PCU51172

Gernolf & Anna Hauch

P.O. Box 216

Menai NSW 2234

30th January, 2014

Marian Pate,

Sutherland LEP Review,

NSW Department of Planning and Infrastructure,

PO Box 39, Sydney 2001

Dear Mrs Pate,

Re: ***Amended Draft Sutherland Shire Local Environmental Plan 2013***

Property 157/361 Shackles Estate, Woronora River water frontage

On 28th April 2013 we submitted objections to Sutherland Shire Council Environmental Planning Unit (Atachment; 1).

Sutherland Shire Councils 1st response was a letter dated *13/06/2013* from the Mayor, Councillor Kent Johns (Attachment: 2). I was so disturbed by this response that I showed it to a colleague who was so incensed that he replied to it himself on my behalf, (See attachment;3 Gary) . Subsequently we received a final letter from the Mayor, Councilor Kent Johns dated *15/08/2013*, stating "In response to submissions received, the draft plan has been amended to include a local provision". It then went on to show what this local provision clause meant (Attachment; 4, par; 2.....).

On inspection of the Amended Draft SSCLEP 2013 only additional restrictions on extensions could be found in an isolated paragraph and not referenced to the zone description. The zone description specifically excludes home occupation and the plan prohibits the councils offer to allow home occupation. (Attachment; 5 E2). It would seem "lip service" has been given to us and that there was no intention to alter the plan (deliberate misinformation). Further it would appear that the pristine bush corridor of land directly behind our property has been zoned to allow development and occupancy rights that we are being denied. I.e. Zone E3 (See Attachment; 6)

The ongoing problems and stress caused by this inconsistency and harassment (resulting in emotional, psychological and physical ill health) continues robbing us of the peaceful, relaxing and pleasurable retirement we should be enjoying following 50 years of raising our families along with continued commitment, contribution and service, to our community's growth and development through many and varied local avenues in Menai, Barden Ridge and the Woronora Valley.

As such I submit our objections to you for consideration and feel that our property should either be rezoned E3 as is the proposal for the land behind or have the amendments as previously submitted to confirm our existing use rights included in the E2 zoning. It seems that the land behind us, now rezoned E3 is already a natural unbuilt on corridor and should be the land zoned E2 and the land that already has legal housing built on it should be zoned at least E3.

Could you please take into account that the council has changed its mind on our zone many times and cause a horrendous ongoing unnecessary devaluation of our property over many decades. We purchased with no restrictions and object to the continual assault on our health and well being.

Yours sincerely,

Gernolf and Anna Hauch

Attachment 1; Objection to LEP/03/252376.

Attachment 2; Councilor Kent R Johns 13/06 2013

Attachment3; Gary Price Letter 20-6-13

Attachment 4; Councilor Kent Johns 15/08/2013

Attachment 5; Zone E2 Environmental Conservation, page 38

Attachment 6; Zone E3 Environmental Management, page 39

Attachment 1.

Gernolf and Anna Hauch

PO Box 216,

Menai. NSW. 2234

Property 157/ 361 Shackles Estate, Woronora

28th April, 2013

Environmental Planning Unit

Sutherland Shire Council

Locked Bag 17,

Sutherland. NSW. 1499

Re: LP/03/252376. Draft Sutherland Shire environmental Plan.2013

We object to the Draft Sutherland Environment Plan 2013.

I have resided in Shackles Estate area since 1960. When we purchased our present property in 1968 under Torrens Title it was being used for residential purposes. Many permanent residents were residing in our immediate area at that time. To our knowledge, the land fronting the western side of Woronora River known as Shackles Estate had been subdivided into building blocks as far back as 1917 and used for residential dwellings.

We are perplexed by the Council's proposal to zone our land as E2, a similar zoning opposed to by local residents in the previous draft Sutherland Shire Plan. Opposition to the plan by local residents was acknowledged by council and the proposed plan for Shackles' Estate, Woronora River amended to remove general restrictions imposed on waterfront development, consideration of our existing use rights noted, and further consultative discussions with residents with a view towards better recognition of our rights promised. That meeting was never facilitated and therefore never occurred.

The council's planning department has made no attempt to consult with local residents even though they are the ones most affected by the plan. It would seem fundamentally right to consult the people effected before introducing such a traumatically distressing/ destroying zoning.

