

Planning Proposal

Minor Amendments to Warringah Local Environmental Plan 2011 and Warringah Local Environmental Plan 2000

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Part 1 – Objectives and Intended Outcomes

The planning proposal involves a number of minor amendments to WLEP 2011 and WLEP 2000. The amendments are intended to correct anomalies, and bring the instruments up to date with current state legislation and previous Council resolutions.

The proposed amendments include:

- i. Re-Zone Cromer high school (Lots 623, 624, 625 and 626 in DP 752038) from IN1 – General Industrial to SP2 - Infrastructure
- ii. Re-Zone 2-10 Lindrum Street, Belrose (Lot 25 DP 1179618) from R2 – Residential to RE1 - Public Recreation
- iii. Re-Zone Lot 262 DP 1028346 (near the corner of Pitt and Playfair Roads, North Curl Curl) from R2 – Residential to B1 - Neighbourhood Centre
- iv. Re-Zone western part of the Dee Why Post Office site (Lot B DP 350145) from RE1 – Recreation to B4 - Mixed Use
- v. Zone southern part of Lot 2 DP 587690 (pedestrian/drainage lot in Dee Why) from B4 - Mixed Use to RE1 -Public Recreation
- vi. Prohibit 'restriction facilities' in all business and industrial zones – zones B1, B2, B3, B4, B5, B7, IN1 and IN2
- vii. Amend the Heritage Map on 53 Aubreen Street, Collaroy Plateau (Lot 2, DP 1029592) and 56 Idaline Street, Collaroy Plateau (Lot 1 DP 1029592)
- viii. Adjust the cadastre and associated LEP mapping for Glen Street Theatre (Lot 1 DP 595183) and Lionel Watts Reserve (Lot 2 DP 595183)
- ix. Adjust the cadastre and associated LEP mapping for all properties within the blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest
- x. Adjust the cadastre and associated LEP mapping for 34 Monserra Road, Allambie Heights (Lot 4 DP 241969), 1, 3 and 5 Cootamundra Drive, Allambie Heights (Lots 3, 2 and 1 of DP 241969)
- xi. Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- xii. Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for which development consent may be granted for a "temporary use" from 28 days to 52 days
- xiii. Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000.

The proposed amendments are explained in more detail in Part 2 of this report.

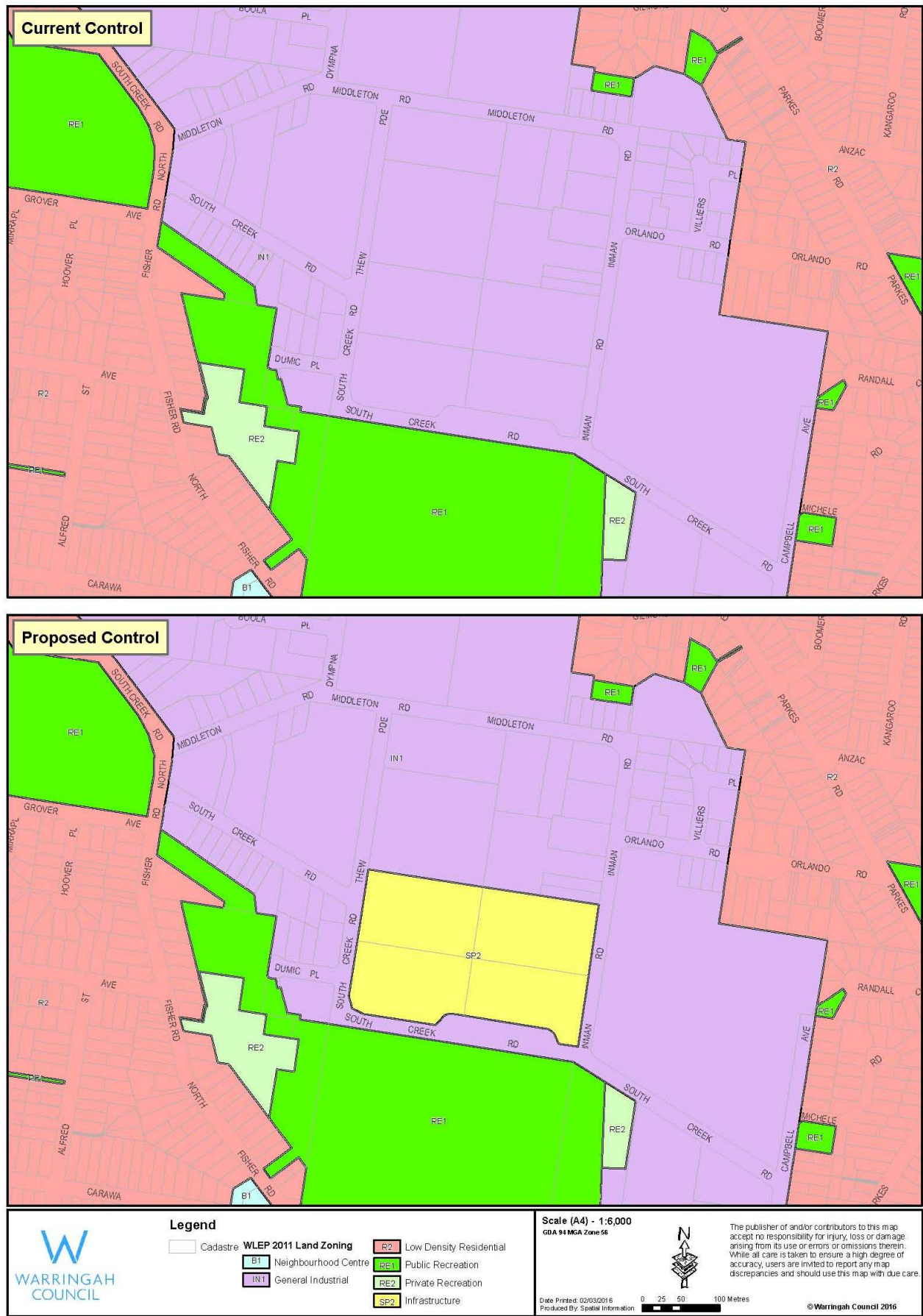


Figure 2: Northern Beaches Secondary College, Cromer Campus Re-zoning to SP2

This lot is located on the corner of Perentie Road and Lindrum Street, Belrose. It was created as part of a large residential subdivision (Council record number SC2012/0037), and was acquired by Council for the purpose of providing public open space for the neighbourhood. It is approximately 4000sqm in area.

