

Response to Oxford Fall and Belrose North Strategic Review

The rezoning of land has the potential to affect land valuations and it would seem that the opportunity for comment and involvement of the owners of private land would naturally be part of any rezoning process.

The reaction by land owners to the zoning of land within Warringah as E3 – environmentally protected has demonstrated the concerns that the proposed zoning has raised and this review is part of the response to this.

However this review does not encompass all of the affected land in the area and specifically omitted the small number of properties at Terrey Hills designated as B9 in the original planning documents from Warringah council.

As one of the owners of a property within the B9 area, I would like to make two related but different points:-

The first is to do with the process that the Council has followed in assigning revised zoning classifications.

It appears to me that the land owners such as myself have been ignored and excluded from this process and have been treated with complete disdain by the council. I would make the point that one's primary residence is, for most people and certainly for me, their major asset and that rezoning has the potential for a severe impact on what is often a multi-million dollar investment so one would hope for and expect that any rezoning process would recognise this and give land owners the opportunity to have input to the process. This has not been done.

After the new zones were applied with apparently zero input from land owners, enough fuss was created that some areas were reviewed. However, our B9 properties were not included in this review. I have tried to raise this issue at various points but would note that there does

not seem to have been any formal mechanisms for doing this. I learn from the documents now published that because our land was not 'deferred' in the first place it has not been included as part of the review so we are back to square one with a zoning we do not consider appropriate and no justification as to why we have the zoning that has been assigned.

Which leads me to my second point - the actual zoning that has been assigned. Someone at some point has designated our land as zoned E3 Environmental Management. The LEP practice notes state that this is ".. for land where there are special ecological, scientific, cultural or aesthetic attributes or environmental hazards/processes ...", going on to say that "Where the primary focus is not the conservation and/or management of environmental values, a different zone type should be applied." and makes the point that "..the zone is generally not intended for cleared lands...".

My block of land is a residential block with a house, driveways, swimming pool, tennis court and landscape gardens with lawns and ponds. How is this reconciled with the E3 classification? The response when I asked this question was that "these are only guidelines." This implies that Warringah council has some special reasons to classify my block that don't meet these guidelines. Can anyone tell me what these are? Can anyone tell any subsequent purchaser what these are? How about any subsequent planning application?

It seems to me completely ridiculous to have state wide zoning with published rationales and meanings and then to have someone in Warringah council use some different criteria.

There do not seem to have been any published justifications for either the actual zonings assigned or for the selection process whereby only certain land parcels were selected for deferral and review.

I would also note that at no point in this whole process has anyone in the council written to us, visited or inspected the property.