



Warringah Urban Fringe Association Incorporated
(WUFA),
PO Box 125,
Belrose, 2085
Ph: 0419 777 502

www.warringahurbanfringeassociation.org.au

3 August 2014,
The General Manager,
Warringah Council,
725 Pittwater Road,
Dee Why, 2099

Dear Mr Hart,

WDAP Public Hearing (Stage 1 - Strategic Review Update) – 18 June 2014 - Minutes

In response to the publishing of the minutes and recommendations by WDAP following the meeting of 18 June 2014, we are compelled to point out the incorrect statements made in the minutes and provide comments on the recommendations. We request that the minutes are corrected by removing statements that are not correct or truly stated and reissued so the public and Councillors are not misled. The typing below in black is the actual WDAP minutes and the typing in green is WUFA's comments:

RECOMMENDATION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

Reluctantly, WDAP unanimously recommends to the Councillors of Warringah that they do 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 for the following reasons:

(1) The Panel notes that the Draft Metropolitan Strategy 2031 acknowledges that the Oxford Falls Valley - Belrose North area is identified as an area of rich environmental significance and an asset that Sydney must retain and protect. As such there is a need to protect the natural heritage of significant valleys, watercourses, rock outcrops and unique flora and fauna as well as sites of aboriginal significance. Some of these areas may best be protected by either an E2 or E3 zone.

Correction required - There is no specific mention of Oxford Falls Valley – Belrose North Area in the Draft Metropolitan Strategy 2013. We have sought confirmation from the Department of Planning to this point and they have confirmed that “the draft Metropolitan strategy 2031 does not contain the words as provided in the Minutes” (refer appendix B for the correspondence).

The document within the Draft Metropolitan Strategy 2013 referred to as “North Subregion” actually maps the deferred area as “Metropolitan Rural Area” the same as Terrey Hills and Duffys Forest (which is zoned as RU4 – Rural). The Northern Subregion part of the Draft

Metropolitan Strategy 2013 is contained in Appendix A of this letter. As this document is referred to in the minutes it should be annexed to the minutes.

(2) As such, any development within this highly important area should be "limited", and the use of the term "urban development potential" is seen as incongruous in the light of (1) above.

Correction required - This note is misleading as it is based on an incorrect interpretation of the Metropolitan Strategy as noted above. Any subjective assessment of congruency based on this incorrect interpretation needs to be removed from the Minutes.

(3) The determination of appropriate zonings should only follow the completion of the "evidence based" specialist studies scheduled for Stage 2.

WUFA comment - The Department of Planning and Warringah Council has spent 3 years on a joint review that has not produced any "strong evidence" (as required by the Minister for Planning) to zone WUFAs' members land an environmental zone. Warringah Council should surely following the Minister's instructions and zone the land utilising one of the zones reflecting current or permissible uses.

(4) To proceed now with a Planning Proposal (via the Gateway) would be premature as there is strong opposition from some residents as to the validity of base data collected from their properties and the information recorded on the "site inspection checklists". Again, such agencies as the Department of Environment & Heritage have called into question the logic of the suggested RU4 zone to the west of Forest Way in North Belrose in Options 1 and 2.

WUFA comment - Below is an extract from the same letter from the Department of Environment & Heritage (dated 8/8/2013 and found on page 107, appendix B, part 2 of the meeting documents):

The report refers to the most up to date mapping be used but this is not fully referenced. Appendix 6 states that "some field assessment was undertaken to clarify vegetation type and condition" but does not detail how or where this was done. OEH does not have access to GIS mapping data such as Council's 'Wildlife Corridors' mapping and the report does not include the individual map layers that were the basis for the constraints mapping. OEH therefore is unable to fully comment on the adequacy of the data sources used in this analysis or the resulting constraints analysis.

OEH recommends that discrepancies in the different map sources be explored and the report document what data source(s) were used, how discrepancies were addressed and the extent and results of ground truthing. Further ground truthing may be required to resolve these apparent discrepancies.

The letter from the Department of Environment & Heritage also questions the source data. This issue has been raised by many submissions and has not been addressed by Warringah Council. The full letter should be included as an annexure to the minutes as it is referenced in the minutes.