Figure 3: Lindrum Street Public Reserve, Belrose

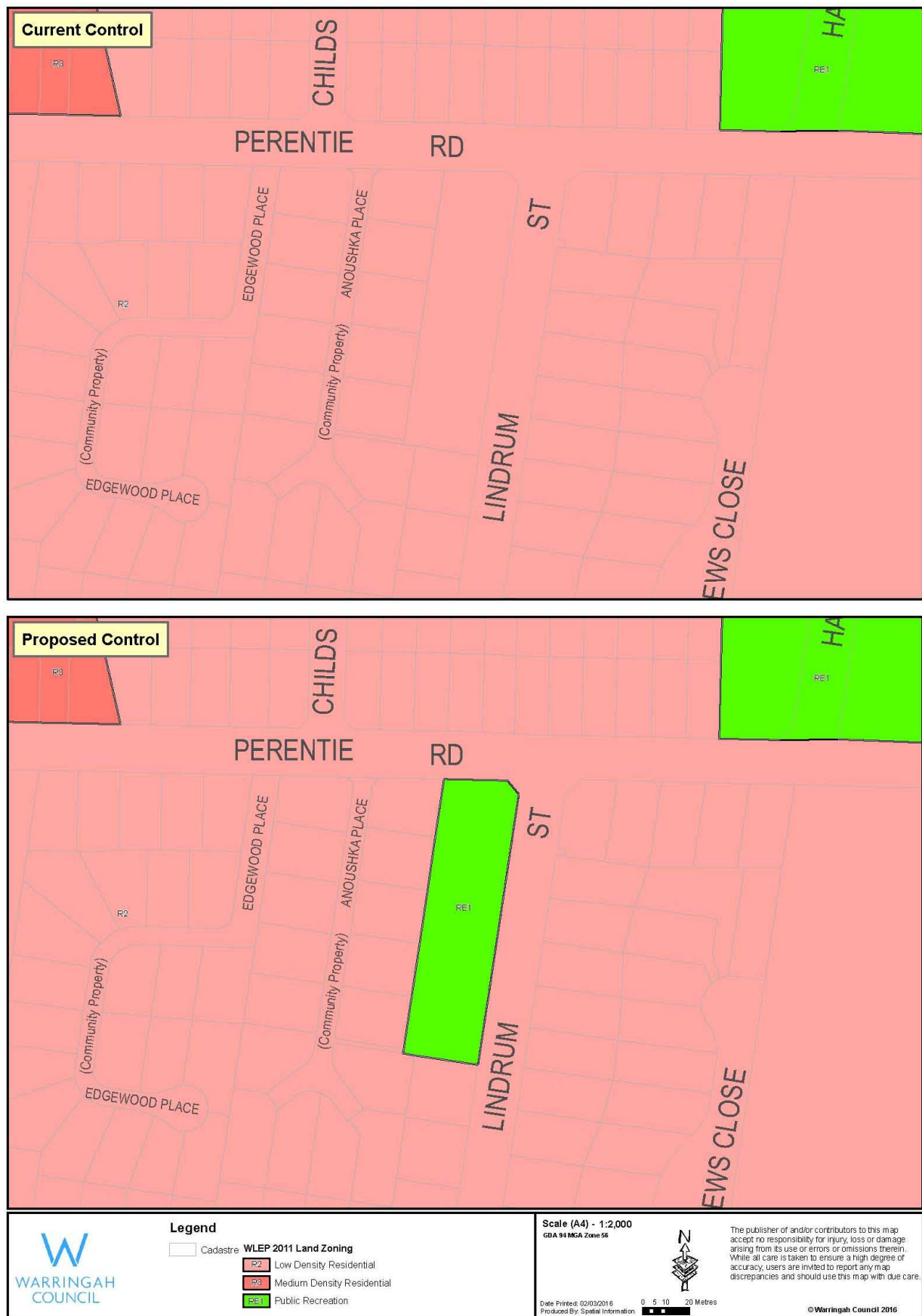


Figure 4: Lindrum Street Public Reserve, Belrose, Re-zoned to RE1

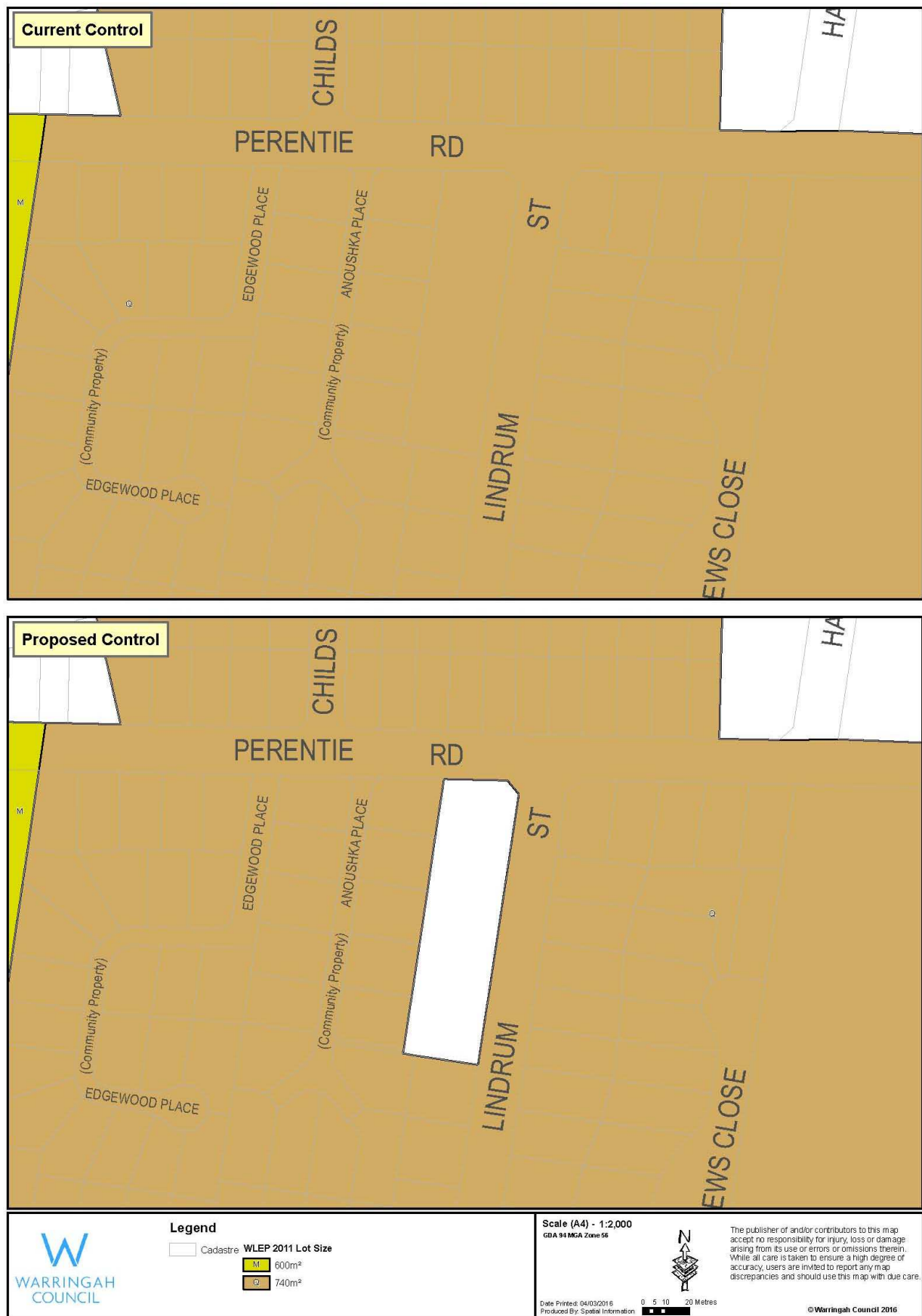


Figure 5: Lindrum Street Public Reserve, Belrose, amendment to Lot Size map

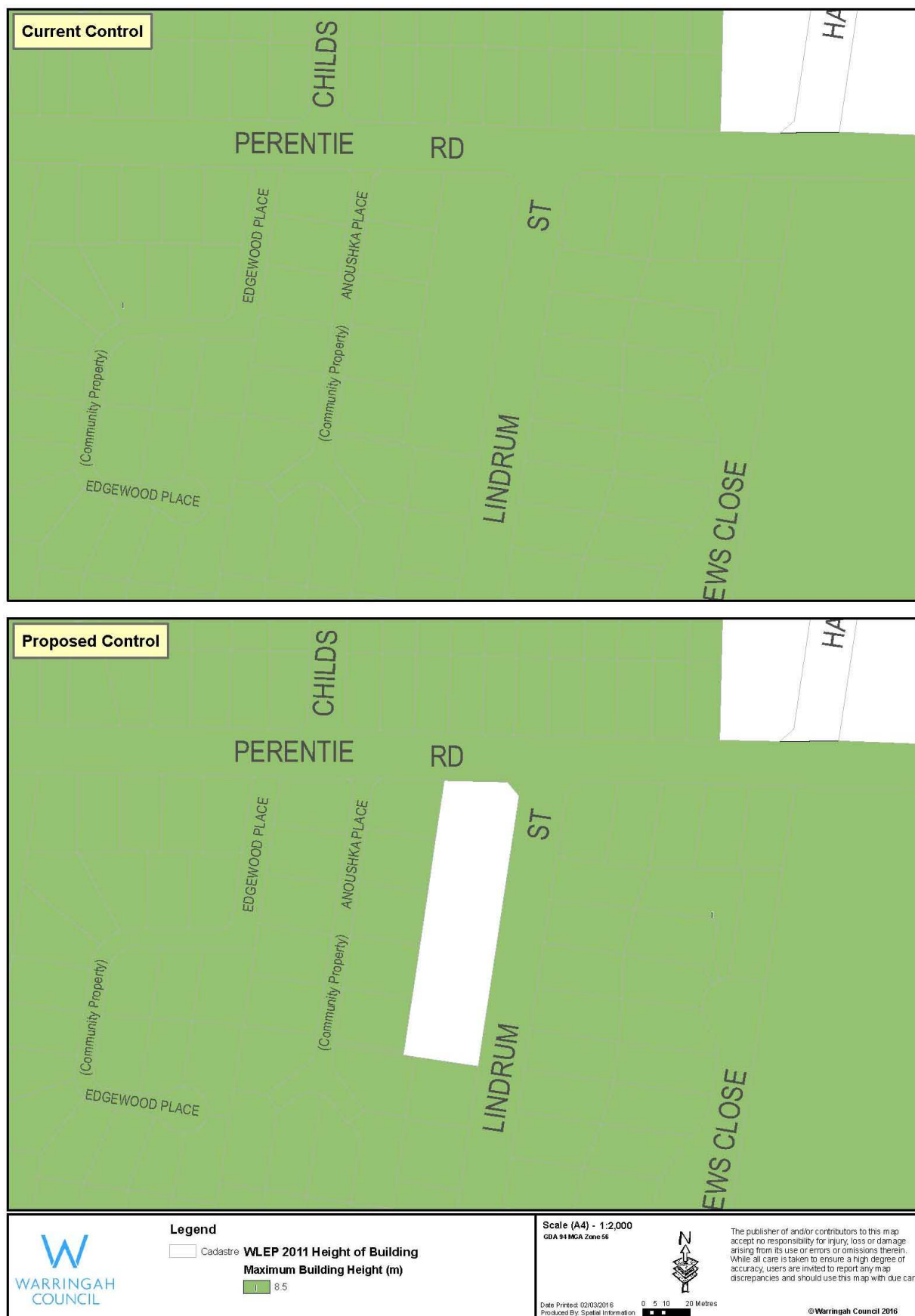


Figure 6: Lindrum Street Public Reserve, Belrose, Amendment to Height of Buildings map

Re-zone land near the corner of Pitt and Playfair Roads, North Curl Curl (Lot 262 DP 1028346) from R2 – Residential to B1 Neighbourhood Centre.

