



PLANNING PROPOSAL

FORESTVILLE LOCAL CENTRE

PROPOSED REZONING
&

PARTIAL RECLASSIFICATION FROM COMMUNITY TO OPERATIONAL
LANDS

JANUARY 2016



Contents

1	INTRODUCTION.....	3
2	SITE ANALYSIS	5
2.1	Site details and features.....	5
2.2	Site context and location	6
3	REPORT STRUCTURE	9
4	STATEMENT OF OBJECTIVES AND INTENDED OUTCOMES	10
5	EXPLANATION OF THE PROVISIONS.....	11
6	JUSTIFICATION	13
6.1	Need for the planning proposal	13
7	STRATEGIC PLANNING CONSIDERATIONS.....	15
7.1	Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Strategy for Sydney and the Subregional Plan?	15
7.2	Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?	16
7.3	Is the planning proposal consistent with applicable state environmental planning policies?	16
7.4	Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	16
8	ENVIRONMENTAL SOCIAL AND ECONOMIC CONSIDERATIONS.....	18
8.1	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?	18
8.2	Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?	18
8.3	How has the planning proposal adequately addressed any social and economic effects?	18
9	STATE AND COMMONWEALTH INTERESTS	19
9.1	Is there adequate public infrastructure for the planning proposal?	19
9.2	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?	19
10	COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL	20
11	PROJECT TIMELINE.....	21
12	CONCLUSION	22

1 INTRODUCTION

The proposal is to rezone six allotments, hereafter known as the site, from RE1 Public Recreation to B2 Local Centre and to reclassify one of these allotments from community to operational land. This is to better reflect the surrounding land use zone and land use principles that apply to the adjacent Forestville shops.

The subject site known as Forestville local centre refers to six (6) allotments of land, primarily used for carparking, legally described as follows:

Table of Lots/ DPs

Allotment (see Figure 1)	Property Description	Common Address	Site Area
1	Lot 7084/ DP 93831	Darley Street, Forestville	1309m ²
2	Lot 15/ DP 401139	Darley Street, Forestville	582m ²
3	N/A	Pedestrianised Road Reserve for "The Centre", Forestville	2158m ²
4	Lot X/ DP 26598	Darley Street, Forestville	259m ²
5	Lot Y/ DP 26598	The Centre, Forestville	246m ²
6	Lot 18/ DP30880	'Public Reserve' Lot 18/The Centre, Forestville	395m ²

These allotments represent a total of 4949m² and are depicted in the map below.

