

## Attachment 1 – Planning Proposal



### PLANNING PROPOSAL

Reconciliation of National Parks & Wildlife Service Holdings  
within Warringah Local Environmental Plan 2011

June 2013

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## **Introduction**

The Planning Proposal is for reconciliation of zoning related to National Parks and Wildlife Service (NP&WS) holdings within the Warringah Local Environmental Plan 2011 (WLEP 2011). The Planning Proposal relates to multiple locations within Warringah LGA, updating zoning and relevant statutory controls to reflect the current holdings of NP&WS. These changes impact the following maps:

**WLEP 2011 – Land Zoning Map**

**WLEP 2011 – Lot Size Map**

**WLEP 2011 – Height of Buildings Map**

The following outcomes will result from the Planning Proposal:

Amendment of WLEP 2011 to correctly zone:

- 1) Parcels of land that should be zoned E1 National Parks and Nature Reserves but currently are not so zoned
- 2) Parcels of land that are currently zoned E1 National Parks and Nature Reserves and should not be so zoned

## **Site Context and Location**

The sites are comprised primarily of undeveloped land. The parcels are owned by:

### **National Parks and Wildlife Service:**

Parcels with DPs:

DP 752038 (No lot number available. Directly west/south west of Lot 797 DP 752038)  
DP 752038 (No lot number available. Large Parcel directly south east of Lot 7306 DP 1146155)  
Lot 117 DP 752017  
Lot 7 DP 237680  
Lot 8 DP 237680  
Lot B DP 355159  
Part Lot 15 DP 5204  
Part Lot 14 DP 5204  
Lot 23 DP 5204  
Lot 1 DP 11177  
Lot 11 DP 539237  
Lot 2 DP 22523  
Lot 3 DP 22523  
Lot 4 DP 22523  
Lot 5 DP 22523  
Lot 6 DP 22523  
Lot 7 DP 11177  
Lot 6 DP 11177  
Lot 5 DP 11177  
Lot 4 DP 11177  
Lot 1 DP 11166  
Lot 2 DP 721575

Parcels without DPs:

Crescent shaped parcel directly south of Lot 2817 DP 728428  
D shaped parcel directly east of Lot 117 DP 752017  
Road reserve directly west/north west of Lot 117 DP 752017  
Parcel directly north of Lot 2816 DP 728428  
Parcel directly south of Lot 2 DP 522244

Four (4) parcels which contain the Creek reserve at intersection of McCarrs Creek and McCarrs Creek Road

### **Crown Lands:**

Parcels with DPs:

Lot 7316 DP 1150241  
Lot 7317 DP 1150241  
Lot 7318 DP 1150241  
Lot 7306 DP 1146155  
Lot 7330 DP 1152588  
Lot 7066 DP 93811  
Lot 5 DP 749899

Parcels without DPs:

Rectangular parcel directly east of Lot 1 DP 244599  
Deep Creek, directly east of Lot 1 DP 1031932  
Road reserve directly north of Lot 2 DP 794191  
Road reserve at intersection of McCarrs Creek and McCarrs Creek Road

### **Monash Holdings Pty Ltd**

Lot 2 DP 792962

## **Background**

In December 2009, Warringah Council received correspondence from the (then) Department of Environment Climate Change and Water in response to Council's public exhibition of the draft Warringah Local Environmental Plan 2009. One aspect of this correspondence raised concerns in relation to the Warringah Land Zoning Map and the correct identification of National Parks and Reserve Areas. This subject was deferred with the understanding that it would be revisited once the draft LEP was made.

On 28 August 2012, Warringah Council resolved to prepare a Planning Proposal to amend the Warringah Land Zoning Map to accurately record the boundaries of National Parks within the Local Government Area. This Planning Proposal has been created based on coordination between Warringah Council, Crown Lands and NP&WS to identify effected parcels of land and the most appropriate zoning for those parcels.

Note that on 28 August 2012 Council resolved to prepare a Planning Proposal to address various anomalies in WLEP 2011. At part (g) of the resolution Council decided to:

*Amend the Land Zoning Map to accurately record the boundaries of National Parks within the Local Government Area.*

All other parts of the resolution have been addressed by a separate Planning Proposal which is now with the Department of Planning and Infrastructure for making of the corresponding WLEP 2011 (Amendment). The matter of correcting the National Park boundaries in Warringah was separated from the other anomalies due to the anticipated time frame that would be required to properly research all land parcels and liaise with all relevant stakeholders.

## **The Planning Proposal**

Section 55 (2) Environmental Planning & Assessment Act 1979 outlines what a Planning Proposal must include. To comply with these requirements, this Planning Proposal comprises four (4) main parts;

- Part 1 - Objectives or intended outcomes

- Part 2 - Explanation of provisions
- Part 3 - Justification
- Part 4 - Community consultation

