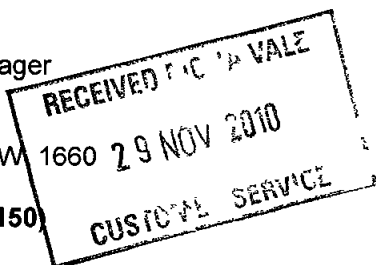


This Rezoning Submission Form must be completed and attached to your submission

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

(Fax No 9970 7150)



Rezoning No R0002/10

Name ANDREW TIESE
Address 50 A CABBAGE TREE RD
BRUNVIEW 2104
Phone 9999 4525
Date 27 NOV 2010

Proposed Rezoning Rezoning of 39 Cabbage Tree Road, Mona Vale from Zone No 6(b) Private Recreation "B" to Zone No 2(a) Residential "A" under Pittwater Local Environmental Plan 1993

At 39 CABBAGE TREE ROAD, MONA VALE NSW 2103

I have inspected the rezoning proposal, I have considered it in the context of the relevant planning instruments or policies ☒ 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 LETTER

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

Please read the information enclosed concerning political donations and gifts disclosure and, if relevant, tick the box below and provide details of the donation or gift on the disclosure statement available on Council's website

I have made a political gift or donation

Name

ANDREW TIESE

Signature

NO DONATIONS OR GIFTS.

Date

27 NOV 2010

Andrew Norman Tiede
50A Cabbage Tree Road
BAYVIEW NSW 2104
Tel: 02 9999 4525
Fax: 02 9997 4469
Email atiede@optusnet.com.au

27 November 2010

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

Subject Rezoning No R002/10

Dear Sir

I refer to the proposed rezoning at Lot 39 Cabbage Tree Road Mona Vale and suggest that this rezoning application has no social or community merit and is purely to create windfall profits for the applicants

The application is not in the public interest or in the interests of neighbouring property owners / users for the following reasons

Natural Environment

- 1 The subject property is subject to flooding and inundation during heavy or prolonged rainfall. Besides making the property virtually unusable for residential purposes, the adjacent creek would be significantly impacted by any development. Siltation and other runoff would be inevitable. This creek drains into Winererremy Bay and then into Pittwater. The last thing anyone wants is any potential for more damaging pollution into this waterway which has been cleaned up so successfully.
- 2 The property is part of an important wildlife corridor / refuge. My property across the road from Lot 39 is regularly visited by threatened species such as the endangered long-nosed bandicoot and the vulnerable powerful owl. So what is this application for re-zoning requesting? The destruction of even more valuable habitat for these once common species! In addition, the established trees provide nesting / shelter for many other species of birds and animals. Any development will inevitably disrupt this natural habitat and significantly impact on our precious wildlife.
- 3 The drive, ride, walk, pram-push, walking stick waltz and wheelchair wobble along Cabbage Tree Road is an iconic asset for Pittwater and its residents. No residential development on the southern side provides for uninterrupted views across the golf course and natural greenery. Any development at all would be an eyesore by disrupting this tranquil continuity.

- 4 Apparently not all golfers restrict their activities to the fairways and golf greens of Bayview Golf Club. Quite a few players venture into the “scenery” and the road and my property are often peppered with golf balls. Any concept for building on Lot 39 would require extensive protection against the wayward golfer. Besides issues of cost and responsibility, my real concern is that any such “safety netting” would be a further unsightly blight on a pristine visual environment.
- 5 The shape of Lot 39 is not conducive to many building design options as evidenced by the hideous example design in the applicant’s submission. Any construction on the site would have to be long, narrow and high and so would be unsightly. Further, there would be a need for a driveway (to prevent frequent bogging) and presumably curbing and guttering. All would be totally out of character with the current natural environment.

Safety

- 6 The beautiful drive that is Cabbage Tree Road also, unfortunately, encourages a very small minority to use this iconic road as their own street racing circuit. Rarely does a week go by without seeing (and hearing) reckless behaviour from the irresponsible few. Any residential development will necessarily require vehicular access to the property. Such an access point will further exacerbate an already dangerous situation. Please remember that there was a triple fatality when a car slammed into a tree only a few metres north of the subject property. There are many near-misses as overtaking across the double separation lines and around the traffic calming device west of the property is common.

Amenity

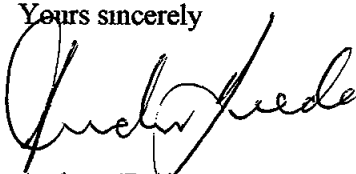
- 7 Lot 39 Cabbage Tree Road is Zoned 6 (b) or RE 2 for recreational use. Everyone who purchased their property in the neighbourhood was aware of that fact and made their decisions based on it. Besides the issues I have already mentioned, I must stress that the unforeseen negative impact on the amenity of all the adjoining property holders and their visitors, who have made their investment decisions in good faith, will be very significant.

Biodiversity and Water

- 8 I submit that the proposal to rezone Lot 39 Cabbage Tree Road will have significant negative impacts on the Natural Resources Commission (NRM) state plan for NSW Priority E4 in the following areas, amongst others:
 - Increase in native vegetation state and condition
 - Increase in the recovery of threatened species, populations and ecological communities
 - There is no decline in the condition of marine waters and ecosystems
 - There is an improvement in the condition of estuaries and coastal lake ecosystems

In conclusion, my reading of the NRM and LEP Zones and Land Use Tables (Integrating Natural Resource Management into Local Government Operations, Volume 2 Land Use Planning, Item 4.3) indicates that Lot 39 is correctly zoned as E2 (Environmental Conservation) and the applicants have not demonstrated why it should be zoned otherwise. I submit that this application should be rejected.

Yours sincerely



Andrew Tiede