



**Warringah Urban Fringe Association Incorporated  
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26 June 2015,  
The Hon. Rob Stokes,  
Minister for Planning,  
Level 34 Governor Macquarie Tower,  
1 Farrer Place,  
SYDNEY NSW 2000

Dear Minister,

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

Thank you for meeting with the representative landowners group on 24 June 2015, we really appreciate it. I thought I would write to you and outline our understanding of the issues raised and our perceived outcomes of the meeting.

Introduction by WUFA:

1. We want to see the high Environmental value land behind our member's land, protected by being zoned an environmental zone (E3), however we do not support the zoning of privately owned land that is of low to moderate environmental value as an environmental zone.
2. We feel the zoning of our member's private land (which is mostly cleared) as E3, the same zone as the virgin bush behind our member's land (that is often used by bush walkers and bike riders) downgrades the protection provided by the E3 zone.
3. We are unhappy that after 4 years of stage 1 of the Strategic review process the current proposal remains to downzone some privately owned land to E3 & E4 against clear Ministerial directives and numerous factual submissions that have historically been provided.
4. We still do not believe that a translation of the current rights of landowners in the proposed E3 & E4 zones has been attempted and we believe that Warringah Council has been given ample opportunity to effect such a translation but will not do so despite zones being available under the Standard Template LEP to accurately translate. We raised as an example, land that currently has seniors living as a permissible use and specially the application of the State planning instrument applicable which should not have application removed or diluted in any way. This is only one of many examples of permitted uses that are removed by the proposed environmental zoning of the land.
5. We are unhappy that the Department of Planning stated that they never intended to carry out stage 2 of the review (despite the public information session held on 15 October 2012 being told by the Department of Planning that the Strategic Review would be undertaken in two stages and this being documented at that time).
6. We are unhappy with how the process of the Stage 1 review has been carried out, the lack of community involvement and lack of transparency (WUFA has had to apply under GIPA to get all of the information that should have been publically released, some of which has still not been released).

7. We have lost confidence in the Department of Planning's ability to impartially manage the strategic review process due to the lack of acknowledgement of factual inaccuracies that have been brought to the Department's attention. We outlined that we would like the Planning Assessment Commission to look after Stage 2 of the Strategic Review.

#### Points raised by the Minister for Planning:

1. The Minister stated that his instruction to the Department of Planning is to ensure that whatever land uses are permissible under LEP 2000 will remain as permissible uses in any new proposed zoning to ensure an accurate translation.

#### Points following from the Department of Planning:

1. The Department of Planning has decided to engage an independent ecological consultant to review the ecological value of the land that is proposed to be E4 under the current planning proposal.
2. The Department of Planning propose to engage Eco Logical Australia to carry out the ecological study.

#### WUFA response:

1. It is not only proposed E4 land that we are talking about. We are concerned that privately owned land that is proposed to be E3 or E4 should not be downzoned through the application of an environmental zone.
2. WUFA does not want the study to be undertaken by Eco Logical Australia as they carried out a very biased biodiversity study that Warringah Council has agreed not to use for planning purposes.
3. WUFA has suggested the ecological study be carried out by Parson Brinkerhoff as they carried out the extensive Non Urban Lands Study into the land in the Strategic Review area and also carried out the only comprehensive review into environmental zones that has been carried out by the Department of Planning (the Northern Council's ezone review). They have a clearly demonstrated track record applicable to the issue at hand and appear the most appropriately qualified for the engagement.
4. It was noted that prior to the engagement of an ecological consultant to perform the necessary assessments, the Department undertake an initial desktop filter to remove properties where SEPP (HSPD) applies. The conflict between this State Government instrument and E zones, where it cannot apply, means that an accurate translation of those properties using E zones cannot occur. The Department can identify these properties and propose a suitable zone that does not prohibit the application of SEPP (HSPD) and focus the ecological review on fewer properties which will enable a higher quality assessment of those properties.

#### What was agreed to:

1. The Department of Planning has been instructed by Minister Stokes to ensure that whatever land uses are permissible under LEP 2000 will remain as permissible uses in any new zoning.
2. For any privately owned land that is proposed to be zoned an Environmental zone (E3 or E4), the Department of Planning will exclude any properties to which SEPP (HSPD) applies and for the remaining properties, engage an ecological consultant to carry out an ecological study to establish that the environmental value of the land meets the criteria to receive the proposed zoning.
3. WUFA will have the opportunity to agree to the scope & methodology of the ecological study with the Department of Planning.
4. WUFA will have the opportunity to agree to the selection of the consultant to carry out the ecological study.
5. The Department of Planning does not want to engage in a process that WUFA is not happy with.

Acknowledgements:

1. WUFA expressed their appreciation for the work that Jonathon O'Dea and Brad Hazzard have put into this process over many years.
2. WUFA expressed their appreciation for being able to meet with Minister Stokes.

Again we thank you for meeting with the landowners and we look forward to a constructive way forward. We would welcome the opportunity to be available to you, your team or the Department of Planning to assist in any way we can with the like for like translation you have instructed and the ecological assessments proposed by the Department of Planning.

Yours sincerely,

Handwritten signature of John Holman in black ink.

**John Holman BE (Hons), MBA**

**President**

**Warringah Urban Fringe Association Inc. (WUFA)**

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**Cc** Brad Hazzard (Member for Wakehurst)  
Jonathon O'Dea (Member for Davidson)  
Marcus Ray (Deputy Secretary, Planning Services, NSW Department of Planning)  
Simon Manoski (A/General Manager, Metropolitan Planning Services NSW Department of Planning)