

WDAP Speech – Madam Chair

My name is John Holman. I organised the meeting held 3 years ago where the E3 issue was discussed at length with Council representatives, local State member of Parliament (Jonathon O’Dea), a director from the Department of Planning and over 140 landowners. It was this meeting that was the start of the Warringah Urban Fringe Association (WUFA). I was the founding president and I am the current president of this association. I have coordinated much of the information flow to owners of land in the deferred area. On the zoning of the deferred areas, I have spoken with and met Brad Hazzard many times and met with and spoken with senior officers from the Department of Planning many times. WUFA has put forward two lengthy and comprehensive submissions to the Strategic Review. One when the Strategic Review was first setup and the other in response to the release of the Strategic Review draft report. These documents total approximately 100 pages and are contained in the submissions report, so I am not going to attempt to rehash the content of those submissions tonight.

I want to tell you my motives as I think it is important. I was motivated to arrange the public meeting 3 years ago because I and many others were going to be incorrectly and unfairly downzoned. I had put in a submission as to why E3 was an inappropriate zoning for my land during the public exhibition phase of draft LEP 2009 which subsequently became LEP2011. My submission, and many other submissions, fell on deaf ears, that is what motivated me to arrange the public meeting 3 years ago that started this strategic review process. When the draft Strategic Review was released my land was proposed to be zoned R5 (large lot residential), a zoning that was always what it should have been zoned. I got what was right during the early stage of the review. I am here now, not looking after my own interest, but looking after the rest of the members of WUFA whose land is the subject of an attempt by Warringah Council to inappropriately zone as E3.

When the Minister for Planning deferred the land from LEP2011, he meant to defer all of the land in Warringah LGA that was proposed to be zoned E3. It was through an administrative oversight that only 90% of the land was deferred. There are approximately twelve properties that were zoned E3 and not deferred from the LEP2011. These properties are in Terrey Hills and Ingleside. WUFA asks that all properties that were zoned E3 and not deferred should be rezoned as RU4 (Rural) as part of the proposed planning proposal.

Now I want to talk about the E3 zoning, and how it is meant to be applied. E3 is one of the Environmental Protection Zones.

The letter put forward by Brad Hazzard to Warringah Council dated 17 March 2014 (which is included in the report from council to this Panel), advises that an evidence based approach must be used for Environmental Zonings.

The new Minister for Planning Pru Goward has a press release dated 14 May 2014, which announced the release of an independent report into the use of environmental planning in the North Coast. This press release states:

The NSW Government has given in-principle support to some of the report's interim recommendations, including:

- Setting clear criteria for environmental zones known as E2 and E3 to ensure that these zonings are based on strong evidence
- Removing the proposed environmental zones from Kyogle Shire Council's local plan until proper evidence is provided

So the view of the previous Minister for Planning (Brad Hazzard), the New Minister for Planning (Pru Goward) and the independent consultant who undertook the study into the North Coast zoning, is that environmental zones should only be applied based on strong evidence. This position is strongly supported by WUFA. It would seem the only party involved in this Strategic Review process that disagrees with this evidence based approach is Warringah Council.

After the draft Strategic Review was released, WUFA formally requested from the Department of Planning (using GIPA) that the scientific basis for the various constraints used in the draft report be provided. As a result of this GIPA request, we were given 201 Site Analysis forms which were completed for the Strategic Review. Each Site Analysis form provides, among other things, information on each site including a rating of the Environmental value of the land. The site analysis forms were filled out while site visits were done by Warringah Council and Department of Planning staff all with unknown qualifications.

The accuracy of the information on the Site Analysis forms is questionable, as many environmental consultants have refuted the information on the Site Analysis forms. The critique of many of these Site Analysis forms can be found in the Strategic Review Submissions report.

WDAP has been provided with 2 options by Warringah Council.

Option 1 is the same as the proposed zoning recommended by the draft Strategic Review

Option 2 is very similar to the proposed zoning recommended by the draft Strategic Review, except it proposes three changes:

- 1) A small section next to John Colet Scholl to be RU4
- 2) A small section next to Gleneon retirement village to be R5
- 3) Most of Oxford Falls Valley to be RU4 (Rural).

We agree with these changes, but it still leaves a large number of properties that don't have high environmental value still zoned as E3.

WUFA has copied correspondence to WDAP that we have had with the General Manager of the Department of Planning (Neil McGaffin) over the past few days. This correspondence states that No options that have been submitted to WDAP by Warringah Council have been reviewed or are endorsed by the Department of Planning.

WUFA has written to this panel a letter dated 4 June 2014 which proposes an Option 3 which we feel should be recommended for acceptance by Warringah Council. It is the ONLY option that is consistent with the NSW government's planning position.

How did we arrive at the Option 3 map:

It has been created by starting with the draft land use zoning map (Map 7) from the draft Strategic Review, then carrying out the following process:

- 1) Adding on the changes that Warringah Council has made to this map in their option 2 map which has been submitted to WDAP.
- 2) Changing all land that has no-to-moderate environmental development constraints from an Environmental zone (E3) to the same rural zoning as Terrey Hills and Duffys Forest (RU4). This has been done through the following process:
 - a) Using the Cumulative Level of Environmental Constraint map from the draft Strategic Review (Map 4) to identify land that had Environmental Constraints shown as either "No" or "Moderate".
 - b) Reading the Site Analysis forms that were filled out by the Department of Planning and Warringah Council as part of the Strategic Review and identifying land that had Environmental Constraints listed as either "No" or "Moderate".
 - c) Reading the submissions that were made to the draft Strategic Review and identifying land that had either "No" or "Moderate" Environmental Constraints.

The only Option that is consistent with the NSW government's position on Environmental zonings is WUFA's Option 3. We ask that the land zoning as outlined in Option 3 is recommended to council.