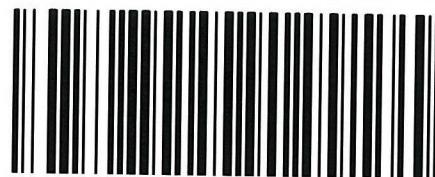


Tija Stagni, Senior Planner - Land Release
8am to 5:30pm Monday - Thursday, 8:00am to 5:00pm Friday
Phone 9970 1318

20 November 2014

Lee Mulvey
Regional Director – Metropolitan Delivery (CBD)
Department of Planning & Environment
Level 3, 4-6 Bligh Street
SYDNEY NSW 2001

Ref: PP0001/14



PCU057158

Dear Mr Mulvey,

**Planning Proposal to amend provisions and maps under Pittwater LEP 2014
applying to the Warriewood Valley Release Area**

At its meeting of 17 November 2014, Council adopted the Warriewood Valley Strategic Review Addendum Report and resolved to commence the statutory rezoning process to amend the provisions and maps within Pittwater LEP 2014 applying to the Warriewood Valley Release Area.

We subsequently request that the enclosed draft Planning Proposal be referred to the LEP Review Panel for Gateway Determination.

Due to the nature of this Planning Proposal, Council's General Manager, the Council's sub-delegate, seeks to exercise his delegation for the making of this LEP.

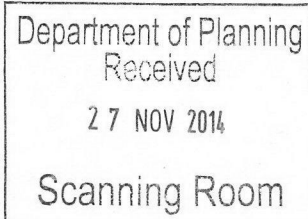
Please find enclosed a copy of:

- Draft Planning Proposal and associated draft Urban Release Area Map, Land Zoning Map, Lot Size Map and Height of Buildings Map,
- Site Identification Maps,
- A completed 'Information Checklist' (Attachment 1 of *A guide to preparing planning proposals*),
- Completed 'Evaluation Criteria for the Delegation of Planning Proposals' (Attachment 4 of *A guide to preparing local environmental plans*),
- Warriewood Valley Strategic Review Addendum Report,
- Council report and minute of 17 November 2014.

If you have any questions in relation to this matter, please contact Tija Stagni, Senior Planner - Land Release on 9970 1318.

Yours sincerely

Andrew Pigott
MANAGER PLANNING & ASSESSMENT



PLANNING PROPOSAL

PP0001/14

To amend the Urban Release Area Map, Land Zoning Map, Height of Buildings Map and Minimum Lot Size Map applying to the Warriewood Valley Release Area

To introduce/amend the dwelling yield provisions applying to land within the Warriewood Valley Release Area

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PART 1: OBJECTIVES OF PLANNING PROPOSAL

The objectives of this Planning Proposal are to amend the Pittwater Local Environmental Plan 2014 to:

1. Amend the Urban Release Area Map by amending the boundary of various sectors within the Warriewood Valley Release Area, including adding and removing various sectors or parts thereof.
2. Amend the Land Zoning Map to rezone specific land.
3. Amend the Minimum Lot Size Map to remove the lot size applying to specific land.
4. Amend the Height of Buildings Map to amend the maximum height applying to specific land.
5. Amend/introduce dwelling yield provisions for sectors in the Warriewood Valley Release Area

Council's General Manager (Council's sub-delegate) seeks to exercise the LEP making powers delegated under Section 59 of the *Environmental Planning & Assessment Act 1979* in regard to this Planning Proposal. Council's General Manager requests that a Written Authorisation to Exercise Delegation be issued in regard to this Planning Proposal

	Proposed Amendments	Description		
1	Amendments to Urban Release Area Map – Sheet URA_012	Identify land as new sector: – Battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>)		
		Amend boundary of existing Sector 10 to excise 194 Garden Street (SP 22115) and identify as an individual sector (<i>Sector 10C</i>)		
		Amend boundary of existing Sector 20 to: – Remove 79 Cabbage Tree Road (Lot 20 DP 632081) and 4 Walana Crescent (Lot 8 DP 1124862) from Release Area – Excise 14 Walana Crescent (Lot 367 DP 806738) and 3 Harrier Place (Lot 35 DP 1135383) from Sector 20 and identify as individual sectors (<i>Sector 202 and Sector 203</i>)		
		Amend boundary of Sector 8 to excise portion of 5 Forest Road (Lot 13 DP 1083731) within Release Area and identify as an individual sector (<i>Sector 802</i>)		
		Amend boundary of the sector identified as Clause 6.2(Lot 3 DP 124602, Lot 5 DP 124602, Lot 4 DP 124602 and Lot 1 DP 383009) to identify the two properties as two individual sectors (<i>Sector 120 and Sector 122</i>)		
		Amend width of area identified as ‘Creek Line Corridor’ within Buffer Area 1F to Buffer Area 1J to maximum of 25 metres on either side of the centre line of the creek.		
		Amend boundary of existing Sector 3 and existing Buffer Area 2 to combine two sectors and identify as an individual sector (<i>Buffer Area 2</i>)		
2	Amendments to Urban Release Area Map – Sheet URA_013	Amend boundary of existing Sector 10 to excise 194 Garden Street (SP 22115) and identify as an individual sector (<i>Sector 10C</i>)		
3	Amendments to the Land Zoning Map – Sheet LZN_012	Rezone battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) from RU2 Rural Landscape to R3 Medium Density Residential.		
		Rezone 5 Forest Road (Lot 13 DP 1083731) from RU2 Rural Landscape to SP2 Infrastructure (Educational Establishment)		
4	Amendment to the Minimum Lot Size Map – Sheet LSZ_012	Remove minimum lot size applying to battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) that is to be zoned R3 Medium Density Residential as part of this Planning Proposal.		
		Remove minimum lot size applying to 5 Forest Road (Lot 13 DP 1083731) (<i>Sector 802</i>) that is to be zoned SP2 Infrastructure (Educational Establishment) as part of this Planning Proposal.		
5	Amendment to Height of Buildings Map – Sheet HOB_012	Alter maximum height applying to battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) from 8.5 metres to 10.5 metres		
6	Amendments to Part 6, Clause 6.1(1)(a)	After “Warriewood Valley Strategic Review” insert “as amended”.		
7	Amendments to Part 6, Clause 6.1(3)	The text related to Sector 20 in the table in Clause 6.1(3) is to be amended as follows: <table><tr><td>Sector 20</td><td>Not more than 72 64 dwellings</td></tr></table>	Sector 20	Not more than 72 64 dwellings
Sector 20	Not more than 72 64 dwellings			

		The text related to Sector 3 and Buffer Area 2 in the table in Clause 6.1(3) is to be amended as follows:	
		Sector 3	Not more than 34 dwellings
		Buffer area 2	Not more than 113 dwellings
		Buffer area 2	Not more than 147 dwellings
		The text related to Sectors 901C and 901G in the table in Clause 6.1(3) is to be amended as follows:	
		Sector 901C	Not more than 22 dwellings or less than 17 dwellings
		Sector 901G	Not more than 6 dwellings
		Sectors 901C and 901G	Not more than 28 dwellings or less than 23 dwellings
		The following text is to be added to the table in Clause 6.1(3):	
		Sector 901H	Not more than 3 dwellings
		Sector 10C	Not more than 17 dwellings
		Sector 202	Not more than 1 dwelling
		Sector 203	Not more than 4 dwellings

PART 3: JUSTIFICATION

Section A Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of the *Warriewood Valley Strategic Review Addendum Report 2014* (Addendum Report). The Addendum Report is a supplement to the adopted *Warriewood Valley Strategic Review Report 2012* (Strategic Review Report) which reviewed the appropriate height and density standards for medium density residential development within the Warriewood Valley Release Area (Release Area). The Addendum Report investigates and identifies a forward path for all other land in the Release Area that was not considered or provided with a forward path under the Strategic Review Report.

