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Received by Customer Service
Pittwater Council

On 23 12 14

By

23 February, 2004

Pittwater Council
PO Box 882
MONA VALE NSW 1660



ATTENTION: JOANNE MARSHALL, PLANNING OFFICER

Dear Ms Marshall,

**RE: PROPOSED REZONING OF HEYDON ESTATE AND UNITING CHURCH
LANDS: INGLESIDE AND ELANORA HEIGHTS (ref R0005/03 and R0006/03)**

Further to our telephone conversation of this morning, I would like to hereby confirm my sighting and photographing of what I believe to be a Brush-tailed Rock Wallaby in the area immediately adjacent to the lands mentioned above which are currently the subject of rezoning applications. This event occurred at about 10.00 am after which I immediately contacted you.

The animal emerged from bushland on the northern edge of the 'Elanora Dam' which is on Elanora Country Club property, near to the dam wall. For approximately 15 minutes it fed on the foliage of small trees and shrubs overhanging the sandy bank area which has been uncovered due to the low water level in the dam.

Having only a film camera at my immediate disposal, I took several long-range photographs that, due to the overcast conditions, may not be too clear. I carefully walked closer and took more photographs. Being conscious of the possible flight risk, I carefully walked across the dam wall to approximately halfway and took further photographs, which I believe will be clearer.

Upon my trying to get closer, the animal retreated into the bushland in a north easterly direction, which crossed the lands, which are the subject of the rezoning applications.

I will be happy to make these photographs available to Council staff once they have been developed.

It was a number of years ago when I photographed a similar animal feeding on grasses just outside my back fence on Country Club land. Although not very clear, this photograph would also be available to Council.

During the height of the January 1994 bushfires while the firefront approached and impacted upon our property and adjacent properties from a northerly direction – across the subject lands – I observed another similar animal fleeing bushland at almost the same spot as today's sighting. This animal then swam across the dam – which was full at the time – to escape the fire. It then retreated up the open Country Club land in a westerly direction behind Wesley Street properties. My family and relatives and friends – who were all actively engaged in fighting this fire – witnessed this event. It should be noted that their efforts on this day undoubtedly saved several properties whose fences were burning or had spot fires in their grounds.

My son, in particular, and some of his friends have had extensive bushwalking experience of the subject lands and adjacent lands and those further afield have sighted similar animals on numerous occasions in those more dense areas. From memory the majority of their sightings have been in the early morning or late afternoon and at quite times or on overcast days.

I would be interested to read the applicants Environmental Impact Statements (EIS) to see what mention is made of the obvious thriving wallaby population in or near the subject lands.

As you mentioned, a further EIS may be called for and an independent consultant would then undertake this. If this is the case, I would suggest that evidence and comments should be sought from all long-term residents, like ourselves, in the surrounding areas to confirm other such sightings and enable an accurate assessment to be made. It is not uncommon to see other residents, individuals or family groups entering and leaving the subject areas. They could possibly further information.

The subject lands and other land surrounding them form a habitat, a refuge and feeding grounds for many species of fauna. I will provide further details in a letter that I am drafting at the present time. These areas encompass the lower arms of the headwaters of small creeks that join to become Mullet Creek. This then flows down through some of the most pristine coastal rainforest areas with majestic waterfalls to emerge in Warriewood Wetlands and drain finally into Narrabeen lagoon. Two examples of waterfalls are known locally as 'Big Foot' about halfway down in the bushland and the one at the bottom of the escarpment in the area known as 'Back Beach'.

As mentioned above, I intend to submit a further letter expressing my opposition to any rezoning and will outline other reasons for rejection. Although past the 20th February date, I would hope that the matters I intend to raise would receive consideration.

If I can be of any further assistance to you or other Council staff, please do not hesitate to contact me at any time.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Peter Byrne', written over a faint circular stamp.

Peter Byrne