

# **Submission to the Oxford Falls Valley & Belrose North Strategic Review in Regard to the Property at 217 Forest Way Belrose**

**31st July 2013**

## **1. General Description of the Property**

### **1.1 Internal Characteristics**

The land is approximately 80% cleared with a residence and out buildings including a tennis court. There is a small degree of 'home farming' in place with chickens, fruit trees and several large vegetable gardens.

Approximately 10% of the land, at the north western part of the block, is planted with a wide range of Australian native rainforest trees. A small number of these are local but the majority are sub-tropical species.

5% of the block consists of remnant native vegetation, located in the south eastern corner.

The remaining 5%, along the eastern boundary, is totally infested with lantana and crofton weed, with very little remaining native vegetation.

### **1.2 Surrounding Land**

The block is bounded on the west by Forest Way, with a nursery and rugby field opposite; on the north by a small parcel of crown land with badly degraded native vegetation on it; on the east by a gravel road leading to a residential property; and on the south by a fully cleared block used for residential and horse agistment purposes.

## **2. Application of the Zoning Evaluation Process**

### **2.1 Step 1**

At step 1 the vast majority of the block was determined to have no significant constraint. Small patches at the eastern boundary were found to have moderate environmental constraint, but this would seem to be based on outdated information, since, as mentioned, most of this land has no native vegetation at all.

### **2.2 Step 2**

The site was not identified as isolated or likely to have a significant cumulative effect.

### **2.3 Step 3**

As a result of the secondary environmental assessment, the block was classified as Category 'A', low restriction.

### **2.4 Step 4**

When considered on a site by site basis, for some reason the block was determined as appropriate for the E3 zoning. No specific reasons are provided for this recommendation.

### **3. E3 Determination**

#### **3.1 The E3 Zoning Intention**

The draft strategic review document summarises the application of the E3 zoning as to "be applied to land that has special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards. This zone might also be suitable as a transition between areas of high conservation value and other more intensive land uses."

The application of E3 is further clarified by the NSW Dept of Planning practice note PN 09-002, which states:

- a) "...the zone is generally not intended for cleared land."
- b) "... (it may be applicable) as a transition between high conservation value land, e.g. land zoned E1 or E2 and other land such as that zoned rural or residential."

#### **3.2 Draft Review Determination**

The block was not determined to have special ecological, scientific, cultural or aesthetic attributes as a result of Steps 1 to 3 in the review process. In fact by the stage of Step 3 it had been given the lowest restriction classification. Presumably environmental value was therefore not the basis for the E3 recommendation.

It would appear that the only logical basis for the E3 recommendation was therefore that the land should act as a transition between areas of high conservation value and other more intensive land uses.

### **4. Submission**

#### **4.1 The "Transition" Proposition**

In my view it is difficult to see how land zoned E3 could be a transition from land zoned E3. The Dept of Planning practice note correctly suggests that an E3 transition zone would exist as an area between E1 or E2 land and land of more intensive zoning. In other words, the concept of a 'transition' is that of an area with a distinct differentiation from the zonings on either side of the subject property.

The proposition that this block would be a 'transition' from the E3 zone appears to be nothing more than a simple extension of the E3 zoning area.

#### **4.2 Request**

I respectfully request that a reassessment be made of the recommendation for 217 Forest Way Belrose to be zoned E3. I believe that a more appropriate zoning for this block would be either R5 Large Lot Residential, or RU4 Primary Production Small Lots.

My thinking in making this request is as follows:

- a) The block consists of substantially cleared land, for which E3 is not intended.
- b) It has been determined to be of low environmental value.
- c) The concept of this block as a 'transition' appears illogical.
- d) There is a natural road barrier to the east of the block which would represent an ideal basis for the commencement of the E3 zoning area.
- e) The intention of the R5 zone to "cater for development that provides for residential housing in a rural setting, generally located at the interface of environmentally sensitive land along one boundary and urban land along the other" seems to describe the block almost exactly.
- f) If there is a concern that R5 could in the future be too flexible in terms of the possibility of seniors housing, then an RU4 zoning may be considered to be more appropriate.

**Ian Woolcott**  
**Property Owner.**