When we attended the Council Chambers to view the plan, we asked to see someone to explain the meaning of the zone E2 of the proposed plan and the reason for the lack of consultation between council and residents. He replied that he did not have sufficient knowledge of the council's draft plans or of the historical background. He then suggested I speak with his manager. The manager's attitude was

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one of indifference, when asked for clarification of the zoning, he offered me the councils E2 Environmental conservation fact sheet and suggested that I engage legal consultation to satisfy my enquiry. His response as to why the consultation had not taken place was to the point that the shire had many residents to consider.

Further,

Our understanding for resumption of privately owned land for public purposes is

1. For the building of roads, public utilities such as schools etc., but it would appear through its draft plan does not intend to do any of the above. Our land does not fall under any of those categories even though we are able to travel by road, (which has been maintained and used by local services and many state services including fire, ambulance, police, water board, electricity and telephone) for 50 years to our back door.
2. Adequate compensation must be paid at the time of acquisition.

The council on the other hand through its draft plan does not intend to do any of the above It seems by introducing this current draft plan, the councils intent is to prevent us living in that which we legally own and have legally occupied for the past 50 years by applying an E2 zoning that states we are unable to occupy any dwellings that are within that zoning.

Sutherland Shire Council for many years has been threatening adverse zones and this has already affected our valuations. This E2 zoning will completely devalue our properties, it also infers that property owners will be forced to pay rates on land that is privately owned, but cannot be occupied.

If the land is required for environmental purposes to be used by the general public, then justice needs to prevail and it should be adequately paid for. I.e.; a waterfront property for a waterfront property of the same standard.

It is to be noted that there are inconsistencies in Councils previous planning that has resulted in the land on the eastern side of Woronora on the escarpment being taken out of "a never to be developed zone" has been allowed to be developed residentially and further to that has contravened councils escarpment by laws by allowing development below the escarpment, whereas our land that was legally subdivided and developed into building blocks is now devalued

It seems the council proposes to acquire our land by stealth and as such seems it should infringe natural justice and Human Rights.

I strongly object to the proposed E2 Zone on Shackles Estate, and in particular I object to:

1. Council's inference that they will not support our existing use rights.
2. The destruction and erosion of the valuation on the effected properties.

Attachment. 1

3. The repeated emotional strain and stress I have been subjected to by this and previous councils actions.
4. The lack of promised consultation between council and land owners.
5. The removal of the right to live in our own home without adequate compensation.

It is our desire to live and work in harmony with the local council to achieve a positive outcome for all.

We submit our objections hoping for a satisfactory outcome which will bring mutual respect to the council and human rights values to us and our family.

Yours sincerely,

Gernolf and Anna Hauch

Attachment 2.

Sutherland Shire COUNCIL

Office of the Mayor

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File Ref: CRMS: 772180045

Mr Gernolf & Mrs Anna Hauch
Email: ahauch@optusnet.com.au

Dear Mr & Mrs Hauch

Thank you for your email of 3 June 2013 on the draft Sutherland Shire Local Environmental Plan 2013 (SSDLEP2013) and your property at 361 Woronora River Frontages. I note your concern about the future of your home and want to assure you that your views will be considered by Council as it finalises the draft plan.

Under Sutherland Shire Local Environmental Plan 2000, land fronting the Woronora River (western side) is currently zoned 1(a) Rural. It is noted that, generally, this land is not used for rural purposes and many of the lots do not benefit from any legal vehicular access, having access from the river only.

Generally dwelling houses are only permitted on large lots (2Ha) or in conjunction with agriculture or a rural industry. However, SSLEP2000 also contains specific provisions that allow an existing dwelling house to be altered or extended.

SSLEP2000 identifies this land for acquisition by the Corporation under the Environmental Planning & Assessment Act (the Minister for Planning & Infrastructure) and accordingly land along the river has been progressively acquired by the State as it becomes available. The intention is that this area will become part of a network of regional open space along the Woronora River. As part of the preparation of the draft plan, the State has reconfirmed its intention to purchase the land.

