



DUFFYS FOREST RESIDENTS ASSOCIATION INC

P.O. Box 567 TERREY HILLS 2084

Department of Planning

7TH July 2013

Dear Mr Haddad,

Re- Oxford Falls Valley and Belrose North Strategic Review

DFRA would like to preface this submission by questioning the rationale of commenting on the recommendations outlined in the draft report, prior to the determination of the planning reforms outlined in the NSW White Paper and Draft Exposure Bills.

The NSW Planning review has been running parallel to this review and proposes to truncate 37 zones into 13. It is proposed to combine RU2, RU6 and E3 into a broad rural zone. R5 and RU4 will absorb into a broad residential and resource zone respectively.

The timing of the Strategic review process and public exhibition seems an exercise in futility and a waste of tax payers money given the recommended zones in the strategic review report are unlikely to exist once the White Paper and exposure bills progress through NSW Parliament.

We are concerned that once the reduction in zones is implemented and broad mixed zones adopted, lot sizes may decrease; more intense development potential will be possible in the review areas resulting in further destruction of significant bushland.

The White Paper advocates the benefits of fewer and broader zones thus it seems remarkable that as a result of intense lobbying the review panel have acquiesced to the very public demands of a recently established lobby group and rather than reduce the zones applied to the review lands, the review panel has introduced the previously unused R5 zone.

As a result of intense lobbying from vested interests the additional zones, which might apply to the deferred lands, were predetermined and as a consequence the Department has overlooked zones, which may have provided a more accurate translation from the WLEP2000.

The draft report recommends R5 zoning for areas of land located on the northern side of Wyatt Avenue and eastern side of Forest Way and notes *“This land is generally located at the interface of environmentally sensitive land along one boundary and urban land along the other.”* The allocation of large lot ‘rural’ residential land must be justified by a strategy prepared in accordance with guidelines issued by the Department.

Department of Planning notes PN 09- 002, provide a possible alternative to the E3 zone and R5 zone. The practice notes state the E4 zone *“ will be typically applied to existing low impact residential development. This may include areas already zoned for rural residential that have special conservation value... Regional councils should distinguish carefully between the E4 Zone, the RU4 Rural Small Holdings and R5 Large Lot Residential Zones to address environmental, agricultural and residential land capabilities respectively.*

Where small holdings undertake agricultural production such as viticulture or cropping such as growing berries, the RU4 Zone should be considered. If there are few environmental considerations, then R5 may be the appropriate zone.”

The primary and secondary constraints analysis map documents significant and severe environmental constraints to much of the land at Wyatt Avenue and a section of land east on Forest Way.

Given these well documented mapping of environmental constraints the report has not clarified why E4 was not considered for some of these lands. It is apparent that this is the first step toward future urban growth and erosion of Warringah non-urban lands.

DFRA does not support customized zonings for individual landholders of non-urban lands who seek to override environmental constraints and increase the existing density and permitted land uses of their holdings. It appears the lobbying will continue until the lot size maps for residential development are altered to support additional density. This is of particular concern given the aspirations of the NSW planning reforms which will incorporate R5 into a broad residential zoning and prioritises fast tracking development. There is little doubt in the wider community that this combination equates to further destruction of native bushland.

Furthermore the existing LEP2000 states in Locality C8 North Belrose **'Bushland Setting; A minimum of 50% of the site area is to be kept as natural bushland or landscaped with local species.'** The proposed R5 does not provide for any of these concerns.

A number of the land uses permitted with consent in the E3 zone are inappropriate for much of the land in the review areas and offer little protection to the conservation value of pristine bushland, threatened species and riparian zones.

DFRA strongly supports and applauds the initiative of the MLALC who seek for a large part of their lands in the study area to be reserved and leased as an Aboriginal Owned Park under Part 4A of the National Parks and Wildlife Act. We encourage the NSW Government to provide all necessary support to fast track this proposal.

The review panel should use the Biodiversity Study undertaken by Warringah Council to identify areas that should be zoned E1 or E2, given a number of documented vegetation communities are known exist in deferred lands but are not represented within Garigal or Ku-ring-gai Chase National Park. This would ensure that sensitive bushland areas will be maintained and would be closer to the existing planning controls for the purposes of transferring the controls to the new standard instrument.

Yours sincerely,

A handwritten signature in cursive script, reading "Jenny Harris". The signature is written in dark ink on a light background.

Jenny Harris
Secretary