

**Attachment**

**North Terrace Developments Pty Ltd**



The General Manager  
Queanbeyan City Council  
PO Box 90  
Queanbeyan NSW 2620

25 February 2015

Dear Sir

**Subject : North Terrace land**

We are the owners of the land referred to as North Terrace off Southbar Road at Jerrabomberra. To assist, we have attached a copy of plan of the land. We write to Council in order to find a solution to the ongoing problems of how to manage the uncontrolled access, tracks, dumping of rubbish, clearing and extent of erosion occurring on the land.

Council recently considered and resolved not to support the limited rezoning of the land in which much of the land would have been held in community title with funding to manage and restore the bushland. That is no longer possible or likely.

The land has a long boundary to the existing North Terrace housing estate to the west and the dog training grounds to the east. The land has become the 'back yard' for North Terrace. There are many tracks now crossing the land, rubbish dumped and uncontrolled access. All the tracks result in material washing away and a highly degraded bushland. It is clear that the land is being used as though it were a public reserve.

As a result we are faced with an excessive and unreasonable financial burden to maintain let alone actually restore any bushland value the land might have. We are also at significant risk from any liability resulting from such uncontrolled access.

It is our view that it is neither reasonable or practical to suggest that land owners are able to manage let alone restore the land, particularly given the long housing edge that the land has. It is also not practical given the E2 zoning of the land that prohibits dwelling houses under any circumstances and provides for few practical uses. That is, there is no financial incentive or basis for managing the land properly.

It is with some irony however that we do note that extensive agriculture is one of the few permitted uses and in fact can even occur without the consent of Council. Extensive agriculture includes and we quote from Council's own LEP, "...the grazing of livestock for commercial purposes...". This would include cattle for which we suggest would have a far greater impact on the bushland setting than in fact say, the limited extent of clustered dwellings that we had previously proposed. This clearly seems at odds with Council's own zoning of the land as environmental conservation.

It remains our strong view that there was and is no basis for the specific applying of such a limiting zone on our land. There are no specific values that Council has demonstrated that warrant this zoning. In fact, we note that the State Department of Planning and Environment's own LEP practice notes emphasise that an E2 zone should only be used in the most exceptional of circumstances with specific high conservation, ecological or aesthetic values. None of those have been identified on this site by Council and in particular the lower section.

## **5.2 Letter in Regard to North Terrace (3R Kavanagh Road)**

### **Attachment 1 - 3R Kavanagh Road - Letter from Land Owner (Continued)**

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In summary, we are very concerned that in reality, the land is being treated as public lands despite being privately owned with a zoning that provides us with no financial way to maintain it or even spend considerable money to fence the boundaries. It will therefore remain in its current degraded condition. In other words, Council can't have it both ways.

Accordingly, we seek Council's support to either of the following options:

1. Acquisition of the land by Council given its already general 'public use' or
2. Consideration to a wider range of uses consistent with supporting both the managing and restoring of the bushland values of the land

Thank you for the opportunity to raise these matters

Yours sincerely



**Glenn A Morris**  
Director



## 5.2 Letter in Regard to North Terrace (3R Kavanagh Road) Attachment 1 - 3R Kavanagh Road - Letter from Land Owner (Continued)

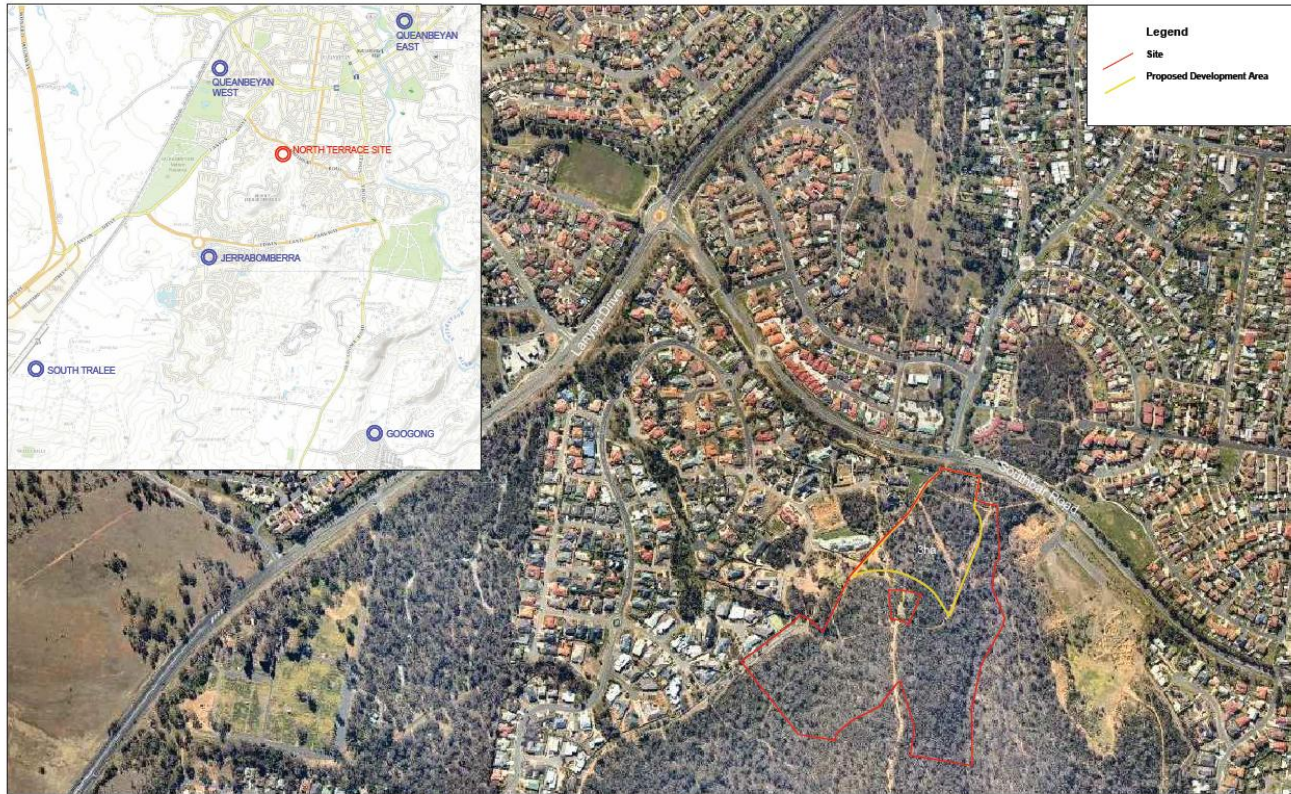


Figure 1 - Site Context  
Southbar Road North Terrace, Jerrabomberra