

Letter from NSW Government Planning



Planning



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

10/24001

Attention: Mr Malcolm Ryan

Dear Mr Hart

**Subject: Draft Warringah Comprehensive Local Environmental Plan 2010**

I am writing to consult with you on the terms of the draft *Warringah Local Environmental Plan (LEP) 2010* as required by section 59 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act").

Parliamentary Counsel's Office has now prepared the draft LEP and I have attached a copy of the revised instrument, accompanying maps and a consolidated table of changes undertaken.

As you are aware, the Minister has received a number of submissions and representations regarding the draft LEP that have requested amendments be made to the zoning of certain land or have asked that land be deferred from the final Plan. These requests were made on the basis that the proposed zones under the draft LEP do not reflect the current development potential of the land.

As a result, several changes have been made to the draft Plan to resolve the issues raised. The draft LEP has also been amended to be consistent with the Department's policy position. Comments concerning these changes are discussed below.

**Oxford Falls Valley**

As previously advised, the Minister has received a number of submissions in relation to land at Oxford Falls Valley. These submissions have objected to the E3 Environmental Management zoning of the land and have requested that either all or part of the Valley be deferred from the LEP pending the outcome of the planning studies recommended to be undertaken by the Planning Assessment Commission, or have requested that the land be zoned R5 Large Lot Residential, RU4 Rural Small Holdings or RU6 Transition.

In considering various options for this site, the Department is of the opinion that the most appropriate option is to defer Oxford Falls Valley from the draft LEP until Council has undertaken the studies recommended by the Commission.

Upon completion of these studies, Council will be in a better position to determine the appropriate areas to be zoned for conservation and if appropriate, any areas suitable for urban development.