## **Part 1 – Objectives or Intended Outcomes**

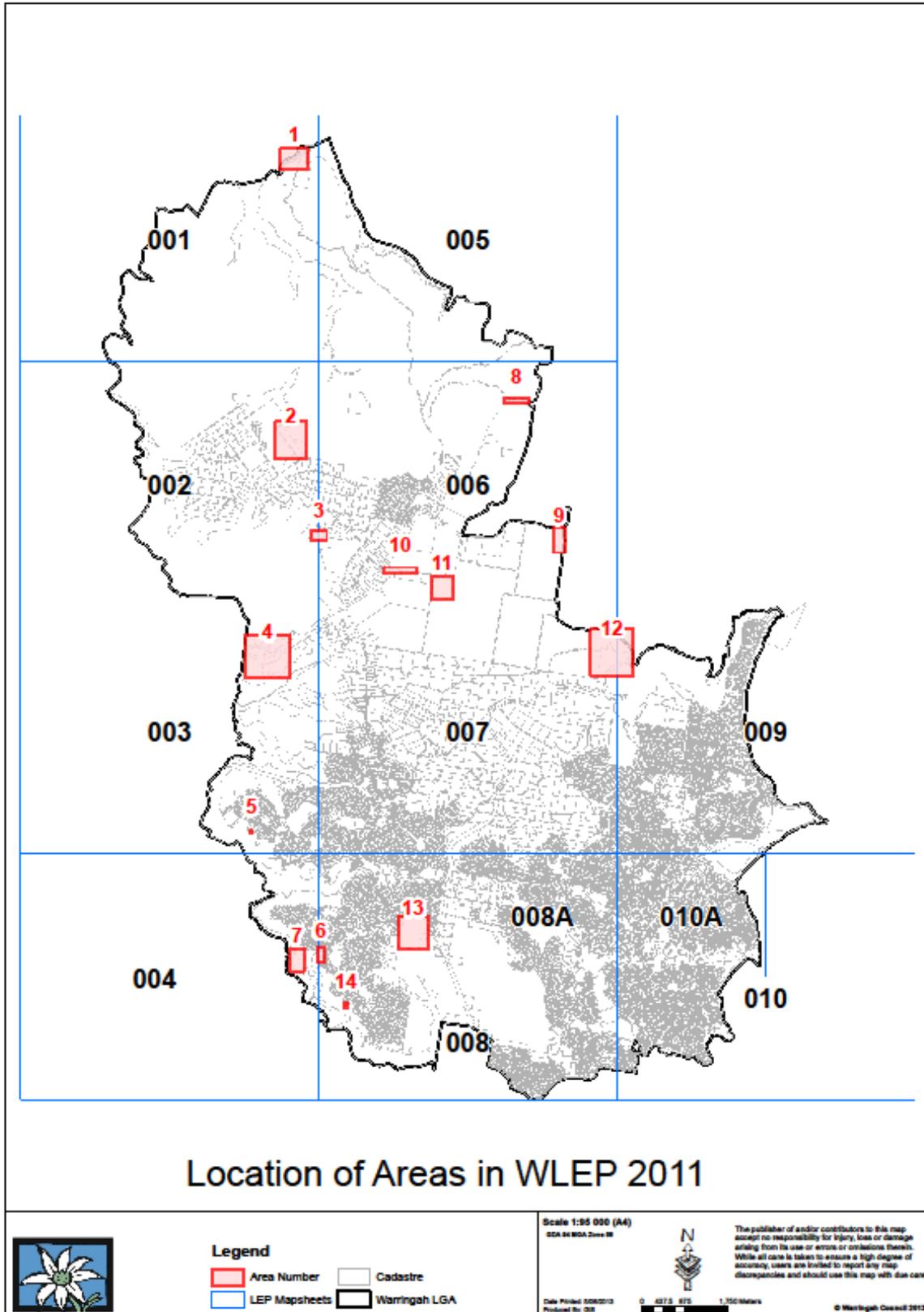
The objective of the Planning Proposal is to reconcile:

- 1) Parcels of land that should be zoned E1 National Parks and Nature Reserves but currently are not so zoned
- 2) Parcels of land that are currently zoned E1 National Parks and Nature Reserves and should not be so zoned

## Part 2 – Explanation of Provisions

The Planning Proposal is an amendment to the WLEP 2011 to rezone multiple parcels of land. This land is ordered as per the index map below and grouped by the Land Zoning Map Sheets currently on file with the Department of Planning and Infrastructure (e.g. Land Zoning Map – sheet 001).

### Index Map:

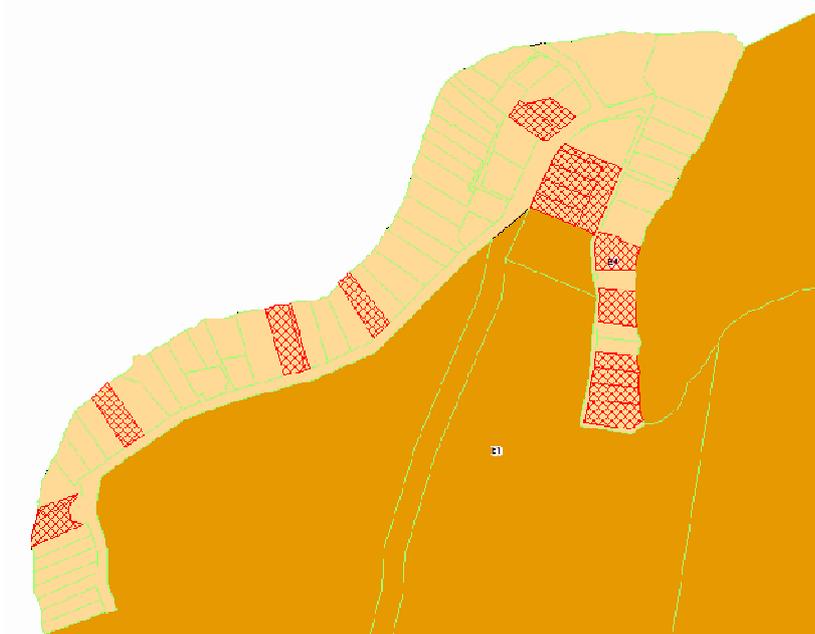


## Area 1

See Index Map on Page 6 for location within Land Zoning Map – sheet 001

### Affected Parcels

Lot 7 DP 237680  
Lot 8 DP 237680  
Lot B DP 355159  
Part Lot 15 DP 5204  
Part Lot 14 DP 5204  
Lot 23 DP 5204  
Lot 1 DP 11177  
Lot 11 DP 539237  
Lot 2 DP 22523  
Lot 3 DP 22523  
Lot 4 DP 22523  
Lot 5 DP 22523  
Lot 6 DP 22523  
Lot 7 DP 11177  
Lot 6 DP 11177  
Lot 5 DP 11177  
Lot 4 DP 11177  
Lot 1 DP 11166  
Lot 2 DP 721575



Extract of WLEP 2011 Land Zoning Map showing affected parcels red cross hatched.

### Current Status:

All affected parcels are owned by NP&WS

**WLEP 2011 – Land Zoning Map:** All parcels zoned E4 – Environmental Living

**WLEP 2011 – Lot Size Map:** 5000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** All parcels to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

