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8 November 2014,
The Hon. Pru Goward,
Minister for Planning,
Level 34 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister,

Oxford Falls Valley and Belrose North Strategic Review, Warringah

I am writing to you on behalf of our members (who make up over 90% of the landowners effected by the Oxford Falls – Belrose North Strategic Review that is being carried out jointly by the Department of Planning and Warringah Council).

When Warringah Council went through the process of translating their old Local Environmental Plan (WLEP2000) into the new standard template based system (The new LEP is called WLEP2011), they proposed to zone a large area of Warringah an Environmental Management zone (E3). This new zone was to encompass many properties that were simply not suitable for the E3 zone. There was a lot of community anger about people's properties being proposed to be zoned E3. This community anger culminated in Minister Brad Hazzard deferring much of the land proposed to be zoned E3 from the new WLEP2011 subject to a Strategic Review being carried out jointly by Warringah Council and the Department of Planning (Appendix 1 of this letter shows a map of the deferred area). The Strategic Review was to be done in two stages:

Stage 1 was to prepare an appropriate set of zoning and planning controls to transfer WLEP2000 to WLEP2011.

Stage 2 was to involve a comprehensive review of a broader localised area, including the deferred land, with the view of determining appropriate minimum lot sizes and establishing whether it can accommodate longer term growth.

As part of Stage 1, the independent Warringah Development Assessment Panel (WDAP) held a public hearing into the proposed zonings. WDAP's 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”

Subsequent to WDAP's unanimous recommendation, Warringah Council voted on 26 August 2014 to (refer to Appendix 2 of this letter for the full resolution):

- Requests the NSW Department of Planning and Environment to consider the report which is Item 8.1 on tonight's agenda and make a determination by selecting one of the five options.
- Recommends that Stage 2 of the Planning and Assessment Commission recommended studies be carried out immediately by the State Government.

Since the motion to hand control for the Strategic Review over to the Department of Planning being passed, I (along with six other precinct coordinators) have met with the Department of Planning director responsible (Lee Mulvey). At this meeting, Mr Mulvey advised us that it was the Department of Planning's intention to pass control of the Strategic Review back to Warringah Council. **We are very disappointed about this and seek your urgent intervention.**

It seems extraordinary that council having given up the planning decision making powers on this issue to the state government; the state government now appears to want to force the planning decisions back upon Council.

I attended a lunch this week where Mike Baird spoke of how this government is keen to ensure there are streamlined assessments of developments, get rid of red tape and how he wanted to "bring the community with us". However, the current situation is:

- Warringah Council have voted to pass full control for the Strategic Review outcomes (stage 1 and stage 2) over to the Department of Planning.
- The owners of land in the deferred area agree that the Department of Planning should now be solely responsible for the Strategic Review (Stages 1 & 2).
- The only party that disagrees with this approach is the Department of Planning.
- Whilst we understand the desire of the State Government for Councils to make planning decisions, often the Councils are an impediment to the planning desires of

the State Government and local residents. Surely once Council voluntarily passes planning decisions to the State Government, it should exercise those powers accordingly in consultation with the local community.

The recommendation by the independent Warringah Development Assessment Panel (WDAP) was to keep the area deferred until the Stage 2 studies were done. Although this is not our preferred option, it is far better than handing the decisions back to Warringah Council (who don't wish to make the decisions). The owners of land in the area are prepared to agree to their land remaining deferred as long as the stage 2 studies are done into the deferred areas as quickly as possible and are conducted by an independent consultant through the Department of Planning (ie the same as the Northern Councils Environmental Review).

After three years of not achieving an outcome, we now plead with you to take control of this issue and agree to what Warringah Council and the owners of land in the deferred area both want, which is for the Department of Planning to take full control of stages 1 and 2 of the Strategic Review, and to urgently carry out stage 2 of the Strategic Review.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Holman', written in a cursive style.