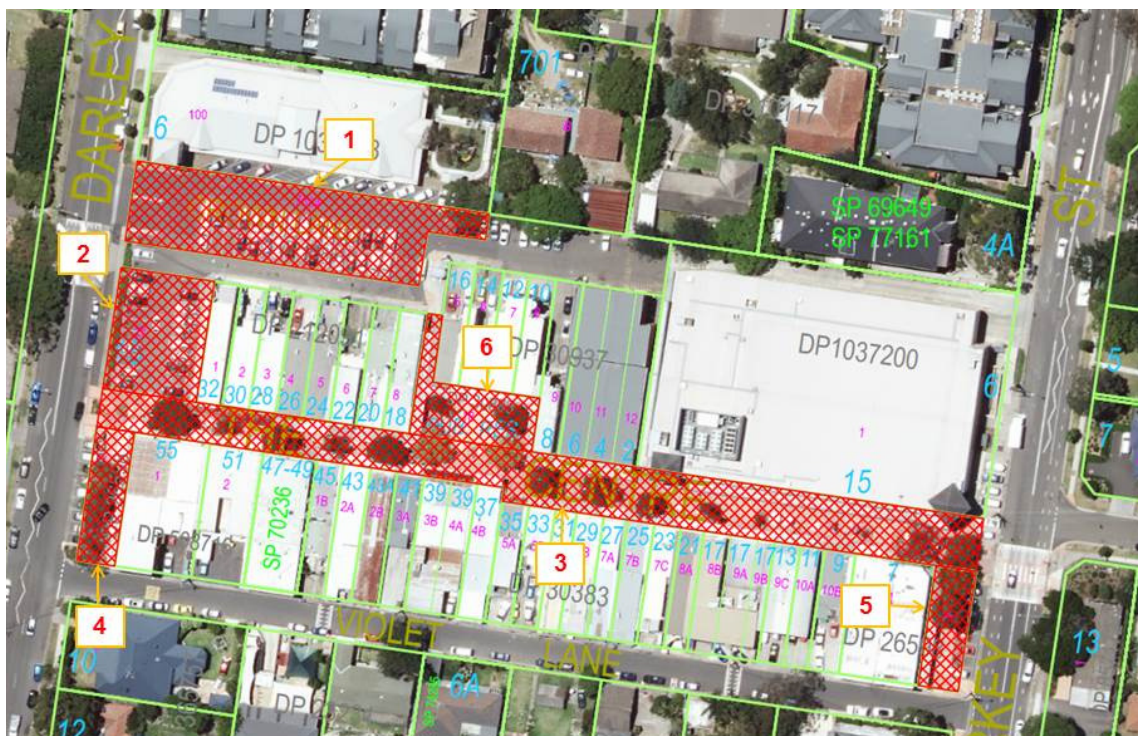


Figure 1: Aerial photograph showing subject site at Darley & Starkey Streets, Forestville (crosshatched) with separate allotments identified.



These allotments are separately described below:

Allotment 1 (Lot 7084 / DP 93981 - Darley Street)

Identified on Figure 1 as “1”. Located adjacent to the north eastern corner of the Forestville local centre and directly adjacent to the Forestville community centre and library. The existing land use is carparking and vehicular access to the Forestville local centre from Darley Street.

The allotment is in the ownership of the Crown, managed by Warringah Council.

Allotment 2 (Lot 15 / DP 401139 - Darley Street)

Identified on Figure 1 as “2”. Located along the western boundary of the Forestville local centre with vehicular access from the adjacent Darley Street. The existing land function is a carpark which services the centre.

The allotment is in the ownership of the Crown, managed by Warringah Council.

Allotment 3 (“The Centre” Road Reserve – between Darley Street and Starkey Street)

Identified on Figure 1 as “3”. This lot is a road reserve running through the Forestville local centre between Darley Street and Starkey Street in an east west orientation. The land serves as a pedestrian thoroughfare through the centre, and pedestrian access to the shops. This lot is not accessible to vehicular traffic.

Allotment 4 (Lot X / DP 26598 – Darley Street)

Identified on Figure 1 as “4”. Located on the south western corner of the Forestville local centre, bound by Darley Street (west) and Violet Lane (south). The existing land use is carparking directly accessed from Darley Street, servicing the Forestville local centre.

The allotment is in the ownership of the Crown, managed by Warringah Council.

Allotment 5 (Lot Y / DP 26598 – Darley Street)

Identified on Figure 1 as “5”. Located on the south eastern corner of the Forestville local centre, bound by Starkey Street (east) and Violet lane (south). The existing land use is carparking directly accessed from Starkey Street, servicing the Forestville local centre.

The allotment is in the ownership of the Crown, managed by Warringah Council.

Allotment 6 (Lot 18/ DP30880 - Public Reserve’ Lot 18/ The Centre, Forestville)

Identified on Figure 1 as “6”. Located in the middle of The Centre lot 18/The Centre, Forestville, is a small paved square, the use of which is ancillary to the local centre. The land is used as a pedestrian access way to the carpark, library, and public amenities that lie behind it, as well as passive resting area for people who shop.

The allotment is in the ownership of Warringah Council and is the only lot that this planning proposal seeks to reclassify.



2 SITE ANALYSIS

2.1 Site details and features

The site is known as Forestville local centre. It is legally described as the following: Lot 7084 in Deposited Plan (DP) 93831; Lot 15 in DP 401139; Lot X & Y in DP 26598; Road Reserve “The Centre”, Forestville; and Lot 18 in DP30880.

