

16 Wyatt Ave,  
Belrose, 2085  
30 August 2013

Strategic Review Committee,  
Oxford Falls Valley and Belrose North Strategic Review,  
Department of Planning and Infrastructure,  
GPO Box 39,  
SYDNEY NSW 2001

Re: 14 and 16 Wyatt Ave, Belrose (Site ID: A5)

This is a submission to the Draft Oxford Falls Valley and Belrose North Strategic Review Report.

The points we would like to raise are:

- 1) We agree with the zoning of our land as R5 (Large Lot residential) in stage 1 of this strategic review.
- 2) The minimum lot size has not been addressed and must be addressed.
- 3) The Site Analysis for our properties has not been done correctly.
- 4) The Environmental Constraints shown on Warringah Council's records are wrong and need correcting.
- 5) Our properties should be considered for further zoning consideration.

Further information on these points is provided below.

## **2) Minimum Lot Size:**

The minimum lot size of one house per 50 acres (200,000m<sup>2</sup>) was put in place with IDO51 in 1974 as a temporary measure. Land owners were advised in 1974 that this temporary measure would be lifted in 6 months time. Our land is 2,276m<sup>2</sup> (14 Wyatt Ave) and 9,333m<sup>2</sup> (16 Wyatt Ave). A minimum lot size of 200,000m<sup>2</sup> is ridiculous.

The draft report states:

“The density control was developed in 1974 under an Interim Development Order 51 to respond to the water quality issues of the Narrabeen Lagoon Catchment impacted on by the residential development in the 1960s and 1970s within the study area. Revising the density control within the study area is therefore premature until water quality impacts for the catchment is considered in detail.” (Extract from Page 26)

Three points to do with this issue:

- 1) Our land does not drain to Narrabeen Lagoon.

- 2) Why spend all of this time and effort doing a strategic review if you don't revise the density controls (which were meant to be revisited in 6 months from 1974)
- 3) The Water Quality Study has been done by Warringah Council and is titled "Warringah Non Urban Lands Study Stage 2 – Impacts on Water Quality of Narrabeen Lagoon" and is 66 pages long. This report forms Appendix E of this submission.

The conclusion of the Water Quality Study was:

### **“CONCLUSIONS**

It has been determined that development of the areas identified as suitable from Stage 1 of the NULS (PPK, 2000), which drain to Narrabeen Lagoon, can be undertaken without a subsequent reduction in water quality in Narrabeen Lagoon, and in most cases an increase in water quality can be achieved.”

We ask that the minimum lot size for all of the land proposed to be R5 on the Northern side of Wyatt Ave is 1,000m<sup>2</sup>.

### **3) Site Analysis:**

We believe the two separate properties at 14 and 16 should have had a separate site analysis done for each parcel of land. No 14 adjoins urban land, and does not adjoin bushland. No 16 adjoins urban land (front) and adjoins bushland (rear), as shown on the site analysis.

Appendix A of this submission contains the Site Analysis for our property.

Appendix D of this letter contains an independent report titled “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd which provides an accurate Site Analysis done by professional Environmental Consultants. This report was done in August 2013.

The site analysis done by Oxford Falls Valley and Belrose North Strategic Review for our property has many inaccuracies which need to be corrected as per the attached environmental report.

#### 4) Environmental Constraints

Below is an extract from the Secondary Constraints Analysis (Our property is Site ID A5):

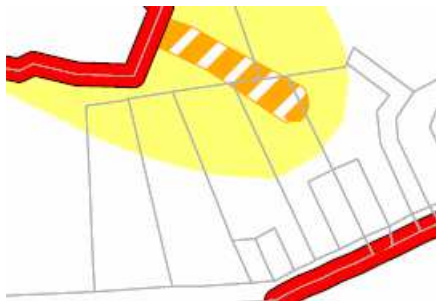
SECONDARY CONSTRAINTS ANALYSIS – OXFORD FALLS AND BELROSE NORTH – Any Constraints