Under State legislation, the Minister has the power to compulsory acquire the land however, based on past practice, the Minister is unlikely to pursue compulsory acquisition. Acquisition can also occur at the owner's request. Acquisition and the agreed property value is governed by the Land Acquisition (Just Terms Compensation) Act 1991. Land is valued as if the land was not zoned for open space purposes. Accordingly, existing owners should not suffer decreases in property values as a result of the proposed rezoning.

During the preparation of SSDLEP2004 and SSLEP2006, there was significant community concern regarding the existing use and future alterations and additions to dwellings on the Woronora River Frontages. Given the unresolved zoning and land use issues, these properties were excluded from SSDLEP2004 and deferred from SSLEP2006.

Cont'd...2/-

Attachment. 2

Draft SSLEP2013 must identify land to be acquired for Regional Open Space purposes by the Corporation under the Environmental Planning & Assessment Act (the Minister for Planning & Infrastructure). The Department of Planning requires that land which is reserved for a public purpose, including open space, which has not yet been acquired and used for its intended public purpose is to be zoned according to its intended future use. For that reason, the land is proposed to be zoned E2 Environmental Conservation, as this is the most appropriate standard land use zone in the Standard Instrument Order. The objectives of this zone include the protection, management and restoration of the ecological, scientific, cultural or aesthetic values of land to which the zone is applied. Through the application of this zone to the land along the Woronora River, it is envisaged that the Woronora River frontage will be conserved and brought into public ownership.

Under the proposed E2 zone, a dwelling house is not permissible in the zone. However, existing lawfully constructed and occupied dwellings can rely on the benefits of 'existing use' rights under State law, the Environmental Planning & Assessment Act 1979. The Act's associated Regulations contain provisions which permit an 'existing use' to be enlarged, expanded, intensified, altered, extended or rebuilt, subject to development consent. The 'existing use' right provisions sit above local environmental plans at a higher statutory level. As a result they are not referred to in the draft SSLEP2013. Consequently, the draft plan does not prevent you from continuing to occupy your home.

Having read your submission and many others raising similar issues I will ensure that this aspect is specifically looked at by Council with the view of arriving at an outcome more acceptable to the residents of the Woronora River Frontages.

Yours sincerely

Councillor Kent R Johns
Mayor

13/6/13

Attachment. 3

PO Box 57
Menai NSW 2234
(02) 9543 2224
gzprice@ozemail.com.au

The Mayor
Councillor Kent Johns
Locked bag 17
Sutherland NSW 1499

20/6/13

Dear Councillor Johns

Anna showed me your reply of 13 June to her representations of 3 June concerning the proposed zoning of Shackles Estate homes in the draft Sutherland Shire Local Environment Plan 2013. I have the gravest concerns that a number of critical assertions are highly misleading.

Let me start with the proposition well known to be false to the Officer that drafted the letter. It is the last part of the second last paragraph concerning existing use rights. After referring to the fact that existing use rights sit at a higher statutory level, above local environment plans, the assertion is made that "As a result they are not referred to in the draft SSLEP2013". This is quite incorrect. They are referred to throughout the draft SSLEP2013. In the case of Zone E2 they are referred to in the negative. The final specific of item 4, *prohibited uses*, states "any other development not specified in items 2 or 3". This is a clause required by the State Government. Item 2, *uses permitted without consent* reads "nil". On any interpretation, Zone E2 prohibits the occupation of existing dwelling houses. It is explicit. The template Council has been given requires the itemisation of permitted uses. Anything not itemised is prohibited. This is illustrated by the fact that the very next zoning, E3 has under its item 2, *permitted without consent* "home occupations" and item 3, *permitted with consent*, proceeds to list among other things, the existing use rights applicable. The other zones proceed in similar fashion. So do other Councils. We have drawn Councillor Simpson's attention to the Lake Macquarie DLEP2013. For Zone E2, item 2, *permitted without consent*, Lake Macquarie has specified "Exempt development as provided in schedule 2; Home occupations". For item 3 a large range of uses are permitted with consent, including bed and breakfast accommodation, dual occupancies (attached), dwelling houses and secondary dwellings (attached) among other things.

This is a serious matter for us. Existing use rights are itemised throughout draft SSLEP, except for Zone E2 which prohibits them. It is there in black and white.