## Area 2

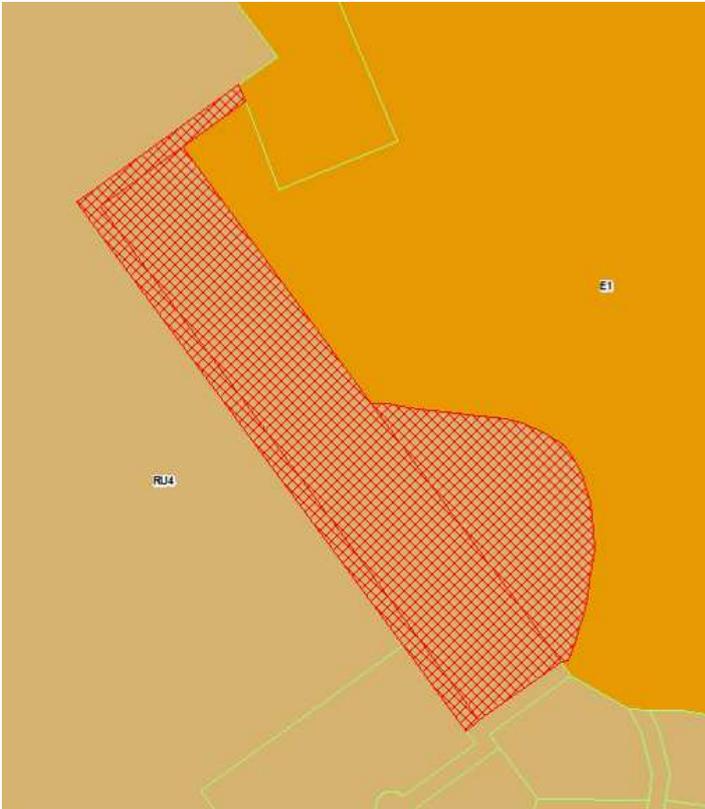
See Index Map on Page 6 for location within Land Zoning Map – sheet 002

### Affected Parcels

Lot 117 DP 752017

D shaped parcel directly east of Lot 117 DP 752017

Road reserve directly west/north west of Lot 117 DP 752017



*Extract of WLEP 2011 Land Zoning Map showing affected parcels red cross hatched.*

### Current Status:

All affected parcels are owned by NP&WS

**WLEP 2011 – Land Zoning Map:** All parcels zoned RU4 – Primary Production Small Lots

**WLEP 2011 – Lot Size Map:** 20,000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** All parcels to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

### Area 3

See Index Map on Page 6 for location within Land Zoning Map – sheet 002 and Land Zoning Map – sheet 006

#### Affected Parcel

Parcel directly south of Lot 2 DP 522244



Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.

#### Current Status:

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned RU4 – Primary Production Small Lots

**WLEP 2011 – Lot Size Map:** 20,000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

#### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

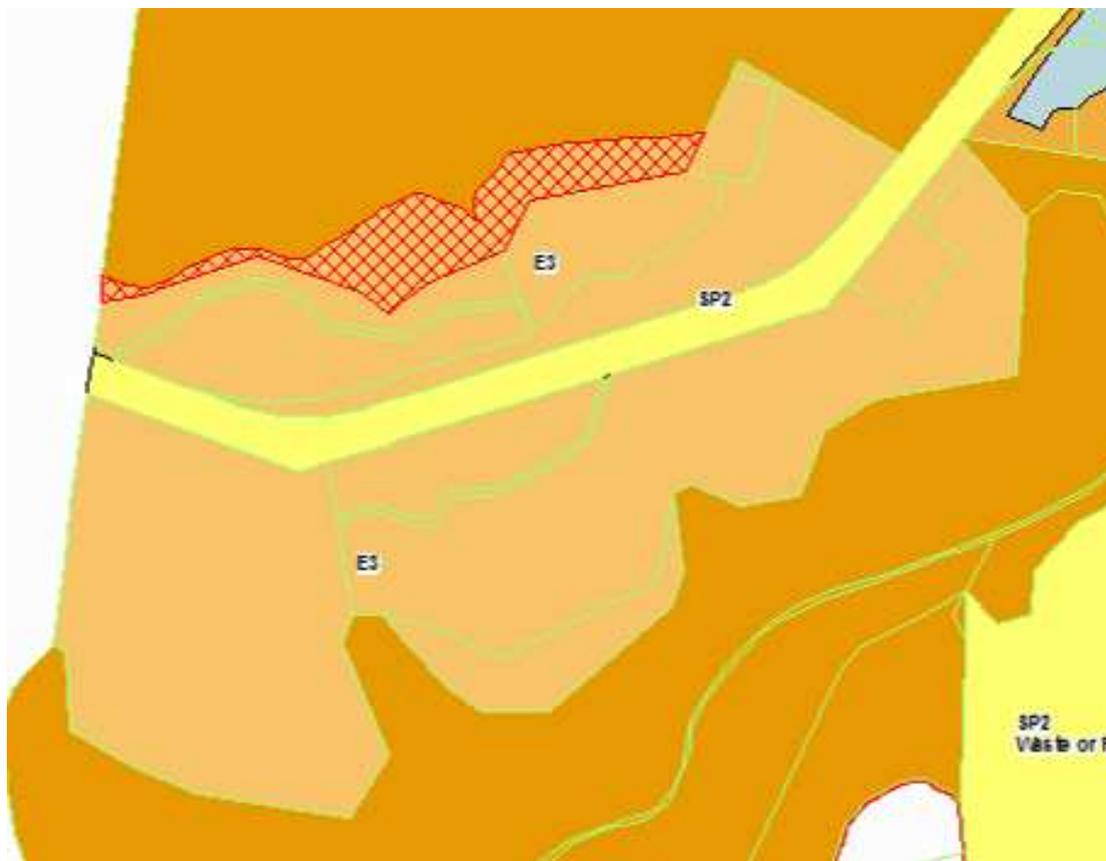
**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

## Area 4 (Part 1)

See Index Map on Page 6 for location within Land Zoning Map – sheet 002

### Affected Parcel

Parcel directly north of Lot 2816 DP 728428



Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.

### Current Status:

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned E3 – Environmental Management

**WLEP 2011 – Lot Size Map:** 200,000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

## Area 4 (Part 2)

See Index Map on Page 6 for location within Land Zoning Map – sheet 002

### Affected Parcel

Crescent shaped parcel directly south of Lot 2817 DP 728428



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned E3 – Environmental Management