The site’s key features in relation to the proposal are summarised as follows:

- Currently being used as a public carparking areas and pedestrian access ways servicing Forestville local centre (established land use).
- Lot 7084 in DP 93831; Lot 15 in DP 401139; Lot X in DP 26598; Lot Y in DP 26598 (allotments in the site) are Crown land that is managed by Warringah Council.
- Road reserve “The Centre”, Forestville (allotment in the site) is owned and managed by Warringah Council.
- Lot 18 DP 30880 (allotment in the site) is community land and owned and managed by Warringah Council.
- Total site area of 4949m².
- A mix of carparking is provided within 4 key areas of the site; 90 degree to curb off Starkey and Darley Streets; bay parking adjacent from the Community Centre and the Shopping area.
- Pedestrian access to the site is informal in nature and is generally directly from the public footpaths along the Darley Street and Starkey Street frontages directly adjoining the site. Car parking is at-grade with pedestrian access.
- The site accommodates approximately 98 car spaces.
- Carparks are timed – limited to two (2) hours maximum during weekdays with some three (3) hour parking available on weekends.

2.2 Site context and location

The site's key features with regards to its context and location are summarised as follows:

- Allotments making up the site are interspersed throughout the Forestville Local Centre;
- Located near the intersection of Darley Street and Violet Lane, and the intersection of Starkey Street and Violet Lane;
- Surrounding land uses include Forestville local shops directly adjacent;
- Forestville Shops are on a local centre scale;
- Multiple street frontages due to fragmented composition;
- Forestville local shops directly adjacent to all lots (B2 Local Centre zoning), dwelling houses immediately to the south and east (R2 Low Density Residential zoning), Forestville Public School directly to the west (R2 Low Density Residential zoning).



Image 1: Allotment 1 and 2 (carparking areas) with multi directional access from Darley Street in the foreground. Showing context with Forestville local centre buildings visible in the background (Source: Google maps, 2013).



Image 2: Allotment 4 (carparking area) viewed from Darley Street, Forestville. Partial view of the Forestville local centre directly adjacent, also showing direct vehicular access to the carparking spots from Darley Street (Source: Google maps, 2013).



Image 3: View to Forestville local centre shops from the intersection of Darley Street and Violet Lane with Allotment 4 (carparking area) visible (Source: Google maps, 2013).



Image 4: Allotment 5 viewed from the corner of Starkey Street and Violet Lane with Forestville local centre shops behind. Also showing direct access to each car park space from Starkey Street (Source: Google maps, 2013).



Image 5: Allotment 3 "The Centre" viewed from Starkey Street, Forestville (looking west) (Source: Google maps, 2013).



Image 6: Allotment 6 "The Centre" from the north western corner (looking east)



Image 7: Allotment 6 "The Centre" from the north western corner toward car parking area (Allotment 1)



3 REPORT STRUCTURE

The Department of Planning and Environment (DoPE) sets the form and structure for planning proposal reports. Accordingly, the following sections of this report are set out in four main parts, as follows:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - Justification for those objectives, outcomes and provisions and the process for their implementation:
 - A. Need for the planning proposal
 - B. Relationship to strategic planning framework
 - C. Environmental, social and economic considerations
 - D. State and Commonwealth interests
- Part 4 - Details of the community consultation that is to be undertaken on the planning proposal.



4 STATEMENT OF OBJECTIVES AND INTENDED OUTCOMES

The objective of the planning proposal is to amend the WLEP 2011 to rezone the site from RE1 Public Recreation to B2 Local Centre, and to reclassify one allotment within the site, Lot 18 DP30880, from community land to operational land.

This is in order to apply consistent land management principles that reflect the established land use of the subject site and the land that it serves.

The reclassification of the land to “operational” will enable Council to support the existing and continued use of Forestville business and retail precinct (The Centre).

5 EXPLANATION OF THE PROVISIONS

The following is an explanation of the provisions that are proposed to be included in the LEP [EPA Act s.55 (2)(b)].

The planning proposal will cause Allotment 6 , Lot 18 DP30880, to be included within Schedule 4 – Classification and reclassification of public land Part 1 WLEP2011

The proposed map changes to the LEP are provided below.