Site ID	Address	Heritage	Bushfire	Centres	Transport	Infrastructure	Telecoms	Riparian	Sig Veg	Corridor / Habitat	Th Spec	Flooding	Wetland Buffer	Cumulative Score	Rating 1	Rating 2	Comments
A1		0	2	3	2	0	0	3	0	0	3	0	0	13	B	B	
A2		0	2	3	2	0	0	3	0	0	2	0	0	12	A	B	
A3		0	2	2	2	0	0	0	0	1	2	0	0	9	A	A	
A4		0	2	2	2	0	0	3	3	1	2	0	0	15	B	C	
A5		0	2	2	2	0	0	3	3	1	0	0	0	13	B	B	
A6		0	2	2	2	0	0	3	3	1	3	0	0	13	B	B	
A7		0	2	2	2	0	0	3	1	3	0	0	0	13	B	B	
A8		0	2	2	2	0	0	0	0	1	0	0	0	7	A	A	

This has the following inaccuracies:

##### a) Riparian Land:

Below is a section of the Riparian Constraints Map provided by the E3 Strategic Review which incorrectly shows riparian land on our property:



Appendix D of this submission contains “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd. This report states “The code given in Table 2 for Riparian Land at the subject site is ‘3’ compared to that at No. 18 - 20 Wyatt Avenue where the indicative score index is ‘0’ and where water is similarly directed downslope via plastic piping (Table 2). This coding for riparian land at the subject site is considered anomalous as qualified above and should be changed to ‘0’.”

Can you please amend your records to reflect this.

##### b) Significant Vegetation:

Significant vegetation was listed under the secondary constraints as 3 when the property is over 90% cleared paddocks (as shown on the E3 Strategic Review site inspection report). Appendix B of this submission contains the Vegetation Classifications for our land from the Non Urban Lands Study. The Non Urban Lands Study listed our properties as the lowest possible vegetation classification.

Appendix D of this submission contains “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd. This report states “The code given in Table 2 for Significant Vegetation at the subject site is ‘3’ and this is considered anomalous and should be changed to ‘0’ as is the case for the similarly cleared properties in the locality”.

Can you please amend your records to reflect this.

**c) Wildlife Corridors and Core Habitat:**

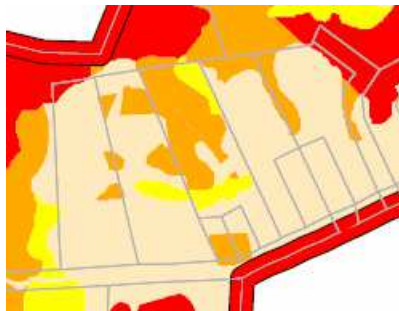
Appendix D of this submission contains “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd. This report states “The code given in Table 2 for Wildlife Corridors and Core Habitat at the subject site is ‘1’ and this is considered anomalous and could be changed to ‘0’.”

Can you please amend your records to reflect this.

**d) Threatened Species:**









The threatened species is shown for our land as 2. There are no threatened species or wildlife corridors on our land. The rear of our land is all fenced and is horse paddocks.

Below is a section of the threatened species habitat constraints map showing our property as “Low Habitat”:



**Legend**

**WLEP 2011 Land Application Map Constraint - Threatened Species Habitat**

	Deferred matter (Study Area)	<b>Condition ; Score</b>		Known Habitat ; 20
	WARRINGAH			Potential Habitat ; 10
	Major Roads			Moderate Habitat ; 3
	Cadastre			Low Habitat ; 0

Appendix D of this submission contains “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd. This report states “The code given in Table 2 for Threatened Species Habitat at the subject site is ‘2’ and this is considered anomalous as qualified above and should be changed to ‘1’.

