



Oxford Falls Valley & Belrose North Strategic Review



June 2013

Frequently Asked Questions

WHY IS THE STRATEGIC REVIEW BEING UNDERTAKEN?

- The Department of Planning and Infrastructure and Warringah Council have worked in partnership to prepare the Oxford Falls Valley and Belrose North Strategic Review.
- The Minister for Planning & Infrastructure Brad Hazzard deferred the incorporation of the Oxford Falls Valley and Belrose North area from Warringah's local environmental plan (LEP) when it was published in 2011, following concerns raised by residents about the level of consultation on the draft LEP.
- Unlike most other LEPs in NSW, the Warringah LEP published in 2000 does not contain land use zones. Rather it contains 'character statements' for individual precincts, which makes it more difficult to translate these to equivalent zones in the new statewide template for LEPs.
- The review was initiated to examine how to include the Oxford Falls Valley and Belrose North areas in new Warringah Council planning controls, by considering the most appropriate zones and land use controls. Community consultation is a key element of the strategic review process.

WHAT DOES THE STRATEGIC REVIEW RECOMMEND?

- The department and council are seeking feedback until 7 August 2013 on a draft report detailing proposed planning controls for Oxford Falls Valley and Belrose North under Warringah LEP 2011.
- The Draft Oxford Falls Valley and Belrose North Strategic Review Report found the majority of the area should be zoned E3 environmental management – because of its environmental values and relatively limited infrastructure.
- Some smaller areas of land have been identified for alternative zonings or uses, including low density and large lot residential, small lot rural production and for special infrastructure purposes.
- Three additional areas are recommended for uses including employment, public worship and quarry-related activity.



WHAT INFORMATION WAS USED TO INFORM THE STRATEGIC REVIEW?

- The department and council considered the following information as part of the strategic review:
 - Relevant planning legislation, studies, policies and guidelines
 - Existing land use controls, environmental constraints and infrastructure provisions
 - Extensive stakeholder feedback, submissions and meeting outcomes
- A public information session was held in October 2012, while the strategic review was also informed by 176 individual site visits, briefings with local councillors and public submissions.

WHAT WOULD THE PROPOSED ENVIRONMENTAL MANAGEMENT ZONE MEAN?

- The environmental management zone permits a range of development types such as houses, home-based occupations, community facilities, agriculture, farm buildings, environmental facilities and recreation areas.
- This strategic review has found that the zone reflects the land uses most consistent with the character statements for Oxford Falls Valley and Belrose North that apply under Warringah LEP published in 2000.
- The maximum height of buildings allowed within the E3 zone would be 8.5m, while generally only one dwelling is permitted per 20 hectares of land – the same height and density limits which apply to both Oxford Falls Valley and Belrose North under the Warringah LEP 2000.
- Land uses which were considered to be inconsistent with the desired future character of the area (predominantly known as Category 3 land uses) are prohibited under the E3 zone, as there are no equivalent planning controls in the Standard Template LEP to consider such land uses. Prohibited land uses can still however be considered via the planning proposal process.

HOW CAN CLEARED LAND BE INCLUDED IN THE ENVIRONMENTAL MANAGEMENT ZONE?

- The E3 Environmental Management zone is not generally intended for cleared land, but can be applied as a transition area between a high conservation area and intensive land use.
- Agriculture is permitted in the E3 zone, subject to receiving planning approval from the council or another planning authority.
- Prior to identifying which zone should apply to particular areas, the project team considered the desired future character of the area, whether the land was isolated, and whether there may be a significant impact from applying another zone without undertaking additional studies.

WILL EXISTING LAND USES STILL BE PERMITTED?

- Lawfully-established land uses can continue to be carried out or be expanded as an “existing use” under the current NSW planning legislation.

DOES THE REVIEW CONSIDER THE POTENTIAL FOR FUTURE DEVELOPMENT?

- This stage in the strategic review process is not intended to evaluate the future development potential of the land.
- The strategic review involves consultation with landowners and the community, as well as a review of relevant information, to identify the most appropriate zones for the Oxford Falls Valley and Belrose North areas. This will allow these areas to be brought into the current Warringah LEP 2011 so that all planning controls for the Warringah local government area are contained in one LEP.
- In 2009, the Planning Assessment Commission recommended a number of studies. These studies will be conducted in the next phase of the process and will look at the urban development potential of land.
- No changes to existing lot sizes are proposed by the strategic review.

IS SENIORS HOUSING PERMITTED IN THE PROPOSED ZONES?

- Under the previous Warringah LEP 2000, landowners could apply for a seniors housing development in the Oxford Falls Valley and Belrose North precincts if the land adjoined 'urban land' and met stringent planning requirements. However, these requirements made it difficult to obtain planning approval.
- Under the E3 Environmental Management zone proposed for most of the study area, seniors housing is prohibited, even if it adjoins urban land.
- Seniors housing may be permitted in some other zones proposed within the precinct including on large lot residential land (where it adjoins urban land) or in low density residential areas.

WILL THE ENVIRONMENT BE PROTECTED BY THE STRATEGIC REVIEW'S RECOMMENDATIONS?

- The strategic review considered the most recent information available about the environmental constraints which exist in the study area. The environmental features of the land and the constraints were a key consideration in identifying the most appropriate zones.
- The environmental management zone is designed to protect important environmental land from inappropriate development.

CAN A SCHOOL EXPAND IN AN E3 ZONE?

- The expansion or construction of a public or private school (or other educational establishment) is permitted with consent in the E3 zone if it is on land where there is already a school or on land adjoining an existing school.

WHAT ARE THE NEXT STEPS?

- The strategic review report is on exhibition for just over six weeks until **7 August 2013** and comments can be lodged during this period.
- The Warringah Development Assessment Panel (WDAP) will then consider all submissions, conduct an independent public hearing and provide an independent report to Warringah Council. Information on the WDAP process and how to address panel members at this meeting is available at www.warringah.nsw.gov.au. WDAP timing is anticipated as soon as possible following exhibition.
- Following WDAP, the Strategic Review Report will be finalised and reported to a full Council Meeting. Council will then prepare a planning proposal, to bring Oxford Falls Valley and Belrose North into the council-wide Warringah LEP 2011. This planning proposal will be exhibited for public comment.
- The next phase will involve conducting further studies to determine the future urban development capability of land, as recommended by the Planning Assessment Commission Report, 2009.

HOW CAN I HAVE A SAY?

- Any person wishing to make a submission should use the online form, which is available from the department's exhibition portal at www.planning.nsw.gov.au/proposals
- All submissions received will be made public in line with the department's objective to promote an open and transparent planning system. Before making a submission, please read our privacy statement at www.planning.nsw.gov.au/privacy or call 1300 305 695 to obtain a copy.
- If you cannot lodge your submission online, you can write to the Department of Planning & Infrastructure's Sydney East Region, GPO Box 39, Sydney NSW 2001.
- If you want the department to delete your personal information before publication, please make this clear at the top of your letter. You need to include your name and address (top of the letter only), the name of the draft review report, and a statement on whether and why you support or object to the draft review report.

WHO DO I CONTACT IF I HAVE ANY QUESTIONS?

- For general enquiries, phone the Department of Planning & Infrastructure Information Centre on (02) 9228 6333.
- Specific enquiries can be emailed to the Oxford Falls Valley and Belrose North Strategic Review Project Team at ofbn-review@planning.nsw.gov.au