



NSW GOVERNMENT  
Planning & Infrastructure

30 JAN 2014

DEVELOPMENT ASSESSMENT  
SYSTEMS AND APPROVALS  
RECEIVED

37 Gammonal Ave

Bundeena 2230

26 Jan 2014

The Panel,  
Sutherland LEP Independent Review,  
N.S.W Department of Planning and Infrastructure,  
PO Box 39,  
Sydney 2001.

Dear Panel,

I am writing to you concerning the Minister's review of the Sutherland Shire Council draft LEP 2013. My focus is the sandstone formation on the waterfront of nos 1 to 49 Gammonal Ave Bundeena and its Heritage listing.

Concerns have been raised with Council by myself and neighbours as to how this came about without the knowledge of relevant property owners. Council's response has been that the Bundeena Progress Association nominated the site for Heritage listing and that a letter box drop at the time informed residents. Both these statements are untrue. Firstly, Mr Neil De Kelt of the Progress Association when questioned about this informed me some years ago that the Association only nominated the numbers 1 to 17 as worthy of Heritage listing. Subsequently I have asked Council to produce its evidence. It has not responded to my request. Secondly, when advised of the letter box drop I contacted all landowners except two. All informed me that they received no such letter box drop nor did I.

Not satisfied that the heritage listing should

remain at the rock platform at the base of the cliff. Council engaged in heritage creep so that the heritage line is now proposed to be the same as the building line. This encroaches significantly onto affected owners property. Whilst most owners were happy with the building line as providing environmental safeguards to the cliff face there is considerable disquiet among relevant owners at Council's new proposal.

My concerns are listed as follows.

1. How can a democratically elected Council behave in such an underhanded fashion by not informing relevant rate payers of its intention to take action that affects their property.
2. How can Council's so called experts equate genuine rock formations and wind erosion effects with man made vegetation and call both examples of Hawkesbury sandstone. See attached photography pictures to highlight my point.
3. How can Council ignore the actions of the late Max Kelly, a heritage expert and well known conservationist, who had his builders jack hammer out of the rock face a set of stairs to the base of the sand cliff. Given the decreased appreciation of the environment why would he vandalise a heritage site? No. 25!
4. On 15 November 2013 I wrote to Mayor Simpson of the Sutherland Shire Council about the proposed listing and its effects on land values. He was not prepared to comment on that. Instead he responded about the sandstone formations.

In concluding I request that the Panel consider my concerns in a spirit of openness and fair play. This will require the panel being honest in its search for truth.

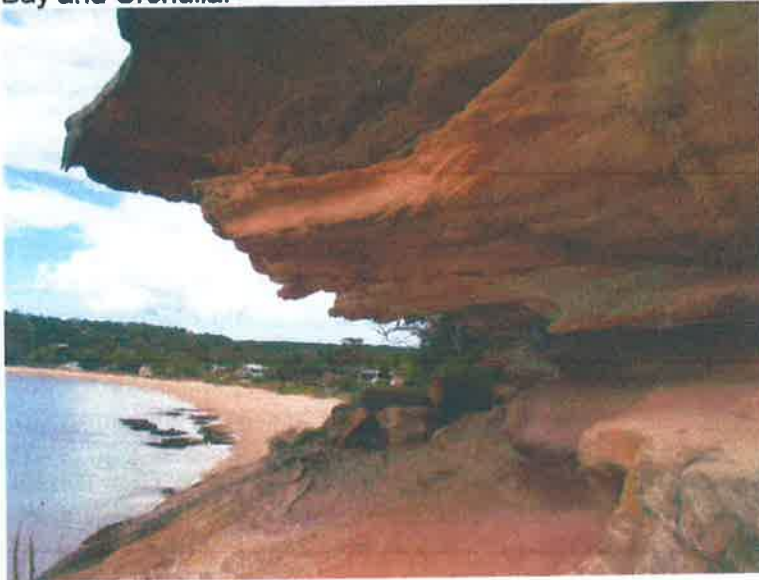
Ch Constable

- attach 1 Eastern aspect of Cabbage Tree Point. At No 1 property.  
2 Port Western aspect of Cabbage Tree Point. At No 15 approx.



## ESCARPMENT AND GEOLOGICAL FEATURES

Triassic Hawkesbury Sandstone is the dominant geological stratum and has influenced the soil, vegetation, fauna and landscape character of the site. A significant feature of the headland is the eroded sandstone cliffs that rise over 14m from the water and expand some 300 metres. They are highly visible from the waterway and surrounding areas. Along the headland there are several vantage points that provide spectacular views of Gunnamatta Bay and Cronulla.



Sandstone cliff

The foreshore and rock platform is an important ecotone between terrestrial and aquatic environments and is habitat for a variety of shorebirds and intertidal organisms including, molluscs, crustaceans and alga.

Cabbage Tree Point forms part of a vegetation corridor along the southern foreshore of the Port Hacking and is linked to the Royal National Park further south through remnant vegetation in the low density residential areas. The Cabbage Point Reserve on the eastern side of the Headland has been classified as core habitat on the Council's Greenweb map that identifies the vegetation corridors within the Shire.

Cabbage Tree Point Reserve allows important visual access to the Port Hacking and provides foreshore scenic values from the waterway.

## LOCAL HISTORICAL CONTEXT

### The Bundeena Progress Association

The Bundeena District Progress Association was founded on Australian Day 1940 "for the Progress and Preservation of the Natural Beauty of Jibbon, Bundeena and Simpson's Bay". From the time of its creation, the progress society fought many battles for the improvement of the village, being Cllr. Arthur Harper, the driving force behind the association.

Since the 1940's, the achievements of the Progress Society, which had its own periodical newsletter the *Recorder*, had been many and important benchmarks in the history of Bundeena. They lobbied for the extension of the services of electricity, water and telephone and for the establishment of several reserves and parks. They were also behind the celebrations of Electricity Day at Bundeena, 14 December 1946, to celebrate their long battle

ATTACH 2

Pulpit Rock