**WLEP 2011 – Lot Size Map:** 200,000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

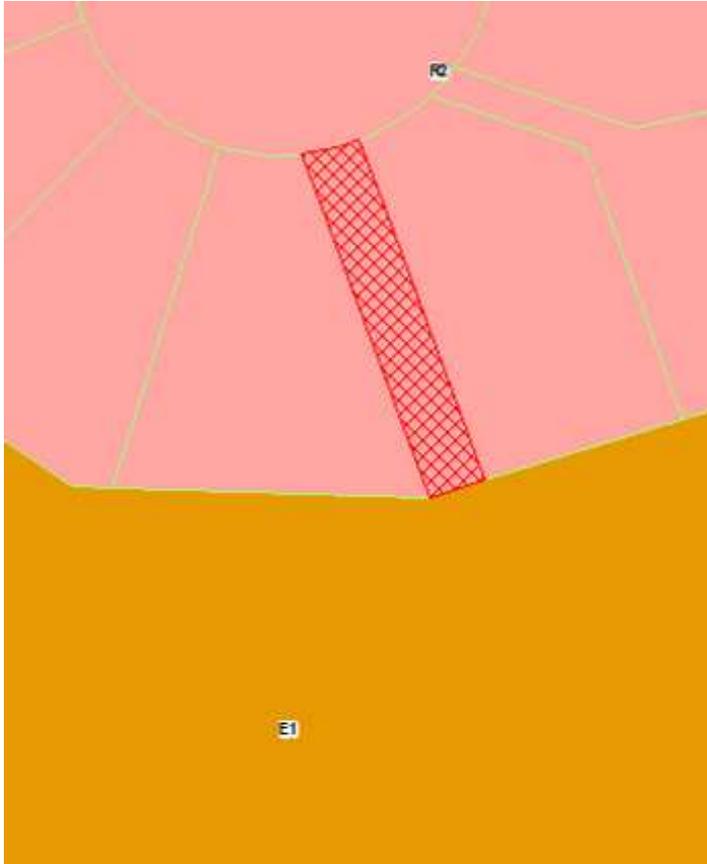
**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

## Area 5

See Index Map on Page 6 for location within Land Zoning Map – sheet 003

### Affected Parcel

Rectangular parcel directly east of Lot 1 DP 244599



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned R2 – Low Density Residential

**WLEP 2011 – Lot Size Map:** 600 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned RE1 – Public Recreation

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for RE1 zones)

**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for RE1 zones)

## Area 6

See Index Map on Page 6 for location within Land Zoning Map – sheet 004 and Land Zoning Map – sheet 008

### Affected Parcel

Lot 7330 DP 1152588



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned RE1 – Public Recreation

## Area 7

See Index Map on Page 6 for location within Land Zoning Map – sheet 004

### Affected Parcel

DP 752038 (No lot number available. Directly west/south west of Lot 797 DP 752038)



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned RE1 – Public Recreation

### Description of Proposed Change:

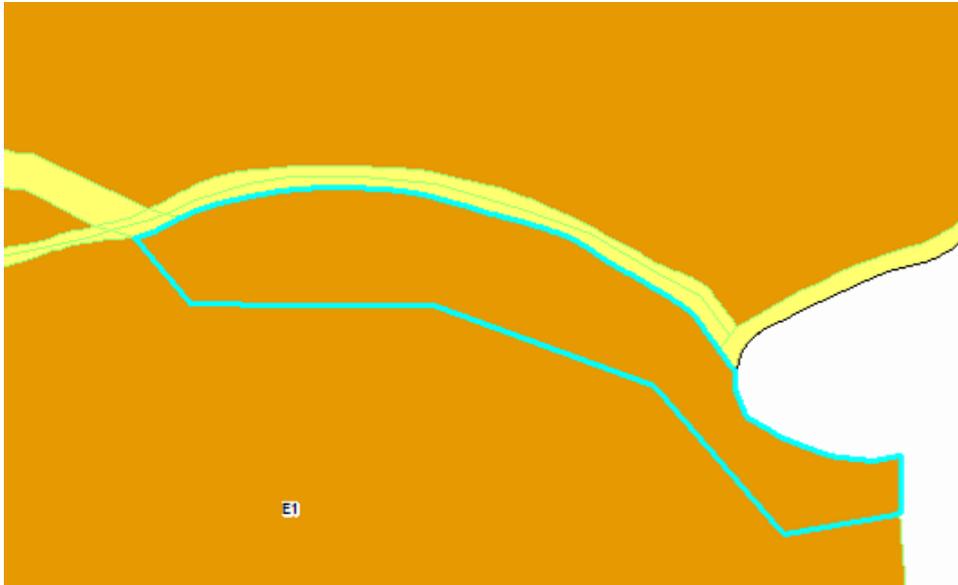
**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

## Area 8 (Part 1)

See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcel

Road reserve at intersection of McCarrs Creek and McCarrs Creek Road



Extract of WLEP 2011 Land Zoning Map showing affected parcel outlined in blue.

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned SP2 – Infrastructure

### Rationale:

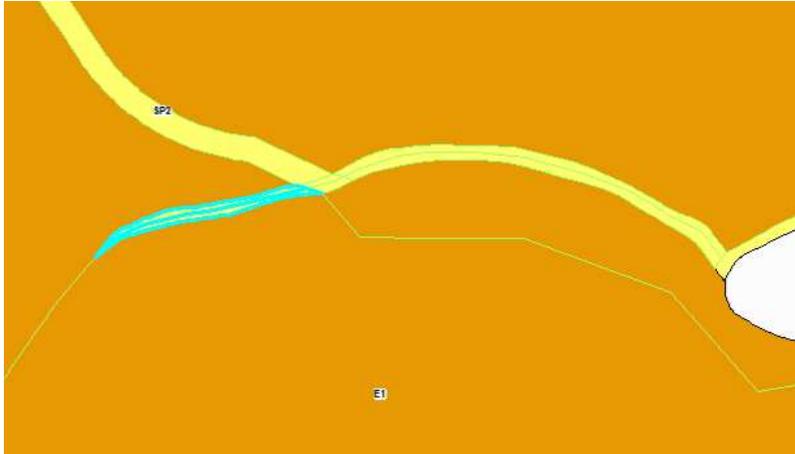
This area outlined above in blue is actually McCarrs Creek Road. In WLEP 2011, The SP2 – Infrastructure zone mistakenly follows the creek. The actual road is zoned as the creek should be (E1 – National Parks and Wildlife).

## Area 8 (Part 2)

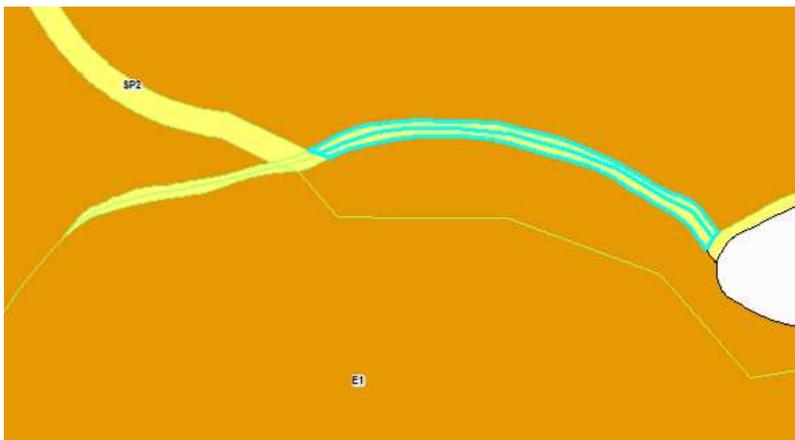
See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcels

Four (4) parcels which contain the Creek reserve at intersection of McCarrs Creek and McCarrs Creek Road



Extract of WLEP 2011 Land Zoning Map showing first two of four affected parcels outlined in blue.