The proposal involves amending Map Sheet 009 of the Land Zoning Map of the Warringah Local Environmental Plan 2011:

Current:

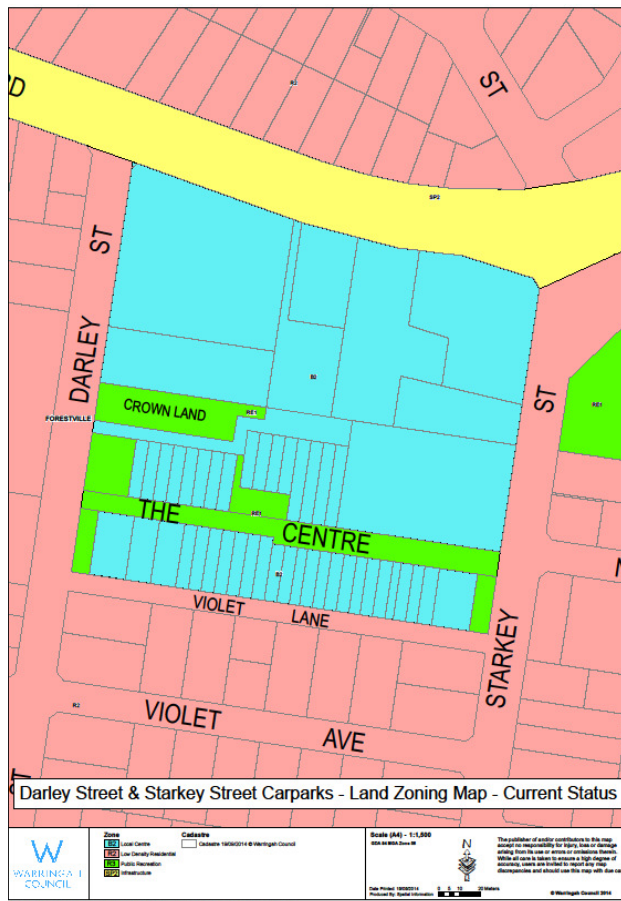


Figure 2: Darley and Starkey Street carparks, Forestville – current status on WLEP 2011 Land Zoning Map.

Proposed:

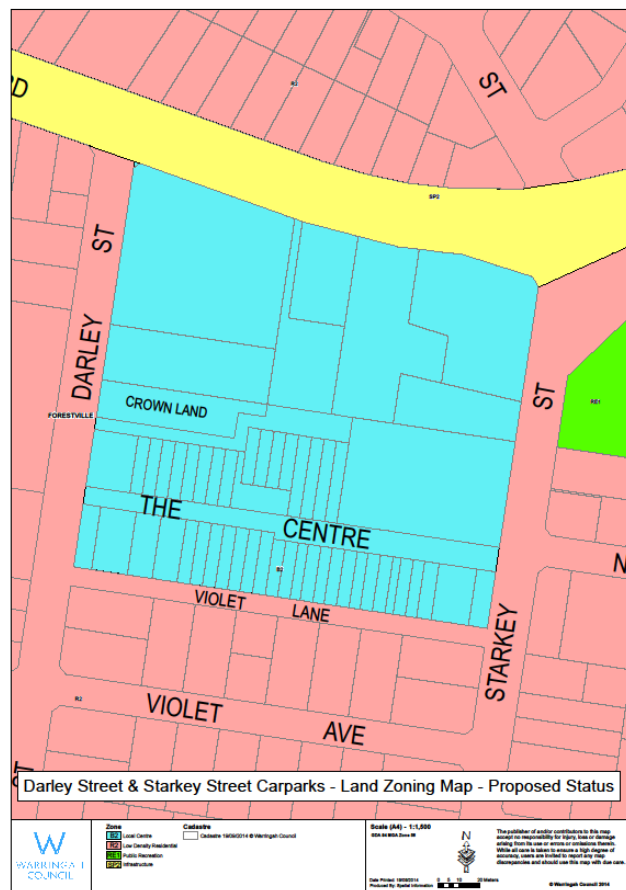


Figure 3: Darley and Starkey Street carparks, Forestville – proposed status on WLEP 2011 Land Zoning Map.