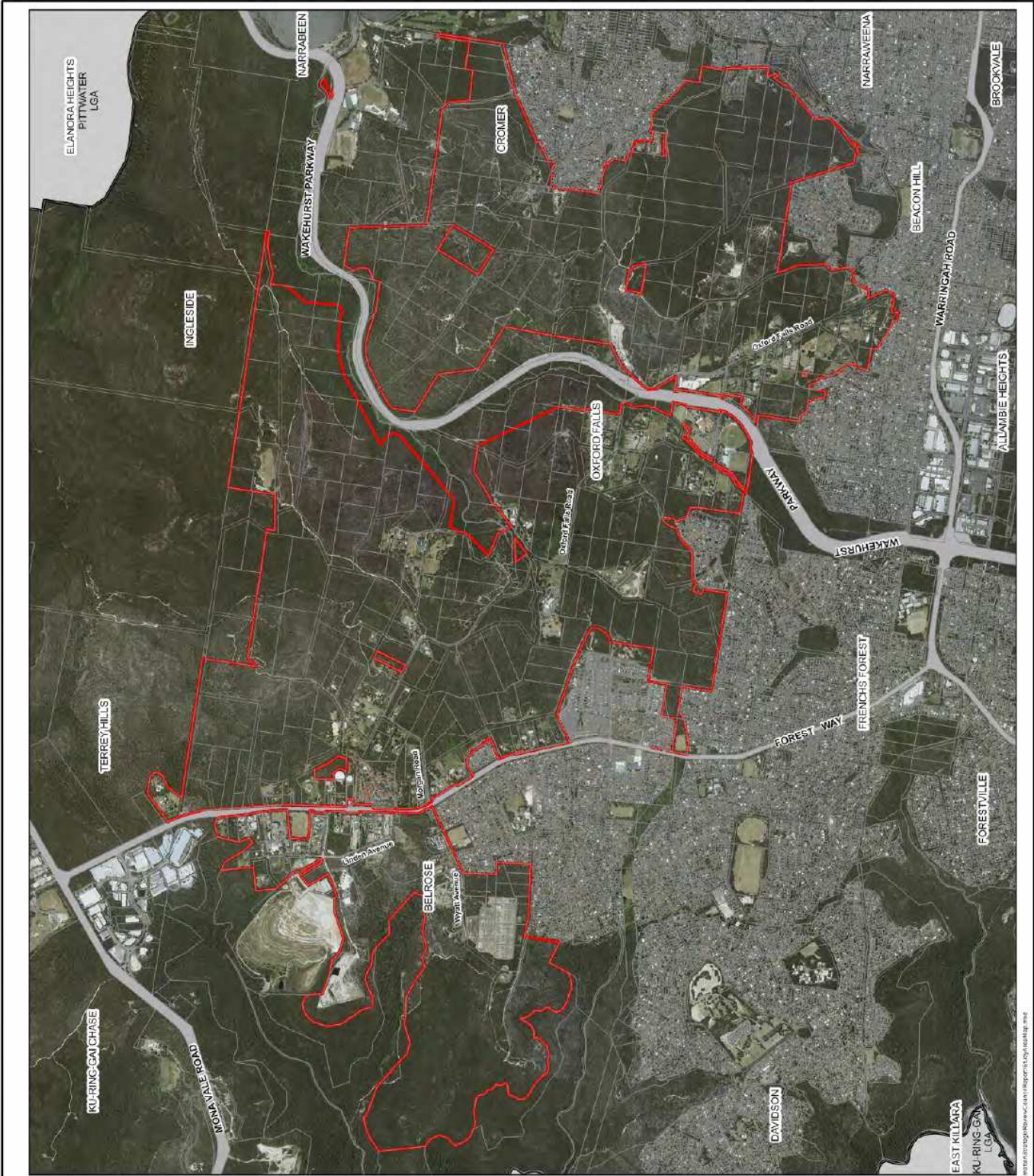
John Holman

President

Warringah Urban Fringe Association Inc. (WUFA)

Email: president@warringahurbanfringeassociation.org.au

Appendix 1: The Study Area:

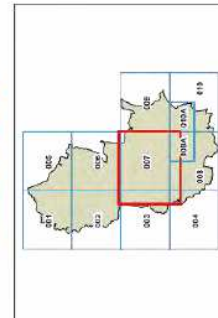


Study Area

Oxford Falls Valley and Belrose North
Strategic Review

WLEP 2014 Land Application Map

- Defined matter (Study Area)
- WARRINGAH
- Cadastre
- Cadastre 08/06/2014 © Warragah Council
- Major Roads



Projection: GDA 1984
Easting: 56

Image © Greater Koolah Area 2011
Document Path: G:\GIS\MapDocs\StrategicReview\MapDocs\StudyAreaMap.docx

Appendix 2: Full Warringah Council resolution passed on 26 August 2014

523/14 **RESOLVED**

Cr Menano-Pires / Cr Regan

1. That Council notes:

- A. That Council staff have consistently followed the methodology determined by the NSW Department of Planning and Environment.
- B. The conflicting advice it has received from the NSW Department of Planning and Environment and from the former Minister.
- C. The residents' concerns regarding the review of their individual parcels of land by the NSW Department of Planning and Environment led team.
- D. That the previous Council was in favour of Stage 2 of the Planning and Assessment Commission recommended studies being carried out immediately.
- E. That the E3 zone is being reviewed by the NSW Department of Planning and Environment.

2. That Council:

- A. Requests the NSW Department of Planning and Environment to consider the report which is Item 8.1 on tonight's agenda and make a determination by selecting one of the five options.
- B. Recommends the renaming of the E3 zone to address public concern about the implications of having a zone entitled "Environmental Management".
- C. Recommends that Stage 2 of the Planning and Assessment Commission recommended studies be carried out immediately by the State Government.
- D. Expresses its concern to the State Government at the rising costs of unnecessarily administering two Local Environmental Plans.
- E. Informs affected landowners of this resolution.

VOTING

For the resolution: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Crs De Luca and Giltinan

2 Background

Oxford Falls Valley and Belrose North were deferred from Warringah's Comprehensive Local Environmental Plan (LEP), which was made in 2011. The areas retained their existing range of permissible uses, after residents raised concern about the E3 environmental management zone proposed for the area in the exhibited version of the LEP.

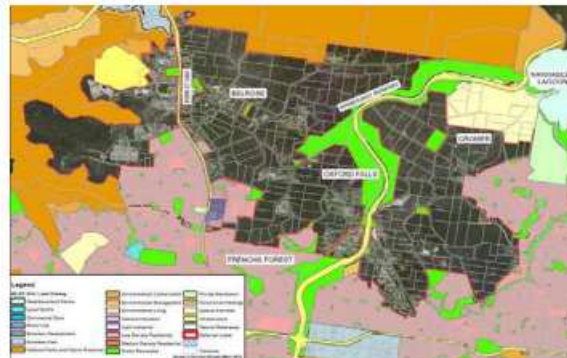
The Department of Planning and Infrastructure (the Department) and Warringah Council (Council) are now working together to undertake a strategic review of deferred land in Oxford Falls Valley and Belrose North, to identify the most appropriate zonings and land use controls for the area, so that the land can be brought into Warringah LEP2011.

A project control group, with representatives from both Council and the Department, has been formed to guide the direction of the review process. Other government agencies and key stakeholders, including landowners and the community, will be consulted as part of the review process.

The review will consider the range of existing land uses within Oxford Falls Valley and Belrose North. It will review existing environmental constraints and infrastructure and current planning 'rules', in order to recommend the most appropriate land use, zoning and development controls to be applied to the area.

There are two stages to the review process:

- Stage one aims to resolve the land use zoning of the deferred land based on existing information. This will be completed by mid-2013 and was the reason behind the Public Information Session on 15 October 2012
- Stage two will involve a comprehensive review of a broader localised area, including the deferred land, with the view of determining whether it can accommodate longer term growth. This is anticipated to take about three years and up to six studies are expected to be undertaken.



The recommendations of stage one of the strategic review will help to inform a future planning proposal to apply standard zones to the area and bring the deferred land in Oxford Falls Valley and Belrose North into Warringah's comprehensive LEP.