



Susan and Craig Stiles

Lot 135 Shackels Estate,

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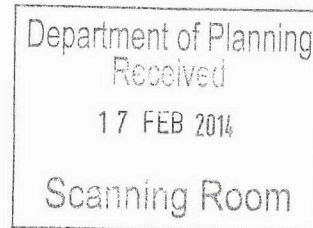
Marian Pate

Sutherland LEP Review

NSW Department of Planning and Infrastructure

PO Box 39, Sydney, 2001

12<sup>th</sup> February 2014



**Re: Review of Sutherland Shire Council Draft LEP 2013: Issues in Upper Woronora Valley**

Dear Panel Members,

We write this letter to inform you of the serious concerns we have with respect to the Sutherland Shire Council Draft LEP 2013.

We have been resident at Lot 135 Shackels Estate since 1981. We and the other residents of Shackels Estate have existing use rights under Environmental and Planning regulations (EPR 1994, part 5, sections 39-44). These have not been addressed in the Draft LEP leaving us effectively denied the right to rebuild our existing homes after fire, to make additions to our homes (with approval) or even to occupy our homes at all.

The Draft LEP proposes to limit the rights of we here in the Shackels Estate but at the same time it proposes to rezone as E3 the entirely undeveloped land on the escarpment behind our property. This zoning allows for future development of all kinds including dwelling houses, consulting rooms, secondary dwellings, businesses, industries and the like. This is in absolute conflict with the intended future use of the Upper Woronora Valley – that it should become regional open space. Sections of this land are owned by private developers and these persons will obtain significant advantage from an E3 zoning while we small landowners will suffer from further restrictions on ourselves due to lack of ratification of the E2 zoning. This smacks of underhand dealings as well as being a denial of natural justice. Why are these developers being favoured at the expense of we long term residents and of the environment itself?

It is also alarming that before the Draft LEP was even put on public display, developers had already moved in on this land with major improvements to an existing narrow dirt road and construction of other roads into pristine bush.

In the process of constructing this new access road, our polyethylene water pipe was dug up. This water service was originally copper pipe. Some two years ago the entire pipe was stolen

and we residents replaced it with the less attractive polyethylene. The substantial financial outlay was borne by us residents. I myself took over one year to bury the new pipe properly to ensure its future security. My labour was destroyed by plant equipment in less than an afternoon. The plant operators hung our pipe from overhead trees. This water service has served my own and 5 other homes on the Shackels Estate since 1960. The line is now exposed to vandalism, damage from bush fire and from heavy plant equipment and no longer complies with the Australian or Sydney Water plumbing standards. The plant operator promised to reinstate the line as soon as practical but months later the line still hangs loosely from the trees. The landowners have not responded to our requests to repair the pipe and council informs us they have no knowledge of the work. This is a very grave concern as this water service is vital for our everyday needs as well as for the protection of us, our houses and their infrastructure in case of bushfire.

In summary we request

- 1) that Zone E2 be amended and must specify as allowable the existing use rights as enshrined in the State Environmental Planning and Assessment Regulation 2000 (Part Five Existing Uses).
- 2) that the zoning E3 allowing development of private lands in future regional open space be disallowed and be changed to E2 in keeping with the original intentions for the Upper Woronora Valley. This despite potential advantages to influential landowners.
- 3) that notwithstanding the above requests, consistent zoning and planning should be applied to the Upper Woronora Valley.
- 4) that the council is directed to resolve the problems with our water service.

The cloud of uncertainty hanging over the future security of our private home of over thirty years and now the added anxiety over the state of our water service which, in its present condition could soon be damaged and our water supply cut off completely, has taken a great toll on our health.

We look to the panel to enquire into these matters and to consider views of us residents. We have looked after and valued the valley where we live for many years and ask only for natural justice.

Yours Sincerely

The block contains two handwritten signatures in cursive script. The first signature is 'C. Stiles' and the second is 'S. Stiles'. Both are written in dark ink.

Craig and Susan Stiles

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