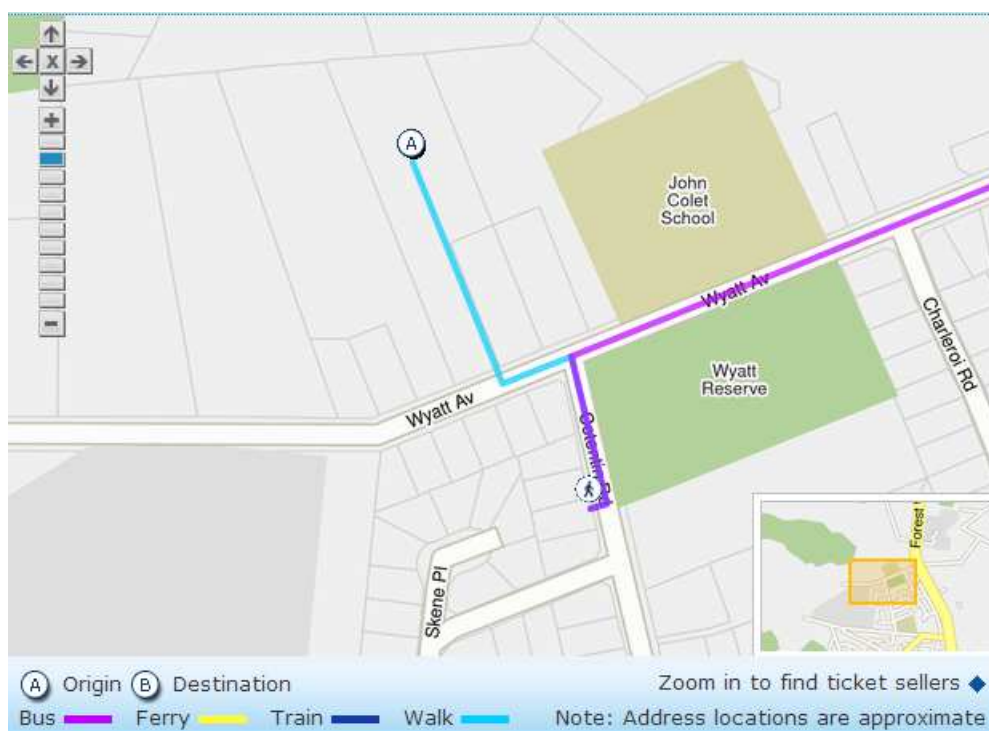
Can you please amend your records to reflect this.

### e) Transport:

Below is an extract from page 71 of the Draft Oxford Falls Valley and Belrose North Strategic Review Report:

SECONDARY CONSTRAINT	IMPORTANCE	LAYER	CRITERIA	SCORE
Proximity to centres	Locate urban development near established village or neighbourhood centres.	A	Land within 400m of a village or neighbourhood centre	1
		B	Land within 800m of a village or neighbourhood centre	2
		C	Land greater than 800m of a village or neighbourhood centre	3

Below is a map from the NSW Transport Info website showing our property and the nearest bus stop. It is listed as being 96m from our property as shown with the blue line below (Note: the 96 m is from the point marked centre of the property, not the front gate).



This bus stop is very well serviced. The Secondary Constraint for our property should be “A” with a score of “1”, not “2” as outlined in the secondary analysis of our property.

Can you please amend your records to reflect this.

**f) Overall Environmental Constraints:**

Appendix D of this submission contains “Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd. This report states “As such, it is considered that a cumulative score for infrastructure and environmental constraints parameters is more objectively given by a score of 7 for the ‘Rating 2’ category in Table 2. This aggregate score would subsequently relate more accurately to a potential future development of ‘CATEGORY A’ inferring ‘Low restriction to development’ (scores from 2 – 10) compared to the ‘CATEGORY C’ ranking inferring ‘Significant restriction to development’ (scores of 15 and above) as derived by the Draft Oxford Falls Valley – Belrose North Strategic Review (2013).”

As the Environmental report did not involve looking at the transport constraint, the above summary needs the score to be 6 instead of 7 which would be made up of the following scores:

<b>Constraint</b>	<b>Score</b>
Heritage	0
Bushfire	2
Centres	2
Transport	1
Infrastructure	0
Telecoms	0
Riparian	0
Significant Vegetation	0
Corridor/Habitat	0
Threatened Species	1
Flooding	0
Wetland Buffer	0
Cumulative Score	6

### 5) Our properties must be considered for further zoning consideration

The Non Urban Lands study showed our land as having potential for higher intensity development. Appendix C of this report shows the maps from the Non Urban Lands Study and the description of the cross hatched area.

The Secondary Constraints analysis map (our property shown below) in the draft strategic review shows our land as having three classifications:





- 1) Light Blue Cross hatched: This is due to the inaccuracies explained above and should be removed.
- 2) Red (Primary Constraints): This is due to the inaccuracies explained above and should be removed.
- 3) Yellow cross hatched: The Yellow and Black Cross Hatched areas are ambiguous.

All of the land which has been proposed by the draft report as being R5 should be unambiguously marked as “Land for further zoning consideration”.








#### Legend

##### WLEP 2011 Land Application Map

-  Deferred matter (Study Area)
-  WARRINGAH
-  Major Roads
-  Cadastre

##### Secondary Constraints Analysis

-  Secondary Constraint Analysis = E3 zoning consideration
-  Secondary Constraint Analysis = E3 zoning consideration
-  Primary Constraint Analysis = E3 zoning
-  Land for further zoning consideration
-  Land for further zoning consideration

### Oxford Falls Valley and Belrose North Strategic Review

As can be seen from the environmental constraints score of 6 (Category A – Low restriction to development), this land is well suited for urban development and we look forward to it being considered for urban development in stage 2 of the Strategic Review.