Extract of WLEP 2011 Land Zoning Map showing last two of four affected parcels outlined in blue.

### Current Status:

Affected parcels are owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcels zoned SP2 – Infrastructure

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcels to be zoned E1 – National Parks and Wildlife

### Rationale:

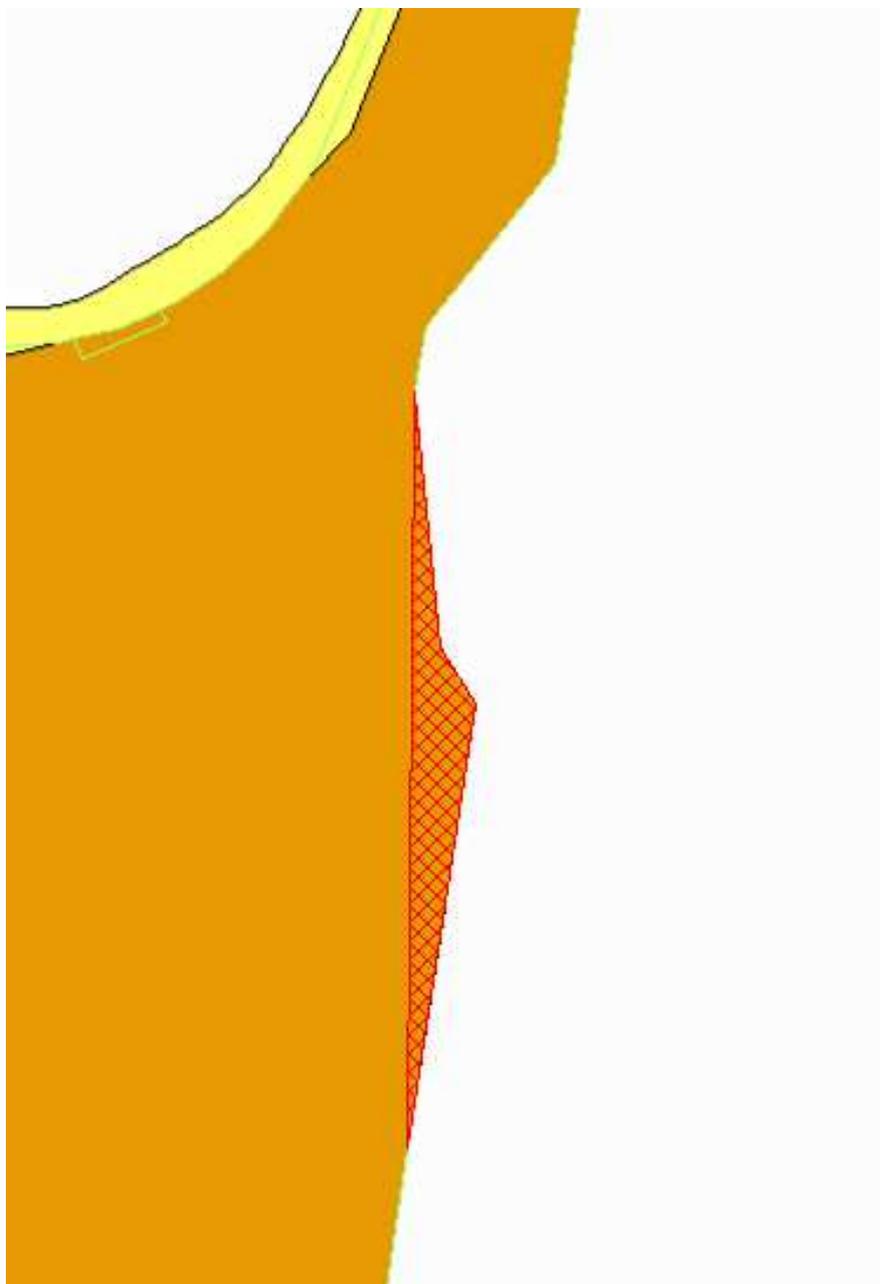
The areas outlined above are actually McCarrs Creek. In WLEP 2011, The SP2 – Infrastructure zone mistakenly follows the creek. The actual road is zoned as the creek should be (E1 – National Parks and Wildlife).

## Area 9 (Part 1)

See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcel

Lot 2 DP 792962



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by Monash Holdings Pty Ltd

**WLEP 2011 – Land Zoning Map:** Parcels zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcels to be zoned RE2 – Private Recreation