In addition, the application of a height control to the site is necessary because no height standards apply to land zoned RE1 Public Recreation (generally) in the Warringah LEP. A height standard of 12m has been selected to reflect the height control for surrounding land.

The proposal involves amending Map Sheet HOB009 of the Height of Buildings Map of the Warringah Local Environmental Plan 2011 as follows:

Current:

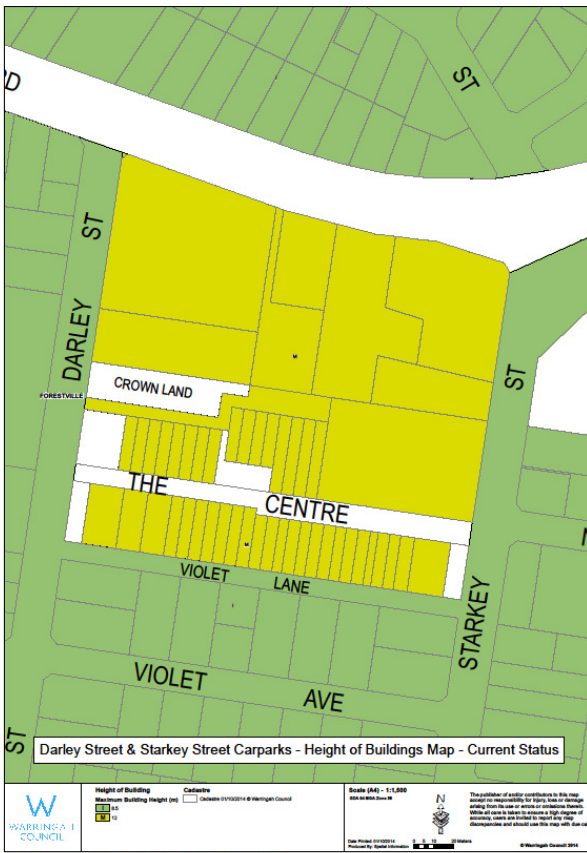


Figure 4: Darley and Starkey Street carparks, Forestville – current status on WLEP 2011 Height of Buildings Map.

Proposed:

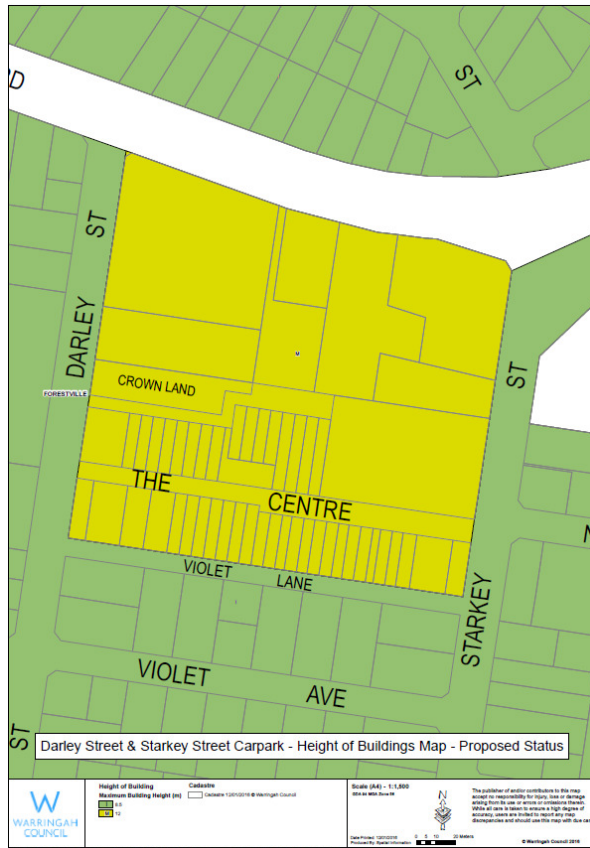


Figure 5: Darley and Starkey Street carparks, Forestville – proposed status on WLEP 2011 Height of Buildings Map.



