
Sent: 12/02/2018 1:46:22 PM
Subject: Online Submission

12/02/2018

MRS Deborah Eustace
7 / 19 Annam RD
Bayview NSW 2014

RE: DA2017/1274 - 52 Cabbage Tree Road BAYVIEW NSW 2104

7/19 Annam Road
Bayview NSW 2104
February 9 2018

Re: Proposed Development DA2017/1274
New - Construction of Seniors Housing consisting of 95 units including golf course upgrades and infrastructure works Lodged: 19/12/2017
Applicant: Waterbrook Bayview Pty Ltd.
Owner: Bayview Golf Club Ltd.

To Officer: Lashta Haidari

This submission is a text only version of my original illustrated hard-copy document submitted at council last Friday.

My chief concerns, after reviewing Waterbrook's DA at the Northern Beaches Council chambers, is whilst the submitted documentation is superficially comprehensive, there are disturbing omissions and ambiguities that could be interpreted as Waterbrook's attempts to intentionally avoid full disclosure, escape local resident's opposition, or more concuringly distract council from fully appreciating the impact of Waterbrook's proposed 'Senior's Living Resort'.

Whilst many locals have expressed legitimate reservations about the local flora & fauna and the sensitive nature of a priority wildlife corridor, my particular concerns are for Waterbrook proposal's damaging impact on the effected local human residents and the future wellbeing of the neighbouring Bayview community at large. Bayview Golf Club and Waterbrook have been actively lobbying the clubs over 2,250 strong membership (myself included), to submit statements of support to apparently falsify actual community reservations. In his statement the Bayview Golf Club's newsletter (dated Feb 8th), outgoing club president David Sparks states that "I would like to take this opportunity to thank all those members who wrote to the Council in support of the application." A statement acknowledging the Golf Club's collaboration with the developers, in a blatant attempt to distort Northern Beaches Council's perspective of opposing community issues that are arguably the most important when reviewing any DA.

Waterbrook have been publishing architectural renderings of their DA's proposed

complex for at least the last 4 years, predominantly to attract key Chinese investors, and more recently for international marketing purposes.

Pages from Waterbrook's current Chinese website (Published May 11th 2014)

The development has altered little from Waterbrook's original 2014 advertised Chinese investment proposal (110 Apartments). However, the proposed building's disproportionate scale and footprint has actually increased.

On the same website Waterbrook's Chinese backers have verified their arrogant disregard for planning and development legislation, stating that their: "Real Estate Development will be similar to normal residential development except for the fact that the Government regulations for senior housing and aged care are virtually non-existent."

Pages from Waterbrook's current Chinese website (Published May 11th 2014)

Artist's impressions prepared in support of Waterbrook's marketing unmask a disturbingly different view than the DA's selective photomontage content, prepared by Virtual Ideas in support of Waterbrook's Visual Impact Assessment at their Land and Environment Court proceedings. Deceptive and totally inappropriate photomontages now inappropriately presented within the subject DA as "accurate photomontage renderings."

Virtual Ideas' photomontages represent a misleading component of Waterbrook's initial visual impact assessment report and erroneously support Waterbrook's assertion that the senior housing development will not result in an undue visual impact when viewed from its surrounds, and that the proposal is sympathetic with the scale of its surrounds when viewed from key vistas.

Where there is limited direct residential impact Waterbrook's DA contains fully rendered illustrations of the proposed buildings within their immediate natural environment. Built structures are depicted in shadow and feature adjacent landscaping with mature trees that would in reality take decades to establish.

In contrast, where there will undoubtedly be the most significant visual impact Waterbrook's DA resorts to the use of a thin broken (low contrast) red line to indicate the resort's building mass. Regardless of whether this superficial approach is appropriate for the Land and Environment Court, this highly selective transparent outline treatment is not a representative photomontage and avoids genuine realism, by deliberately depicting an artificial impression of the proposed developments impact within its environment.

Whether Waterbrook have included this misleading 'red outline' methodology to either trick planning authorities or it is simply a blatant misrepresentation to deceive effected residents adjacent to the Bayview golf course, is an issue Council should resolve by denying Waterbrook's ambiguous development application. The DA's totally false photomontages repeatedly claim to depict accurate views of built forms and proposed landscaping, neither is true. Thin red line depictions are totally inappropriate for any DA concerned with a development of this magnitude and impact on the community. Red line outlines are only an appropriate illustrative approach in support of minor residential extensions.

The architectural renderings originally prepared by Virtual Ideas as part of Waterbrook's Site Compatibility Certificate Application largely represent a misleading component of Waterbrook's initial visual impact assessment report. This identifies that the senior housing development will not result in an undue visual impact when viewed from its surrounds, and that the proposal is sympathetic with the scale of its surrounds when viewed from key vistas.