This small parcel of land is occupied by a driveway that provides access to the rear of Lot 27 in DP13900 (known as 148 Pitt Road), and Lots 28, 29 and 30 in DP394337 (known as 142-146 Pitt Road). It is located between the lots on Pitt Road that are zoned B1 Neighbourhood Centre, and the lots to the north that are zoned R2 Low Density Residential.

The subject lot is zoned R2. However, it exists only to provide access to the B1 zoned lots listed above, along Pitt Road. The entire lot is burdened by a right of carriageway to achieve this. It is not connected in any way to the adjacent R2 zoned lot to the north (Lot B in DP 400278), except through sharing a common boundary.

It appears that in the translation from WLEP 2000 to WLEP 2011 this lot was zoned R2 in error. It is connected and provides access to the adjacent lots in the B1 zone. Therefore, this anomaly should be corrected, and the lot rezoned to B1 - Neighbourhood Centre, consistent with the zoning of the lots it serves.



Figure 7: Lot 262 DP 1028346 near corner of Pitt and Playfair Roads, North Curl Curl

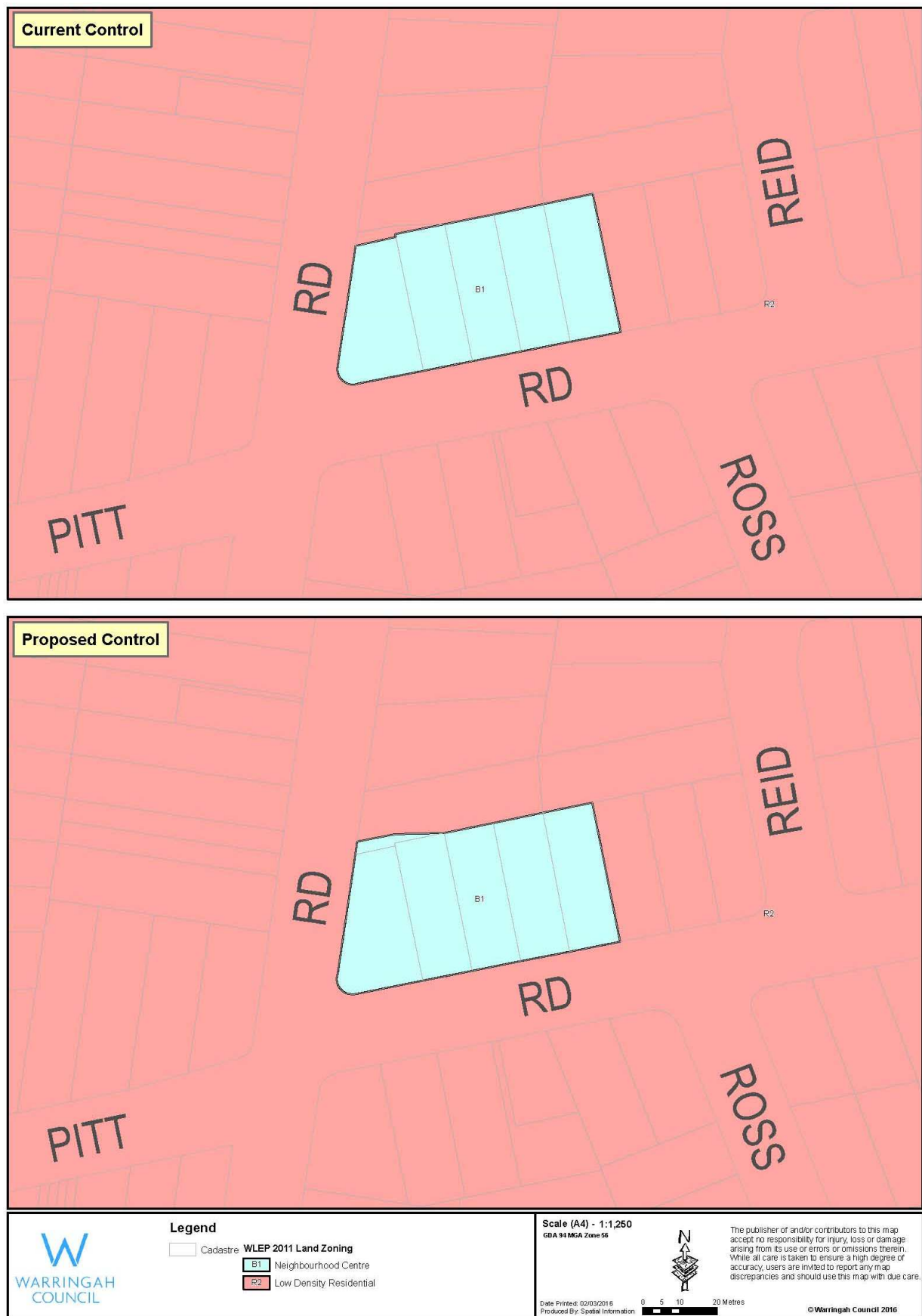


Figure 8: Lot 262 DP 1028346 near corner of Pitt and Playfair Roads, North Curl Curl, Re-zone B1



Figure 9: Lot 262 DP 1028346 near corner of Pitt and Playfair Roads, North Curl Curl, Lot Size map amendment

Re-zone Dee Why Post Office site (Lot B DP 350145) from RE1 – Public Recreation to B4 Mixed Use, and footpath (Lot 2 DP 587690) from B4 – Mixed Use to RE1 Public Recreation

The Dee Why Post Office site, 32-34 Oaks Avenue (Lot B DP 350145 and Lot 47 Sec 16 DP 8172), was subject to a Memorandum Of Understanding (MOU) between Australia Post and Council to jointly dispose of the site. The site was intended to be redeveloped as part of Site A in the Dee Why Town Centre. As part of the plans for the site, Lot B (the western half of the Post Office site) was zoned RE1 - Public Recreation to provide for future parkland in conjunction with the neighbouring lot to the west (Lot A DP 350145), also zoned RE1. Lot 47 (the eastern half of the Post Office site) remained zoned B4 Mixed Use.

Australia Post subsequently decided not to dispose of the site. The MOU was officially terminated in a letter from Council to Australia Post on 9 June 2015, and Council indicated that the site would be rezoned back to B4 Mixed Use.

The southern section of footpath that connects Oaks Avenue to Howard Avenue (Lot 2 DP 587690), running adjacent to the parkland to the west of the Post Office was reclassified as Operational Land from Community Land and had its “Public Open Space” zoning removed in 2006. The northern section of the lot, adjacent to the ‘Triangle Park’, was not reclassified or rezoned at that time.

This was done to allow Council to sell the southern part of the lot with the intention of facilitating a single consolidated underground car park across Site A and Site B in the Dee Why Town Centre. At the time the primary purpose of the lot was for drainage (a large pipe runs through the lot from south to north), and an overland flow path runs across the site. Development above ground would not have been permitted for this reason, and the pedestrian pathway would have remained in place. The lot subsequently received a B4 - Mixed Use zoning under WLEP 2011.

The sale of the land did not take place, and Site A and Site B were never consolidated. The land to the east of Lot 2 has now been zoned RE1 Public Recreation as discussed above, which would preclude any underground car park being constructed between Sites A and B. Therefore it is recommended the southern part of the footpath lot (Lot 2 DP 587690) be re-zoned RE1 - Public Recreation, consistent with the northern part of the lot, and the adjacent parkland to the east.

