



"Nicole Maulguet"
<maulgn@warringah.nsw.gov.au>

02/09/2009 12:28 PM

To: <liza_cordoba@pittwater.nsw.gov.au>

cc: <pittwater_Council@pittwater.nsw.gov.au>

bcc:

Subject: (DWS Doc No 3566082) Maulguet/Planning Overload - R0002/09 - 23B MacPherson St Warriewood



- Document.pdf Hi Liza

As just discussed on the phone, I have attached a completed DA submission form in respect of the submission from Planning Overload Pty Ltd (Paul Drake) on my behalf. I will ask Paul to complete one and forward it through to you.

Thanks

Nicole Maulguet | Human Resources Consultant | Human Resources | Warringah Council
(ph 9942 2189 | fax 9942 2790 | * email nicole.maulguet@warringah.nsw.gov.au)

-----Original Message-----

From: NICOLE MAULGUET@WARRINGAH.NSW [mailto:NICOLE MAULGUET@warringah.nsw.gov.au]
Sent: Wednesday, 2 September 2009 12:20 PM
To: Nicole Maulguet
Subject:

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PLANNING OVERLOAD

General Manager
Pittwater Council
PO Box 882
MONA VALE 1660

01 September 2009

Dear Sir,

Re

R0002/09 20/07/2009 23B MACPHERSON STREET, WARRIEWOOD
Rezoning to permit 'Neighbourhood shops' and 'Restaurants'
Applicant WARRIEWOOD PROPERTIES PTY LTD

This submission is in opposition to the subject rezoning in its entirety and is made on behalf of Mr & Mrs Maulguet of 207B Garden Street, Warriewood
I have reviewed the material available and object on the following grounds

| | |
|---|---|
| 1 | The application to rezone suggests an approval for the current DA 283/09 for a shopping centre proposed on lot 2 is inevitable |
| 2 | If the applicant requires rezoning then the argument that the proposed development 283/09 of a shopping centre can be approved under the current zone, is, if not mute, then unsustainable and DA 283/09 will fail |
| 3 | The preparation of the rezoning LEP is the responsibility of the Council being the relevant planning authority The new gateway provisions do not force the Council to make the planning proposal for a change in zone thus the decision to proceed with the rezoning proposal is tantamount to support in principle by the Council Accordingly the council has indicated it wants the shopping centre on lot 2 but does not agree the current rezoning permits same |
| 4 | The rezoning will facilitate the creation of lot 1 for <i>green</i> purposes and will be dedicated to Council if 283/09 is approved Therefore Council has a vested interest in two ways 1) it obtains land, 2) it adds to its green credentials espoused in its corporate vision and plan |
| 5 | Council cannot be seen as neutral as a result of the above and assessment should be outsourced for objective evaluation (as should 283/09) |
| 6 | In the light of Judge Lloyd's recent expungement of the planning agreements benefiting the public domain at Catherine Hill Bay and Gwandalan, the dedication of similar land in this case leaves the Council compromised as a beneficiary of both the subdivision and rezoning |

Paul F. Drake.

MPIA, CPP,
B A (UNE) Dip T & C P (Syd)

Planning Overload Pty Ltd ABN 18 051 132
25725 Neville Morton Drive CRESCENT HEAD 2440
(02) 6566 1820 Fax 65661825 Mobile 0412 862 109
Emails planover@bigpond.com

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 Nicole Naviguet
Address 207B Garden St
Warriewood, 2102
Phone 9999 3482
Date 02.09.09

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).

This declaration relates to the submission
from Planning Overload Pty Ltd (Paul
Drake) on my behalf.

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: N. NAVIGUET Signature: Nicole Naviguet Date: 2.9.09
Note For more information see www.planning.nsw.gov.au/planning_reforms/donations.asp