(5) The preparation of a Planning Proposal now, essentially based on an E3 zone, would involve the community in another (3rd round) of consultations with the inevitable result of many listing their same objections as those going back to 2009. A further (4th round) of consultations would then follow when final detailed zonings were determined following Stage 2.

(6) A 2012 Study completed by consultants titled "Northern Councils E Zone Review Interim Report", and subsequent Ministerial comment, has called into question the use of E2 and E3 environmental zones on land that is clearly rural. Some residents have argued that their land in the study area is clearly rural.

WUFA comment - A great part of the review area is clearly Rural. There are also areas of the study area that are not currently used as rural or semi-rural properties that have that history. The Northern Councils E zone review goes on to suggest criteria that is required to

be met before an E zone should, or in fact can, be applied. Large parts of the review area do not accord with this criteria and are not justifiable as E zones on a temporary or permanent basis.

(7) Because of the unique nature of the Oxford Falls Valley - Belrose North area there may well be a case to approach government, after the conclusion of the Stage 2 studies, to have either special zonings or statutory adjustments to the E3, RU4 and R5 zones within Warringah that better reflect the limited development intent of the area.

(8) The argument that transferring planning controls from WLEP 2000 to WLEP 2011 to avoid unnecessary duplication and operational costs is understood, but this is not a sufficient reason to override the best possible planning outcome for this unique area.

(9) The Council has developed Option 2 and recommended that it proceeds to the Gateway. However the criteria upon which it has been decided, for instance, to convert the western side of Oxford Falls Road into RU4 [meaning that it comprises No to Low environmental significance, and Moderate environmental constraints] could equally apply to all or most private lands that are objected to by the local group, WUFA.

(10) The Panel were of the view that because of the large private lots – for instance found east of Oxford Falls Road, with a semi-rural or cleared area fronting the Road as well as uplands that were undeveloped, with significant tree cover, could benefit perhaps from a split zoning rather than a blanket approach.

(11) Apart from the different landuses within E3 and RU4, there are changes in the zone objectives, with the important effect that under E3, the priority is for environmental protection and therefore entirely compatible with the Oxford Falls Valley - Belrose North area being identified as an area of rich environmental significance and an asset that Sydney must retain and protect as it develops.

WUFA comment - There are parts of the review area that can be zoned E3, but it is not true for WUFA's member's land which is rural land or has no or limited environmental significance. Much of the Oxford Falls Valley – Belrose North area is of rich environmental significance, but not the land which WUFA has recommended for a rural zoning.

(12) The Panel members were dismayed that landowners who, in addressing the issue of potential down zoning, were adamant that their lands were degraded or with limited environmental potential, were not willing to consider that, with careful environmental management in the future, these environmental values could recover or be reinstated.

WUFA comment – We question whether this is an appropriate statement to be made by an Independent Panel. Such a statement and in particular the use of language suggesting 'dismay' implies that the land owners submissions are strongly contrary to the panel members views (which should not have been formed prior to the public meeting). A substantial amount of the review land does not currently have high environmental values and should not be limited in its current or future use nor should its owners be burdened with the task of seeing if any environmental values can be successfully restored, presumably through the owners labour, time and cost. To make such a suggestion demonstrates a predetermination of the desired outcome of the panel and undermines the independent nature of this consultation process.

(13) The Panel formed the conclusion that the E3 zoning under Option 1 in the absence of rigorous and detailed site-by-site assessments would provide the best possible outcome and protection in the interim. However in the longer-term, for the preservation of the unique and special environment of Oxford Falls Valley-Belrose North, the Panel believed option 1 was for the above reasons preferred of the two options presented, the Panel's recommendation is not to choose either option at this stage.

WUFA comment - We are at a loss as to how WDAP could form an opinion that in the absence of rigorous and detailed site-by-site assessments you could consider defying Ministerial instructions (ie not to zone land as an environmental zoning without strong evidence).

We publically request that Warringah Council reissue the minutes to accurately reflect that the Draft Metropolitan Strategy 2013 shows the deferred area as a "Metropolitan Rural Area", remove all information that is not factually correct, and include as appendices all documents that are referenced in the minutes.