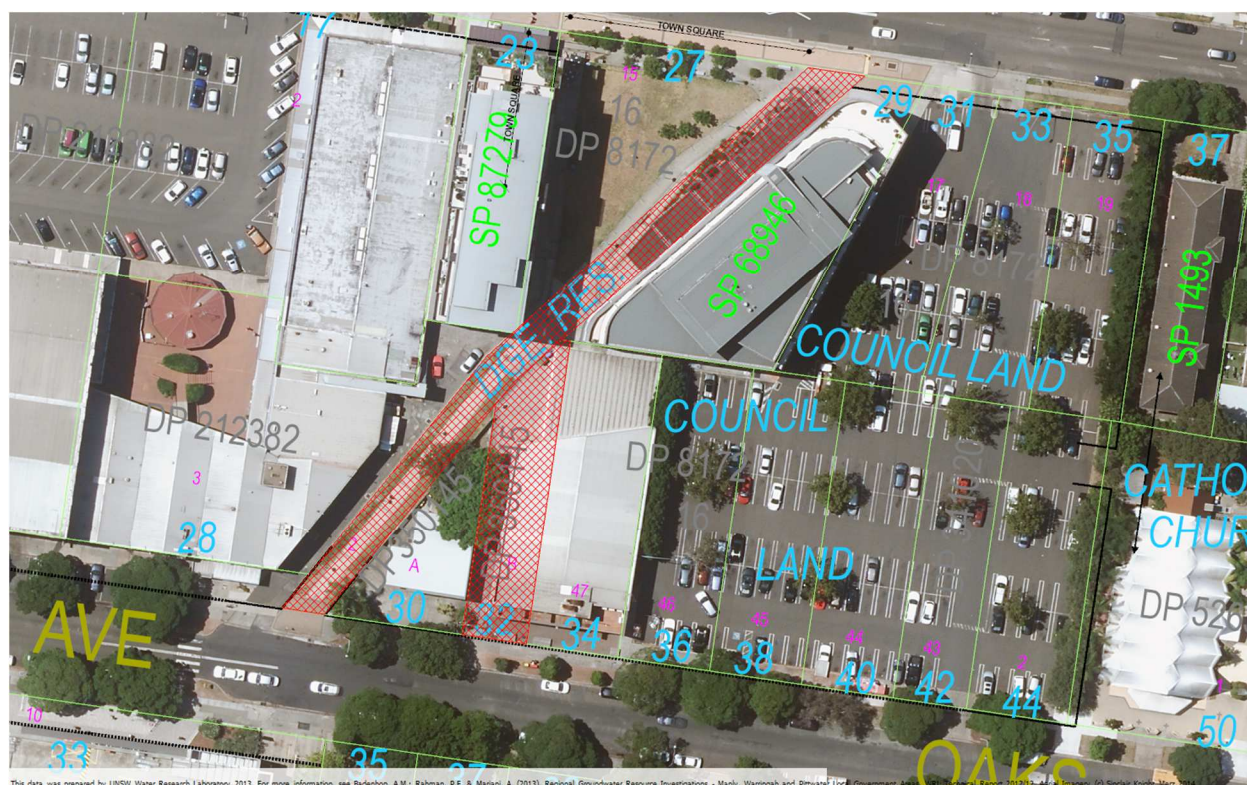


Figure 10: Dee Why Post Office, and adjacent Drainage Reserve, Dee Why



Figure 11: Dee Why Post Office, and adjacent Drainage Reserve, Dee Why, Zoning amendment

Prohibit 'restriction facilities' in all business and industrial zones

'Restriction Facilities' is defined in the Standard Instrument LEP as *facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.*

The use is currently permissible in the following Business and Industrial zones under WLEP2011:

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B7 Business Park
- IN1 General Industrial
- IN2 Light Industrial

This is a rural type use, associated with Dairies and the like, and is considered to be inappropriate for the business and industrial zoned lands covered by the WLEP 2011 within the Northern Beaches. The use is inconsistent with the objectives of each of these zones under WLEP 2011. It is therefore recommended that "Restriction facilities" be added to item 4 *Prohibited* in the land use tables for each of the zones B1, B2, B3, B4, B5, B7, IN1 and IN2.

Mapping amendment to the Heritage Map under WLEP 2011

Schedule 5 *Environmental Heritage* of WLEP 2011 lists Item I29 as “Elevated reservoir”, being located on Lot 2, DP 1029592, known as 53 Aubreen Street. However, the heritage mapping for the item extends onto the neighbouring property to the south west (Lot 1 DP 1029592, known as 56 Idaline Street).

The actual heritage item is described correctly by Schedule 5, and the water tower is confined to 53 Aubreen Street. It is physically described by the NSW Office of Environment and Heritage as:

“Elevated cast iron rectangular tank. The tank is 8.08m square by 2.78m deep and is supported by a steel framed tower some 15.85m high.”

No amendment is required to Schedule 5. However, the Heritage Map should be altered to match the existing boundary line between 53 Aubreen Street and 56 Idaline Street.





Figure 13: 53 Aubreen Street and 56 Idaline Street, Collaroy Plateau, Heritage map amendment

Cadastre and control layer shifts

It has been identified that the cadastre on Council's mapping system needs to be adjusted to better match the actual on-the-ground lot boundaries in various places. The changes that need to be made include:

- Glen Street Theatre (Lot 1 DP 595183) and Lionel Watts Reserve (Lot 2 DP 595183)
- All properties within the blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest
- Properties on the south west side of Cootamundra Drive and Monserra Road, Allambie Heights including 34 Monserra Road (Lot 4 DP 241969), 1, 3 and 5 Cootamundra Drive (Lots 3, 2 and 1 of DP 241969).

Corresponding changes will also need to be made to the maps related to Part 4 Principal Development Standards mapping to ensure it matches the cadastre, including Minimum subdivision lot size, Height of buildings, and the Land zoning maps.

These changes will not affect the zones or development controls applying to the land. They are simply minor adjustments to the position of Council's electronic cadastre. Corresponding changes will need to be made to the Warringah Development Control Plan mapping; however these changes will be undertaken by Council in conjunction with the proposed WLEP changes outlined in this report.



Figure 14: Glen Street Theatre and Lionel Watts Reserve



Figure 15: Glen Street Theatre and Lionel Watts Reserve, Zoning cadastre



Figure 16: Glen Street Theatre and Lionel Watts Reserve, Height of Buildings cadastre