The Addendum Report is informed by an opportunities and constraints analysis undertaken by Council, and updated flooding and bushfire information, including an additional flooding analysis of the Narrabeen Lagoon Flood Study adopted in 2013 by the same consultant who produced the Warriewood Valley Strategic Review Hydrology Study 2011. Relevant environmental studies undertaken for the Strategic Review Report were also considered. Due to the significant environmental and development constraints affecting particular sectors within the Release Area, some sectors, or parts thereof, are recommended to be removed from the Release Area. The Addendum Report has also identified other relatively less constrained sectors with opportunities for development.

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

Progressing this Planning Proposal is the best means of achieving consistency with Council's strategic and land use planning documents.

The Planning Proposal is the only mechanism to enable land to be removed or added to the Urban Release Area Map, rezone land and enable changes to be made to the mapping and dwelling yield provisions in Clause 6.1(4) of *Pittwater LEP 2014*.

Section B Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

While this Planning Proposal is largely an administrative amendment and therefore will generally only have minor impact on the objectives and actions within these strategies, it will provide for some new residential development in the Release Area and is therefore consistent with the objectives and actions within the *Draft Metropolitan Strategy for Sydney* and the *Draft North-East Subregional Strategy* where goals are set for housing delivery and land supply.

4. Is the Planning Proposal consistent with the council's local strategy or other local strategic plan?

The Planning Proposal is consistent with the recommendations of the *Warriewood Valley Strategic Review Addendum Report 2014*.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal is generally consistent with the relevant State Environmental Planning Policies (see **Appendix 1**).

6. Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

The Planning Proposal is generally consistent with the applicable Ministerial Directions. Where there are inconsistencies, justification has been provided addressing how the inconsistency can be waived consistent with the Directions (see **Appendix 2**).

Section C Environmental, social and economic impact

7. 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?

This Planning Proposal is largely an administrative amendment, involving various adjustments to the boundary of the Release Area and dwelling yield provisions.

- Amalgamation of adjoining Sectors 901C and 901G,
- Amalgamation of adjoining Sector 3 and Buffer Area 2,
- Minor adjustment to sector boundaries to identify properties within existing sectors as individual sectors (Sectors 120, 122, 202, 203, 10C),
- Removal of property known as 79 Cabbage Tree Road from Sector 20,
- Adjustment of dwelling yield provisions to reflect amended sector boundary (Sectors 20, 202, 203, 901C and 90G, 10C, Sector 3 and Buffer Area 2),

Some other minor amendments are proposed, these recommendations are supported by the opportunities and constraints analysis undertaken by Council. It is therefore unlikely that this Planning Proposal will result in adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

The sectors proposed to be rezoned under this Planning Proposal and/or allocated a dwelling yield under Clause 6.1(4) have already been zoned for urban development, are already developed upon and/or are located within existing residentially zoned areas.

- Sector 202 and 203 are subsectors of the current Sector 20 and already zoned R3 Medium Density Residential. The Planning Proposal seeks to amend the current dwelling yield provision applying to Sector 20 by attributing a yield to each of these subsectors based on the outcomes of the opportunities and constraints analysis undertaken by Council.
- Sector 802 is already developed as a school and proposed to be rezoned to reflect its current use.
- Sector 901H consists of the battle axe portion of two properties and is situated between residentially zoned Sectors 901B and 901C. Sector 901H is proposed to be rezoned from a rural zone to R3 Medium Density Residential zone. The sector is currently utilised as a driveway and largely cleared. The rezoning of Sector 901H will allow either adjoining sector, which have already been rezoned R3 Medium Density Residential, to incorporate this additional land (approximately 1,100 square metres) into their development site.
- Sector 10C, already zoned R3, is proposed to be allocated a dwelling yield to allow the property to be redeveloped from its current use as a retirement village to an urban

residential development, similar in scale to the surrounding existing low density development.

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

As outlined above, this Planning Proposal is largely an administrative amendment, however will provide for a small number of additional dwellings within the Release Area (net increase of 17 dwellings). As outlined above, the sectors proposed to be rezoned under this Planning Proposal and/or allocated a dwelling yield under Clause 6.1(4) are mostly zoned R3 Medium Density Residential, are already developed upon and/or are located within existing residentially zoned areas.

These recommendations are supported by an opportunities and constraints analysis based on mapping layers adopted by Council in 2011 as part of the *Pittwater Local Planning Strategy 2011*, which have been updated based on Council's most current flood and bush fire mapping (*Narrabeen Lagoon Flood Study 2013* and *Bush fire Prone Land Map 2013*). The recommendations are also supported by an additional analysis undertaken by the consultant who produced the Warriewood Valley Strategic Review Hydrology Study 2011.

Any future development application will require assessment under Section 79C of the EP&A Act and will be subject to the provisions and development controls under Pittwater LEP 2014 and Pittwater 21 DCP, including those related to flooding, bushfire prone land, waste management, land contamination, geotechnical hazards, heritage and traffic.

9. How has the Planning Proposal adequately addressed any social and economic effects?

With the exception of the properties known as 120 and 122 Mona Vale Road (*Sectors 120 and 122*), the lands subject of this Planning Proposal generally comprise land originally identified for release in the early 1990s under the State Government's Metropolitan Development Program. At that time a suite of studies were undertaken for the original Warriewood Valley land release area, comprising studies which addressed the social and economic effects of the release.

The properties known as 120 and 122 Mona Vale Road (*Sectors 120 and 122*) are not proposed to be rezoned under this Planning Proposal and are only simply proposed to be identified as individual sectors within the Release Area for the purpose of aligning the properties with the referenced planning strategy in Clause 6.1(1)(a).

As this Planning Proposal is largely an administrative amendment it is concluded that it is unlikely to have any negative social or economic effects.

Section D State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

Local infrastructure to meet the needs of the current and expected future population of the Warriewood Valley community is planned for and funded through the *Warriewood Valley Section 94 Contributions Plan*.

Preliminary analysis indicates that the increased dwellings expected as a result of the Planning Proposal (17 additional dwellings) is unlikely to have a significant impact on the infrastructure requirements for the Release Area. Nonetheless, the additional dwellings proposed, will need to be factored into the Section 94 Plan.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The *draft Warriewood Valley Strategic Review Addendum Report 2014* was placed on public exhibition between June and July 2014 and the views of Sydney Water and Crown Lands, as landowners within the Release Area, were sought.

Sydney Water supported the current zoning of their land. The Addendum Report does not recommend changing the zoning of the land comprising the Warriewood Sewerage Treatment Plant as it is already zoned SP2 Infrastructure (Sewerage System) under Pittwater LEP 2014.

When a Gateway Determination is issued, further consultation with all required public authorities will be undertaken.

PART 4: MAPPING

The current Urban Release Area Maps (Sheet URA_012 and Sheet URA_013), Land Zoning Map (Sheet LZN_012), Height of Buildings Map (Sheet HOB_012) and Lot Size Map (Sheet LSZ_012) are contained **Appendix 3**.

The proposed amended maps are contained in **Appendix 4**.

PART 5: COMMUNITY CONSULTATION

This Planning Proposal is consistent with the pattern of surrounding land uses.

Local infrastructure within the Warriewood Valley Release Area is provided through the *Warriewood Valley Section 94 Contributions Plan*. Preliminary analysis indicates that the increased dwellings expected as result of the Planning Proposal (17 additional dwellings) is unlikely to have a significant impact on the infrastructure requirements for the Release Area. Nonetheless, the additional dwellings proposed and additional infrastructure requirements will need to be incorporated into the Section 94 Plan.

Subsequently, this Planning Proposal is considered to be a 'low impact' proposal. In keeping with '*A guide to preparing local environmental plans*' (Department of Planning & Infrastructure, 2012) the following consultation is considered appropriate:

- 14 day exhibition period,
- Notification in local newspaper at commencement of exhibition period,
- Notification on Council's website for the duration of the exhibition,
- Notification in writing to affected landowners and the Warriewood Residents Association at commencement of exhibition period.

PART 6: PROJECT TIMELINE

Planning Proposal Milestone	Timeframe	Anticipated Completion Date
Date of Gateway Determination	6 weeks from Council decision to forward Planning Proposal to Department of Planning & Environment for Gateway Determination.	Late December 2014
Completion of required technical information	Due to nature of proposal it is not anticipated that additional technical information will be required.	-
Government agency consultation	Preliminary consultation with government landowners was undertaken as part of the exhibition of the <i>draft Warriewood Valley Strategic Review Addendum Report</i> . Any formal consultation required by the Gateway Determination will occur during the statutory exhibition period.	Late January 2015
Public exhibition	14 days – Commencing in mid January 2015, following Gateway Determination	Late January 2015
Consideration of submissions	2 weeks from close of public exhibition	Mid February 2015
Consideration of proposal post-exhibition and report to Council	Report matter to Council.	Late February 2015
Submission to Department and PCO to prepare draft instrument	Following Council decision to finalise LEP.	Late February 2015
RPA to make plan (if delegated)	4 weeks from Council decision to finalise LEP.	Late March 2015
Notification of LEP/LEP comes into force	1 week from RPA making plan.	Early April 2015

Appendix 1: Consideration of SEPPS

The following SEPP's are relevant to the Pittwater Local Government Area. The Table identifies which of the relevant SEPPs apply to the Planning Proposal (or not) and if applying, is the Planning Proposal consistent with the provisions of the SEPP.

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent	Reason for inconsistency
SEPP No 1 – Development Standards	NO	N/A	
SEPP No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	YES	YES	
SEPP No 6 – Number of Storeys in a Building	YES	YES	
SEPP No 14 – Coastal Wetlands	NO	N/A	
SEPP No 21 – Caravan Parks	NO	N/A	
SEPP No 22 – Shops and Commercial Premises	NO	N/A	
SEPP No 26 – Littoral Rainforests	NO	N/A	
SEPP No 30 – Intensive Agriculture	NO	N/A	
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	NO	N/A	
SEPP No 33 – Hazardous and Offensive Development	NO	N/A	
SEPP No 44 – Koala Habitat Protection	NO	N/A	
SEPP No 50 – Canal Estate Development	NO	N/A	
SEPP No 55 – Remediation of Land	NO	N/A	
SEPP No 60 – Exempt and Complying Development	YES	YES	
SEPP No 62 – Sustainable Aquaculture	NO	N/A	
SEPP No 64 – Advertising and Signage	YES	YES	
SEPP No 65 – Design Quality of Residential Flat Development	YES	YES	
SEPP No 70 – Affordable Housing (Revised Schemes)	YES	YES	

SEPP 71 – Coastal Protection	NO	N/A	
SEPP (Affordable Rental Housing) 2009	YES	YES	
SEPP (Building Sustainability Index: BASIX) 2004	YES	YES	
SEPP (Exempt and Complying Development Codes) 2008	YES	YES	
SEPP (Housing for Seniors or People with a Disability) 2004	YES	YES	
SEPP (Infrastructure) 2007	YES	YES	
SEPP (Major Development) 2005	NO	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NO	N/A	
SEPP (Rural Lands) 2008	NO	N/A	
SEPP (Temporary Structures) 2007	NO	N/A	
SEPP (Urban Renewal) 2010	NO	N/A	

The following is a list of the deemed SEPP's (formerly Sydney Regional Environmental Plans) relevant to the Pittwater Local Government Area.

Title of deemed SEPP, being Sydney Regional Environmental Plan (SREP)	Applicable	Consistent	Reason for inconsistency
SREP No 20 – Hawkesbury-Nepean River (No 2 -1997)	NO	N/A	

Appendix 2: Consideration of Section 117 Directions

1 Employment and Resources

	Direction	Applicable	Consistent
1.1	Business and Industrial Zones	NO	N/A
1.2	Rural Zones	YES	NO
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A

Justification for inconsistency with Direction 1.2

The Planning Proposal, so far as it relates to the rezoning of the battle axe portion of 4 and 5 Fern Creek Road (*Sector 901H*) and 5 Forest Road from a rural zone to another zone, is inconsistent with Direction 1.2. The proposed rezoning is consistent with State Government's Metropolitan Development Program which identified these lands for urban release in the early 1990s.

2 Environment and Heritage

	Direction	Applicable	Consistent
2.1	Environmental Protection Zones	NO	N/A
2.2	Coastal Protection	NO	N/A
2.3	Heritage Conservation	YES	NO
2.4	Recreation Vehicle Areas	NO	N/A

Justification for inconsistency with Direction 2.3

The Planning Proposal is largely an administrative amendment therefore the inconsistencies with this direction are of minor significance.

Provisions also already exist within the Pittwater LEP 2014 for the protection and conservation of environmentally sensitive areas and the conservation of heritage items, areas, objects and places. These provisions will continue to apply to the lands the subject to this Planning Proposal.

3 Housing, Infrastructure and Urban Development

	Direction	Applicable	Consistent
3.1	Residential Zones	YES	YES
3.2	Caravan Parks and Manufactured Home Estates	NO	N/A
3.3	Home Occupations	YES	YES
3.4	Integrating Land Use and Transport	YES	YES
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A

4 Hazard and Risk

	Direction	Applicable	Consistent
4.1	Acid Sulphate Soils	NO	N/A
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	NO
4.4	Planning For Bushfire Protection	YES	NO

Justification for inconsistency with Direction 4.3

Sectors 120, 122 and 802 are traversed by sections of Narrabeen Creek and Fern Creek respectively. It is the creek sections that have been identified as flood prone land.

Development controls within Pittwater 21 DCP prohibit vertical structures to be erected on land comprising the creek line corridor. Development controls also require that the creek line corridor be engineered to convey the 1% AEP flood event. This land is required to be rehabilitated and subsequently dedicated to Council in accordance with the *Warriewood Valley Section 94 Contributions Plan*.

Justification for inconsistency with Direction 4.4

Sector 901H, 802, 122, 120, 202, 203 and 10C are all identified as bush fire prone under Council's Bush Fire Prone Lands Map.

Sectors 120, 122, 202, 203 and 10C are already rezoned for its intended purpose and will not be altered. This Planning Proposal only seeks to amend the sector boundary/dwelling yield provision applying to this land.

Sector 901H is to be rezoned from a rural zone to R3 Medium Density Residential under this Planning Proposal. The land proposed to be rezoned does not contain Category 1 or 2 Vegetation and is not mapped as a Bushfire Buffer, but instead forms part of a parcel identified with these affectations.

Sector 801 is already developed as a school and proposed to be zoned to reflect this land use.

This Planning Proposal is inconsistent with this direction insofar as consultation has not yet occurred with the NSW Rural Fire Service. Consultation is expected to be undertaken during the statutory exhibition period.

5 Regional Planning

	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchments	NO	N/A
5.3	Farmland of State and Regional Significance on NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Hwy, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	NO	N/A
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A

6 Local Plan Making

	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Purposes	YES	NO

Justification for inconsistency with Direction 6.3

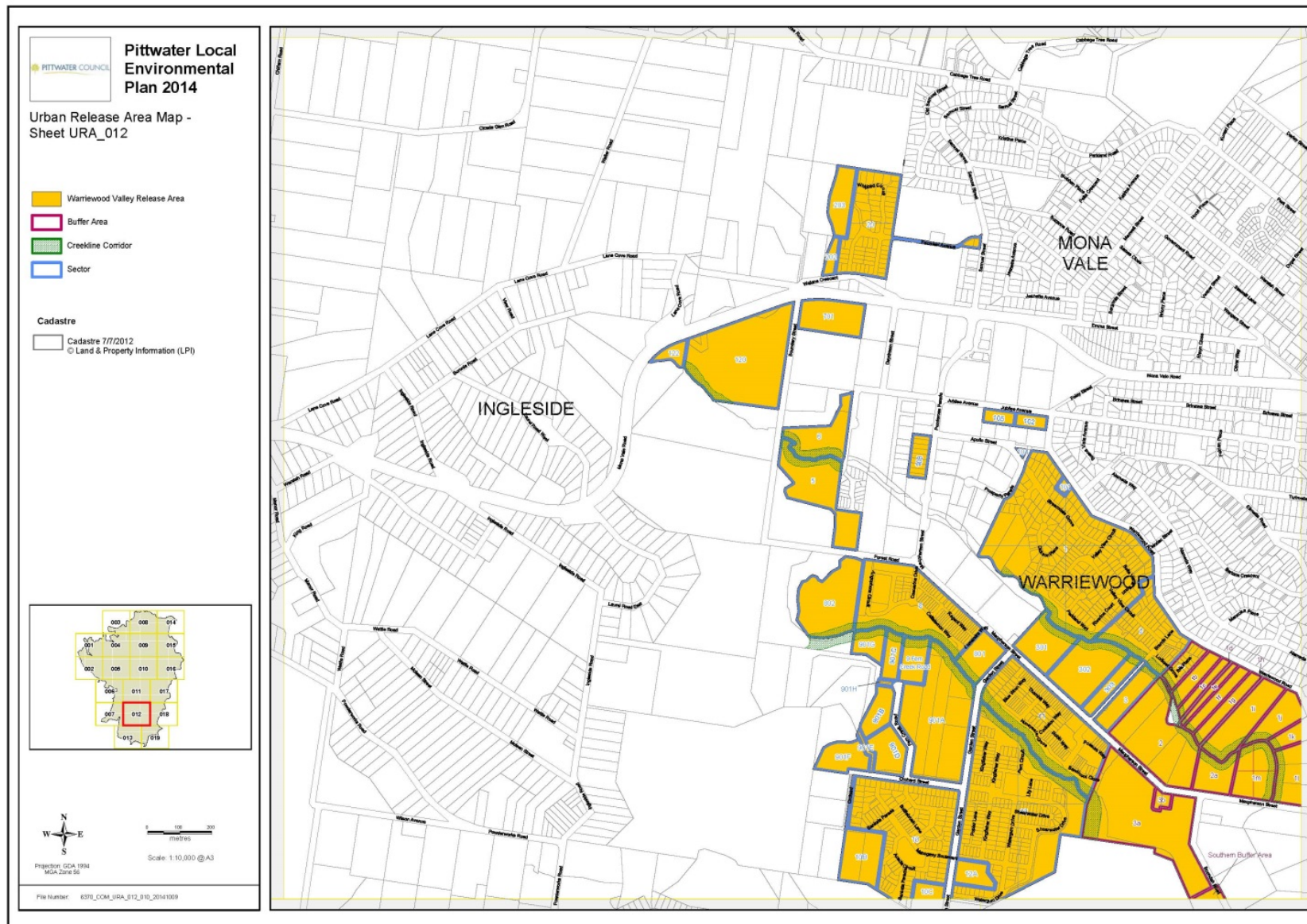
The Planning Proposal seeks to incorporate new dwelling yield provisions for Sector 10C, 901H, 202 and 203 and amend the existing dwelling yield provision applying to Sector 20.

The application of the dwelling yield provisions within the Pittwater LEP is well established for the Warriewood Valley Release Area. The dwelling yield provisions in Part 6 of the Pittwater LEP 2014 were translated from Pittwater LEP 1993 and are not new provisions.

7 Metropolitan Planning

	Direction	Applicable	Consistent
7.1	Implementation of the Metropolitan Strategy	YES	YES

Appendix 3: Current LEP Maps





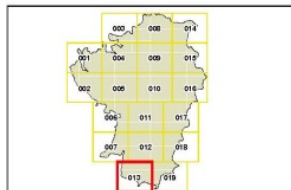
**Pittwater Local
Environmental
Plan 2014**

Urban Release Area Map -
Sheet URA_013

-  Warriewood Valley Release Area
-  Buffer Area
-  Creekline Corridor
-  Sector

Cadastre

-  Cadastre 7/7/2012
-  © Land & Property Information (LPI)

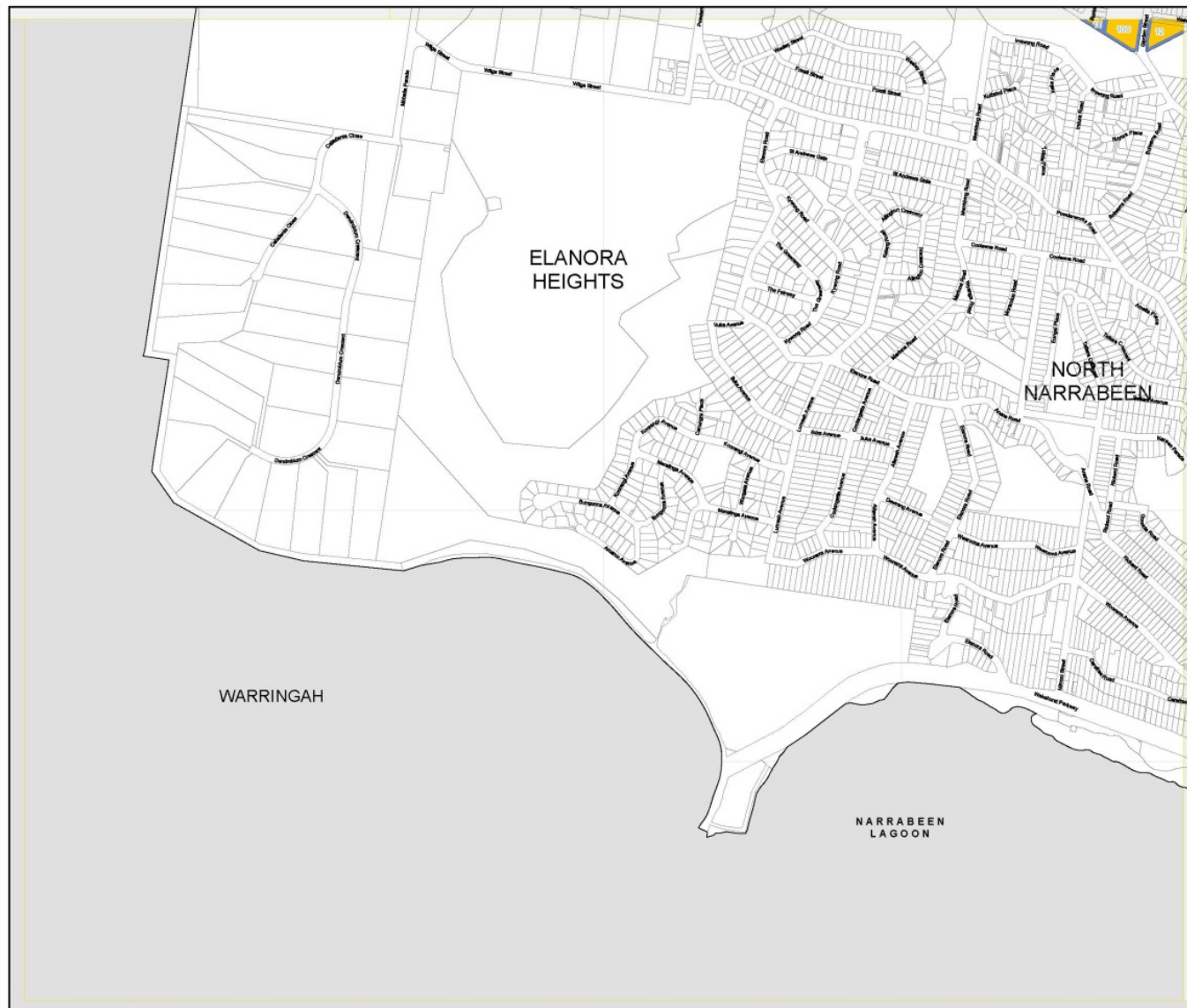


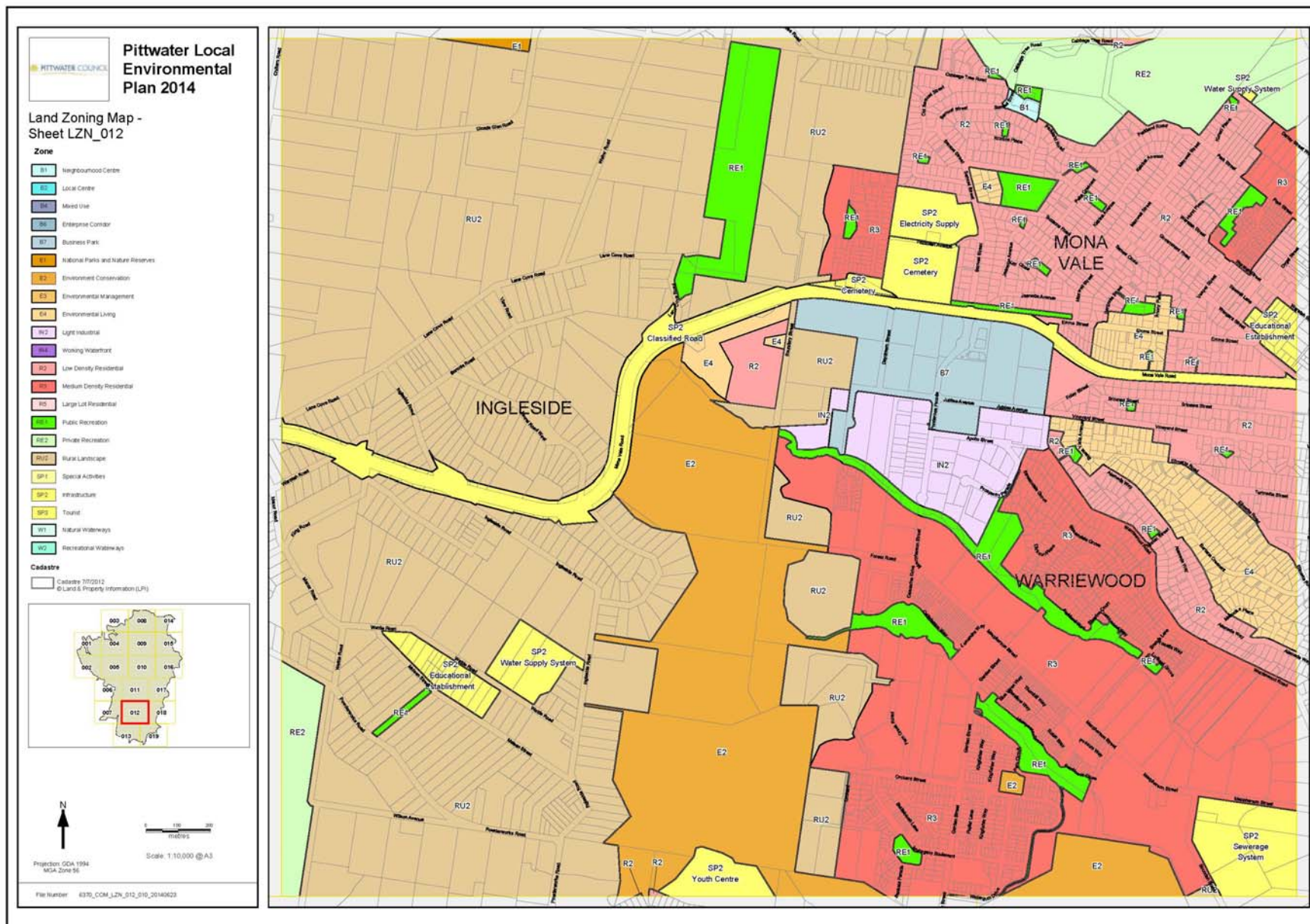
Projection: GDA 1984
MGA Zone 56

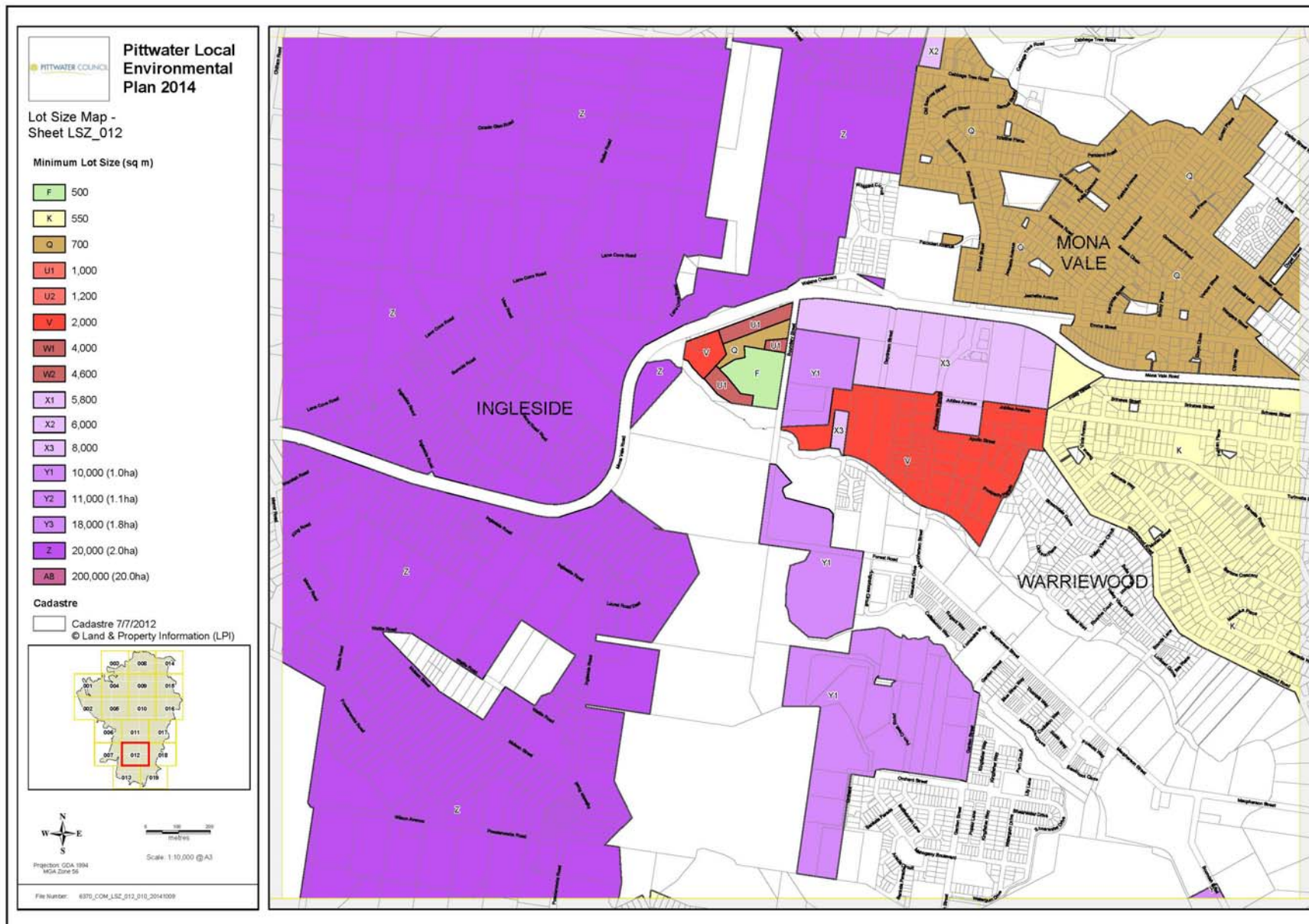


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Pittwater Local Environmental Plan 2014

