

To reconcile National Parks and Wildlife Service Holdings within Warringah Local Environmental Plan 2011

Proposal Title :	To reconcile National Parks and Wildlife Service Holdings within Warringah Local Environmental Plan 2011		
Proposal Summary :	The planning proposal seeks to reconcile zoning related to National Parks and Wildlife Service (NP&WS) holdings, within the Warringah Local Environmental Plan 2011 (WLEP 2011) by amending the: • WLEP 2011 - Land Zoning Map; • WLEP 2011 - Lot Size Map; and • WLEP 2011 - Height of Buildings Map The amendments include correctly zoning: 1. Parcels of land that should be zoned E1 National Parks and Nature Reserves that are currently not; and 2. Parcels of land that are currently zoned E1 National Parks and Nature Reserves and should not be. The Planning proposal relates to multiple locations within Warringah LGA, updating zoning and relevant controls.		
PP Number :	PP_2013_WARRI_002_00	Dop File No :	13/10610

Planning Team Recommendation

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

S.117 directions : **2.1 Environment Protection Zones
4.3 Flood Prone Land**

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

- 1. The Planning proposal is exhibited for 28 days;**
- 2. The planning proposal is completed within 9 months of the Gateway Determination.**
- 3. Council proposes to progress the planning proposal under delegation. This matter is considered to be of local significance and the use of Council's delegation is supported.**
- 4. The planning proposal be amended by:**
 - a) the 'Statement of Objectives' should advise the planning proposal aims to correct errors and anomalies in the WLEP 2011 with the Land Zoning Maps, Lot Size Maps and Height of Buildings Maps to reconcile parcels of land and redefine boundaries relevant to the National Parks and Wildlife Service; and**
 - b) including maps which are consistent with WLEP 2011 format clearly showing current and existing Land Zoning, Lot Size, Height of Buildings and Floor Space Ratio controls for all affected land parcels.**
- 5. Council should consider Section 117 Directions 2.2 Coastal Protection, 2.3 Heritage Conservation, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulphate Soils and 4.4 Planning for Bushfire Protection which may be of relevance to the planning proposal.**
- 6. Inconsistencies with Section 117 Directions 2.1 Environment Protection Zones and 4.3 Flood Prone Land are considered to be of minor significance and the Director General's approval to proceed under this Delegation is granted. No further consideration of Section 117 Directions is required.**
- 7. Consultation is required with Office of Environment and Heritage, Department of Trade**

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and Investment - Crown Lands, NSW Rural Fire Service, Sydney Water and Transport for NSW - Roads and Maritime Services.

8. No further studies are required to be undertaken.

Supporting Reasons :

The proposal should be allowed to proceed as it updates zoning on Maps and corrects errors with boundary lines for land parcels related to National Parks and Wildlife Services in the Warringah LEP 2011.

It will also bring the WLEP 2011 in line with the National Parks and Wildlife Act 1974. The various changes will not affect the consistency and legibility of Warringah LEP 2011.

Panel Recommendation

Recommendation Date : 11-Jul-2013

Gateway Recommendation : Passed with Conditions

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the 'objectives or intended outcomes' within the planning proposal to advise that the proposal aims to correct errors and anomalies on the land zoning, lot size and height of buildings maps under Warringah LEP 2011 to reconcile parcels of land and define boundaries for land owned by or relevant to the National Parks and Wildlife Service.

2. Prior to undertaking public exhibition, Council is to update the planning proposal to include existing and proposed land zoning and where applicable lot size and height of buildings maps, which are at an appropriate scale and clearly identify the subject sites.

3. Council is to update the planning proposal to include sufficient additional information to demonstrate consistency or justify any inconsistency with S117 Directions 2.2 Coastal Protection, 2.3 Heritage Conservation, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulphate Soils and 4.4 Planning for Bushfire Protection and State Environmental Planning Policy (SEPP) 71 - Coastal Protection and SEPP Infrastructure.

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 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 & Infrastructure 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- NSW Trade and Investment – Crown Lands
- Sydney Water
- Transport for NSW - Roads and Maritime Services
- National Parks and Wildlife Service
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)

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.

6. 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).

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

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Signature:

S. Miller

Printed Name:

Sabina Miller

Date:

16 July 2013