### Rationale:

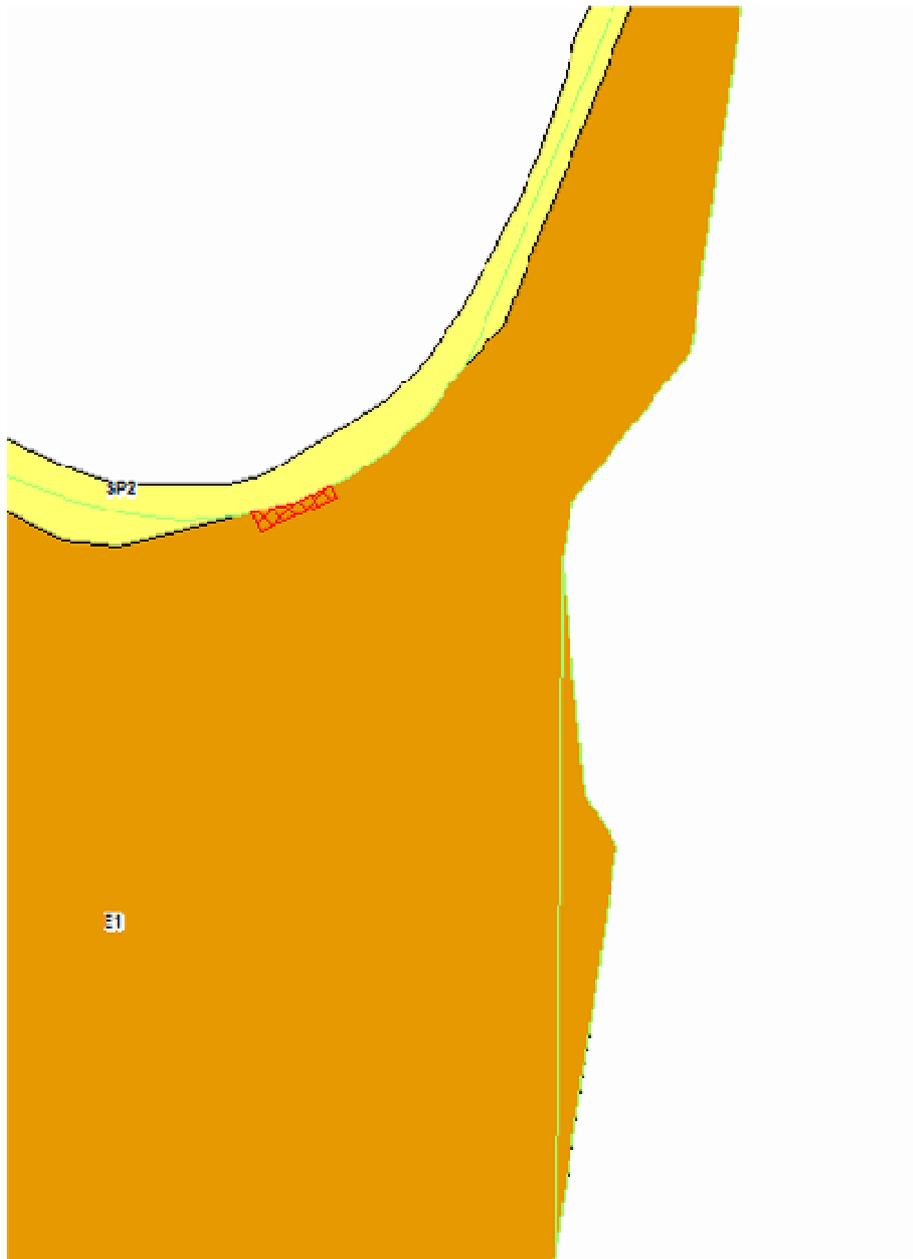
Land forms part of Monash Country Club, which is zoned RE2 – Private Recreation in Pittwater's draft LEP.

## Area 9 (Part 2)

See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcel

Lot 7066 DP 93811



Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcels zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcels to be zoned E2 – Environmental Conservation

### Rationale:

Land does not form part of the Mona Vale Road road reserve and is entirely surrounded by National Park

## Area 10

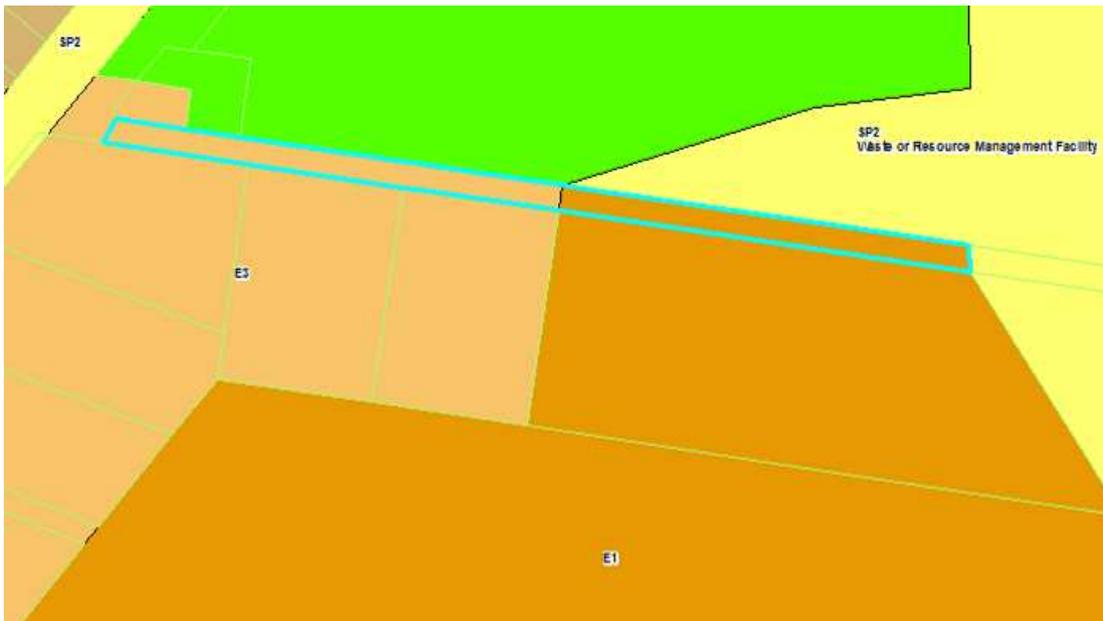
See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcel

Only applies to the section of road reserve currently zoned E1 – National Parks and Wildlife:  
Section of road reserve directly north of Lot 2 DP 794191

Affected section of road reserve is owned by Crown Lands. It is currently zoned as E1 and E3.

Current Zoning Map Displaying entire road reserve:



Extract of WLEP 2011 Land Zoning Map showing entire road reserve outlined in blue. This change only applies to the section of the road reserve currently zoned E1 – National Parks and Wildlife, as displayed in dark orange.

### Current Status:

Section of road reserve is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Section of road reserve zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Section of road reserve to be zoned SP2 – Infrastructure

### Rationale:

Road reserves are to be zoned as per their adjacent zoning, where able. Due to the specific nature of E1 – National Parks and Wildlife, the current zoning is inappropriate. Instead, the road should be zoned SP2 – Infrastructure in accordance with the neighbouring parcel to the north.

## Area 11

See Index Map on Page 6 for location within Land Zoning Map – sheet 006

### Affected Parcel

Part Lot 74 DP 752046



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

#### **Current Status:**

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned E3 – Environmental Management

**WLEP 2011 – Lot Size Map:** 200,000 square metres

**WLEP 2011 – Height of Buildings Map:** 8.5 metres

#### **Description of Proposed Change:**

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

**WLEP 2011 – Lot Size Map:** Remove minimum lot size (Not applicable for E1 – National Parks and Wildlife)

**WLEP 2011 – Height of Buildings Map:** Remove maximum height of buildings (Not applicable for E1 – National Parks and Wildlife)

## Area 12 (Part 1)

See Index Map on Page 6 for location within Land Zoning Map – sheet 007 and Land Zoning Map – sheet 009

### Affected Parcel

Lot 5 DP 749899



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned RE1 – Public Recreation

### Rationale:

RE1 – Public Recreation is consistent with nearby public land in Warringah generally to the south and east that adjoins Narrabeen Lagoon and supports public recreation use of the Lagoon.