6 JUSTIFICATION

6.1 Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

Yes. A strategic review of Council's public carparks was undertaken and reported to Council on 25 March 2014. This planning proposal is an outcome from the findings of that review.

The review has taken into account the relevant local and state planning policies, the site's context within the Forestville neighbourhood centre, and the merits of a different zoning being applied.

A subsequent Council report on 27 October 2015 highlighted the merit of reclassifying Lot 18 DP30880, from community to operational land.

Planning Proposal

Council's decision to prepare a planning proposal has been a result of the strategic review of Council's carparks and subsequent Council meetings.

It has been determined appropriate to rezone the site for the following reasons:

- The use of RE1 Public Recreation zoned land as carparking areas serving the Forestville Local Centre is inconsistent with the objectives of the zone, as the carparks do not serve a park, playing field, beach or other type of land zoned for public recreation.
- Four allotments serve as carparking areas which are used mainly in association with the Local Centre which includes local shops and other businesses.
- The carparking areas adjoin land zoned B2 Local Centre (Forestville Local Centre). It is most appropriate that the land be zoned to be consistent with the land use that it serves, in this case the local centre. This will achieve compatibility between the established land use (carparking) and the zoning objectives.

To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

To ensure that neighbourhood centres provide a village-like atmosphere and safety and comfort for pedestrians.

To minimise conflict between lands uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.

- The additional two allotments are also ancillary to the local centre, and have been included to allow for consistent and appropriate zoning to The Centre in its entirety.

The proposal to reclassify part of the site, being Lot 18 DP30880, which serves as a pedestrian access way to the carpark, library, and public amenities that lie behind it, ensures ease of management for the local centre given that the operational classification better reflects the land use principles of the adjoining road reserve.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes?

The proposal is an appropriate means of achieving the objectives for the current use of the land. The following points are noted in support of this view:

- The site supports a number of carparking areas and is zoned RE1 Public Recreation. However the site does not provide carparking in association with public recreation or open space usage, that is to support visitation to parks, playing fields or beaches. As a result the function of the site (carpark/s) does not reflect the zone and the purpose for which it is used.



- The additional two allotments are also ancillary to the Forestville local centre, serving as access ways, and should also reflect the land use which they serve.
- The location of the site is appropriate to support a *business zoning* because the carparking areas and other allotments adjoin land zoned B2 Local Centre (Forestville Shops) and the most appropriate outcome is one where the land is zoned consistent with the land use that it serves, in this case the local centre.
- Reclassifying Lot 18 DP30880, from community land to operational land, is the best way of achieving a consistent management approach for the Centre Forestville as it allows for similar land use principles to be applied as the adjoining road reserve.

3. Is there a net community benefit?

The planning proposal will deliver a net community benefit. The key community benefits include:

- The planning proposal will address the current incompatibility between the land use of the site (carpark) and the objectives of the current zone by establishing a more appropriate zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
- The proposal supports the site continuing to provide a small-scale community use (carparking and pedestrian access) that serves the needs of people in the surrounding neighbourhood (Forestville shops).



7 STRATEGIC PLANNING CONSIDERATIONS

The following strategic planning considerations are applicable to the site:

- A Plan for Growing Sydney
- North Eastern Subregion – draft Subregional Strategy
- Warringah Community Strategic Plan 2023
- State Regional Planning Policy (Infrastructure) 2007
- Applicable Ministerial Directions (Section 117)

These are addressed in-turn below.

7.1 Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Strategy for Sydney and the Subregional Plan?

The planning proposal is consistent with the objectives and actions of the relevant metropolitan and sub-regional strategies applicable to the area as detailed below

‘A Plan for Growing Sydney’

‘A Plan for Growing Sydney’ is the State government’s current metropolitan planning strategy for Sydney. The strategy contains a number of Goals and accompanying Directions, the following of which are relevant to the proposal.

