

Rezone and introduce maximum dwellings permitted in various Sectors (901D, 901E and 901G) within Warriewood Valley Urban Land Release Area

Proposal Title :	Rezone and introduce maximum dwellings permitted in various Sectors (901D, 901E and 901G) within Warriewood Valley Urban Land Release Area		
Proposal Summary :	The planning proposal seeks: 1. To rezone sector 901D/901E (as well as an adjoining strip of land) and sector 901G of the Warriewood Valley Land Release Area from Zone No 1(b)(Non Urban 'B') to Zone No 2(f) (Urban Purposes - Mixed Residential) under Pittwater Local Environmental Plan (PLEP) 1993. 2. To specify maximum dwelling numbers for these sectors: 16 dwellings for sector 901D/901E and 6 dwellings for sector 901G.		
PP Number :	PP_2013_PITTW_002_00	Dop File No :	13/10977

Proposal Details

Date Planning Proposal Received :	20-Jun-2013	LGA covered :	Pittwater
Region :	Sydney Region East	RPA :	Pittwater Council
State Electorate :	PITTWATER	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	1 Fern Creek Road		
Suburb :	Warriewood	City :	New South Wales
Land Parcel :	Lot 1 DP 736961, Sector ID: 901D and adjoining Orchard Street Road Reserve.		
Street :	12 Orchard Street		
Suburb :	Warriewood	City :	New South Wales
Land Parcel :	Lot C1 DP 373690, Sector ID: Sector 901E		
Street :			
Suburb :		City :	
Land Parcel :	Lot 11 DP 1092788, Sector ID: 901G		

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constraints and is not be suitable for medium density housing. The proposed dwelling controls would result in low density housing on the subject land.

The planning proposal also seeks to amend Clause 30E (4) pertaining to a State Infrastructure Contribution (SIC) for the release area. As outlined in correspondence to Pittwater Council 14 October 2011 (Objective File 11/15752), no SIC is required for any current or future development applications within Warriewood Valley Release Area. The issue of a potential SIC was not further considered in the Warriewood Valley Strategic Review and it is recommended that Council be advised that Clause 30E (4) should not apply to development in Warriewood Valley Release Area.

Council's request for delegation to finalise the planning proposal, which is of local planning significance, is supported.

External Supporting
Notes :

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 certain land in the Warriewood Valley Release Area from non-urban to Zone No 2(f) (Urban Purposes - Mixed Residential) under Pittwater Local Environmental Plan (PLEP) 1993.

The planning proposal also intends to add maximum dwelling numbers into the relevant clause of PLEP 1993.

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

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

Comment : The proposal seeks to make the following amendments to PLEP 1993:

1. Amend Clause 5 - 'Interpretation' and Clause 30D - 'Mitigation of odours from Warriewood Sewage Treatment Plant' to allow for the changes to the zoning map
2. Amend clause 30B - Development of UDP land in Warriewood Valley to include the subject land in the clause.
3. Amend clause 30C - Dwelling Yield by inserting the following:
Sectors 901D and 901E including adjoining Orchard Street road reserve – not more than 16 dwellings;
Sector 901G – not more than 6 dwellings
4. Amend 30E - Public Infrastructure to include the subject land.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.2 Rural Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

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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 :

Proposal Assessment

Principal LEP:

Due Date : **December 2013**

Comments in relation to Principal LEP : **The draft PLEP 2013 was on exhibition from 16 March 2013 until 10 May 2013. Council is currently reviewing submissions and is proposing to re-exhibit the plan with a Parliamentary Counsel draft later this year.**

Council intends to incorporate the outcome of this planning proposal into its principal LEP.

Assessment Criteria

Need for planning proposal : **The planning proposal seeks to facilitate low density residential development on these parcels of land, which have been identified as being environmentally constrained in both the Warriewood Valley Planning Framework 2010 and the Warriewood Valley Strategic Review Report.**

These parcels of land are some of the last remaining non-urban parcels in the Warriewood Valley Urban Release Area.

Pittwater Council's intention is to rezone these parcels so residential development can proceed is supported.

Consistency with strategic planning framework : **This planning proposal is consistent with the objectives of draft Metropolitan Strategy for Sydney, the NSW State Plan and draft North-East Subregional Strategy.**

The planning proposal is consistent with Action C1 in the draft North-East Subregional Strategy which aims to ensure adequate supply of land and sites for residential development through the Metropolitan Development Program (MDP).

The planning proposal is consistent with the recently adopted Warriewood Valley Strategic Review Report 2012 which recommends an increase in the number of dwellings in the Warriewood Valley Release Area.

Environmental social economic impacts : **The planning proposal is consistent with the recommendations of the Warriewood Valley Strategic Review Report.**

The broader environmental, economic and social impacts of residential development on the subject land were considered when the Warriewood Valley was released for urban development in the 1970s.

The known environmental constraints of the subject land (which were identified as part of the land capability exercise undertaken for the Strategic Review and precluded the further consideration of medium density housing) will need to be considered during the development application process.

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

1. The planning proposal be exhibited for 14 days;
2. The planning proposal be completed within 9 months of the gateway determination;
3. Prior to undertaking public exhibition, Council is to update the planning proposal to make it clear that clause 30E(4) State Infrastructure Contribution (SIC) does not apply to current or future residential development in the Warriewood Valley Release Area;
4. Inconsistencies with s117 Directions, particularly Direction 1.2 Rural Zones, are minor and have been adequately justified;
5. Consultation is required with NSW Rural Fire Services consistent with Direction 4.4 Planning for Bushfire Protection;
6. No further studies are required to be carried out;
7. The proposed rezoning is of local significance and Council's request for delegation is supported.

Supporting Reasons : The planning proposal seeks to facilitate low density residential development on some of the last remaining parcels of land in the Warriewood Valley Land Release Area and it is considered appropriate that it proceed at this time.

Signature:



Printed Name:

DAVID PITNEY

Date:

24/7/13