Height of Buildings Map - Sheet HOB_012

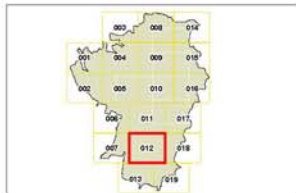
Maximum Building Height (m)

B	4
C	5
D	7
E	8
F	8.5
G	10.5
H	11
I	11.5
J	13

AREA 1	Refer Clause 4.3(2C)
AREA 2	Refer Clause 4.3(2C)
AREA 3	Refer Clause 4.3(2C)
AREA 4	Refer Clause 4.3(2C)
AREA 5	Refer Clause 4.3(2E)
AREA 6	Refer Clause 4.3(2F)

Cadastre

Cadastre 7/7/2012
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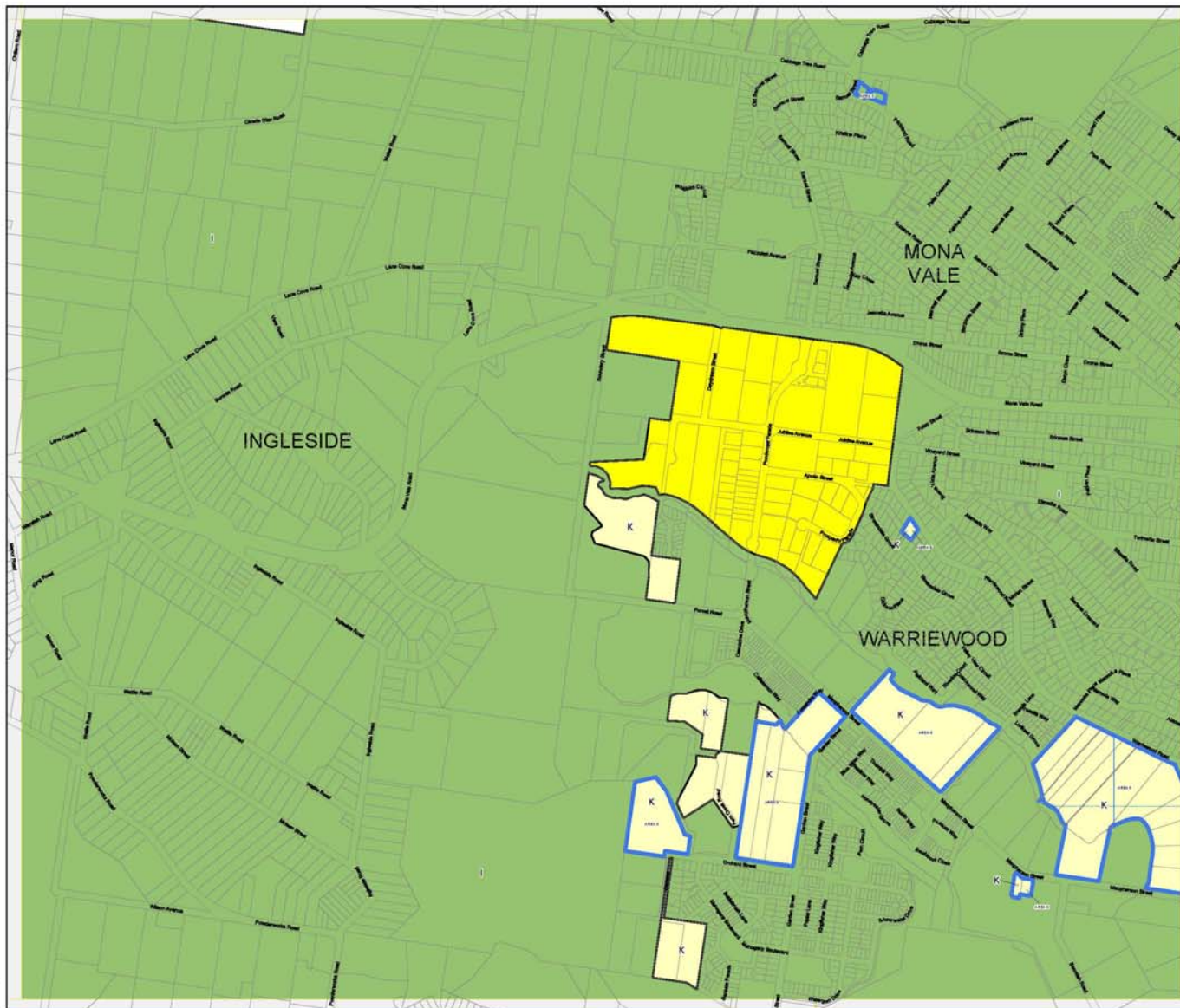


