

12 August 2013

Sam Haddad,  
Director General,  
Department of Planning and Infrastructure  
GPO Box 39,  
Sydney NSW 2001

**Attention:** Sydney East Region

Dear Mr Haddad,

**Draft Oxford Falls Valley and Belrose North Strategic Review**

The Urban Taskforce understands that the Draft Oxford Falls Valley and Belrose North Strategic Review ("the strategic review") is to consider the development controls that currently apply to land under Warringah Local Environmental Plan (LEP) 2000 to allow this land to be brought into Warringah LEP 2011. We note that this land has been the subject of environmental assessment and the result of this has been the recommendation that the vast majority of the land be zoned E3 – Environmental Management.

The strategic review argues that the translation of existing planning controls to a standard template local environmental plan is to proceed on the basis that the E3 zone is the "best fit" with existing planning controls. Furthermore it is argued that environmental constraints impacting on the land warrants the application of such a restrictive land use zone.

While the Urban Taskforce is generally supportive of the LEP standardisation process, we are cautious with the application of a land use zone that may result in existing permitted land uses becoming prohibited. That is, we are advised that some land that is to be zoned E3 has been cleared for agricultural type uses and/or is currently used for such use. We argue that the application of an E3 zone in such circumstance is not an appropriate planning response. Furthermore, we are not supportive of planning reforms that will rely on existing use rights as the mechanism for permitting nonconforming land uses to continue.

We agree that standardisation of planning regulation will introduce much need consistency and simplification across local government areas. However, the standardisation process must not be used as a justification for the imposition of blanket land use restriction. In this regard, we suggest that sites that would rely on existing use rights be afforded certainty of future land use permissibility through appropriate identification within Schedule 1 of the LEP.

Notwithstanding the above, our recommendation would be to call for submissions from landowners to bring forward studies to determine the future urban development capability of land within the area prior to the imposition of a blanket E3 zone across the vast majority of study area.

Yours sincerely

**Urban Taskforce Australia**



Chris Johnson AM  
Chief Executive Officer