## Area 12 (Part 2)

See Index Map on Page 6 for location within Land Zoning Map – sheet 007 and Land Zoning Map – sheet 009

### Affected Parcel

Deep Creek, directly east of Lot 1 DP 1031932



*Extract of WLEP 2011 Land Zoning Map showing affected parcel outlined in blue.*

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned W1 – Natural Waterways

### Rationale:

Deep Creek should be zoned W1 – Natural Waterways where it joins Narrabeen lagoon. This is consistent with Middle Creek and South Creek.

## Area 13 (Part 1)

See Index Map on Page 6 for location within Land Zoning Map – sheet 008

### Affected Parcel

Lot 7306 DP 1146155



Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife and RE1 – Public Recreation

### Description of Proposed Change:

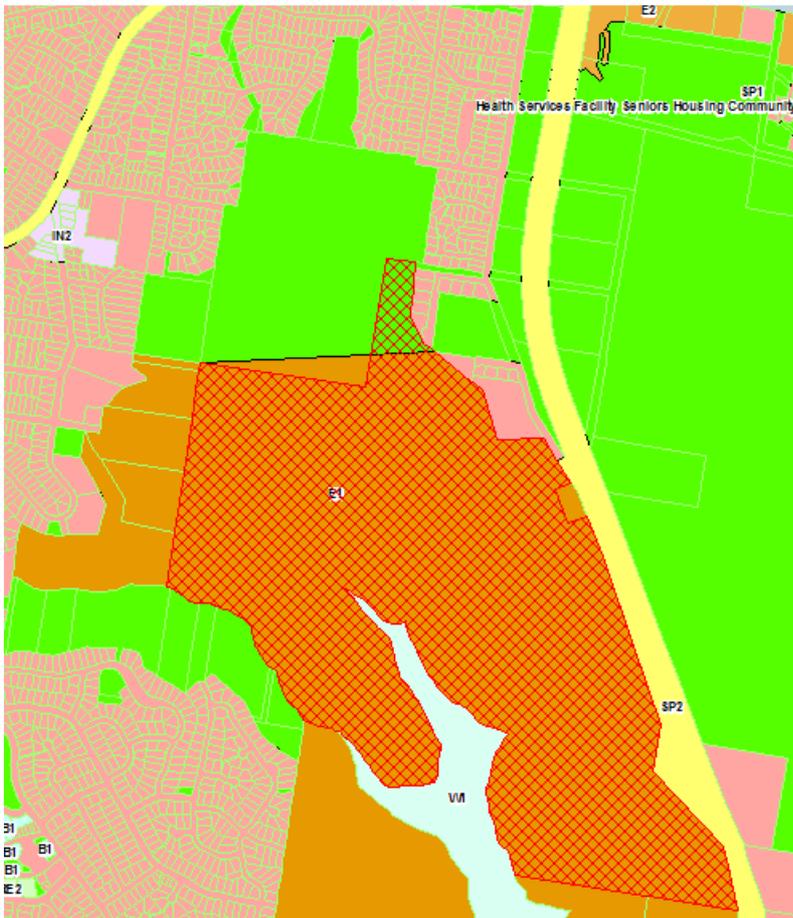
**WLEP 2011 – Land Zoning Map:** Parcel to be zoned RE1 – Public Recreation

## Area 13 (Part 2)

See Index Map on Page 6 for location within Land Zoning Map – sheet 008

### Affected Parcel

DP 752038 (No lot number available. Large Parcel directly south east of Lot 7306 DP 1146155)



Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.

### Current Status:

Affected parcel is owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife and RE1 – Public Recreation

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcel to be zoned E1 – National Parks and Wildlife

## Area 14 (Part 1)

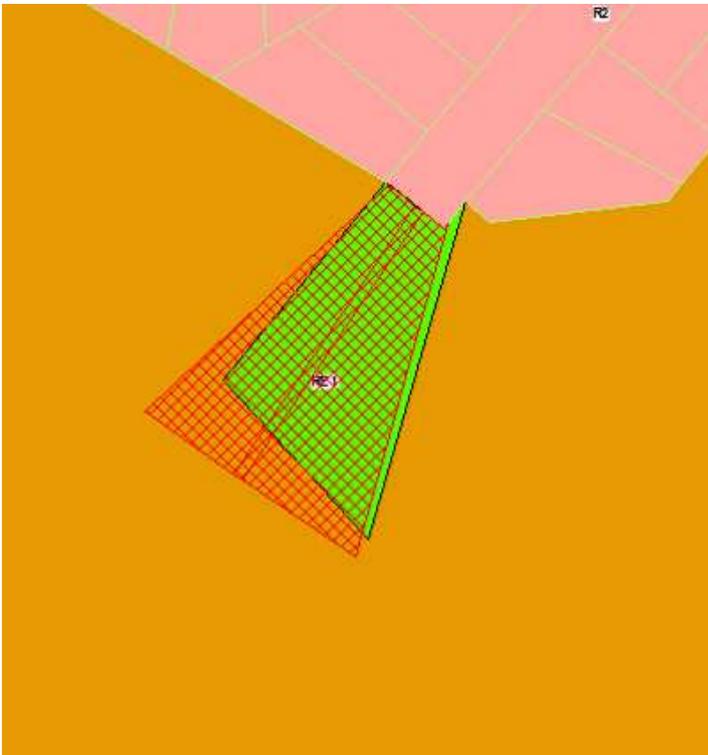
See Index Map on Page 6 for location within Land Zoning Map – sheet 008

### Affected Parcels

Lot 7316 DP 1150241

Lot 7317 DP 1150241

Lot 7318 DP 1150241



*Extract of WLEP 2011 Land Zoning Map showing affected parcels red cross hatched.*

### Current Status:

Affected parcels are owned by Crown Lands

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife and RE1 – Public Recreation

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcels to be zoned RE1 – Public Recreation

## Area 14 (Part 2)

See Index Map on Page 6 for location within Land Zoning Map – sheet 008

### Affected Parcels

DP 1152588 (No lot number available. Surrounding Lots 7316 to 7318 DP 1150241)

Affected Parcels are owned by NP&WS. It is currently zoned as RE1 and E1.

