevent wildlife from moving between the coast at Warriner Bay Mona Vale and major habitat areas around Katandra Bushland Sanctuary and Nangana Road Bayview.

The proposed land sale, which has been voted for by the Golf Club members and means subsequent development and rezoning from open space, will completely cut this High Priority Wildlife Corridor, isolating fauna from their feeding area in the remnant trees.

Many old remnant trees will have to be removed for the building of a substantial number of "Seniors Living" units. Many Threatened and Endangered Native species owe their survival to these Wildlife Corridors.

Please stop any development in these Wildlife Corridors, particularly the ones in Bayview / Ingleside, simply for the profit of one organisation. There is enough development already reducing habitat in these areas, and areas once set aside for nature now seem to be pushed aside and changed to suit the latest development. Natural habitat is still important as a part of this area; do not diminish what little we have left.

Thank you
Kristin Zindel
Lot 1 Jubilee Ave
Warriewood NSW 2102

Ph: 0410687109

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