We trust that you will take the points raised in this submission into consideration.

We request that we be given the opportunity to present our case to the Warringah Development Assessment Panel.

Yours sincerely,

Handwritten signatures of Jenny and John Holman. The signature on the left is 'Joh' and the signature on the right is 'Holman'.

Jenny & John Holman



## Appendix A - Site analysis for 14 & 16 Wyatt Ave

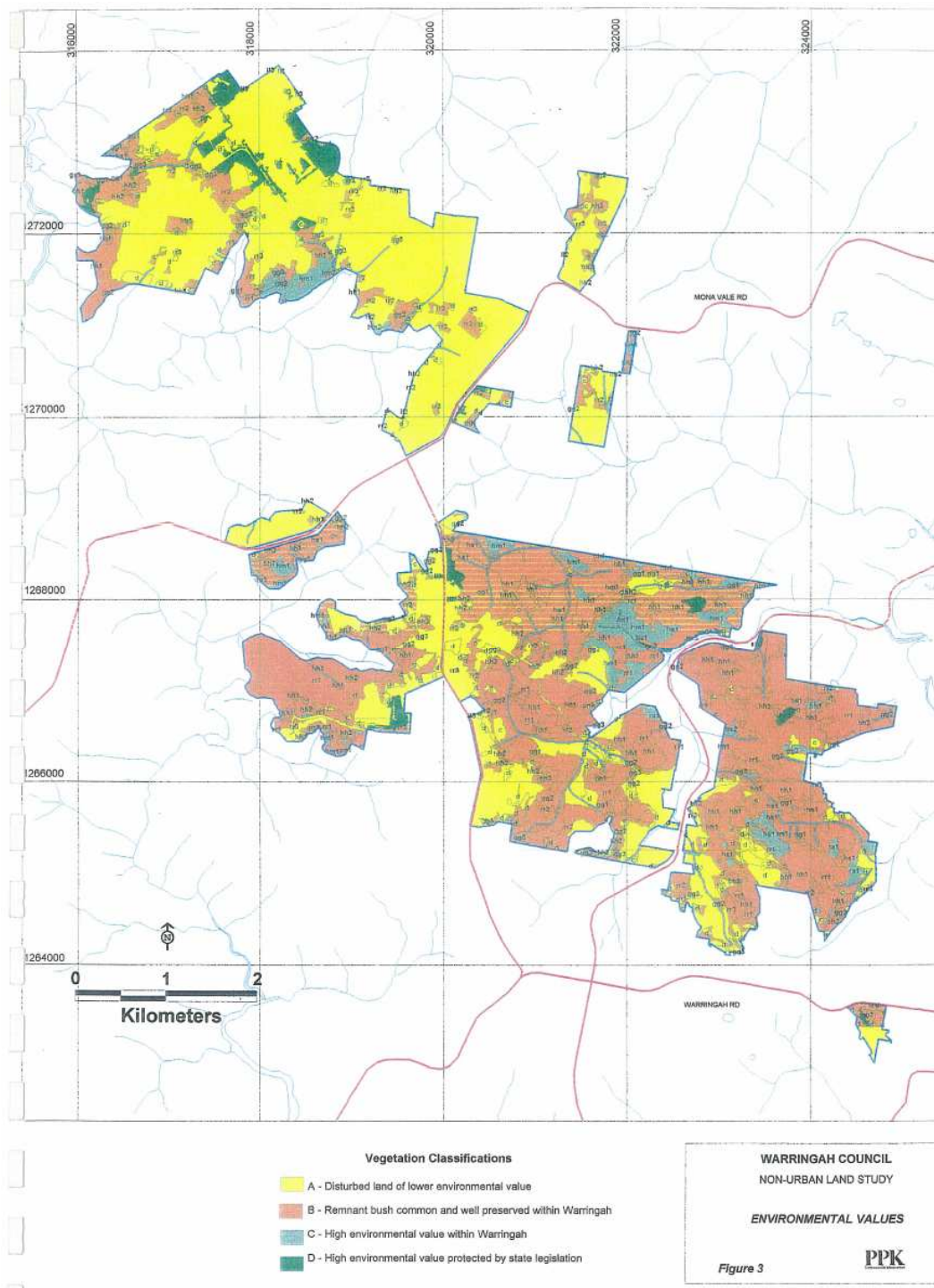


### OXFORD FALLS VALLEY & BELROSE NORTH STRATEGIC REVIEW SITE ANALYSIS

Date: 10/12/12 Precinct: A SITE ID: 5 (Mr Holman)  
 Property Address: 14-16 Wyatt Ave Lot/DP:  
 Inspection Officers: [redacted] Contact:  
 Owner's consent to access land: ☒ Yes ☐ No Owner(s) present ☐ Yes ☒ No  
 Left calling card? ☐ Yes ☒ No [redacted] showed us around

DESKTOP ANALYSIS		Verified on site (Y/N)
<b>Owner</b> <input checked="" type="checkbox"/> Private <input type="checkbox"/> Commissioner for Roads <input type="checkbox"/> Minister for Education <input type="checkbox"/> Minister Administering the Sporting Venues Management Act <input type="checkbox"/> State Planning Authority <input type="checkbox"/> Crown Land <input type="checkbox"/> Warringah Council <input type="checkbox"/> Metropolitan LALC <input type="checkbox"/> Ausgrid <input type="checkbox"/> Optus <input type="checkbox"/> Sydney Water Corporation <input type="checkbox"/> Telstra <input type="checkbox"/> NSW Electricity Transmission Authority		
<b>Adjoins an urban area</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Adjoins bushland</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Vegetation</b> <input type="checkbox"/> Bushland <input checked="" type="checkbox"/> cleared paddocks Percentage cleared ( <del>85</del> %) 90 <input type="checkbox"/> Other		