Current Zoning Map Displaying Affected Parcel:



*Extract of WLEP 2011 Land Zoning Map showing affected parcel red cross hatched.*

### Current Status:

Affected parcel is owned by NP&WS

**WLEP 2011 – Land Zoning Map:** Parcel zoned E1 – National Parks and Wildlife and RE1 – Public Recreation

### Description of Proposed Change:

**WLEP 2011 – Land Zoning Map:** Parcels to be zoned E1 – National Parks and Wildlife

## Part 3 – Justification

### A. Need for the Planning Proposal

#### Is the Planning Proposal the result of any strategic study or report?

The Planning Proposal is a result of submissions lodged during the draft LEP process by the (then) Department of Environment Climate Change and Water.

#### Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, a Planning Proposal is the best means of achieving Council's intend outcomes, for the following reason:

#### Correct Allocation of E1 National Parks and Nature Reserves

As per the WLEP 2011, the objectives of the E1 National Parks and Nature Reserves zone are:

- to enable the management and appropriate use of land that is reserved under the *National Parks and Wildlife Act 1974* or that is acquired under Part 11 of that Act,
- to enable uses authorised under the *National Parks and Wildlife Act 1974*, and
- to identify land that is to be reserved under the *National Parks and Wildlife Act 1974* and to protect the environmental significance of that land.

As there is an inconsistency between parcels of land that have been reserved under the *National parks and Wildlife Act 1974* and lands zoned as E1 National Parks and Nature Reserves, the objectives of WLEP 2011 are not being met. Rezoning via a Planning Proposal is the best way to correct this issue.

#### Is there a community benefit?

Yes, the amendments will increase the integrity of WLEP 2011, allowing for increased consistency and reliability of a statutory document that affects the Warringah community.

### B. Relationship to strategic planning framework

#### Is the Planning Proposal consistent with the objectives and actions contained within applicable Regional and sub-regional strategies?

The Planning Proposal is consistent with the objectives and actions of the Sydney Metropolitan Strategy and the Draft North East Subregional Strategy. However, the Planning Proposal is not related to an action area of either strategy.

#### Is the Planning Proposal consistent with the local council's community plan or other strategic plan?

The Planning Proposal is consistent with the Strategic Community Plan 2012. However, the Planning Proposal is not related to an action area of the Strategic Community Plan 2012.

#### Is the Planning Proposal consistent with applicable state planning policies?

Yes, the Planning Proposal is consistent with applicable state planning policies.

The following table provides an assessment of the Planning Proposal with the relevant SEPP's:

SEPP title	Consistency
------------	-------------

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The Planning Proposal is consistent with this SEPP and does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy No 19 (Bushland in Urban Areas)	The Planning Proposal is consistent with this SEPP and does not contain provisions that contractit or hinder the application of this SEPP.

**Is the Planning Proposal consistent with Ministerial Directions?**

Yes, the Planning Proposal is consistent with Ministerial Directions.

The following table provides an assessment of the Planning Proposal with the relevant s.117 Directions:

<b>s117 Direction</b>	<b>Consistency</b>
2.2 Environment Protection Zones	The Planning Proposal is consistent with this direction. Environmental protection standards for lands included in the Planning Proposal are not being reduced.
4.3 Flood Prone Land	The Planning Proposal does not impact upon the flooding risk of land located in flood prone areas.

**C. Environmental, social and economic impact**

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. Critical habitat nor threatened species, populations or ecological communities, or their habitats will not be adversely affected as a result of the proposal.

**Are there any other likely environmental effects as a result of the Planning Proposal and how they are proposed to be managed?**

There are no likely environmental effects as a result of the Planning Proposal.

**Has the Planning Proposal adequately addressed any social and economic effects?**

The purpose of the Planning Proposal is to increase the integrity of WLEP 2011, allowing for increased consistency and reliability of a statutory document that affects the Warringah community, providing positive social and economic outcomes for that community.

**D. State and Commonwealth interests**

**Is there adequate public infrastructure for the Planning Proposal?**

Yes. The Planning Proposal does not generate any need to upgrade or improve public infrastructure.

**What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?**

Warringah Council has consulted with Crown Lands and NP&WS, as they are owners of affected parcels, as an input to the Planning Proposal process.

Council will engage any additional public authority in accordance with the Gateway Determination

## **Part 4 – Community Consultation**

Council will exhibit the Planning Proposal in accordance with the requirements of section 57 of the Environmental Planning and Assessment Act.

The private owner of Lot 2 DP 792962, Monash Holdings Pty Ltd, has been sent a letter regarding the Planning Proposal.

Council also proposes to undertake community consultation in accordance with Council's adopted Community Engagement Policy, in the following manner:

- Advertise the Planning Proposal in a local newspaper and on Council's website at the start of the exhibition period
- Exhibit the Planning Proposal for a period of twenty eight (28) days from the date it appears in the news paper and on Council's website
- Notify owners of all affected land and owners of adjoining properties of the exhibition of the Planning Proposal.

## Attachment 2 – Council Minutes

Resolution of Council Meeting on 28 August 2013

### 8.5 PLANNING PROPOSAL TO AMEND WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

291/12 **RESOLVED**

**Cr Dr Kirsch / Cr Falinski**

That Council:

- A. Prepare a Planning Proposal for amending WLEP 2011 and refer this to the Minister for Planning and Infrastructure (Minister) that will:
  - a. Permit boat building and repair facilities in the IN1 General Industrial zone.
  - b. Delete “registered clubs” as a permitted use in the RE2 Private Recreation zone and
    - i) Zone Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club RE1 Public Recreation.
    - ii) Add Long Reef Golf Club; Manly Vale Bowling Club; North Manly Bowling Club and Wakehurst Golf Club to Schedule 1 Additional Permitted Uses, making “registered clubs” a permitted use on these sites.
  - c. Reduce the maximum building height for land in Narrabeen that is bound by Pittwater Road and Narrabeen, Ocean and Albert Streets (see attachment 1), from 11 metres to 8.5 metres.
  - d. Omit Lot 1 DP960506 from the Land Reservation Acquisition Map.
  - e. Map all properties listed within Schedule 1 Additional Permitted Uses of WLEP 2011.
  - f. Omit clause 6.1 Acid Sulfate Soils and insert the latest Model Local Provision 7.1 Acid Sulfate Soils.
  - g. Amend the Land Zoning Map to accurately record the boundaries of National Parks within the Local Government Area.
- B. Should the Minister require additional information to enable the amending WLEP 2011 to proceed, endorses Council staff to respond as required.
- C. Upon receipt of the NSW Minister for Planning and Infrastructure Gateway Determination, and in accordance with any directions contained therein, authorises the public exhibition and consultation requirements to progress the Planning Proposal.
- D. If the Minister supports the Planning Proposal, endorses Council staff to review and if required prepare amendments to the WDCP.

**RESOLVED BY EXCEPTION**