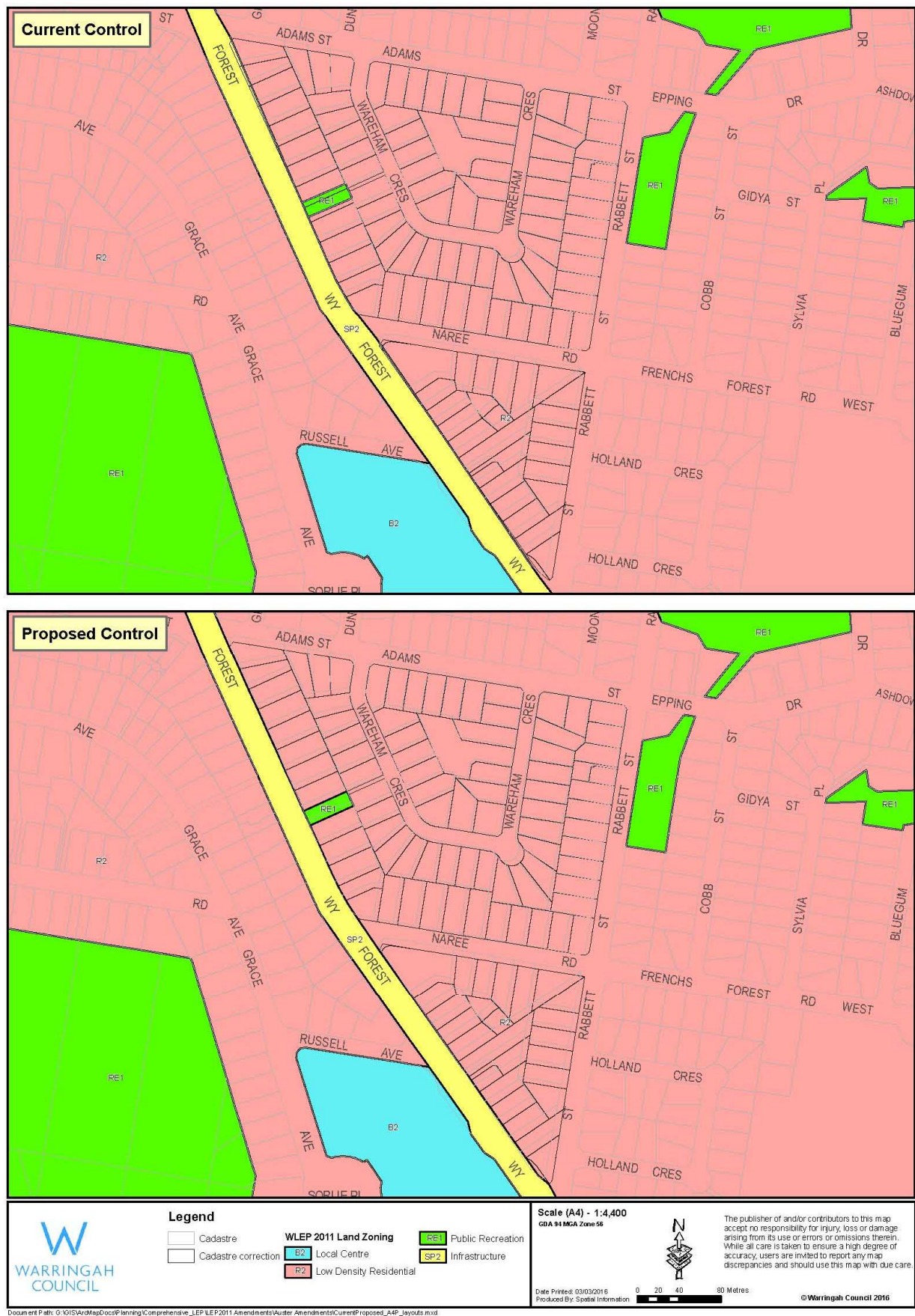


Figure 18: Blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest, Zoning cadastre



Figure 19: Blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest, Lot size cadastre



Figure 20: Blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest, Height of buildings cadastre



Figure 21: Blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest, Heritage cadastre

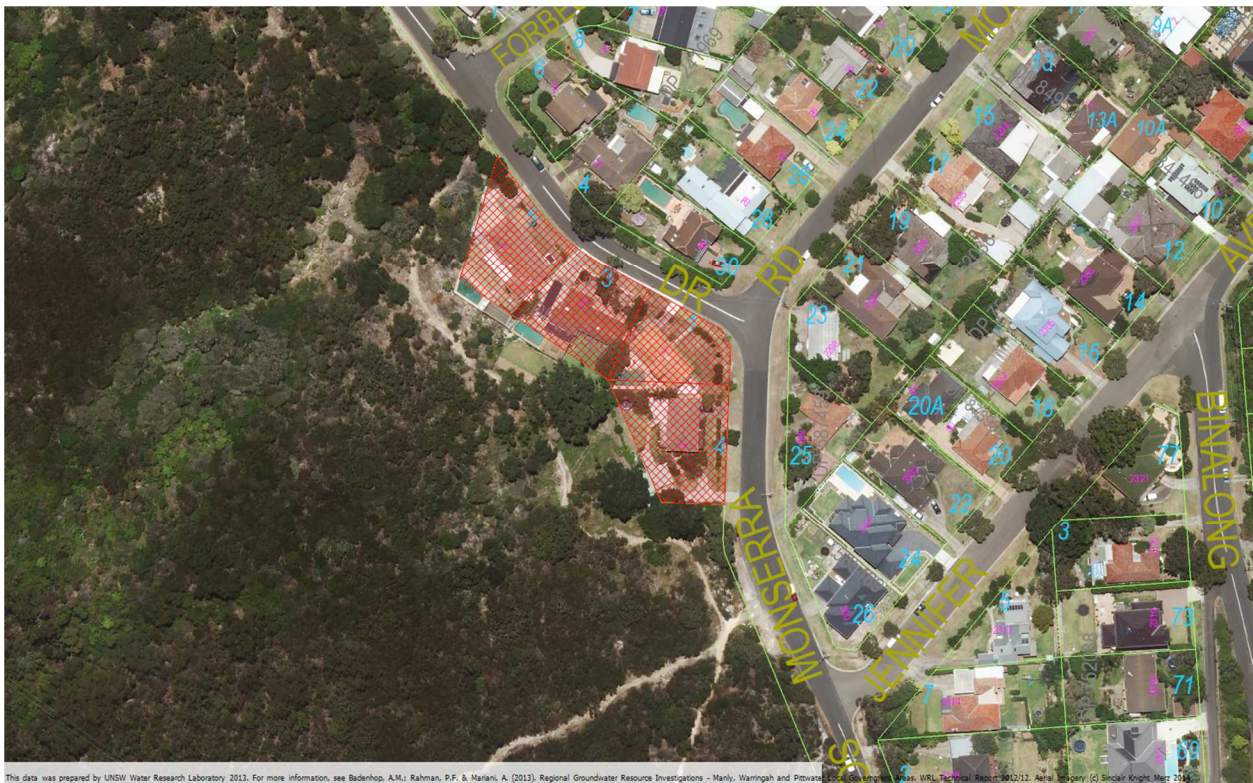


Figure 22: 34 Monserra Road, and 1, 3 and 5 Cootamundra Drive, Allambie Heights

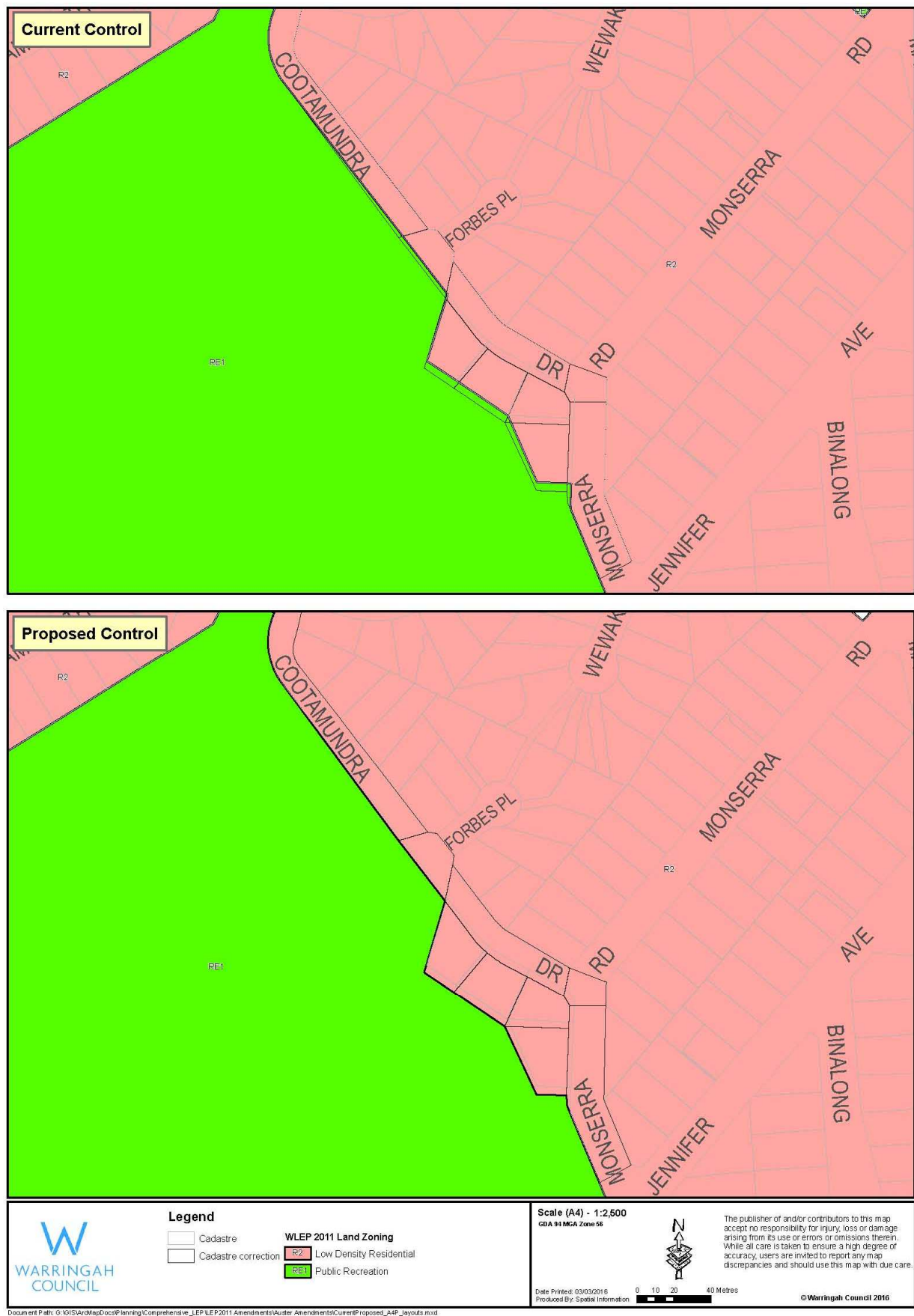


Figure 23: 34 Monserra Road, and 1, 3 and 5 Cootamundra Drive, Allambie Heights, Zoning cadastre

