



Warringah Urban Fringe Association Incorporated  
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5 February 2015,  
Jonathon O’Dea,  
Member for Davidson.  
Suite 8A, 12-18 Tryon Rd,  
Lindfield, 2070

Dear Jonathon,

**Oxford Falls Valley and Belrose North Strategic Review, Warringah**

On 23 January 2015, Marcus Ray (Acting Deputy Secretary, Planning Services, Department of Planning and Environment) wrote to Warringah Council on behalf of the Minister for Planning. This letter can be found in Appendix A. Mr Ray’s letter represents a major change in direction by the Department of Planning and Environment that you may not be aware of, that effects a lot of landowners in your electorate.

On 17 March 2014, then Minister for Planning, Brad Hazzard issued a letter to Warringah Council stating that “all land in the strategic review as having low-to-moderate environmental development constraints and proposed to be an environmental zone, be further reviewed to validate the environmental significance of the land. The subject land will continue to remain deferred until such time that further evidence based planning is undertaken”. Brad Hazzard’s letter can be found in Appendix B of this letter. No further evidence based planning has taken place since Brad Hazzard’s letter was written.

Brad Hazzard’s letter is consistent with the key recommendations of the Department of Planning’s review into Environmental Zones on the north coast. The letter written by Marcus Ray goes against this Ministerial instruction and against the Department of Planning’s Environmental Zone recommendations. The land that Marcus Ray’s letter proposes to zone an Environmental Zone includes a large church, school, tennis centre, nursery and a lot of privately owned properties (most being 100% cleared) that are of low to moderate environmental value.

As part of Stage 1 of the Strategic review process the Warringah Development Assessment Panel (WDAP) held a public hearing and came to a **unanimous** decision 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”*

The letter written by Marcus Ray goes against this unanimous WDAP recommendation.

WUFA requests your urgent intervention in this process to ensure our members (a church, schools, tennis centre, golf club, nurseries and over one hundred private landowners) are not unfairly zoned as an Environmental Zone, and that Stage 2 of the Strategic Review be undertaken by an independent organisation urgently so minimum lots sizes and correct strategic zonings can be applied. We ask you to keep the whole area deferred until Stage 2 of the Strategic Review is completed. This recommended process will allow the deferred area to be considered in regard to the recently released "A Plan for Growing Sydney".

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](mailto:president@warringahurbanfringeassociation.org.au)**



Office of the Secretary

Mr Rik Hart  
General Manager  
Warringah Council  
Civic Drive – 725 Pittwater Road  
Dee Why NSW 2099

14/18047

Dear Mr Hart

Thank you for your letters of 11 and 17 September 2014 relating to the Oxford Falls Valley and Belrose North Strategic Review and deferred land from the Warringah Local Environmental Plan 2011. The Minister has asked me to reply on her behalf.

I note Warringah Council's resolution on 26 August 2014 requesting that the Department of Planning and Environment determines the deferred land based on the various options presented to Council.

I note that this has been an extensive and complex process with a high level of community interest. It is important that the land does not continue to remain deferred so that surrounding landowners and the broader community are given certainty. Resolution of this will allow for a single Local Environmental Plan to cover the Warringah Local Government Area.

There is sufficient evidence to implement the findings of the Strategic Review by translating the existing character-based controls into zones in the Warringah Local Environmental Plan 2011. I consider that this is an appropriate way forward.

The majority of the land in the Oxford Falls Valley and Belrose North area has clear environmental value. These areas should be considered for an E3 Environmental Management zone consistent with the findings of the Strategic Review (Option Two - Land Use Zoning Map reported to Council on 26 August 2014).

Land mapped as having 'no to moderate' environmental constraints should be zoned to reflect the existing character, level of clearing and current land uses. The land in this category along the Wakehurst Parkway should be zoned E4 Environmental Living.

Council may wish to consider expanding the current permitted land uses for the E4 Environmental Living zone to include environmental facilities, extensive agriculture, farm buildings, home industries, horticulture where consistent with the mandatory land uses of the zone. It is noted the current objectives for the zone specifically cater to water-related business and leisure uses, and these would also need to be expanded.