Yours faithfully,

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 A – Draft Metropolitan Strategy for Sydney – North Subregion:




Metropolitan Priorities for North Subregion

-  Major Centre
-  Specialised Precinct – Potential

- City Shapers**
-  Global Economic Corridor
-  North West Rail Link
-  Metropolitan Rural Area
-  Metropolitan Rural Area - National Park

- Transport**
-  Motorways – Existing Network
-  Motorways – New Motorways
-  Mass Transit – Current & Committed
-  Mass Transit – Intermediate
-  Potential Extension for Transit
-  Potential High Speed Rail Link
-  Regional Rail
-  Freight Rail
-  Railway Station

- Urban Area**
-  Metropolitan Urban Area
-  Industrial Land

- Environment**
-  National Park / Nature Reserve / State Conservation Area
-  Waterbody / River / Reservoir
-  Regional Park

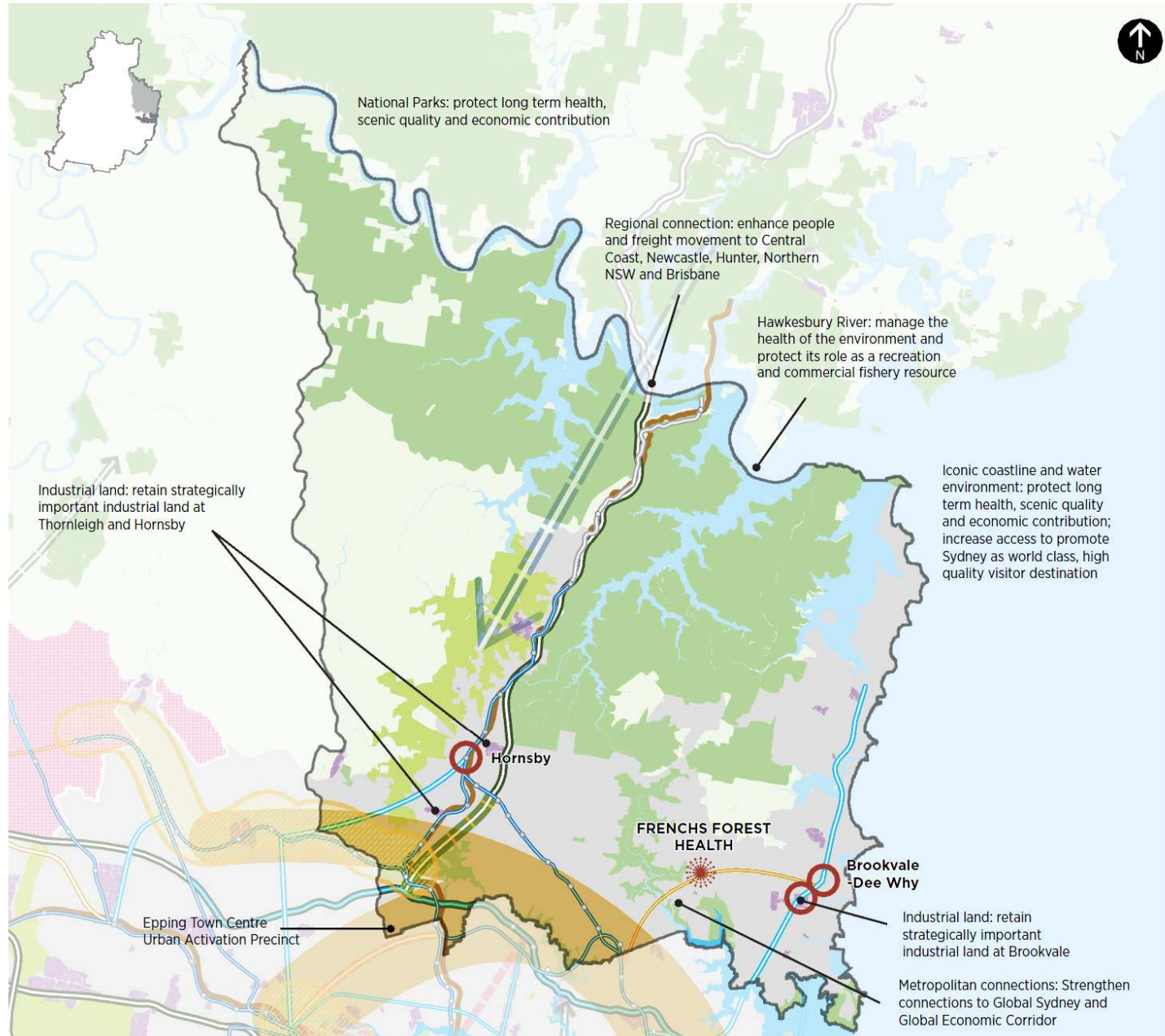


Figure 20: North Subregion



Area: 802 km ² 2011 Population density of 660 people/km ² 2010-11 % of GRP: 6.9% (\$22 billion)	Current	Target to 2021 (2011-2021)	Target to 2031 (2011-2031)
Population	529,000	573,000 (44,000)	610,000 (81,000)
Housing	204,000	223,000 (19,000)	241,000 (37,000)
Employment	186,000	208,000 (22,000)	225,000 (39,000)

Metropolitan priorities

- promote as a highly accessible and liveable area with outstanding amenity, a growing network of employment areas and a prized natural environment
- improve connections to the Global Economic Corridor via North Sydney and cross-regional links with Chatswood via Brookvale-Dee Why
- improve connections linking the Orbital Motorway Network to the F3
- improve the connecting corridor to the north for freight and passengers to Central Coast, Newcastle and NSW North Coast via the F3 and Main Northern Line, including any future high speed rail corridor
- provide for increased housing choice through redevelopment for a variety of new housing types and densities around identified centres along major transport corridors including strategic bus corridors and the North Shore Line and Northern Line

- facilitate delivery of the Urban Activation Precinct at Epping
- protect the health and resilience of the environmental assets of the subregion, including the Hawkesbury River valley and estuary, the Northern Beaches, Pittwater, Broken Bay and Middle Harbour and the National Parks such as Ku-ring-gai Chase
- protect the Harbour and beaches, including significant tourism and cultural locations such as Manly.

Brookvale-Dee Why Major Centre

- strengthen as a location for integrated retail, office, employment and service centre for the Northern Beaches and wider subregion
