



Warringah Urban Fringe Association Incorporated
(WUFA),
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2 February 2015,
Mr Marcus Ray,
Acting Deputy Secretary,
Planning Services,
Department of Planning & Environment,

Dear Mr Ray,

Oxford Falls Valley and Belrose North Strategic Review, Warringah

I am writing to you as I have just read the letter which has been posted on the Department of Planning and Environment's website today (the letter is dated 23/1/15), which is signed by you. The members of the Warringah Urban Fringe Association (WUFA) are alarmed at the contents of the letter.

Your letter fails to follow the instructions issued by the previous Minister for Planning, Brad Hazzard (Appendix 1), fails to follow the recommendations of the "Northern Council's Environmental Zones review", and goes against the unanimous recommendation of the Warringah Development Assessment Panel.

Minister Brad Hazzard's letter states that "...all land identified in the strategic review as having no-to-moderate environmental development constraints and proposed to be an environmental zone be further reviewed to validate the environmental significance of the land". **This Ministerial instruction has not been followed, and your letter's instruction is in stark contradiction to the Ministerial Instruction issued by Brad Hazzard.**

The "Northern Council's Environmental Zones review" (which was carried out by the Department of Planning and Environment) states under Key draft recommendations:

- 1) "environmental zones should only be applied to those areas which have important environmental values, based on validated ecological evidence". The map of proposed zonings that you have provided with your letter has areas of land (which are owned by WUFA members) that would be zoned an environmental zone for which there is no validated ecological evidence of environmental values. Appendix 2 of this letter contains a map of proposed zonings which WUFA has provided to the Department of Planning. This map follows the Ministerial instruction and the key recommendations of the Northern Council's Environmental Zones Review.
- 2) "the proposed E4 zoning should be removed from the draft Byron LEP and be replaced with a suitable residential zoning". This shows the intent to remove E4 as a suitable zoning and apply residential zonings.

The Warringah Development Assessment Panel's (WDAP) unanimous recommendation was that Council:

“not proceed with approval of a Gateway approach for this Planning Proposal at the present time and that, instead, they commence immediately to implement stage 2, undertaking the detailed work required to finally decide on the values of the deferred lands and their relevance for an environmental (or other) zoning in the LGA of Warringah”

Your letter goes against this unanimous WDAP recommendation.

Your letter states “land mapped as having ‘no to moderate’ environmental constraints should be zoned to reflect the existing character, level of clearing and current land uses”. **The proposed zoning map provided with your letter does not follow this course of action** as there are areas of land (which are owned by WUFA members) that would be zoned an environmental zone which are cleared and currently used for residential or rural purposes.

Several members of WUFA met with Department of Planning and Environment staff on 28 October 2014, where we handed over a comprehensive submission to the Department (a 50mm thick binder of documentation). It would appear that this documentation has not been read or considered.

We ask that you urgently review your letter and proposed zoning map, and follow the previously issued Ministerial Instruction. WUFA's proposed zoning map (Appendix 2) meets the criteria of applying an E3 zone to land which is of suitable environmental value. This proposed zoning map should be used for the Planning proposal, and stage 2 of the Strategic review should be undertaken by an independent organisation urgently so minimum lots sizes and future strategic zonings can be applied.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Holman', written over a light blue circular stamp.

John Holman

President

Warringah Urban Fringe Association Inc. (WUFA)

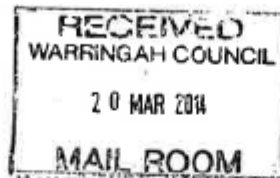
Email: president@warringahurbanfringeassociation.org.au



The Hon Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure

Mr Rik Hart
General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2099

13/20719



Dear Mr Hart:

I am writing concerning the Oxford Falls Valley and Belrose North Strategic Review.

The review was initiated to examine the deferred land under the *Warringah Local Environmental Plan 2011* following concerns raised by residents.

I appreciate that this has been a complex process which has included extensive analysis of both environmental and infrastructure constraints, while considering the overall impact land uses may have on the existing character of the area. An important part of the overall process has been consultation with the community.

Permitting additional uses on some land will suitably respond to landowner submissions. However, it is of concern that a large number of landowners objected to the proposed environmental zone being applied to their land, mainly on the basis that the land was cleared and contained little environmental value, as well as the loss of development potential.

On 23 December 2013, Council responded to my earlier correspondence requesting a commitment to undertaking studies as recommended by the Planning Assessment Commission in 2009 effectively being stage 2 of the Strategic Review. The Commission identified that additional studies be undertaken to assess the cumulative impact of potential development and determine the urban capability of the Oxford Falls Valley and Belrose North catchment. It was requested that these studies be completed within a 5 year timeframe (ie. in 2014).

These studies will provide the evidence base to assure the community that the most appropriate land uses, zoning and development controls are being proposed. In light of the above, Council's proposed 3 year timeframe should be significantly reduced. I request Council submit a revised timeframe that is more closely aligned with the Commission's recommendations.

Additionally I request that all land identified in the Strategic Review as having "no-to-moderate" environmental development constraints and proposed to be an Environmental zone, be further reviewed to validate the environmental significance of the land. The subject land will continue to remain deferred until such time that further evidence based planning is undertaken.

I understand the next steps in the Strategic Review process will be:

- commencement of the studies as discussed above;
- the Warringah Development Assessment Panel (WDAP) will consider all submissions, conduct an independent public hearing and provide an independent report to Warringah Council for consideration;

- following WDAP, the Strategic Review and Submissions Report will be reported to a Council Meeting for adoption; and
- the final recommendations of the Strategic Review, once adopted by Council, will form the basis of a planning proposal to incorporate the deferred lands into the *Warringah Local Environmental Plan 2011*. This planning proposal will be publicly exhibited for further public comment.

I have asked my Department to make the Submissions Report and this letter publicly available to promote an open and transparent planning system.

If you have any further enquiries about this matter, I have arranged for Mr Neil McGaffin, General Manager Metropolitan Delivery, to assist you. Mr McGaffin can be contacted on 02 9228 6162.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Hazzard', written over a faint dotted line.

THE HON BRAD HAZZARD MP
Minister

17 MAR 2014

Appendix 2 - WUFA's proposed Zoning for Stage 1:

