

Reclassify part of the Collaroy Beach Reserve car park from 'community' to 'operational' land

Proposal Title : **Reclassify part of the Collaroy Beach Reserve car park from 'community' to 'operational' land**

Proposal Summary : **The planning proposal seeks to reclassify the western portion of the Collaroy Beach Reserve car park located at 1054 Pittwater Road, Collaroy (Lot 1 DP346265) from 'community' to 'operational' land by amending Warringah Local Environmental Plan (LEP) 2011.**

PP Number : **PP_2012_WARRI_003_00** Dop File No : **12/12070**

Proposal Details

Date Planning Proposal Received :	17-Jul-2012	LGA covered :	Warringah
Region :	Sydney Region East	RPA :	Warringah Council
State Electorate :	WAKEHURST	Section of the Act :	55 - Planning Proposal
LEP Type :	Reclassification		

Location Details

Street :	1054 Pittwater Road		
Suburb :	Collaroy	City :	Sydney
		Postcode :	2097
Land Parcel :	The Collaroy Beach Reserve car park located at 1054 Pittwater Road, Collaroy is zoned RE1 Public Recreation under Warringah Local Environmental Plan (LEP) 2011.		

DoP Planning Officer Contact Details

Contact Name : **Sabina Miller**
 Contact Number : **0292286282**
 Contact Email : **sabina.miller@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Janelle Brooks**
 Contact Number : **0299422933**
 Contact Email : **Janelle.Brooks@warringah.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

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MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? : No

If Yes, comment : The Regional Team is not aware of any meetings or communications with registered lobbyists concerning this planning proposal.

Supporting notes

Internal Supporting
Notes :

The Collaroy Beach Reserve car park, located at 1054 Pittwater Road, Collaroy (Lot 1 DP346265), has an area of 1100sqm and 16 marked car spaces and adjoins the Collaroy Beach Services Club.

The car park is zoned RE1 Public Recreation under Warringah Local Environmental Plan (LEP) 2011 and is identified as part 'area of wave impact and slope adjustment' and part 'area of reduced foundation capacity' on Council's Coastline Hazard Map. The subject site is located within the Coastal Zone.

The car park is owned by Warringah Council.

The car park services businesses and recreational users and is used for vehicle loading and unloading by the Club. The use of the car park for loading and unloading purposes and vehicular access to the Club, has not been formalised.

On 24 August 2010 Council resolved to investigate options to formalise vehicle access arrangements between the Club and the car park. Vehicle access to the Club is limited as there is no vehicular access from Pittwater Road or the site's beach frontage to the Club. The only available access point is the public car park. Council is of the view that the present arrangement has the potential to conflict with the operation of the car park.

Council is also of the view that the current classification of the car park limits its ability to negotiate a lease with the Club for use of part of the car park for access and servicing purposes and its ability to improve pedestrian access to minimise potential safety risks.

On 28 February 2012 Council resolved to reclassify part of the car park (between Pittwater Road and the beach) from 'community' to 'operational' land. The remainder of the car park (two adjoining lots) will continue to be classified as 'community' land.

The aim of the reclassification is to formalise vehicle access between the Club and the car park and improve pedestrian safety. Council has advised that it has no intention to change the use of the car park or develop the land for any other purpose.

External Supporting
Notes :

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Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives is adequate.**

The objective of the planning proposal is to reclassify part of the Collaroy Beach Reserve car park at 1054 Pittwater Road, Collaroy from 'community' to 'operational' land by amending Warringah Local Environmental Plan (LEP) 2011.

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

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

Comment : **The explanation of provisions is adequate.**

The planning proposal will amend Schedule 4 'Classification and Reclassification of Public Land' under Warringah Local Environmental Plan (LEP) 2011.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

2.1 Environment Protection Zones

2.2 Coastal Protection

* May need the Director General's agreement

4.1 Acid Sulfate Soils

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 71—Coastal Protection

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **The planning proposal is consistent with applicable SEPPs and Section 117 Directions.**

In regards to Direction 4.1, Council advises that the planning proposal is consistent with this Direction, as it does not intensify the uses on the subject land.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Maps provided include:

- a location map;**
- existing land classification map;**
- proposed land classification map;**
- existing land zoning map;**
- existing acid sulfate soils map; and**
- aerial photograph.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council proposes to exhibit the planning proposal for 28 days.

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Council has advised that it will advertise the planning proposal in the local newspaper and on Council's website and will notify adjoining property owners.

Council will hold a public hearing to meet the requirements of the Local Government Act (LG Act) 1993. It will give public notice for the hearing in the local newspaper, at Council's customer service centre, libraries and on the Council's website.

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 : **There are no other matters which need to be considered for this planning proposal.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Warringah Comprehensive LEP 2011 was made in December 2011. The planning proposal is considered to be consistent with the standard instrument.**

Assessment Criteria

Need for planning proposal : **There is a need for the planning proposal. The planning proposal formalises vehicle access between the Club and the car park and improves vehicle and pedestrian safety. The planning proposal will result in the continued operation of the carpark for all users.**

Council's Strategic Community Plan (2011) outlines the 10 year strategic direction of Warringah and includes an action to review the zoning and classification of Council car parks. The planning proposal is consistent with this action.

Section 46 of the Local Government Act 1993 prohibits the sale, lease or use of community land for private purposes. This provision affects the uses of public car parks by delivery vehicles (i.e. gaining access to private property across public land and entering into leasing arrangements with private land holders). The reclassification of the land from 'community' to 'operational' will enable the continued use of the site as a car park and provide for formal vehicle access arrangements to be established.

Consistency with strategic planning framework : **The planning proposal is not considered to be inconsistent with the aims of the draft North East Subregional Plan and Metropolitan Plan. The proposal is consistent with Council's Strategic Community Plan (2011) which includes an action to review the zoning and classification of Council car parks.**

Environmental social economic impacts : **The subject site does not contain any recorded threatened species population or critical habitat and will have no additional impacts on coastal processes or hazards. The planning proposal seeks to reclassify a Council car park to 'operational' land. Council has advised that it has no intention to change the use of the car park.**

Furthermore, the car park will continue to service businesses and recreational users and will contribute to people using open space lands and maintaining access to businesses. It is considered that the planning proposal will have no significant environmental, social or economic impacts.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The planning proposal will formalise vehicle access between the Club and the car park and improve vehicle and pedestrian safety.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **The planning proposal will not have any adverse impacts on existing public infrastructure, due to its minor nature.**

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

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

S.117 directions: **2.1 Environment Protection Zones
2.2 Coastal Protection
4.1 Acid Sulfate Soils
6.2 Reserving Land for Public Purposes**

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

a)The planning proposal be exhibited for at least 28 days.

b)The planning proposal be completed within nine months of the Gateway Determination.

c)No consultation with Government agencies is required.

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d)No further studies are required to be carried out for the planning proposal.

Supporting Reasons :

The proposal is consistent with Council's Strategic Community Plan (2011) which includes an action to review the zoning and classification of Council car parks. The planning proposal formalises vehicle access between the Club and the car park and improves vehicle and pedestrian safety.

The planning proposal will result in the continued operation of a public car park for all users.

Signature:

D. Pitney

Printed Name:

DAVID PITNEY

Date:

30/7/12