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**Comments on:**  
**Draft submission to Northern Beaches Council regarding the Exhibition of the**  
**Ingleside proposed Structure Plan and the amendments to State Environmental**  
**Planning Policy.**

**Introduction**

I am writing in response to the letters of 19 and 22 December 2016, from the Northern Beaches Council, over the name of Andrew Pigott, regarding the above development. These letters indicate that the above development may adversely affect our freehold property at 111 Cabbage Tree Road, Ingleside.

In what follows we express some of our serious concerns about how the Northern Beaches Council's efforts to communicate the proposed changes to us unfolded, about the associated documentation and difficulty of finding information essential to interpreting the letters.

**The Letters**

The first letter (dated December 19) states that on December 2, 2016, the NSW Minister released a number of key documents regarding the above project. Of course, we did not hear of this announcement, not being on the Minister's mailing list. Received 17 days later, Mr Pigott's letter tells us among other things that our land has been identified for 'environmental conservation' purposes, [for] "*public infrastructure which is vital to development ... necessary for the continued health and wellbeing of future residents in the area*". We still do not fully understand the import of that paragraph.

However, the letter goes on to say that if our land is ultimately rezoned it will need to be purchased by the council. That was clear enough, but we had trouble believing it. We are then encouraged to review a suite of on-line documents and if necessary make a submission, due by February 28. That I understood.

Quite remarkably, this letter, with its implied bad news, gives no links to any on-line documentation relevant to the Ingleside project, simply referring readers to the Department of Planning & Environment's website. It is possible to start there but it is a labyrinthine site.

While we were digesting that, another letter (December 22) arrived, admitting that the first letter may have caused confusion and concern, and with new wording that attempted to minimise the impact of any land acquisition. This letter did have a URL

<[www.planning.nsw.gov/ingleside](http://www.planning.nsw.gov/ingleside)> but it was a dead link (no gov.au/)! All this smacks of haste and sloppiness.

I'm not a naturally suspicious person, but now suitably irritated, alarmed and somewhat confused, and gradually realising that the Summer holiday timing of all this was unlikely to be accidental, I began to explore the extensive documentation referred to. I downloaded the following (arbitrarily numbered) documents:

### **The Documents**

1. draft transport and traffic assessment.pdf
2. draft biodiversity assessment part a.pdf
3. draft biodiversity assessment part b.pdf
4. draft biodiversity assessment part c.pdf
5. draft bushfire protection assessment.pdf
6. draft infrastructure delivery plan.pdf
7. draft landscape visual assessment.pdf
8. draft prelim. land capability salinity & cont. assessment.pdf
9. draft riparian corridors assessment.pdf
10. ingleside brochure.pdf
11. ingleside draft land use and infrastructure strategy.pdf
12. ingleside faq 2016 12 02.pdf
13. ingleside\_structure\_plan\_map\_4763x3445.jpg
14. Pittwater\_LEP\_2014-320.pdf
15. state envir. planning policy ingleside explanation of intended effect 2016 12 06.pdf

I reviewed the items listed above, several in considerable detail, especially where they had relevance to the interpretation of the Council letters, but also some because of my personal environmental interests, and as board member of the Katandra Trust. For your information, I'm also a retired research scientist, long used to picking the essence out of technical papers. I have also written many popular books and numerous articles and scientific papers about a complex science (astronomy), many for general audiences, so I know a little about technical writing.

While the planning documentation is not in my field of expertise, I found many of them convoluted, challenging and replete with technical terms that were nowhere explained. Those documents and pamphlets that were produced for general audiences were PR exercises mostly devoid of useful facts.

I made extensive notes about them as I read but rather than discuss the detail I will confine myself to comments about our experience. My primary initial concern was to establish a definition of Environmental Conservation, a phrase used about our property in the December 19 letter. It was a painfully tedious process.

The Pittwater LEP (#14) identifies Environmental Conservation as Zone E2, whose objectives are to *"To prevent development [and] to protect manage and restore ...."*, which could have serious implications for our property. However, the Plan Map (#13) shows our property as a pale khaki colour, identified in the Key as Environmental Management, a category that also affects about 12 other properties at the southern end of

Minkara Road. This is Zone E3 in the Pittwater LEP, and it does allow residential development, and encourages it, if it retains wildlife corridors etc., as our does.

It took me far too long to find this information, indeed I was not able to find the Pittwater LEP myself; I was helped by a local environmental specialist whom I consulted. If the colour key on the Structure Plan Map (#13) had mentioned E1, E2 etc. against the appropriate colours AND provided a link to their definitions, it would have saved us a lot of time and much anguish.

I note in the Ingleside Draft Land Use (#11, page 28) that the Pittwater LEP 2014 is subject to unspecified amendment, and in the same document (#11) our property and the adjacent two lots of Crown land that we lease are all in Area 2. This is *"Least constrained by external visibility, existing landscape quality and character. The higher capacity for housing including low-rise apartments, townhouse, commercial and community uses is reflected in appropriate land uses in the Structure Plan"*. What does the last sentence mean? In what way and where is 'higher capacity' reflected? However, the Draft Landscape Visual Assessment document (#7, page 45) our area is marked Area 2 (pale cream), identified its meaning as "Opportunities for houses", which is clear enough. But that area includes our leased Crown land, which is E2, Environmental Conservation. Is that to be built on?

I could go on with many other examples, but you get the picture. Careful reading of the documents on offer increases both confusion and concern and does nothing for clarity.