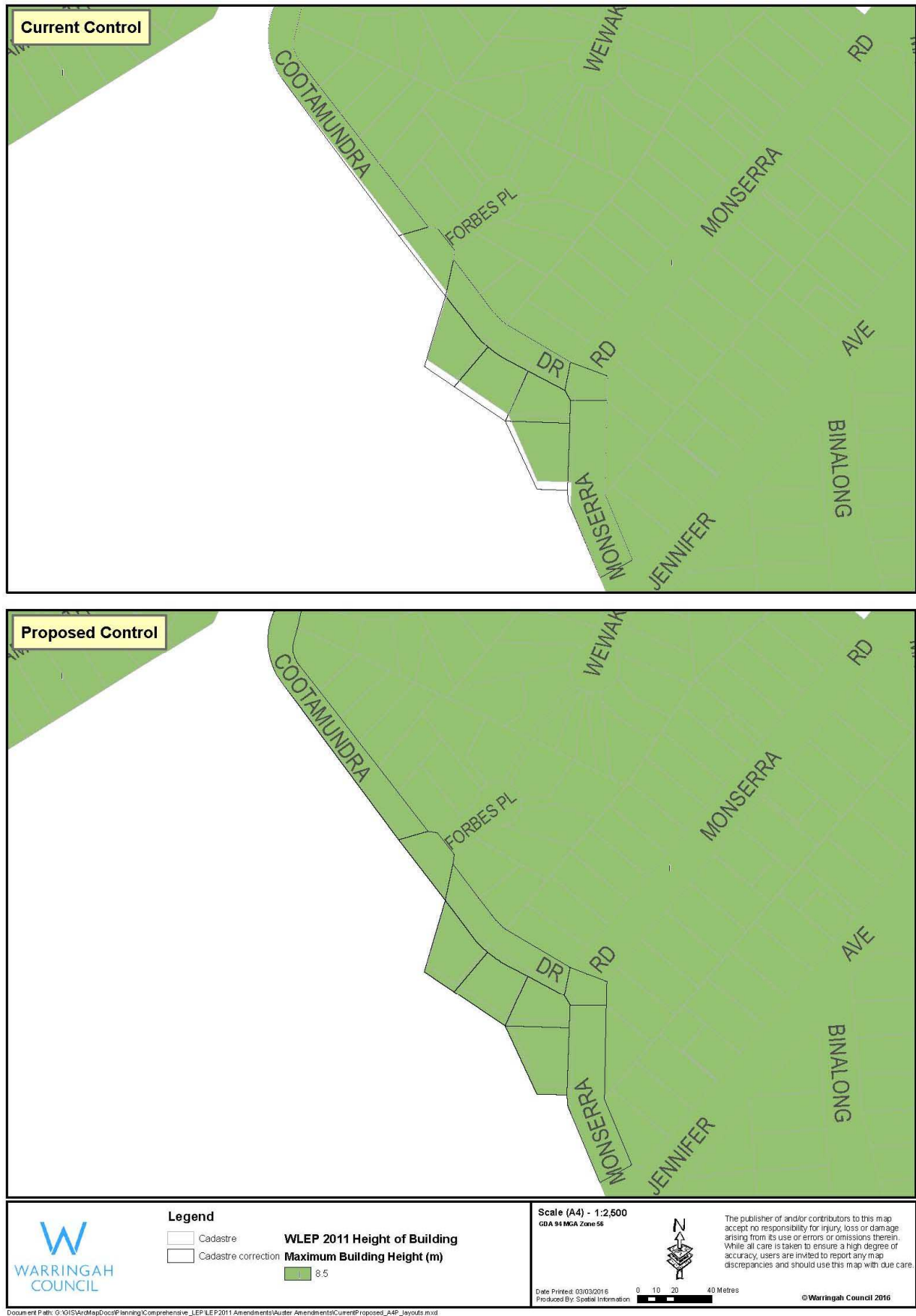


Figure 24: 34 Monserra Road, and 1, 3 and 5 Cootamundra Drive, Allambie Heights, Height of Buildings cadastre

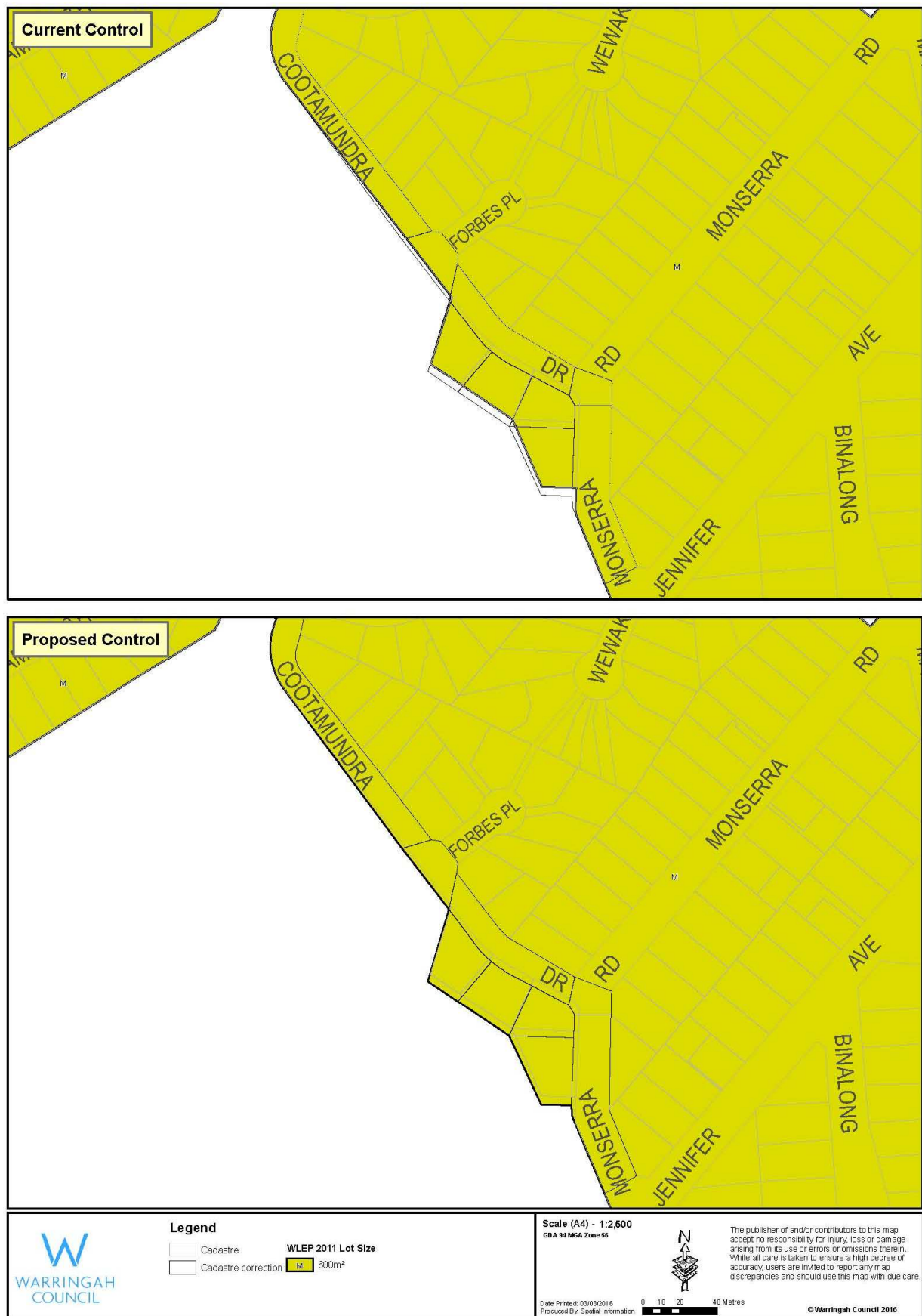


Figure 25: 34 Monserra Road, and 1, 3 and 5 Cootamundra Drive, Allambie Heights, Lot size cadastre



Figure 26: 34 Monserra Road, and 1, 3 and 5 Cootamundra Drive, Allambie Heights, Conservation area cadastre

Delete exempt development provisions for signage from WLEP 2011 and WLEP 2000

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) establishes general requirements for exempt and complying development across the state, including provisions for signage. WLEP 2011 and WLEP 2000 also currently contain provisions identifying certain signage as exempt development.

