

This DA Submission Form must be completed and attached to your submission

DA No R0002/09

The General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

(Fax No 9970 7150)

Name P & G. WATERHOUSE
Address 201 GARDEN ST
WARRIEWOOD NSW 2102
Phone 0416 000 392
Date 27/8/09.

Proposed Development Planning Proposal to permit 'Neighbourhood shops' and 'restaurants'
At **23B MACPHERSON STREET, WARRIEWOOD NSW 2102**

I have inspected the DA plans I have considered them in the context of the relevant Locality Plans and Development Control Plans

Yes No

I am willing to provide expert reports to supplement my comments should a conflict in opinion arise

Yes No

I am willing to provide evidence to the Land and Environment Court if the application is appealed

Yes No

In the interests of public transparency please note that your submission in its entirety will be available to the applicant or other interested persons on request and will also be made available on Council's Internet site through Council's transparent Development Application tracking process You are encouraged, as is the applicant, to discuss with each other any matters that may be of concern

COMMENTS (You may use the space provided or attach a separate document)

SEE ATTACHED 3 PAGES

YOU MUST COMPLETE THE INFORMATION BELOW AND SIGN THIS FORM FOR YOUR SUBMISSION TO BE CONSIDERED IN THE ASSESSMENT OF THIS APPLICATION.

Political Donations and Gifts Disclosure Statement (sec 147 EP&A Act 1979)

Please read the information enclosed concerning political donations and gifts disclosure and tick the appropriate box below

I have made a political gift or donation

(Please complete details of your political donations or gifts on the form enclosed)

WE have NOT made a political gift or donation

Name PAUL WATERHOUSE
GILLIAN WATERHOUSE

Signature 

Date 27/8/09

Note For more information see www.planning.nsw.gov.au/planning_reforms/donations.asp

Political donations and gifts disclosure statement



Office use only

Date received ____/____/____

Planning application no _____

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form Also refer to the Glossary of terms provided overleaf (for definitions of terms in *italics* below)

Once completed please attach the completed declaration to your planning application or submission

Explanatory information

Making a planning application to a council

Under section 147(4) of the Environmental Planning and Assessment Act 1979 (the Act) a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council

Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council

A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a local councillor includes a reference to a donation made at the time the person was a candidate for election to the council

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made

- (a) in or in a statement accompanying the relevant planning application or submission if the donation or gift is made before the application or submission is made or
- (b) if the donation or gift is made afterwards in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council

Note A separate Disclosure Statement Template is available for disclosures to the Minister or the Director-General of the Department of Planning

Warning A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows or ought reasonably to know was made and is required to be disclosed under section 147 The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Electron Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part Note The maximum penalty is currently 200 penalty units (currently \$22 000) or imprisonment for 12 months or both

Political Donations and Gifts Disclosure Statement to Council

If you are required under section 147(4) or (5) of the Environmental Planning and Assessment Act 1979 to disclose any political donations or gifts (see page 1 for details) please fill in this form and sign below

Disclosure Statement Details

Name of person making this disclosure statement
PAUL & GUYTON WATBEAROUSE

Planning application reference (e.g. DA number, planning application title or reference property address or other description)
DA No. R002/09.

Person's interest in the application (circle relevant option below)

You are the APPLICANT YES / NO OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION YES / NO

Reportable political donations or gifts made by person making this declaration or by other relevant persons

State below any reportable political donations or gifts you have made over the relevant period (see glossary on page 2). If the donation or gift was made by an entity (and not by you as an individual) include Australian Business Number (ABN)

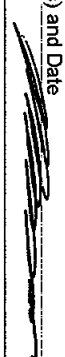

If you are the applicant of a planning application state below any reportable political donations or gifts that you know or ought reasonably to know were made by any persons with a financial interest in the planning application OR

* If you are a person making a submission in relation to an application state below any reportable political donations or gifts that you know or ought reasonably to know were made by an associate

Donation or gift?	Name of donor (or ABN if an entity) or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor address of person who made the gift or entity's address	Name of party or person for whose benefit the donation was made or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift
NO GIFTS or DONATIONS					

Please list all reportable political donations and gifts—additional space is provided overleaf if required

By signing below I/we hereby declare that all information contained within this statement is accurate at the time of signing

Signature(s) and Date
  27/08/09

Name(s)
P.G. WATBEAROUSE G.L. WATBEAROUSE

Paul & Gillian Waterhouse
201 Garden St
Warriewood
NSW 2102
Mob Ph 0416 000 392

The General Manager
Pittwater Council
PO Box 882
Mona Vale NSW 1660

Copy to All Councillors

Dear Sir

RE DA NO R0002/09

Thank you for the opportunity to comment on this proposal

We are writing to express our serious concern and total objection to the proposed rezoning to potentially allow a large supermarket development for this site

Summary

While we understand the need for the council to define the acceptability of the retail space as part of the process in maintaining the integrity of the Master plan, we would hope and urge that the council would do everything in their power to request that the department of planning limit the allowable space to be consistent with the sector 8 Master Plan and the DCP 21

A little under 12 months ago we negotiated to purchase our home at 201 Garden St Warriewood. Before proceeding with the purchase, my wife and I did some serious research into the potential use of this proposed development site opposite, and after examining both the sector 8 Master Plan and DCP21 we were pleased to find the proposal for a small Focal Neighbourhood centre with the remainder of the site being slated for mixed residential.