Goal 3 – A great place to live with communities that are strong, healthy and well connected

Direction 3.1 Revitalise existing suburbs

The proposal is consistent with this objective. The application of the B2 Local Centre zone to the subject site will align the existing carparking and pedestrian access land use with the land use objectives of the zone. The existing carparks act as a support for future growth in the transport accessible Forestville centre. The site performs a valued role in providing short term parking for shoppers and visitors to the Community Centre and Library, and parents in relation to pick-up and drop-off times for Forestville Public School.

Direction 3.3 Create healthy built environments

The proposal is consistent with this objective. These accessible public carparking areas are within a Local Centre and perform a valued role in supporting the continued use of the centre. An accessible carpark supports the local shops as well as broader community facilities including the Forestville Community Arts Centre and Library, and the adjacent (west) Forestville Public School. The proposed re-zoning of the Darley and Starkey Street carparking areas, Forestville will support and strengthen the local community.

North East Subregion - draft Sub regional Strategy

The North East Subregion – draft Subregional Strategy translates the objectives of NSW Government’s Metro Strategy to the local level. Many of the aims of the draft Subregional Strategy mirror those of the companion Metropolitan Strategy addressed above. The proposal is consistent with provisions of the draft Subregional Strategy. The land does not have metropolitan or subregional scale strategic importance.



7.2 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Warringah Community Strategic Plan 2023

The *Warringah Community Strategic Plan 2023* is the Council's principal forward planning document. The plan identifies six (6) Outcomes (below), two of which are relevant to the proposal:

- *Vibrant Community*
- *Lifestyle and Recreation*
- *Healthy Environment*
- *Connected Transport*
- *Liveable Neighbourhoods*
- *Working Together*

The two Outcomes relevant to the proposal are *Connected Transport* and *Liveable Neighbourhoods*.

Connected Transport.

The proposal will apply a more appropriate zoning to the site. Applying a zone with land use objectives that are consistent with the existing land use of the site (carparking and access way) will ensure the continued provision of accessible and convenient parking close to the urban (local) centre of Forestville shops.

The accessible, convenient location and layout of the carparking areas means that it is used by residents, in particular during drop-off and pick-up times for the Forestville Public School located directly to the west, and during business hours for the Forestville local shopping centre.

Liveable Neighbourhoods

The proposal will ensure consistent zoning of the site and a consistent approach to land use planning through the reclassification of Lot 18 DP30880; supporting the land's function as a liveable neighbourhood.

In summary the site is currently used as a carparking and pedestrian access way, and this use is intended to continue in the future. Being in the immediate vicinity of a local centre (the Forestville Shops) the objectives of the current zoning of RE1 Public Recreation is inconsistent with the carpark and access way land use. The proposed zoning of the site as B2 Local Centre will rectify this issue and ensure continued access to easy parking for the local centre.

The proposal positively responds to, and is supportive of, the relevant Outcomes and Objectives within the Warringah Community Strategic Plan 2023.

7.3 Is the planning proposal consistent with applicable state environmental planning policies?

There are no State Environmental Planning Policies relevant to the assessment of this planning proposal.

7.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following three (3) Ministerial Directions are applicable to the proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 6.1 Approval and Referral Requirements
- Direction 6.2 Reserving Land for Public Purposes



Consideration of the Ministerial Directions is provided below.

s117 Direction	Requirement	Comment
1.1 Business and Industrial Zones	(1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	The planning proposal is consistent with this direction, in that it: • ensures all land associated with the Forestville shops is used with consistent land use planning objectives; • will create consistency between the zone objectives and the current and anticipated future land use of the site; • does not affect any areas or locations of existing business and industrial zones; • will not reduce the total potential floor space area for employment and related public services in business zones or industrial uses in industrial zones;
6.1 Approval and Referral Requirements	(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011 (draft LEP). The planning proposal is consistent with this direction, in that it: • will not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	(1) The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011. The planning proposal is consistent with this direction, in that it: • responds to an identified zoning inconsistency by proposing a change of zone. • seeks the approval of the relevant public authority and the Director General of the Department of Planning and Environment to alter the zoning of land for public purposes (public carpark/s). • will result in a positive social and economic outcome for the site and surrounding area as the proposed change of zone will ensure the function of the site relates to/reflects the zone and the purpose for which it is used.



