

Planning Proposal to rezone parts of properties at 8, 10 and 12 Narabang Way, Belrose

Proposal Title : **Planning Proposal to rezone parts of properties at 8, 10 and 12 Narabang Way, Belrose**

Proposal Summary : **The planning proposal seeks to rezone parts of the properties at 8,10 and 12 Narabang Way, Belrose from E2 Environmental Conservation to B7 Business Park in recognition that the land does not meet the criteria for the application of the E2 zone.**

PP Number : **PP_2016_NBEAC_003_00** Dop File No : **16/11768**

Proposal Details

Date Planning Proposal Received : **29-Aug-2016** LGA covered : **Northern Beaches**

Region : **Metro(CBD)** RPA : **Northern Beaches Council**

State Electorate : **DAVIDSON** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Narabang Way**

Suburb : **Belrose** City : **Sydney** Postcode : **2085**

Land Parcel : **Lots 907, 906 and 905 in DP 867091**

DoP Planning Officer Contact Details

Contact Name : **Amy Ravitz-Williams**

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RPA Contact Details

Contact Name : **Neil Cocks**

Contact Number : **0299422932**

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DoP Project Manager Contact Details

Contact Name : **Sandy Chappel**

Contact Number : **0292286591**

Contact Email : **sandy.chappel@planning.nsw.gov.au**

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

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MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government **Yes**

Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The Planning proposal seeks to rezone parts of the three lots in recognition of the fact they do not meet the criteria of E2 zoned land. In addition 10 and 12 Narabang Way are already developed as part of the surrounding business park.**

External Supporting Notes : **Council supports the planning proposal as the subject land does not meet the criteria of E2 Environmental Conservation zoned land.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to rezone the southern parts of lots 907, 906 and 905 in DP 867901 from E2 Environmental Conservation to B7 Business Park. This is in recognition that the land does not meet the criteria for the application of the E2 zone, that is, land which comprises high ecological, scientific, cultural or aesthetic values.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposed amendment to the Warringah LEP 2011 is to amend the Land Zoning Map (Sheet LZN_007) to rezone part of the properties at 8, 10 and 12 Narabang Way, Belrose from Zone E2 Environmental Conservation to Zone B7 Business Park as shown in Part 4 (Map 2).**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.4 Integrating Land Use and Transport**
- 4.4 Planning for Bushfire Protection**
- 7.1 Implementation of A Plan for Growing Sydney**

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Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council placed the applicant's planning proposal on non-statutory public exhibition for two weeks between Saturday 25 June and Sunday 9 July 2016. Notification included:

- A public notice in the Manly Daily on 25 June 2016 notifying of the public exhibition**
- Letters to land owners and occupiers within 100 metres of the subject site**
- Electronic copies of exhibition material available on Council's website**
- Email to registered community members who have listed their interest on Council's Community Engagement Register for the former Warringah LGA.**

28 submissions were received in response to the exhibition raising environmental and traffic concerns. The majority of submissions objected to the loss of environmental land for flora and fauna, wildlife corridors and native vegetation. There was also concern that this could set a precedent for the rezoning of environmental land in the area. Other submissions raised the issue of traffic generation and the existing traffic system at the business park.

The submissions were responded to in the report to Council which confirmed that they were satisfied that there would be no negative impacts on wildlife or traffic should the proposal proceed.

Council is of the opinion that no matters were raised which should prevent the issuing of a Gateway determination and proposed formal consultation.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

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Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Warringah LEP 2011 was gazetted on 9 December 2011.**

Assessment Criteria

Need for planning proposal : **A planning proposal is the best means of achieving the objective. The majority of the site is zoned B7 Business Park and the remaining sites no longer meets the objectives of the E2 zone as discussed previously.**

Consistency with strategic planning framework : **The proposal is consistent with the relevant regional and sub-regional strategies. It is consistent with A Plan for Growing Sydney specifically Direction 3.1 Revitalise Existing Suburbs as it provides an opportunity for an employment land use within an established business park.**

The proposal is consistent with the Warringah Community Strategic Plan Objective 5.1 which seeks to provide attractive and functional urban and commercial centres that adapt to the needs of residents and businesses. The site is located within the Austlink Business Park which is an important local employment area.

The proposal is consistent with the majority applicable section 117 Directions but Council have identified that there are minor inconsistencies with Direction 2.1 - Environmental Protection Zones. The applicant prepared a Flora and Fauna Study that concluded development on the subject site 'will not likely cause any significant impact on locally occurring threatened fauna species'. Council have reviewed the report and consider the inconsistency with Direction 2.1 to be of minor significance.

The proposal is also inconsistent with Direction 4.4 - Planning for Bushfire Protection as the site is located in a bushfire prone buffer in proximity to land mapped as bushfire prone land. Direction 4.4 requires that Council consult with the Commissioner of the Rural Fire Service following receipt of a Gateway determination. A condition has been recommended as part of the Gateway determination to consult with the NSW Rural Fire Service.

Environmental social economic impacts :

Environmental:

It is unlikely that the proposal would adversely affect any critical habitats or protected species.

The entire area of the site proposed to be rezoned from E2 Environmental Protection to B7 Business Park is approximately 1,800 square metres. Approximately 1,600 square metres of this area at 10 and 12 Narabang Way are already developed for commercial and light industrial purposes. The applicant undertook a flora and fauna study for 8 Narabang Way and found that, while the area zoned E2 Environmental Protection (approximately 200 square metres) does contain remnant native vegetation and mature trees in good condition, no obvious natural features differentiate it from the adjoining remnant vegetation that is currently zoned B7 Business Park.

No 8 Narabang way does not form part of an Endangered Ecological Community (EEC) as identified under the NSW Threatened Species Conservation Act 1995.

The planning proposal addresses the the natural hazards that impact the subject site satisfactorily for this stage of the process.

The Social and Economic impacts of the development are not considered to be significant given the limited scale of the proposal.

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Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage
NSW Rural Fire Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.4 Integrating Land Use and Transport
4.4 Planning for Bushfire Protection
7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **The planning proposal should proceed subject to the following conditions:**

1. Prior to public exhibition the planning proposal is to be updated to:

(a) include Site identification maps to clearly show the boundaries for the site;

Note: Maps should be prepared to the standards identified in 'Standard Technical Requirements for LEP Maps' (Department of Planning and Environment 2013).

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2. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

(a) the planning proposal must be made publicly available for a minimum of 14 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the relevant s117 directions:

- (a) NSW Rural Fire Service;
- (b) Sydney Water;
- (c) Office of Environment and Heritage;

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is 6 months from the week following the date of the Gateway determination.

Supporting Reasons : This planning proposal is supported because:

- the proposal is consistent with the relevant plans and policies
- the proposed rezoning more accurately reflects the use and conditions of the site and existing surrounding uses

Signature:



Printed Name:

KAREN ARMSTRONG

Date:

22/9/16