The Codes SEPP overrides Council's LEPs. It is therefore proposed that sign types made exempt by the Codes SEPP are removed from the exempt development categories in WLEP 2011 and WLEP 2000. This will reduce confusion for the community when trying to establish what can be installed without consent.

The table below shows the types of signage identified as exempt development under the Codes SEPP and Council's LEPs and recommended actions to rationalise Council's LEP provisions. (Note: signage that requires development consent will still be subject to current controls on signage under WLEP 2000 and WDCP 2011).

Signage type in SEPP	Signage type in WLEP2011	Signage type in WLEP2000	Recommended Action
Wall Signs (Subdivision 3) Fascia Signs (Subdivision 4)	Walls and Fascia Signs	N/A	Remove from LEP 2011
Under Awning Signs (Subdivision 5)	Under Awning Signs	Under Awning Signs	Remove from both LEPs
Window Signs (Subdivision 7)	Window Signs	Window Signs	Remove from both LEPs
Building Identification signs (Subdivision 2) Replacement of identification signs (Subdivision 8)	Home-based child care, home businesses, home occupations and home industries	Home business signs	Remove from both LEPs
N/A	On Motor Vehicles	Signs on Motor Vehicles	Retain in both LEPs.
Real estate signs (Subdivision 12)	Real Estate	Real Estate Signs	Remove from both LEP's
Temporary Event signs (sub 11)	Temporary	Temporary Signs	Remove from both LEPs
Top Hamper Signs (Sub 6)	N/A	N/A	No action required
Internal signs (sub 9)	N/A	Signs not visible from a public place	Remove from LEP 2000
Community notice and public information signs (sub 10)	N/A	N/A	No action required
Election signs (sub 13)	N/A	N/A	No action required
N/A	N/A	Identification, Interpretive, Directional and Advance Warning	No action required

		Signs	
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Increase the maximum period a “Temporary use” may operate from 28 days to 52 days

Clause 2.8 of WLEP 2011 allows development consent to be granted to the temporary use of land for a purpose that might otherwise be prohibited under the zoning of the land, provided the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects.

The clause allows uses such as markets and other temporary uses. Temporary uses are not permitted to extend beyond a maximum of 28 days (whether or not consecutive days) in any period of 12 months.

The Standard Instrument LEP, which sets out standard provisions which Council's must include in their LEPs, contains a provision which states:

Development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 [or another number] days (whether or not consecutive days) in any period of 12 months.

By limiting temporary uses to 28 days, clause 2.8 of WLEP 2011 prevents temporary uses from operating on a weekly basis year-round.

The 28 day limit in WLEP 2011 was not contained in WLEP 2000, and therefore did not result from a translation of that document. It is also noted that the Manly LEP 2013 and Ku-ring-gai LEP 2015 both allow up to 52 days for temporary uses, and the Pittwater LEP 2014 allows up to 42 days.

Given that the default time period in the Standard Instrument LEP is a maximum of 52 days, that other Northern Beaches Council LEPs (and the neighbouring Ku-ring-gai LEP) have longer periods for temporary uses, and to enable temporary uses to operate once per week on a year-round basis, it is proposed that WLEP 2011 be amended to allow for a maximum of 52 days for temporary uses.

If this amendment is made, temporary uses will still be required to gain development consent before they can commence operation. Council would not be bound to allow 52 days. The exact period would be a matter for consideration as part of the development application assessment process. Council would retain the ability to limit the number of days via a condition of consent.

Allow signage on trailers as exempt development under WLEP 2000 and WLEP 2011

Signage on trailers parked along roads has been an ongoing issue in the former Warringah Local Government Area. The Council made the following resolution at the Ordinary Council Meeting on 28 April 2015:

That Council: Amend the Warringah Local Environmental Plan 2000 and Warringah Local Environmental Plan 2011 to include the following exempt development "Signage on trailers".-The trailer must be principally used for the conveyance of goods and materials and if detached from a motor vehicle, not remain unmoved for more than 7 days.

Schedule 2 *Exempt Development* in WLEP 2011 currently contains the following provision under *Signage (other)*:

(2)On motor vehicles

Vehicle must be able to be driven with the sign displayed and the vehicle must be used principally for the conveyance of passengers or goods (or both).

This clause is specific to motor vehicles. It is therefore recommended that a new clause (5) be inserted into Schedule 2 under *Signage (other)* to read as follows:

(5) Signage on trailers

The trailer must be principally used for the conveyance of goods and materials and if detached from a motor vehicle, not remain unmoved for more than 7 days.

A separate amendment will also be required to WLEP 2000 to implement Council's resolution. An extra row is required to be added to Schedule 1 *Exempt Development* in the "Signs" section of the table as follows:

Signage on trailers	The trailer must be principally used for the conveyance of goods and materials and if detached from a motor vehicle, not remain unmoved for more than 7 days
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Part 3 – Justification of Objectives, Outcomes, and Process for Implementation

Section A – Need for the planning proposal

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

The planning proposal is not the result of any particular strategic study or report. The proposed amendments to the planning instruments are various minor changes, intended to correct anomalies, and to bring the instruments up to date with state legislation and previous Council resolutions. The amendments are considered to be minor 'housekeeping' changes to the WLEP 2011 and WLEP 2000.

The issues have come to Council's Strategic Planning Department's attention through various channels, including from the community, other Council departments, and elected Councillors (of the former Warringah Council).

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proposed changes all require amendments to the WLEP2011 and WLEP2000. They involve amendments to existing LEP zoning, mapping, and controls. There is no other way of achieving the intended outcomes other than by a planning proposal to alter the WLEPs.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposed amendments are minor, and are intended only as housekeeping type changes. They are not intended to have any broad strategic impact. They are simply intended to correct previous errors and anomalies, and bring the instruments up to date with previous Council resolutions and State legislation.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The planning proposal involves making minor housekeeping changes to the WLEPs. It will not create any inconsistencies with the Warringah Community Strategic Plan. The amendments are not intended to have any broad strategic impact, but simply to correct anomalies and bring the planning instruments up to date.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs). Two proposed amendments have related State Environmental Planning Policies.

1. The proposed amendment to signage controls is intended to make the WLEPs more consistent with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP). The amendment will delete certain controls from the WLEPs where controls for that type of signage are covered by the Codes SEPP.

This amendment will reduce confusion for the community when determining signage controls.

2. The second amendment with an applicable SEPP is the proposal to rezone the Cromer High School. As discussed in Part 2 of this report, the current IN1 – General Industrial zoning of the site does not allow the school to fully benefit from the provisions of SEPP Infrastructure.

Re-zoning the site SP2 will mean the site is in a 'prescribed zone' under the SEPP, and the school will be able to operate under the provisions of the SEPP. The amendment is in

accordance with the Department of Planning and Environment's Local Environmental Plan Practice Note (PN 10-001), which states that: *Most existing infrastructure lands should be zoned according to what the adjacent land use zone is, if that adjacent zone is a prescribed zone for that infrastructure type. However if none of the adjacent zones are 'prescribed zones' for that particular infrastructure type under the Infrastructure SEPP, then the site should be zoned SP2 Infrastructure.*

The rezoning will be consistent with SEPP Infrastructure.

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

The planning proposal is consistent with the relevant Directions issued under Section 117(2) of the *Environmental Planning and Assessment Act, 1979* by the Minister to Councils, as demonstrated in the assessment table.

Section 117(2) Directions	Requirements	Comment	Consistent
1. Employment and Resources			
1.1 Business and Industrial Zones	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. A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	The planning proposal involves the following amendments that apply to business and industrial zones: Prohibiting 'restriction facilities' in all business and industrial zones – zones B1, B2, B3, B4, B5, B7, IN1 and IN2. Comment: This is a rural type use, which is not considered to be appropriate in the business and industrial zones of the Northern Beaches area covered by the WLEP 2011. The use is inconsistent with the objectives of these zones. Re-zoning land near the corner of Pitt and Playfair Roads, North Curl Curl (Lot 262 DP 1028346) from R2 – Residential to B1 Neighbourhood Centre Comment: The lot in question is a small lot, entirely covered by a right of way to provide access to the rear of properties zoned B1. The minor amendment	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
		to the zoning map will have no negative impact on existing or potential floor space in the B1 zone, and is consistent with the objectives of the 117(2) Direction. Re-Zoning the western part of the Dee Why Post Office site (Lot B DP 350145) from RE1 – Recreation to B4 - Mixed Use, and re-zoning the southern part of Lot 2 DP 587690 (pedestrian/drainage lot in Dee Why) from B4 - Mixed Use to RE1 -Public Recreation Comment: This zoning change is to correct an anomaly created by plans for the Dee Why Town Centre that never came to fruition (explained in Part 2 of this report). The western part of the Dee Why Post Office was zoned RE1, and the footpath/drainage easement was zoned B4 in anticipation of these plans. Now that the plans for these sites will not take place, the zoning will be made consistent with the current uses of the site. The changes will not reduce existing or potential floor space in the business zone, and will retain the existing areas and locations of existing business zones. The change is consistent with the objectives of the 117(2) Direction. Delete exempt	