### **The Process**

On January 18 I sent an e-mail to <ingleside.release@northernbeaches.nsw.gov.au>, setting out our concerns. I was pleased to receive a response on January 20. The burning question about our property was not addressed *"Given the amount [sic] of enquiries..."* but I was advised my letter had been forwarded to the Department of Planning, and that there would be a 'drop-in' session in Mona Vale on three occasions, beginning on February 11, offering a face-to-face meeting.

We were there early on the 11th, but the Memorial Hall was already hot, busy and very noisy. We were eventually shown to a desk behind an improvised curtain at which sat Liza Cordoba. Liza was welcoming, and told us she could offer us 10 minutes of her time, so we asked the pertinent question, without going into the detail above. What is to happen to our property on Cabbage Tree Road?

Liza initially seemed unable to access details of our house on her computer, so I offered her my printout of an enlargement of the Structure Plan Map (#13) which showed our location in detail. I assumed she then had her own map or information to look at, because she told us that our property was scheduled for environmental conservation, it would be bought by the Council and it would ultimately be demolished. They may not be the exact words, but when I asked her to repeat it, that was the clear implication.

Dumbstruck doesn't quite cover it, more like a dagger to the heart.

With my wife in tears beside me, I recovered my composure enough to ask about a timescale for this and was told "About 10 or 20 years". I remember those words precisely,

and they made me very angry. Clearly Liza did not know the timescale, and 'I'll get back to you on that' would have been a more considered response.

Ms Cordoba could see we were upset and offered a glass of water, but our time was up and there was nothing else to be said. Liza then offered to call us on the following Monday (February 13), to arrange a 30 minute meeting for more information, and we left our details, and the Memorial Hall, in a complete daze.

After a sleepless and anxious weekend I called Liza in the late morning of the 13th to find out when we might meet. She was not sure, but would call back. But she but did not. At about 16.00 we went to the Council offices in an attempt to see her, but she was not available, and I was obliged to leave a voice message. A little later an assistant called to tell us that we could meet with Liza at 12.00 on Wednesday, February 15.

At each of these encounters I emphasised that the deadline for lodging formal objections is 28 February, and that if we were to be evicted we would be lodging an objection, likely to be a time-consuming, complex and expensive business. We needed confirmation urgently.

### **A Resolution**

On February 15, my wife Phillipa and I, with our daughter Sara (who is familiar with the NSW Department of Planning & Environment), met at the Mona Vale Council offices. We had with us David Palmer, local, long-time ecologist, and David James, ex-mayor of Pittwater, friend and experienced local councillor.

Leading the meeting was Michael Cuthbert (Department of Planning & Environment). with Ms Cordoba was taking the minutes. It became clear fairly quickly from Mr Cuthbert that Ms Cordoba had made a mistake at our previous, initial meeting, for which she apologised. We would not be losing our home.

Why we had to wait five days to hear this I will never understand or appreciate.

I confess that the overwhelming feeling of relief at this news rather blunted my mind to the following dialogue, but I recall we did discuss the tenure of the adjoining lots of Crown land which we lease and lightly manage, mainly by minimising ground litter, as a fire precaution — this with the approval of the local bush-fire brigade chief. It was evident that the status of the Crown land lots was not settled, but we expressed our clear preference for it to remain as-is, with us leasing it from the Crown on an annual basis and maintain it as bushland.

There followed some discussion about using the Crown land as a bio-banking offset against clearing associated with the Ingleside Precinct, thus again maintaining it more or less as-is. Such schemes are usually administered by the Office of Environment and Heritage. However, the lots are small and that approach might not be viable due to setup and administrative costs. Several other environmental matters were discussed which were not directly relevant to this submission before the meeting closed.

I respectfully offer the following suggestions for improving the release of information regarding planning policy, based on our recent experience.

### **Recommendations, suggestions**

\* Letters of the kind issued on December 19 and 22 referred to above should be read carefully by someone other than the author, for facts and clarity, someone who is familiar with the issues and who can put themselves in the mindset of the likely recipients. Such letters should include working links to documents likely to be essential reading for the recipient. They should be signed, so they don't look like some bureaucratic form-letter.

\* At the very least, include with every technical report released to the public a glossary of technical terms. Ideally, the Northern Beaches Council or other responsible body should employ a technical editor whose primary function it is to edit technical documents that are released to the public so they are intelligible to and navigable by an intelligent lay reader. An alternative would be to have the consultants who prepare the reports also provide a public document — or make them generally readable in the first place.

\* The documents listed under Ingleside Draft Strategy and draft technical studies do not include a link to the Pittwater LEP, which was essential (for me at least) to unpack the meaning of the two Council letters.

\* It is impossible to establish a meaningful timescale for the Ingleside Precinct Project, except that the southern (Elanora) side will be started first.

\* Council staff should have some concept of how it feels to be told that ones property is subject to compulsory purchase. At the very least it becomes immediately unsaleable and devalued, and in our case and at our age it is the last house we expected to buy, and the most enjoyable we have ever owned.

\* If people are to be informed that they are to lose their homes they should be advised of the fact in a dignified and sympathetic manner, not in a brief interview in a public hall. And Council staff should be sure of their facts before delivering devastating news.

\* Finally, it looks like, and surely is, a deliberate ploy to blunt opposition to the proposal to announce it just before the Christmas break, when access to lawyers, advisers, council staff etc. will be limited for weeks. One expects that kind of underhand approach from a third world dictatorship, not a civilised democracy like Australia.

**I would like to kept directly informed about any changes to the draft SEPP and subsequent amended LEP, or any other changes which may affect our property and immediate surrounds.**

**Ends ...**