

This Rezoning Submission Form must be completed and attached to your submission.

Rezoning No: R0002/09

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

(Fax No 9970 7150)

Name STEPHEN NICHOLS
Address 185 MACPHERSON ST
WARRIEWOOD, NSW, 2102
Phone 02 9997 5153
Date 2/8/09

Proposed Rezoning rezoning to permit 'Neighbourhood shops' and 'Restaurants'

At 23B MACPHERSON STREET WARRIEWOOD NSW 2102

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)

I OPPOSE THE CURRENT PLANNING PROPOSAL, AS DETAILED
IN MY ATTACHED LETTER

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

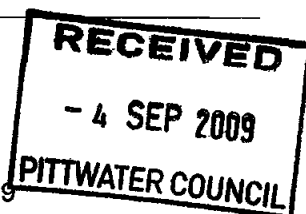
I have made a political gift or donation

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

I have NOT made a political gift or donation

Name STEPHEN NICHOLS Signature  Date 2/8/09

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

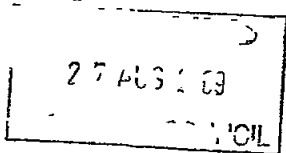


23rd August 2009

Mr Mark Ferguson
General Manager
Pittwater Council
PO Box 882
Mona Vale NSW 1660

C C – Councilors James, Hegarty, Townsend, Dunbar, Giles, White, Hock, Grace and Rose
C C – Rob Stokes MP State Member for Pittwater
C C – Bronwyn Bishop MP Federal Member for Mackellar

Dear Mr Ferguson,



Pittwater Council DA No: R0002/09

RE Planning Proposal to permit 'Neighbourhood shops' and 'restaurants' at 23B Macpherson Street, Warriewood.

I am writing to you in regard to the above application which I understand Councils planning department is currently assessing

Summary:

I would like explain that most of the residents of the Warriewood Area and more important – the immediate area – are not against a "small" 800sqm "neighbourhood" retail space and other residential buildings being built on the subject site My main concern is that the change in zoning will permit such a large, out of character development that will have a detrimental effect on the amenity of my property Just such a Development Application has been lodged with the Council, DA No 283/09, which will destroy the residential character of the neighbourhood and pose many safety and environmental issues I will be writing separately on this DA It highlights the very consequence of any decision to amend the zoning

I would like to begin by indicating the communities disappointment in regards to the amendments to part 3 - 'Gateway determination', of the Environmental Planning and Assessment Act 1979, adopted by The Department of Planning on 1 July 2009 I understand that council is to submit to the department their 'planning proposal' to rezone, including justification of its merits prior to any public consultation I, and my fellow residents, are outraged at the new process, whereby residents input is only sought once a decision to proceed with the rezoning has been made I would like to ask how the Department can make such a decision with only comment from one party The Council may very well have different views on the merits of an application than the affected residents In this particular case that is true

Therefore I ask that you take into consideration the points outlined below when considering this proposal and the consequences of a decision in favour of the proposal

When the original planning for Warriewood Valley (The Ingleside/Warriewood Urban Land Release Study) was begun, some 20 years ago, it was identified that the new residents would need access to additional recreational space that was spatially

central to the incoming population. This was to be in the form of both parkland, bushland, walking/cycle tracks and indoor community space such as community centres. I understand from the long and arduous consultation with both the community and other authorities that the next set of plans (Warriewood Valley Urban Land Release Planning Framework) for the valley changed somewhat. This included but was not limited to the creek line corridors being able to provide a great deal of the outdoor recreational space, and also that the additional requirements for a community centre could be accommodated within current centres. This then leads me to 23B Macpherson Street.

The vicinity around the intersection of Garden and Macpherson Streets, within the valley planning was originally identified to be the site for a focal neighbourhood centre – this was explained to Pittwater residents as a community centre. When the masterplan for Sector 8 was adopted, it was then identified that this space may accommodate a **SMALL** neighbourhood centre in the form of a corner store and possibly a few other shops along with some residential. This was the premise that the developers advertised and sold their developments, and the new residents of Warriewood Valley decided to purchase their properties.

The HillPDA assessment commissioned by Pittwater Council in 2006 and based on the 2001 Census, concluded that there is current demand for a supermarket of 800sqm and retail space of 371sqm. This study would have had to take into consideration the impending land release within the valley, considering planning for it had started some 10 years earlier! Its interesting to also note that the current developers of the site commissioned their own assessment of Retail Demand based on the 2006 Census, and in the short space of 5 years (still noting the land release was imminent) the demand had increased by 400%. Following on from the first study, the current planning documents for this site indicate a permissible retail space of 1171sqm with an additional residential component. I, and I believe most of the community, are not against, and even in support of such a small development. I understand the new proposal for this site is likely to be in the vicinity of retail space of 3950sqm with no residential component. This is totally against your own planning controls, and is completely out of character with the residential and community areas immediately adjacent to the site.

Within the Council 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 this is an untrue statement, as it was, and still is, planned as an 1171sqm retail space, and not 3950sqm retail space.

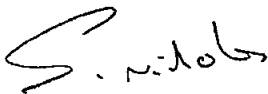
I find it quite amusing that within the Planning Proposal (A3) you indicate that the centre is to offer retail space "limited to serving the daily shopping needs of residents in the release area". I would like to know how you propose to enforce it to only residents in the release area?? This is a ridiculous comment and once built, anything is available to anyone!! Only increasing our concern for increased traffic, noise and loss of amenity.

(B1) of 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 this rezoning to allow such a large retail development will make it neither "local" nor "small" and as such will be in contradiction to these Strategies

In (C2) the question is asked, whether there are likely to be any environmental effects as a result of the Planning Proposal Well of course there are! This development will be the same size as the Coles at Warriewood Square! The areas of traffic, water, and amenity will be detrimentally affected by such a large development on a site that sits right in the middle of a residential area The comment that there are "specific controls applying to the subject property" are certainly integral to a development proposal, but the argument is whether there is capacity to accommodate such a development that is neither wanted or needed in this area!

In closing, I would like to again explain that most of the residents of the Warriewood Area and more importantly - the immediate area - are not against a "small" "neighbourhood" retail space and other residential buildings being built on the subject site My main concern is the change in zoning will then permit such a large, out of character development that will have a detrimental affect on the amenity of my property Just such a Development Application has been lodged with the Council, DA No 283/09 I will be writing separately on this issue It highlights the very consequence of any decision to amend the zoning

I request you take all of these relevant points into consideration when making your decision



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