Additionally, I encourage Council to separately begin the Stage 2 analysis to review the minimum subdivision lot size controls following the rezoning of the land. Any additional

studies will be the responsibility of Council and form the basis of a future planning proposal.

I therefore request Council submit a planning proposal for the deferred land seeking a Gateway determination within three months of the date of this letter. I have asked the Metropolitan (CBD) team to continue working with Council throughout the plan making process.

If you have any further enquiries about this matter, please contact Mr Lee Mulvey, Director of the Department's Metropolitan (CBD) team, on (02) 8575 4140.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

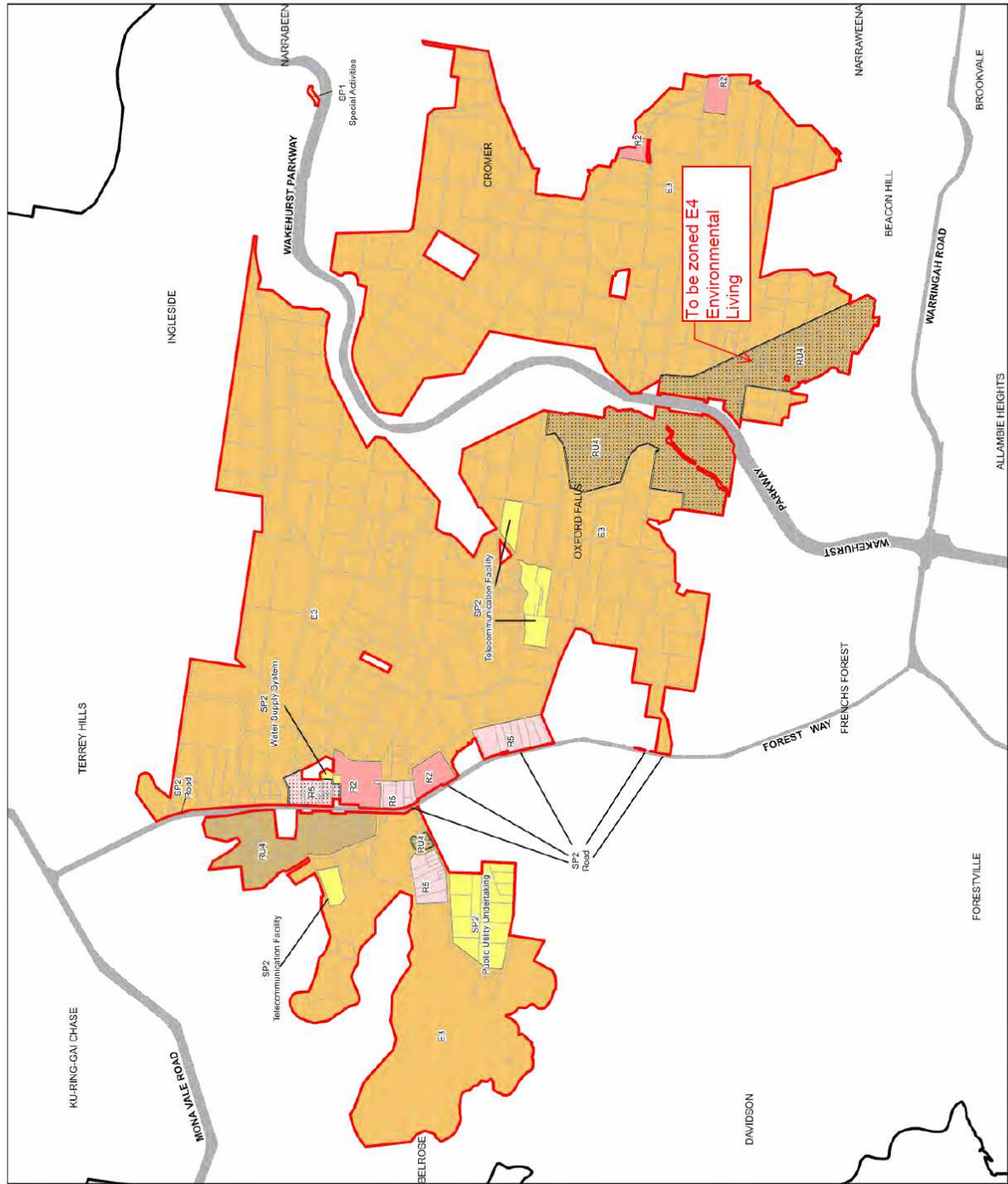
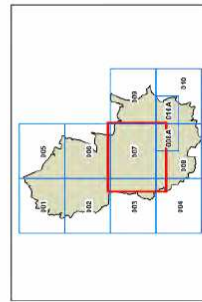
Marcus Ray  
Acting Deputy Secretary  
Planning Services

