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**Sent:** 29/08/2016 1:42:36 PM

**Subject:** HS\_Fern Creek PP0002/16 \_29082016

**Attachments:** HS\_Fern Creek PP000216 \_29082016.pdf; ATT00001.txt; HS\_Fern Creek PP000216 \_29082016.pdf; ATT00001.txt;

PP0002/16 Attached is my Submission. I also object to the email address info@northernbeaches.nsw.gov.au, that was attached to this application on Council's website under 'What's New', 'Documents on Exhibition'. It appears that this address may be non-existent. I followed this complaint up at lunchtime today with Council staff and note that another email address has since replaced the wrong one. This is very unsatisfactory considering the exhibition closes today. My request for an extension of time for this exhibition forwarded 26 August, remains unanswered.

29 August 2016

The Interim General Manager  
Northern Beaches Council

**Preliminary Notification of Planning Proposal Application at 9, 11, 12 & 13 Fern Creek Rd Warriewood (Lots 11, 12 & 13 DP 1092788 & Lot 5 DP 736961).  
Application No. PP0002/16**

I strongly object to the above submission, for the following reasons:

1. The property 9 Fern Creek Road was purchased from a private owner by Pittwater Council for the purpose of a large district park (Council Meeting Minutes 21 April 2008). Council claimed that its intention for acquisition was to form a large park for active recreation. The property was purchased using money from the Warriewood Valley Section 94 Contribution Plan for that purpose of providing a district park. At least that is what the community wanted and was led to understand. Interestingly, to the detriment of the wishes and expectation of the community, and the original intent, council then classified the property 'operational' instead of 'community'.

In my opinion, this action by council created the opportunity for commercial dealings of the property and for council to reap a windfall. This action meant that just about anything was possible for the property, but not a rectangular district park or any active recreation. Community dissatisfaction with Council's action in ultimately creating passive open space in the form of an elongated creek line corridor, whilst at the same time doing commercial deals to rezone for residential the substantial remaining area of land, is well documented.

2. Council needed to clarify the precise details of the property proposed for the rezoning. Is it Lot 5 or Lot 6 DP 736961, or is it Lot 5 or Lot 6 DP 736951? I do not understand how Council managers and their staff, as well as GLN Planning, the Applicant, have failed to provide adequate or correct title details for 9 Fern Creek Road, Warriewood, the subject of this proposal (see pages 2, 5 and 9). In my view, this failure alone should invalidate the application.
3. There is no map attached to the report, which shows the dimensions and the final layout of this proposal and its surrounding properties. Importantly, the application fails to show the layout of the proposed road extension to Fern Creek Road. Similarly, there is a lack of adequate detail for the proposed land swap of the remaining land. In the absence of a plan the public is left guessing about these important issues. What precisely is being achieved on the ground at eye level? The vision is vague. I believe a diagrammatic map outlining these details should be provided for the sake of transparency.
4. With respect to the landlocked properties in the immediate vicinity, other alternative road access options should be investigated and proposed. The questions are why haven't the alternatives been canvassed and, importantly, who is the ultimate beneficiary of this planning proposal? It clearly is not the community that has lost a one-hectare parcel of land that was purchased in approx 2008, for the purpose of a district park for the amenity of the community, as recorded in Council Minutes dated 21 April 2008. There is a lack of transparency around the planning and details of this matter.
5. How does 9 Fern Creek Road (see Table 3 in the proposal report) now have a minimum yield of 13 and a maximum of 17 dwellings when the current gazetted LEP clearly states "No Dwellings". Details are scant.
6. There is no notification of the payment details of the application fee for this application. Who

one might ask is attending to the payment of the fee?

7. The weblink was not posted on "What'sNew" - 'Documents on Exhibition' on Council's website until 24 August, and an extension of time for the exhibition was sought on 26 August, but no response has been received to that request.

I believe this Planning Proposal should be withdrawn. In my view, 9 Fern Creek Road should be rezoned 'open space' and classified 'community' as originally intended when the land was acquired with S94 funds. It should be an active recreation area, preferably a district park.

Yours faithfully,

Helena Sekulich  
C/- 8 Boondah Road  
Warriewood NSW 2102  
0419990949

R e g a r d s  
H e l e n a   S e k u l i c h

C A U T I O N   -   T h i s   m e s s a g e   m a y   c o n t a i n  
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S e n t   f r o m   m y   i P a d

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H e l e n a   S e k u l i c h

C A U T I O N   -   T h i s   m e s s a g e   m a y   c o n t a i n  
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