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# Mosman Parks & Bushland Association

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Dear Members and Supporters

Members who live in the Scenic Protection Area of Mosman and possibly others, are likely to have received a flyer about rezoning your property.

## The flyer is misleading

Mosman Parks and Bushland is very concerned about this.

The properties referred to in the flyer are those **zoned R2 AND** are **ALSO** within Mosman's foreshore Scenic Protection Area. The Scenic Protection area covers any land below the 60 metre contour. Not all R2 zoned areas are in the Scenic Protection Area. **If your property is in an R2 zone and not in the Scenic Protection Area this does not apply to you.**

Council has agreed to seek a rezoning of the R2 zoned land which is also in the Scenic Protection Area and to rezone it E4. The objective is to maintain the current environmental protections for this crucially important harbour land.

**The Mosman Parks and Bushland Association has always supported the Scenic Protection Area and now supports the proposal for an E4 zone which will continue the protection of the amenity and landscape character of the Harbour slopes as well as the tree canopy, vegetation, biodiversity and wildlife habitat. The proposal for the E4 zone was passed by Council in December 2020, but it is still only a proposal.**

## Key facts about this proposal

- Nothing would change except the zone name. The Residential R2 zone in the Scenic Protection Area would become E4.
- The rezoning, if it proceeds, will not change the current planning provisions for sites in the R2 zone that are also in the Scenic Protection Area. The existing Low Density Residential (R2) zoning provisions will be carried through to the proposed E4 zone.
- Council would **not** have **more** control over private property rights in the Scenic Protection Area than it has already.

- The complexity, length and cost of DAs would **not** be greater than they are currently.
- Development applications for minor alterations will **not** change.
- Private Certifiers would **continue** to be used as they are now in the R2 zoned areas that are also in the Scenic Protection Area.
- Council would continue to be the consent authority for development in the Scenic Protection Area.
- New houses and major renovations will not be complying development. You will still receive information about development applications for new houses and major developments and have a chance to comment.

## **A brief explanation of the Scenic Protection Area and the proposal to create an E4 zone**

There is a standard NSW Government Housing Code which controls development for most housing in NSW. However a few areas require special treatment. The Harbour slopes of Mosman below the 60 m contour are such an area and have been temporarily excluded from the NSW standard housing code since 2009. This area is known as the Scenic Protection Area.

Within this area Mosman Council continues to control development. Without Mosman Council's controls:

- one and two storey houses and alterations and additions to existing houses would bypass Council's DA process
- Consultation with neighbours would be negligible if at all
- The impact on the foreshore landscape and on residents' amenity could be significant and detrimental to Mosman's leafy characteristics

Mosman's location on Sydney Harbour at the opening of the Heads is unique and visually, highly significant. The way the built environment sits within this landscape is a result of planning that has recognised the need to protect the vegetation and to ensure that the impact of development is minimised. Sydney Harbour is a national icon, but Mosman residents benefit from the Scenic Protection Area too - from the preservation of views, from the protection of the tree canopy, and by having the right to object to neighbouring development.

Members will remember that in 2018 Mosman Parks and Bushland lobbied successfully for an extension of time for the Scenic Protection Area. As a reminder I attach the article that appeared in the Mosman Daily.

Unfortunately that extension of time runs out late in 2021 and so the problem of protecting our foreshore slopes has arisen again. Mosman Council has been exploring the possibility of creating an Environmental zoning (E4). Other Councils with environmental areas in need of protection use this E4 zoning mechanism successfully. In October 2020, Council conducted a preliminary survey of residents within the Scenic Protection Area. The majority of residents who responded were not opposed to the Environmental zoning, so Council then proceeded to apply to NSW Planning for permission to conduct a formal community consultation on whether the creation of an E4 zone would be acceptable. Once that permission is granted a formal consultation with residents will occur.

**The flyer is misleading. Please pass on this information to your neighbours and friends in Mosman.**

Sincerely

Kate Eccles OAM, President