

Appendix 2

CHRONOLOGY OF KEY EVENTS

7 July 2004 - Initial letter to the Council from Mr Fagan when he discovered that the zoning of the land adjacent to his property had been changed.

16 July 2004 – Letter in reply from the Council which mistakenly advised that the land adjacent to 28 Sunhaven Drive would be rezoned as part of a general realignment of the boundary between the Residential and Conservation Site zones on the periphery of the Bellevue subdivision. The officer's belief at the time was that all of the residual Lot 100 DP 335825 including the access leg to Sunhaven Drive was to be vested in the Council as reserve.

29 May 2007 - The owners of the Bellevue subdivision lodged a private plan change application to complete the final stage of the subdivision centred on Domett Street to the west and to rationalise the zone boundaries around completed stages in other areas. This application identified a Conservation Site zoning of all of Lot 100 DP 335825 but when the applicant was advised of the current zoning situation the application was amended to exclude an area of residentially zoned land including the access leg to Sunhaven Drive.

2 August 2007- The original plan change application was withdrawn and resubmitted.

3 November 2007 – The private plan change (DPC 62) was publicly notified. The Fagan's lodged a submission seeking a rezoning of the land adjacent to their property but this was ruled to be beyond the scope of the plan change.

29 November 2007 - While the private plan change application was being processed the owners also made an application for subdivision to sever a 1120m² lot from Lot 100 DP335825. This application was put on suspension while the plan change was being processed.

1 February 2009 – Further letter from the Fagan's requesting that the land adjacent to their property be rezoned.

27 May 2009 – Council decision to approve DPC 62.

24 June 2009 – Letter from Simpson Grierson, Barristers and Solicitors on behalf of the Fagan's requesting that the Council purchase and/or rezone the land

14 July 2009 – Parks and Gardens advise that access to Gilberd Bush from Sunhaven Drive is not critical to the network and that the frontage at 57 Tamworth Grove and other entranceways in the area are adequate to address the balance between ensuring accessibility to open space, and effectively maintaining entranceways and tracks.

23 July 2009 – Letter from Bell Gully on behalf of Bellevue Lands Limited requesting that the Council process the application for the subdivision of Lot 100 DP 335825 without delay as there is no legal justification for keeping the application on suspension.

11 September 2009 – Subdivision approved