- continue to support the mixed-use renewal of Dee Why
- provide capacity for at least 3,000 additional jobs to 2031.

Hornsby Major Centre

- enhance as a location for growing retail and office uses for the subregion and a broader catchment extending to the Central Coast
- promote residential intensification near the centre
- provide for at least 1,000 additional jobs to 2031.

Frenchs Forest Health Potential Specialised Precinct

- capitalise on the growing cluster of hospital and health-related uses with associated research/business park opportunities to stimulate local jobs.

Metropolitan Rural Area

- deliver as a city shaper (Objective 4, page 18).

Appendix B: Email Correspondence with Department of Planning:

From: Simon Manoski [mailto:Simon.Manoski@planning.nsw.gov.au]
Sent: Thursday, 24 July 2014 5:18 PM
To: president@warringahurbanfringeassociation.org.au
Subject: RE: Oxford Falls Valley and Belrose North Strategic Review
Hi John

As discussed, I am advised the draft Metropolitan strategy 2031 does not contain the words as provided in the Minutes below.

Kind regards

Simon Manoski

**A/General Manager Metropolitan Delivery
Growth Planning
23-33 Bridge St | GPO Box 39 | Sydney NSW 2001
T 02 9228 6565 M 0409 833 743**



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From: John Holman WUFA [mailto:president@warringahurbanfringeassociation.org.au]
Sent: Tuesday, 22 July 2014 2:41 PM
To: 'Neil McGaffin'
Subject: Oxford Falls Valley and Belrose North Strategic Review

Dear Neil,

As you would be aware, the Warringah Development Assessment Panel held a public hearing into the deferred areas in Warringah LGA on 18 June 2014. The minutes to this meeting have recently been publically released (see attached). I am writing to you because the minutes state:

- (1) The Panel notes that the Draft Metropolitan Strategy 2031 acknowledges that the Oxford Falls Valley - Belrose North area is identified as an area of rich environmental significance and an asset that Sydney must retain and protect.

We have looked at the Draft Metropolitan Strategy 2031 on the Department of Planning's website, and cannot find where it acknowledges that the Oxford Falls Valley – Belrose North area is identified as an area of rich environmental significance. Can you please advise if the Draft Metropolitan Strategy 2031 does in fact acknowledge that the Oxford Falls Valley – Belrose North area is identified as an area of rich environmental significance, and if so where?

Kind Regards,

John Holman

President

Warringah Urban Fringe Association Inc. (WUFA)

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