<b>Proximity to a telecommunications facility</b> <input type="checkbox"/> < 500m <input checked="" type="checkbox"/> 500-1,000m <input type="checkbox"/> 1,000-1,500m <input type="checkbox"/> 1,500-2000m <input type="checkbox"/> >2,000m		
<b>Environmental Constraints</b> <input type="checkbox"/> No env. Constraints (___%) <input checked="" type="checkbox"/> Moderate (85%) <input checked="" type="checkbox"/> Significant (25%) <input type="checkbox"/> Severe (___%) <input type="checkbox"/> Prohibitive (___%) <input type="checkbox"/> Bushfire <input type="checkbox"/> Heritage		
SITE VISIT ANALYSIS		
<b>Building on site</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine		
<b>Type of buildings on site (if applicable)</b> <input checked="" type="checkbox"/> Dwelling (Seniors, attached, detached) <input checked="" type="checkbox"/> Domestic outbuildings - stables (connected to use) pool! <input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Utilities e.g. sub station, satellite dishes <input type="checkbox"/> Storage <input type="checkbox"/> Educational <input type="checkbox"/> Other		
<b>Use of site</b> <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Rural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Industrial <input type="checkbox"/> Infrastructure <input type="checkbox"/> Retail <input type="checkbox"/> Mixed <input type="checkbox"/> Other		
<b>Additional comments/ observations</b> domestic stables		

## Appendix B – Vegetation Classification from the Non Urban Lands Study



**Class A - Disturbed land of lower conservation value.**

Areas where the existing land is highly disturbed, cleared of native vegetation or where vegetation is degraded to the point that environmental values have been severely degraded. Environmental values are therefore a minor consideration when planning to develop provided that appropriate planning controls have been satisfied. Approximately 41 percent of the land within the study area were categorised into class A.