Section 117(2) Directions	Requirements	Comment	Consistent
		development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for which development consent may be granted for a “temporary use” from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. These amendments relate to all zones and areas that fall under WLEP 2011 and WLEP 2000. They are minor changes that will not impact on existing or potential floorspace in business or industrial zones, or affect the size of areas or locations of these zones. The changes are consistent with the objectives of the 117(2) Direction.	
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land. A planning proposal must: (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	The planning proposal involves the following amendments that apply to all zones that fall under WLEP 2011 and WLEP 2000: Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
		where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for which development consent may be granted for a "temporary use" from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. Comment: These are minor changes that will not impact in any negative way on rural zones. They do not involve any increase in density of land. The changes will not detract from the protection of the agricultural production value of rural land in the areas covered by WLEP 2011 and WLEP 2000.	
2. Environment and Heritage			
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas. (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).	The planning proposal involves the following amendments that apply to all zones that fall under WLEP 2011 and WLEP 2000: Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
		Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for which development consent may be granted for a “temporary use” from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. Comment: The proposed changes to signage and the number of days a temporary use are permissible will not have any significant impacts on any environmental protection zones or sensitive areas.	
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy. A planning proposal must include provisions that give effect to and are consistent with: (a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and (b) the Coastal Design Guidelines 2003, and (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).	The planning proposal involves the following amendments that apply to all zones that fall under WLEP 2011 and WLEP 2000: Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
		the WLEP 2011 to increase the maximum period for which development consent may be granted for a "temporary use" from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. Comment: The proposed changes to signage and the number of days a temporary use are permissible will not have any significant impacts on the coastal zone. The proposal is consistent with the 117(2) Direction.	
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	The planning proposal involves amending the Heritage Map on 53 Aubreen Street, Collaroy Plateau (Lot 2, DP 1029592) and 56 Idaline Street, Collaroy Plateau (Lot 1 DP 1029592) Comment: The amendment to the heritage map is only to correct an anomaly. The map is supposed to follow the boundary line between the two properties, but does not currently do that due to an error. The amendment will not have any effect on the heritage item. The planning proposal involves the following amendments that apply to all zones that fall under WLEP 2011 and WLEP 2000:	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
		Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for which development consent may be granted for a “temporary use” from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. Comment: The proposal will not have any significant impacts on heritage items or areas. It is consistent with the 117(2) direction.	
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. A planning proposal must include provisions that encourage the provision of housing that will:	The planning proposal is consistent with the objectives and requirements. The proposed amendments that affect lots within residential zones are as follows: Re-Zone 2-10 Lindrum Street, Belrose (Lot 25 DP 1179618) from R2 – Residential to RE1 - Public Recreation Comment: This lot is	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
	(a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	currently zoned R2, but was specifically put aside and dedicated to Council for public open space as part of the residential subdivision that created it in 2013. This amendment simply brings the zoning into alignment with the current and future use of the lot. The amendment is not considered to reduce the permissible residential density of the land, as the lot was never intended for residential use when created. Re-Zone Lot 262 DP 1028346 (near the corner of Pitt and Playfair Roads, North Curl Curl) from R2 – Residential to B1 - Neighbourhood Centre Comment: This lot is a small lot attached to the B1 zoned lots to the south. It is completely covered by a right of way and provides access to the B1 zoned lots. It is not connected to the R2 zoned lot to the north except to share a common boundary. Given that the lot is a small lot that could not be built on, the re-zoning will not reduce the permissible residential density of land. Amend the Heritage Map on 53 Aubreen Street, Collaroy Plateau (Lot 2, DP 1029592) and 56 Idaline Street, Collaroy Plateau (Lot 1 DP 1029592)	

Section 117(2) Directions	Requirements	Comment	Consistent
		Comment: The amendment will only alter the heritage map to correct an error, and will not have any effect on permissibility or density of residential development on the lots affected. Adjust the cadastre and associated LEP mapping for all properties within the blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest Adjust the cadastre and associated LEP mapping for 34 Monserra Road, Allambie Heights (Lot 4 DP 241969), 1, 3 and 5 Cootamundra Drive, Allambie Heights (Lots 3, 2 and 1 of DP 241969) Comment: These amendments are simply changes to the electronic cadastre, and will have no impacts on the existing residential lots. Delete exempt development requirements for signage in WLEP 2011 and WLEP 2000 where similar requirements apply under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Amend Clause 2.8 of the WLEP 2011 to increase the maximum period for	

Section 117(2) Directions	Requirements	Comment	Consistent
		which development consent may be granted for a “temporary use” from 28 days to 52 days Include signage on trailers as exempt development under WLEP 2011 and WLEP 2000. Comment: These amendments apply to all zones, and will not have any significant impacts on residential zones that would prevent consistency with this direction.	
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	None of the proposed amendments will create any inconsistency with the objectives and requirements of this direction.	Yes
5. Regional Planning			

Section 117(2) Directions	Requirements	Comment	Consistent
5.10 Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The planning proposal is generally consistent with the objectives and strategies of <i>A Plan for Growing Sydney</i> . The proposed amendments are minor and will have no significant impacts with regard to regional strategy.	Yes
6. Local Plan Making			
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	The planning proposal does not introduce any provisions that require any additional concurrence, consultation or referral. The amendments are minor in nature and will not compromise the efficient and appropriate assessment of development. In general the amendments will rectify existing anomalies and errors in the WLEPs, and increase consistency with other State Environmental Planning Policies.	Yes
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	The planning proposal is consistent with the objectives and strategies <i>A Plan for Growing Sydney</i> . The	Yes

Section 117(2) Directions	Requirements	Comment	Consistent
	Planning proposals shall be consistent with: (a) the NSW Government's A Plan for Growing Sydney published in December 2014.	proposed amendments are minor and will have no significant impacts in a broad strategic sense.	

Section 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?

The proposed amendments are minor, and none of them are likely to have any impact on critical habitat or threatened species.

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

No other environmental impacts are likely as a result of the proposed amendments. It is considered that no additional studies or investigations are required.

Has the planning proposal adequately addressed any social and economic effects?

The planning proposal involves minor amendments which will have minimal social and economic effects.

The change to the heritage map only involves correction of an error in the drafting of the map, and will not alter the actual requirements with regard to protection of the heritage item.

The proposed re-zoning of the Cromer High School will allow the school to operate under SEPP Infrastructure, as envisaged by the Department of Planning and Environment.

The proposed amendment to clause 2.8 of the WLEP 2011 to allow temporary uses for up to 52 days will not automatically grant these uses the full 52 days. Each temporary use would be required to go through the development application process and be assessed for appropriateness in its context.

All proposed amendments are minor and are not expected to have any significant social or economic impacts.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The proposed amendments are minor, and none of them are likely to result in any increased need for public infrastructure.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No state or Commonwealth public authorities have been consulted. No issues have been identified which would require any referrals to other government agencies.

Part 4 – Maps

Indicative maps of the proposed amendments have been included in Part 2 of this report, under each individual amendment. Should the planning proposal receive Gateway approval, it is anticipated that draft WLEP maps will be required for the public exhibition.

Part 5 – Details of Community Consultation to be Undertaken

Following Gateway Determination the planning proposal will be publicly exhibited. The exhibition is intended to run for a minimum of 28 days and will involve notification in the Manly Daily, on Council's website, and direct mail out to land owners and adjoining land owners of affected lots.

Any other requirements made by the Gateway Determination will also be carried out.

The public exhibition is also intended to be undertaken in conjunction with exhibition of proposed minor amendments to the Warringah Development Control Plan 2011, many of which are proposed as a result of the proposed amendments to the WLEP 2011.

Part 6 – Project Timeline

Anticipated commencement date (date of Gateway determination)	Mid July 2016
Anticipated timeframe for the completion of required technical information	Early August 2016
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	No government agency consultation is anticipated.
Commencement and completion dates for public exhibition period	Mid August to Mid September 2016
Dates for public hearing (if required)	No public hearing is anticipated
Timeframe for consideration of submissions	End of September 2016
Timeframe for the consideration of a proposal post exhibition	End of October 2016 (dependent on dates of Council meetings)
Date of submission to the department to finalise the LEP	Early November 2016
Anticipated date Council will make the plan (if delegated)	Early December 2016
Anticipated date Council will forward to the department for notification.	December 2016