Projection: GDA 1984
MGA Zone 56

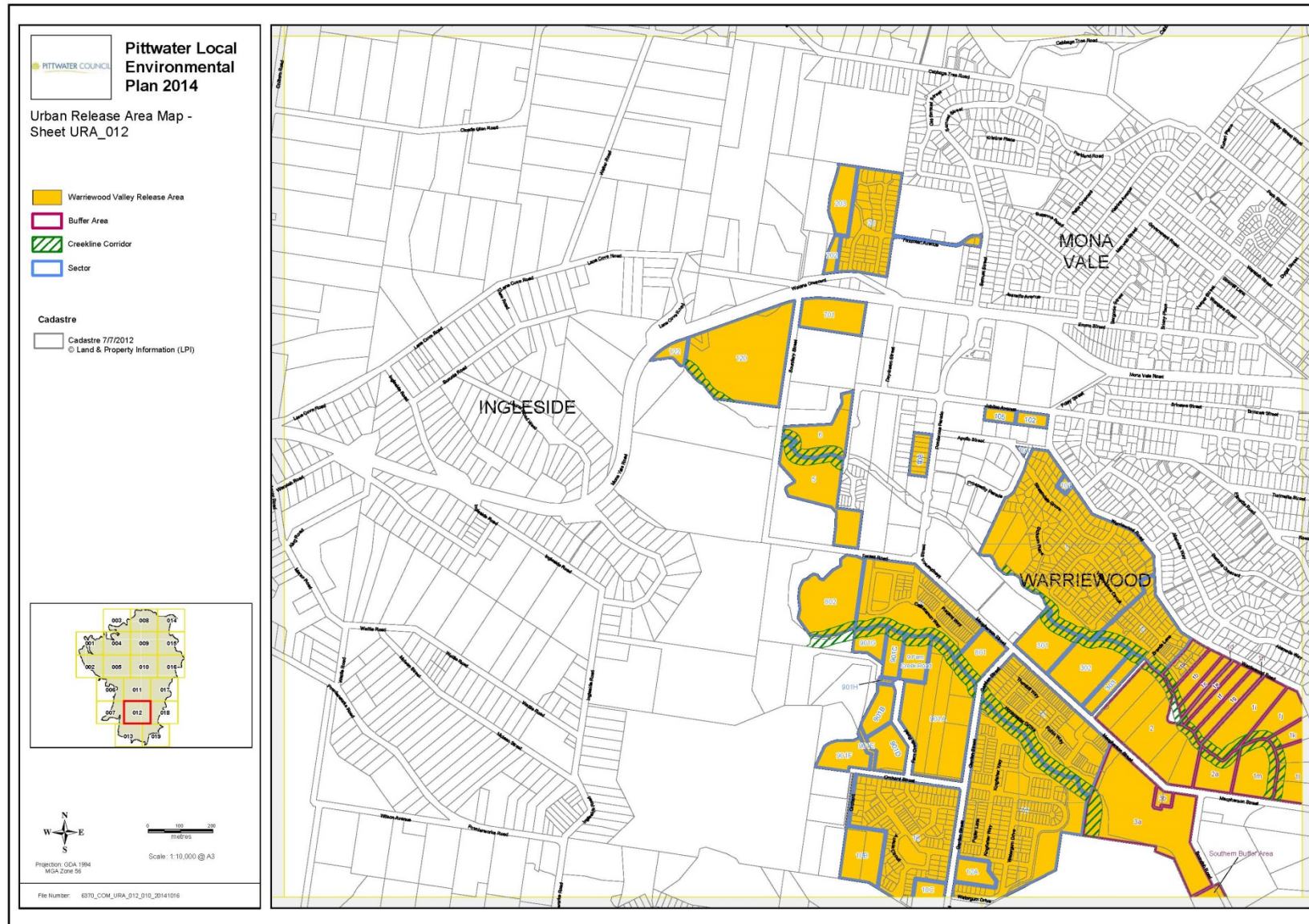


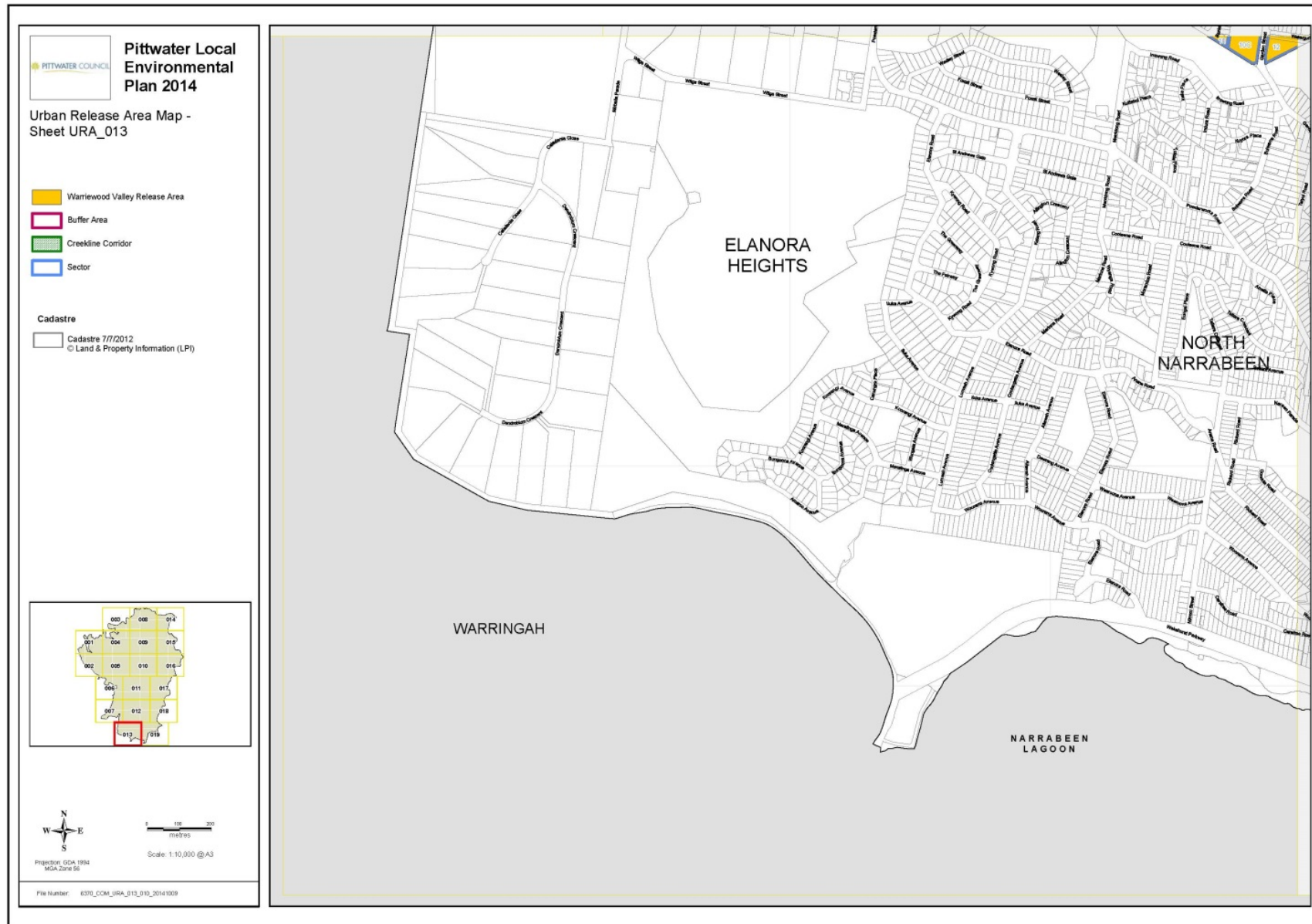
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Appendix 4: Proposed LEP Map Amendments





Pittwater Local Environmental Plan 2014

Land Zoning Map - Sheet LZN_012

Zone

B1	Neighbourhood Centre
B2	Local Centre
B4	Mixed Use
B6	Enterprise Corridor
B7	Business Park
B8	National Parks and Nature Reserves
B3	Environment Conservation
E3	Environmental Management
E4	Environmental Living
I12	Light Industrial
I4	Working Waterfront
R2	Low Density Residential
R3	Medium Density Residential
R4	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU2	Rural Landscape
SP1	Special Activities
SP2	Infrastructure
SP3	Tourist
W1	Natural Waterways
W2	Recreational Waterways