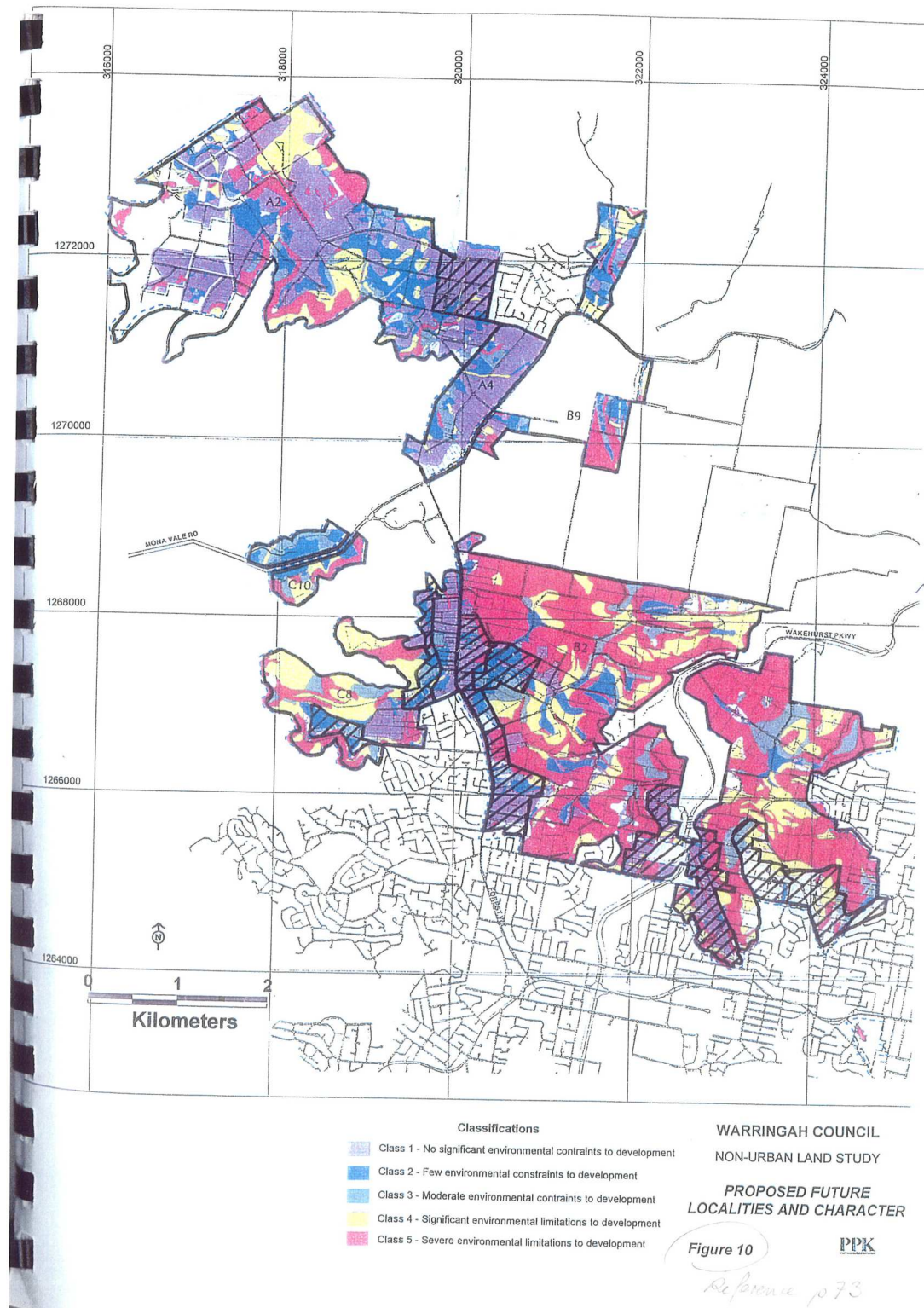
**Class B - Remnant bush which is common and well preserved within Warringah.**

Areas with remnant native vegetation communities which are well represented throughout Warringah and in National Parks. These areas include vegetation communities identified by Smith and Smith (1998) as being of third priority for conservation. Provided that appropriate planning controls have been satisfied and an ongoing management plan is adopted to ensure the sustainability of the proposed activity these lands could support a moderate level of development in terms of potential environmental impact. Approximately 49 percent of the land within the study area was categorised as being in Class B.



## Appendix C – Land identified by the Non Urban Lands Study as having potential for higher intensity development

Below is an extract from the Non Urban Lands Study showing our land as cross hatched. The cross hatched area was identified as having potential for higher intensity development.



*Recommendation 3:*

*That the hatched areas identified in Figure 10 as having potential for higher intensity development and land uses (as outlined in Chapter 11), be further investigated with particular regard to the respective areas':*

- *transport and sewerage infrastructure constraints;*
- *bushfire hazard constraints;*
- *the cumulative effects on environmental values (for example Narrabeen Lagoon); and*
- *the regional demand for land generally.*

**Appendix D - Comparative Environmental and Biodiversity Assessment for property at 14 – 16 Wyatt Ave, Belrose” from ACS Environmental Pty Ltd**

See separate attached report.

**Appendix E - Warringah Non Urban Lands Study Stage 2 – Impacts on Water Quality of Narrabeen Lagoon**

See separate attached report.