



Rob Stokes
Minister for Planning

Mr John Holman
Warringah Urban Fringe Association
PO Box 125
Belrose NSW 2085

15/10882

Dear Mr Holman

Thank you for writing to me about our meeting on 24 June 2015 regarding Oxford Falls Valley and Belrose North.

I am aware there are a number of matters that require further consideration in progressing Council's planning proposal and I have since met with Council in this regard. I am however confident that an appropriate planning outcome can be achieved and have requested the Department to continue working with Council and the community.

To progress the matter, I make the following comments below.

The amendment to Warringah LEP 2011 is to be a translation of Warringah LEP 2000. The principle I have asked the Department to work to in considering the Gateway determination is that currently permissible uses will continue to be permissible under the new zoning. This relates to Category 1 and Category 2 uses under the Warringah LEP 2000 not Category 3 uses.

In relation to seniors housing, the Department of Planning and Environment has agreed that where *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP) currently applies, seniors housing will continue to be permissible. To do this, the Department will identify all properties where the SEPP currently applies, including that land currently proposed to be zoned E3 or E4 (or any other zone) by the Council planning proposal.

It is not proposed to extend the permissibility of seniors housing to any new land through this planning proposal. This is consistent with the principle of translation which informs this LEP amendment.

However, the actual zone to be used for any land will be a matter for Council to determine in accordance with the Gateway determination and established policies and guidelines.

The Department will also engage an ecological consultant to review the suitability of the land that is proposed by Council to be E4 Environmental Living. This offer is not extended to other proposed zonings under this amendment, including land proposed to be zoned E3 Environmental Management. This is because the E4 zone was suggested by the Department for consideration as a suitable zone, and not by the Council.

The Department will liaise with Warringah Urban Fringe Association (WUFA) and Council on the criteria that will be used to assess the characteristics of properties in determining an appropriate zone. This will include a combination of desktop analysis, contemporary mapping and ground truthing.

The Department agrees to settle the scope and methodology of the ecological study in consultation with WUFA and Council.

The Department understands that WUFA needs to have confidence in the consultant undertaking this work. If WUFA or the Council remains dissatisfied with the approach proposed by the Department's consultant, then the Department will retain another consultant agreed by the parties.

The Oxford Falls and Belrose North areas represent an important locality within the Warringah local government area. I expect that through this planning process, a balanced approach will be achieved between planning for its future uses and protecting the environmentally sensitive assets of the area. I encourage WUFA to continue liaising with the Department and Council.

If you have any further enquiries, please contact Mr Simon Manoski, Acting General Manager, Metropolitan at the Department on (02) 9228 6565.

Yours sincerely



Rob Stokes
Minister for Planning