8 ENVIRONMENTAL SOCIAL AND ECONOMIC CONSIDERATIONS

- 8.1 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. Given the urban context of the site and the nature of the planning proposal (a site rezoning and reclassification with no physical works) the proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats.

- 8.2 Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?

No. Council's record system (GIS) indicates that there are no areas of biodiversity/environmental significance on or in the vicinity of the site. The proposal is also limited to the rezoning and partial reclassification of the site, with no physical works, change of use or change to lot boundaries.

- 8.3 How has the planning proposal adequately addressed any social and economic effects?

Yes. The site's current and continued use as public carparking areas and pedestrian access-way has social and economic benefits to the Forestville Local Centre.

The proposal to rezone the site is intended to address the current problem of an inappropriate zone that has been applied to the site by rezoning the land to a more appropriate zone for the current and future intended use of the site as public infrastructure for the Forestville Shops and surrounding area. The proposal will support the continued use of the Forestville local centre.



9 STATE AND COMMONWEALTH INTERESTS

9.1 Is there adequate public infrastructure for the planning proposal?

Yes. The site is primarily an existing, functioning public carpark with the current land use intended to continue. All relevant public infrastructures necessary to service a public carpark are available to the site.

9.2 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?

There may be consultation with relevant Government agencies should the proposal proceed to become a statutory LEP amendment following a positive Gateway determination.



10 COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL

Council will exhibit the planning proposal in accordance with the requirement of section 57 of the Environmental Planning and assessment Act and section 29 of the Local Government Act 1993.

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 for a period of 28 days from the date it appears in the newspaper and on Council's website
- Notify the adjoining property owners of the exhibition of the planning proposal
- Hold a public hearing to meet the requirement of section 29 of the Local Government Act 1993 (at least 21 days after the public exhibition period)
- Give public notice of the arrangements for the public hearing in the local newspaper, at Council's customer service centre, libraries, and on Council's website at least 21 days before the public exhibition period.



11 PROJECT TIMELINE

The anticipated timeline of this LEP amendment is set out in the table below, noting that Council has no control over State agency timeframes. The following table provides an indicative timeframe for the Planning Proposal:

Planning Proposal Tasks	Anticipated Timeframes
Referral to NSW Department of Planning and Environment for Gateway Determination	January 2016
Gateway Determination	March 2016
Timeframe for: ▪ Potential government agency consultation ▪ Any required amendments to the Planning Proposal prior to exhibition ▪ Public exhibition preparation	March/April 2016
Statutory Public Exhibition (assumed 28 days)	April/May 2016
Public Hearing (Reclassification)	May 2016
Submission Assessment	June 2016
Report to Council	August 2016
Finalise LEP amendment – Parliamentary council for legal review	September 2016
Complete	September 2016



12 CONCLUSION

This planning proposal has been prepared in support of amending the Warringah LEP 2011 to:

- Rezone the land at Darley Street and Starkey Street, Forestville (Lot 7084 in DP 93981, Lot 15 in DP 401139, Lot X & Y in DP 26598, “the Centre” road reserve and Lot 18 DP30880 between Darley Street and Starkey Street) from RE1 Public Recreation to B2 Local Centre.
- Reclassify Lot 18 DP30880 from community to operational land.

The merits of a rezoning and partial reclassification of this site have been assessed and satisfy the relevant considerations established by the current planning policies.

The reasons to support the proposed LEP amendment may be summarised as follows:

- Rezoning of the site in the manner proposed will unite the zoning of the Forestville local centre and ensure consistency between the land use (carpark and access) and zoning objectives of the B2 Local Centre zone.
- The reclassification of Lot 18 DP30880 will allow for a consistent land management approach to the Forestville local centre.
- The proposal will ensure that the site can continue to function as an accessible local centre and public carpark.
- The proposal does not involve any changes to the existing streetscape amenity and function of the site as a set of public carparking areas interspersed through the Forestville local centre.

It is recommended that the Department of Planning and Environment support the proposal and proceed in making a positive Gateway determination.