

# SUTHERLAND LEP INDEPENDENT REVIEW

## WEBSITE SUBMISSION

<b>Name:</b>	<b>Date:</b> 31/1/2014
<b>Organisation:</b> N/A	<b>Suburb:</b> Bundeena, NSW
<b>Email address:</b> N/A	<b>Privacy:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Comment:</b> <p>To whom it may concern, I have been a resident at [REDACTED], Bundeena for 20 years.</p> <p>I am writing with deep concern about the activities of Council in, without discussion, consultation or apparently any investigation, suddenly moving the heritage listing line from the foreshore to basically the back door of my property.</p> <p>I have attached letters I have sent to Lee Evans MP (Member for Heathcote) and Councillor Johns, Mayor of Sutherland Shire Council.</p> <p>It is with grave concern that I question an apparently anonymous and somewhat secret decision by some force within the Council to basically take charge of a major portion of the land of residents of Crammond Avenue, Bundeena. No one was consulted - it was found out by accident.</p> <p>We are severely concerned about the use of the land, reduction in value of the land, and issues concerning existing work that has already been done on that land.</p>	

## **COPY OF LETTER SENT TO COUNCILLOR JOHNS**

14 September 2013

Councillor Kent R Johns  
Mayor  
Sutherland Shire Council  
Locked Bag 17  
Sutherland NSW 1499

Re: LP/03/79340 Draft 2013 LEP

Dear Councillor Johns,

This plan has come as a shock to myself and residents of this street, properties at [REDACTED] Bundeena.

In the first instance the principle behind the suggested listing from the Progress association of Bundeena, was meant to concern the very point of the headland and Pulpit Rock, not to the houses on the foreshore. It definitely did not concern taking the heritage listing up to the building line of properties on the foreshore. No explanation has been given as to why this has happened. Why has it happened?

No-one foresaw, that without consultation, with some unexplained agenda, and without rationale, the listing would change to one that comes to the 20 metre building line. Effectively declaring all of the "back yard" of this property heritage listed.

It is an extraordinary "leap", with no apparent reason, consultation or science, and no explanation as to why the current listing did not work. Why did it not work?

There was no consultation, just some anonymous decision maker, making decisions on some personal agenda and certainly not on consultation with residents.

What is of concern is that not only does the council not consult and explain to residents, but it feels no need to explain or consult.

The residents of [REDACTED] are hard working people who have struggled to purchase what is their number one investment, their home, which has severely been reduced in value with this new listing on Title.

As well, rights of usage and limitations on the land will have significant impact on the owners' ability to use and enjoy their own land.

There are very subjective criteria, as to what will happen to the land and existing structures, with an appearing concession which could be eroded at any time.

The lack of explanation, consultation, changing the original concern for the Pulpit Rock area to make inroads into personal land of homeowners on the foreshore, gives rise to concern for future operation of individuals within council to exercise power for an agenda not revealed to the residents.

If council can so vicariously make decisions to change land listings, what else can they do?

It does not do well for the decision makers to appear to be faceless men and women, controlled by some unpublished agenda, unaccountable to the people who pay their wages, for decisions that impact on our rights, our property value and usage of our own land.

Yours sincerely,

4 December 2013

Lee Evans MP  
Member for Heathcote  
Shops 1&2  
17-23 Station St  
Engadine NSW 2233  
office@hazzard.minister.nsw.gov.au

**Re: LP/03/79340 Draft 2013 LEP**

Dear Mr Evans

I am writing to you expressing my deep concern at the sudden and unexplained changing of a heritage listing of my property at [REDACTED] Bundeena.

You may be aware of the issue but basically there were concerns about a heritage listing for the point called Cabbage Tree Point, which is basically uninhabited land, that was put into place, and then by a series of steps suddenly the heritage listing was on the foreshore of most of the properties on the waterline of Crammond Avenue, and then suddenly there are a number of people in Crammond Avenue where the heritage listing is coming up almost to their back door.

There seems to be no reason for this. People in fact were not objecting to a heritage listing that covered the foreshore at the bottom of properties, but for some inexplicable reason the heritage listing has shot up to basically their back doors.

There has been no discussion, no reason, no justification for this; it has happened apparently at the whim of some unknown force there within the council.

I am including a letter that I had previously sent in response to the LEP that Sutherland Council had put out.

I re-emphasise that the inhabitants of [REDACTED] are hard-working people whose home is their major investment, and to suddenly without explanation have a heritage listing coming up that far is quite extraordinary.

I would also like to re-emphasise as my previous letter said, there was no justification, there was never any intention from anybody in the area that the heritage line go up this far; people along the foreshore including ourselves have complied with regulations concerning foliage and all sorts of things.

It immediately lowers the value of the property.

It immediately puts a great hindrance on the enjoyment of the property.

It immediately is quite terrifying to think that without explanation, without justification, without any sort of consultation with residents in the street, a heritage listing can be just slapped on the whole of one's backyard, as it were.

For myself, we have always been in communication with the council, we have always requested and received approval from council when necessary, we have always handled the land properly and with great care.

I am at a point now of becoming quite worried about this extraordinary move and rather than merely objecting to it, I would like some explanation as to how council authority can be so misused by an unknown source to virtually overnight, rip away two thirds of one's property.

I repeat, there was never any intention from any group in Bundeena that this would happen. There appears to be no reason for it to happen, given that there was agreement for the heritage listing to go on the foreshore area. And one sits in a terrified state as to what will happen next.

I would like to state this is an extreme abuse of power and I would like some explanation as to why this can be done, and who is doing this, and why is the authority of the council so misused? Is it a personal vendetta? It is certainly not something that is done in consultation with people.

One is then horrified by the next move by the council, of this source within the council, and there are people in this neighbourhood who are quite profoundly upset and angry that such a misuse of power could happen.

Yours sincerely,