A great idea, well so we thought.

You can imagine, I'm sure, our reaction when we first received the DA proposal for this supermarket which is bigger than Coles in Warriewood, with the only entry for all traffic including delivery trucks directly opposite our house. A quote from the noise impact statement "Noise levels from car movements on the site would not meet the noise criteria at all times."

This was followed several weeks later by this notice of planning proposal. This proposed retail centre is 400% bigger than allowed by the DCP, which seems to be totally against your own planning controls and is completely out of character with the adjacent residential and community areas. The mixed residential component seems to have vanished, unless you count the caretakers accommodation.

Paul & Gillian

We note the Council staff report to the 'Planning an Integrated Built Environment Committee Meeting' of 20th July under Section 5.1.1 the officer indicates that "Progressing the plan-making process to permit a retail facility on this site will bring to fruition development of the site as originally planned" Well, we believe it was, and still is, planned as an 1171sqm retail space, and not 3950sqm retail space. It appears to me that the move to recommend proceeding with the submission of a planning proposal to amend the LEP was to clarify the council's right to approve the planned retail space, but also by default could allow for an increase of retail space by 400%, which is not what was, or should be intended for this site.

While we understand the need for the council to define the acceptability of the retail space as part of the process in maintaining the integrity of the Masterplan, we would hope and urge that the council would do everything in their power to request that the department of planning limit the allowable space to be consistent with the sector 8 Master Plan and the DCP 21.

The Planning Proposal argues that the Sydney Metropolitan Strategy and the Draft North-East Sub-Regional Strategy "promotes the location of a local centre within a residential area" It goes on to say the Centres' Hierarchy envisages it will be a "small village" or "neighbourhood centre" I would argue that to allow such a large retail development will make it neither "local" nor "small" and as such will be in contradiction to these Strategies and certainly not what was "originally planned" In fact the size of the proposed car park will indeed attract people out of the local neighbourhood to avoid the congestion of Mona Vale and Warriewood centre car parks.

We are also very confused about why the council staff accepted the DA application when it does not appear to meet the council's own guidelines for this quiet residential area.

It now appears that the DA is likely to be assessed before the rezoning has been fully considered! For the life of me I cannot understand how this can occur and why it is all so rushed!!! For such a major piece of infrastructure and with such a high level of community impact!!! We don't understand the timing of this DA and rezoning, it all seems back to front.

We ask the question: What is wrong with the original DCP 21 proposal for this site? A perfect solution for all involved except perhaps the developers. In fact I note there is an existing DA application based on the correct guidelines which was applied for by the previous owners.

This proposal will (as shown in the noise reports submitted by the developer) add a massive amount of traffic to both Garden St and Macpherson St, both of which struggle to cope with the existing traffic. As you drive down Garden St and Macpherson St, try to imagine the estimated number of large trucks, delivery vans and up to 150 extra cars per hour travelling this narrow road through a new residential area. In addition it potentially creates a hazardous situation for all the children from homes and schools in the area. I note that these roads are currently signposted as a Maximum 3 ton limit and developed with numerous traffic control features which are certainly not friendly to large semi-trailers and trucks. *This becomes very evident when we watch buses negotiating the roads.*

In summary I have very serious concerns about a potential change in the ground rules that will adversely affect both the value of my home, the standard of our lifestyle and the safety of our children which is not an acceptable impost on the residents close to the site.

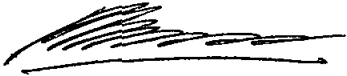
IW 20

I am sure you are already aware of the massive local resident reaction to this proposal which is demonstrated by the recent public meeting next to the site which drew over 100 people and the large amount of placards that have suddenly appeared around the boundary, suggesting that a lot of people share our concerns

Thanks to the councils detailed forward planning, this section of Warriewood Valley is a quiet residential area providing an excellent environment for families, children and the elderly, and should remain this way!

We look forward to engaging in further detailed discussions as they relate to the above points, and to this end would appreciate the opportunity to meet with Liza Cordoba

Yours Sincerely



Paul and Gillian Waterhouse



Mob 0416 000392