Apart from the simple fact that deliberately writing a legal instrument in direct conflict with superior law is literally unlawful, we have other serious concerns with this. The first is that our existing use rights are no longer rights at all. They may be challenged and the authority for challenging them is written explicitly in Zone E2. It matters not that expensive lawyers must be engaged to appeal to a higher court with certain success. It is another case of "we can spend more on lawyers than you". This is not hypothesis. It has happened. Our existing use rights have been denied by Council Officers and on many occasions. In one case it took a special act of parliament to allow a house burnt down to be rebuilt. In another, it took three years to get a modest addition approved (Counsellor Simpson's assistance is gratefully acknowledged by the home owner). The denial of existing use rights has been systemic over many decades. The practice can only increase under Zone E2.

The second serious concern is its effect on the market value of our homes, in most cases the major family asset. These are properties that we have been guaranteed may be bought and sold on the open market and that is an essential element of the voluntary buyback scheme. That is what has always been presented to us as a guarantee of fair dealing, and restrictions in this regard are incompatible with the scheme. It becomes quite something else when an interested party sets out to manipulate the market on which the assessment of market value depends. The State Government has not attempted to impose restrictions on market dealings but Sutherland Council has. In years past, Council Officers have warned off potential buyers. Unreasonable restrictions in violation of existing use rights have turned away buyers. There has not been a private sale for a couple of decades. There is no effective market for these

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properties and value has been degraded compared to what an effective market may indicate. Market value is impossible to assess. Under Zone E2, a potential buyer need only look at the zoning certificate to learn that the occupation is prohibited of the home they are considering. No further inquiry is necessary. There has been a systematic enterprise to suppress the market and the market value of these homes and that is highly relevant to the misleading account of the Land Acquisition (just terms and compensation) Act 1991 contained in the letter. I will return to that, but there a number of other falsehoods that I must draw to your attention.

In the final paragraph of page 1, referring to SSDLEP2004 and SSLEP2006 the letter refers to the "significant community concern regarding the existing use and future alterations and additions to dwellings on the Woronora River frontages". I can speak as a direct witness. The only significant community concern was expressed by the residents themselves and it was because Council was then proposing that their private family homes be zoned as Public Open Space. Like today's version of Zone E2 , this was an administrative malfeasance and in direct conflict with superior law. After the plan was exhibited, we had numerous training and fitness groups jogging through our back yards. They said that Council had said they could and that it was public open space. As has been the case for SSDLEP2013, we made representations direct to our senior Ward Councillor and the Mayor, Councillor Ken McDonnell. We did not go to the media. We did not spread it around. We put our case and made our arguments, as we have done now. It was because of the merit of our representations and nothing else that the properties were deferred from the SSLEP2006. Ex-Councillor McDonnell will confirm this and I have the documentation. The final paragraph of page 1 is entirely false.

I turn now to the sly and misleading statements of paragraph 1 that "this land is not used for rural purposes and many of the lots do not benefit from any legal vehicular access, having access from the river only". Firstly please note that Shackles Estate was one of the first land subdivisions in the Sutherland area, it was properly and legally done according to the law of the day and the legal purpose was for the building of residential cottages on single blocks of land. It pre-dates the Local Government Act. I have lived here since 1972. The access tracks were long pre-existing even then and would probably pre-date the application of the Local government Act to the area. Residents negotiated with other relevant landholders of the time concerning the building of those tracks. In my own case, we had negotiated with the then landowner, Parkes Development for the sale to us as a Co-operative of users. Full agreement was reached and contracts prepared. Parkes then advised that Council had made threats to it and had to reluctantly withdraw. I have the documentation. There were similar occurrences for other access tracks. That is not the end of it. When the Council approved ridge development was occurring (resulting in major siltation of the river - we have photos) the principal of the development company (Warren Johns of Scepter Holdings) made threats direct to us that if not paid a large sum of money, he would cut off our access. Despite the demand for alleged compensation being a clear contravention of at least the Telecommunications Act, Council officers "helpfully" offered to act as a go-between and issued demands for money on behalf of the developer. Currently serving senior officers were involved. I have the documentation. Ex-Councillor McDonnell was a witness and Mayor Ian Swords was advised. We of course, having the benefit of legal advice, did not in the end pay. These threats were repeated by the same developer in other areas of Shackles Estate and those residents, feeling they had no other option, did pay.