23/01/15

**Option 2 : Land Use Zoning Map**

**Oxford Falls Valley and Belrose North Strategic Review**

- WLEP 2011 Land Application Map**
- Defined matter (Study Area)
  - WARRINGAH
  - Cadastre
- Cadastre 26/07/2014 © Warringham Council**
- Major Roads
- Draft Land Zones**
- E3 - Environmental Management
  - R2 - Low Density Residential
  - R3 - Large Lot Residential
  - R4 - Primary Production Small Lots
  - SP1 - Special Activities
  - SP2 - Infrastructure
- Alternatives to E3 Zone**
- R3 Alternative to E3
  - R4 Alternative to E3



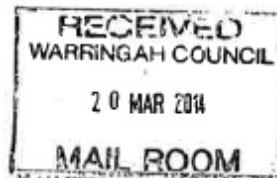
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**The Hon Brad Hazzard MP**  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure

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

13/20719



Dear Mr Hart-

I am writing concerning the Oxford Falls Valley and Belrose North Strategic Review.

The review was initiated to examine the deferred land under the *Warringah Local Environmental Plan 2011* following concerns raised by residents.

I appreciate that this has been a complex process which has included extensive analysis of both environmental and infrastructure constraints, while considering the overall impact land uses may have on the existing character of the area. An important part of the overall process has been consultation with the community.

Permitting additional uses on some land will suitably respond to landowner submissions. However, it is of concern that a large number of landowners objected to the proposed environmental zone being applied to their land, mainly on the basis that the land was cleared and contained little environmental value, as well as the loss of development potential.

On 23 December 2013, Council responded to my earlier correspondence requesting a commitment to undertaking studies as recommended by the Planning Assessment Commission in 2009 effectively being stage 2 of the Strategic Review. The Commission identified that additional studies be undertaken to assess the cumulative impact of potential development and determine the urban capability of the Oxford Falls Valley and Belrose North catchment. It was requested that these studies be completed within a 5 year timeframe (ie. in 2014).

These studies will provide the evidence base to assure the community that the most appropriate land uses, zoning and development controls are being proposed. In light of the above, Council's proposed 3 year timeframe should be significantly reduced. I request Council submit a revised timeframe that is more closely aligned with the Commission's recommendations.

Additionally I request that all land identified in the Strategic Review as having no-to-moderate environmental development constraints and proposed to be an Environmental zone, be further reviewed to validate the environmental significance of the land. The subject land will continue to remain deferred until such time that further evidence based planning is undertaken.

I understand the next steps in the Strategic Review process will be:

- commencement of the studies as discussed above;
- the Warringah Development Assessment Panel (WDAP) will consider all submissions, conduct an independent public hearing and provide an independent report to Warringah Council for consideration;

- following WDAP, the Strategic Review and Submissions Report will be reported to a Council Meeting for adoption; and
- the final recommendations of the Strategic Review, once adopted by Council, will form the basis of a planning proposal to incorporate the deferred lands into the *Warringah Local Environmental Plan 2011*. This planning proposal will be publicly exhibited for further public comment.

I have asked my Department to make the Submissions Report and this letter publicly available to promote an open and transparent planning system.

If you have any further enquiries about this matter, I have arranged for Mr Neil McGaffin, General Manager Metropolitan Delivery, to assist you. Mr McGaffin can be contacted on 02 9228 6162.

Yours sincerely

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

**THE HON BRAD HAZZARD MP**  
**Minister**

17 MAR 2014