The only sectional drawing titled Block D&5TH depicts the development from a misleading position, portraying the 4 story Block D's ground floor as being below the "existing ground level (depicted with red line). The 5TH fairway backs onto an area of bushland and a proposed wildlife corridor where Block D's impact on surrounding residences is marginally less imposing. In reality it is Block E that is adjacent to the 5th Fairway (not Block D) and the misleading '25000' intimated offset incorporates the heart of the proposed resort complex rather than any suggested clear space offset.

A representative and relevant BlockD&6TH Fairway Section would reveal Building D as a far more dominant structure within the environment with all 4 proposed levels above the existing ground level and with only 91 metres separation from neighbouring communities.

An introductory page within Waterbrook's DA, flippantly entitled "Visual Impact Assessment" (dated November 2017), states that as a prerequisite to creating Virtual Ideas' communication of the proposed developments design and visual impact an "accurate real world scale digital 3D model" of the development needed to be created. The Bayview community and council should be advised what Waterbrook self-assessment is evidently hiding, and as accurate real world illustrations are reputedly in existence, why have Virtual Ideas been instructed to revert to red line overlays that accurately depict neither the developments design and visual impact, nor any proposed landscaping?

Local residents and council should demand that any future applications require that identical techniques of portrayal be applied unilaterally across all relevant development views, and discount the validity of a dishonest red outline submitted as a genuine Visual Impact assessment of any built project on this large scale.

I am confident that council is fully cognizant with the provisions of Clause 56 of the

Environmental Planning and Assessment Regulation 2000, that provides that:

(2) Extracts of a development application relating to the erection of a building:

(a) sufficient to identify the applicant and the land to which the application relates, and

(b) containing a plan of the building that indicates its height and external configuration, as erected, in relation to the site on which it is to be erected, if relevant for that particular development, are to be made available to interested persons, either free of charge or on payment of reasonable copying charges.

Whilst I am not familiar with Northern Beaches Council's interpretation of this clause it is apparent that a significant volume of Waterbrook's DA documentation has been made accessible to the general public. If any documents are not published, an Informal Access to Information (GIPAA) Application, seeking unpublished material may be appropriate.

Throughout Waterbrook's persistent attempts to gain approval for their inappropriately scaled and positioned development they have consistently downplayed the true nature of their proposed development's visual impact on the neighbouring Bayview community. Whilst 3 and 4 story of a similar nature have previously been considered appropriate for council planning approval, this development's scale and height are incompatible with and wholly inappropriate for the proposed development largely constructed atop a pronounced ridge, significantly higher than surrounding residences and without the natural camouflage of mature trees fraudulently depicted within their DA by selectively portraying falsifying views.

Development view aspect Illustrations are from areas of least visual impact

The DA states that the resort will be a staged development, without defining any of the proposed stages or on what timeline each is intended to either commence or be concluded. A project timetable for a development of the proposed scale is often funded by off the plan unit sales, therefore if Waterbrook's Chinese investors rely partially upon local funding, the build's noise, impact pollution and inconvenience would extend over many years!

There is further irrefutable evidence of gross community misrepresentation on Waterbrook's deceptively all-inclusive "Frequently asked Questions" page within Bayview Golf Club's web site [<http://www.bayviewgolfclub.com/frequently-asked-questions>]. The neighbouring community's most important question on "What will the visual impact of the development be like?" is deliberately buried as the last of 14 FAQ's listed, and unrepresentatively restricted to just two short sentences at the bottom of the page that merely reference the visual impact failings of last year's Site Compatibility Certificate Application.

An ambiguously misdirected approach evident again even in the subject DA's title, where far less substantial additions to Bayview Golf Club's infrastructure, most particularly structures ominously outside the primary development's original footprint

and the area covered by the recent Site Compatibility Certificate have been pushed to the fore in a thinly veiled attempt to alter the DA's emphasis and reader's perception of Waterbrook's primary purpose.

Waterbrook's DA represents a highly incompatible development within an acknowledged environmentally sensitive area. The above disturbing observation together with the fact that Waterbrook have paid the Bayview Golf Club significant funds for preparatory works further illustrate Waterbrook Bayview's arrogance and lack of consideration of both Northern Beaches Council's due diligence and obligatory process associated with Waterbrook's ambitious and ambiguous Development Application.

Ultimately, the assessment of this DA falls to our community's elected representative at council. I urge council to diligently examine the content of this DA from two equally valid perspectives. Not purely the extensive material it contains, but also critical visual appearance details that are evidentially absent, and will inflict the most substantial impact on the community.

Yours most sincerely,
Deborah and John Eustace

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Cc: The Hon. Rob Stokes MP & Jason Falinski MP