Let me also emphasise: these tracks are essential infrastructure, they are essential to water, sewage, electricity and telecommunications supply to the above mentioned ridge development. They are also essential to fire fighting. That ridge development is extremely vulnerable to firestorm conditions running up the ridge and the tracks are central to any firefighting in the event of bushfire.

I turn now to the crux of the letter, the misleading account of the Land Acquisition (just terms and compensation) Act 1991 (the Act).

The objects of the Act (my emphasis) are:

> (a) to guarantee that, when land affected by a proposal for acquisition by an authority of the State is eventually acquired, the amount of compensation will be <u>not less than the market value of the land (unaffected by the proposal) at the date of acquisition</u>, and
> (b) to ensure compensation on just terms for the owners of land that is acquired by an authority of the State when the land is not available for public sale, and
> (c) to establish new procedures for the compulsory acquisition of land by authorities of the State to simplify and expedite the acquisition process, and

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(d) to require an authority of the State to acquire land designated for acquisition for a public purpose where hardship is demonstrated, and
(e) to encourage the acquisition of land by agreement instead of compulsory process.

Please note that the market value of the land is central and constitutes the floor for the assessment of compensation. Sections 55 and 56 say (my emphasis again):

55 Relevant matters to be considered in determining amount of compensation

In determining the amount of compensation to which a person is entitled, regard must be had to the following matters only (as assessed in accordance with this Division):

(a) the market value of the land on the date of its acquisition,
(b) any special value of the land to the person on the date of its acquisition,
(c) any loss attributable to severance,
(d) any loss attributable to disturbance,
(e) solatium,
(f) any increase or decrease in the value of any other land of the person at the date of acquisition which adjoins or is severed from the acquired land by reason of the carrying out of, or the proposal to carry out, the public purpose for which the land was acquired.

56 Market value

(1) In this Act:**"market value"** of land at any time means the amount that would have been paid for the land if it had been sold at that time by a willing but not anxious seller to a willing but not anxious buyer, disregarding (for the purpose of determining the amount that would have been paid):
(a) any increase or decrease in the value of the land caused by the carrying out of, or the proposal to carry out, the public purpose for which the land was acquired, and
(b) any increase in the value of the land caused by the carrying out by the authority of the State, before the land is acquired, of improvements for the public purpose for which the land is to be acquired, and
(c) any increase in the value of the land caused by its use in a manner or for a purpose contrary to law.
(2) When assessing the market value of land for the purpose of paying compensation to a number of former owners of the land, the sum of the market values of each interest in the land must not (except with the approval of the Minister responsible for the authority of the State) exceed the market value of the land at the date of acquisition.

Firstly note the minor point that regarding 56(c), under Zoning E2, the occupation of our pre-existing homes is prohibited by the minor law and the onus is on us to prove in higher law that our existence here is lawful. This should not be.

Secondly, note the importance of the "willing but not anxious buyer" for the assessment of the basis of compensation and that this is the only basis for the subsequent steps. Under Zone 2, there can be no buyers, willing, anxious or not. Market value is now unassessable, by the deliberate actions of Council. Shackles Estate is pretty much a unique situation. What is allowed in Zone 2 must be the basis for any subsequent evaluation of value. There has been a systematic degradation of both the market and market value by Council. It has been progressively lowering the floor by imposing restrictions on existing use rights. It matters not that this is directly in conflict with superior law. What matters is what a "willing but not anxious buyer" will pay.

Council's behavior in the past but most especially Zone E2 is a sharp and dishonest practice aimed directly at the subversion of the Act. The statement in the letter is that: "Land is valued as if the land was not zoned for open space purposes. Accordingly, existing owners should not suffer decreases in property values as a result of the proposed

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rezoning." Note the lovely ambiguity as to what is actually the alleged basis or floor of valuation and the exquisitely subtle difference between "zoned for open space" and "the proposed rezoning". The fact is, this is an entirely misleading (but rather clever) statement. I repeat: Zone E2 is aimed at the subversion of the objects of the Act.

