



Warringah Urban Fringe Association Incorporated,

PO Box 125,

Belrose, 2085

Ph: 0419 777 502

4 November 2011

Chairpersons of the Planning Review,
Department of Planning and Infrastructure,
GPO Box 39,
Sydney, 2001

Dear sir/madam,

I am writing to you as the President of the Warringah Urban Fringe Association. Our association represents over 150 land owners who all own land (typically between 10,000m² and 200,000m² per land owner) on the urban fringe of the Warringah Local Government Area.

Recently we were all placed in a position where our land was going to be downzoned to E3 (Environmental Management). Fortunately the Minister for Planning has stepped in and deferred the downzoning subject to a strategic review being carried out. This situation has made us all acutely aware of how easily land in NSW can be downzoned without the consent of landowners and leaving no avenue for recourse. This uncertainty and insecurity for all landowners in NSW is unacceptable in current times.

We would like to see the following items included in the new legislation:

- 1) Land is not to have zoning changed without an independent strategic review first being carried out.

We feel that our land was almost rezoned without a strategic review having been conducted into the rezoning. This is a fundamental flaw in the current legislation. This should not be allowed to happen again. Any good decision requires a thorough investigation of the situation and the options, and must be based on facts.

- 2) If land is downzoned, then landowners must be paid compensation for any lost value in their land.

We all buy our land based on the attributes of the land. One of the major attributes of land is what zoning it is in. If a property is downzoned, then the owners of land in the affected area should be



Warringah Urban Fringe Association Incorporated,

PO Box 125,

Belrose, 2085

Ph: 0419 777 502

adequately and efficiently compensated for any loss in value of their property. This needs to happen in an efficient and fair manner which is done as part of the rezoning process. It is important that this compensation happens automatically and without landowners being required to launch legal action.

3) Certainty with what can be done with land.

A lot of money is spent by landowners preparing plans and reports in order to carry out building or development on their land. It is important that the new legislation removes any ambiguity as to what can and can't be done on land. Usage types for land should be either permitted or not, there should be no ambiguity as to what is allowed. Having to outlay vast amounts of money to go to the Land and Environment Court to have a development or buildings approved is an unacceptable mechanism for development of small properties.

4) State Government should be responsible for rezoning of land.

We feel that the State Government should be controlling the strategic direction of land rezoning, not local councils. In Warringah Local Government area the elected council has been sacked three times since 1960. Having now been to many Council meetings and watched the dysfunction of the current Council, we strongly feel Warringah Council does not have the ability to make sensible planning decisions.

We hope you take our concerns into consideration when drafting the new Planning legislation.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Holman".

John Holman
President