I have previously expressed my concern that you are being deliberately misled by your senior officers concerning this matter, and I fear, the related proposal to allow new development on the escarpment itself on land critical to the regional open space strategy. The policy contradictions are clear and your letter to Anna is clear and further proof of all those concerns. I know you did not write it. You relied on your advisers. They have very deliberately misled you and your letter has certainly inflamed the situation greatly. Far from the soothing effect intended, it has highlighted the peril we face from sly and sharp Officers. It is simply not believable and in direct conflict with the evidence before our eyes. We are extremely concerned that Council Officers have been issuing false and misleading briefings and I believe that putting them into a letter to be signed by the Mayor constitutes a clear and present danger to your own reputation.

Finally, let me remind you of what is probably the far more important concern that we have expressed concerning the related proposal to allow development of the escarpment lands on the western upriver side. This is completely undeveloped land that is of major environmental importance. It is an essential wildlife corridor. It is central to the regional open space strategy and Council will be permanently removing any possibility that it can be a part. While we have expressed our concerns and sought more detail from Officers, no response whatever has been forthcoming. There has been absolutely no transparency on this. Council is allowing new development on immediately adjoining lands to Shackles Estate of equal or greater importance. The contradiction is startling.

As I said previously, our preference is to put our case calmly and directly to you and to our senior Ward Councillor and to have it decided on its merits. That would not appear to be possible given that your own advisers have no hesitation in placing for your signature such a misleading letter. We cannot compete with that. I would appreciate your most urgent advice. Council will shortly be deciding these matters and I am afraid that in defence of our own interests we may have no alternative but to inform all Councillors of the systemic dishonesty on the part of Council Officers in regard to these matters and that they are being very seriously misled.

Yours sincerely

Gary Price

Attachment 2

Sutherland Shire COUNCIL

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File Ref: LP/03/79340

15 August 2013

Gernalf Hauch & Anna E Hauch
PO Box 216
MENAI CENTRAL NSW 2234

Dear Sir or Madam

Exhibition of Amended Draft Sutherland Shire Local Environmental Plan 2013
[In response, please quote File Ref: LP/03/79340]

The amended Draft Sutherland Shire Local Environmental Plan 2013 is on exhibition from 20 August 2013 to 17 September 2013 for a period of 28 days. This letter provides information about specific changes to the previously exhibited DSSLEP2013 that affect your land or adjacent land.

Land at 197, No. 199-201, No. 185, No. 177, No. 155-157, No. 141, No.53, No 305, No. 307, No. 361, No. 445 Woronora River Frontage, and 70-72 Tirto St, are proposed to be zoned E2 Environmental Conservation. In response to submissions received, the draft plan has been amended to include a local provision. The local provision clause permits existing dwelling houses on this land to be enlarged or altered with consent. The clause limits building height to 9 metres to the highest point of the roof and the floor space ratio must not increase by more than 30 square metres, or 10% of the existing gross floor area, whichever is the lesser, or exceed a maximum floor space of 300 square metres.

The amended draft plan can be viewed at:
- Council's Customer Service Centre
- All branch libraries
- Council's website www.sutherlandshire.nsw.gov.au

If you wish to comment on this draft plan you may do so in writing to Environmental Planning Unit, Locked Bag 17, Sutherland, NSW, 1499, no later than **17 September 2013.** In your submission, quote file number **LP/03/79340, Amended Draft Sutherland Shire Local Environmental Plan 2013.** Please note, if you make a submission you are also required to disclose any political donation or gift made to any Councillor or Council employee. All submissions received in response to the draft plan will be available as a public record. For further information on the amended draft plan, please contact Council's Environmental Planning Unit on 9710 0800.

Yours sincerely

Councillor Kent R Johns
Mayor

Attachment 5

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

(Where is) *

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Roads.

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Attachment 5

Attachment. 6

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To allow development of a scale and nature that maintains the predominantly natural landscape setting of the zone, and protects and conserves existing vegetation and other natural features of the land.
- To limit development in the vicinity of the waterfront so that the environment's natural qualities can dominate
- To protect and restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance.
- To minimise the risk to life, property and the environment by restricting the type, or level and intensity of development on land that is subject to natural or man-made hazards.
- To allow the subdivision of land only where the size of the resulting lots makes them capable of development that will not compromise the sensitive nature of the environment.
- To share views between new and existing development and also from public space.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Dwelling houses; Environmental protection works; Flood mitigation works; Health consulting rooms; Home businesses; Home industries; Recreation areas; Roads; Secondary dwellings

4 Prohibited

Dual occupancies; Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3.

Attachment 6