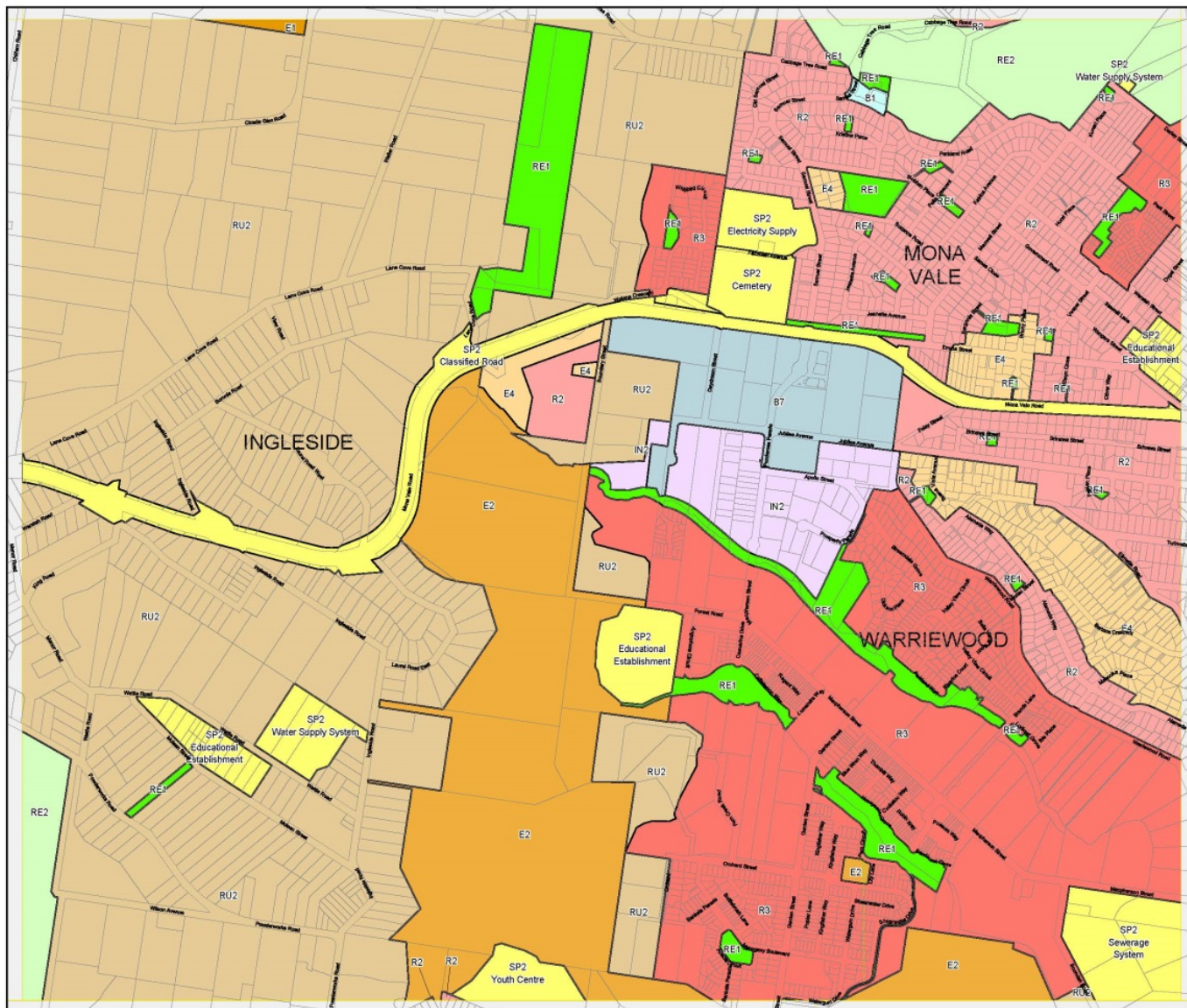
Cadastre

☐ Cadastre 7/2012
☐ Land & Property Information (LPI)

Projection: GDA 1994
MGA Zone 56

Scale: 1:10,000 @ A3

File Number: 6370_COM_LZN_012_010_2014.1009





Pittwater Local Environmental Plan 2014

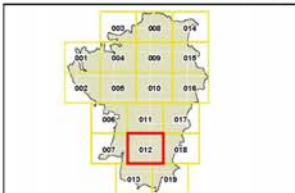
Lot Size Map - Sheet LSZ_012

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
W1	4,000
W2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastre

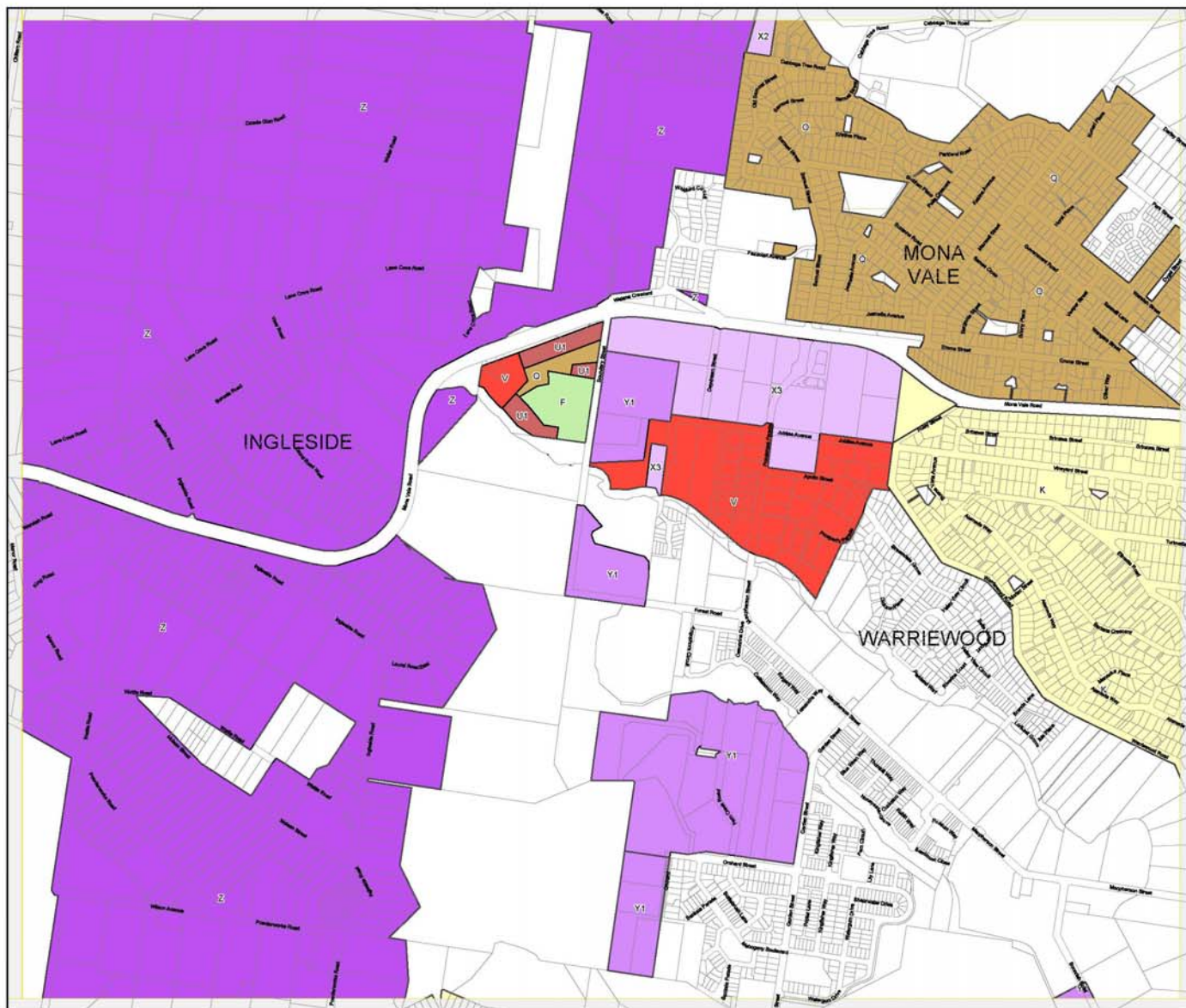
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Projection: GDA 1994
MGA Zone 56

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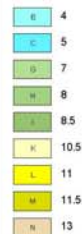




Pittwater Local Environmental Plan 2014

Height of Buildings Map -
Sheet HOB_012

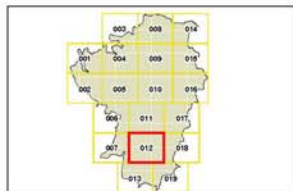
Maximum Building Height (m)



- AREA 1 Refer Clause 4.3(5)
- AREA 2 Refer Clause 4.3(5)
- AREA 3 Refer Clause 4.3(5)
- AREA 4 Refer Clause 4.3(5)
- AREA 5 Refer Clause 4.3(7)
- AREA 6 Refer Clause 4.3(10)

Cadastral

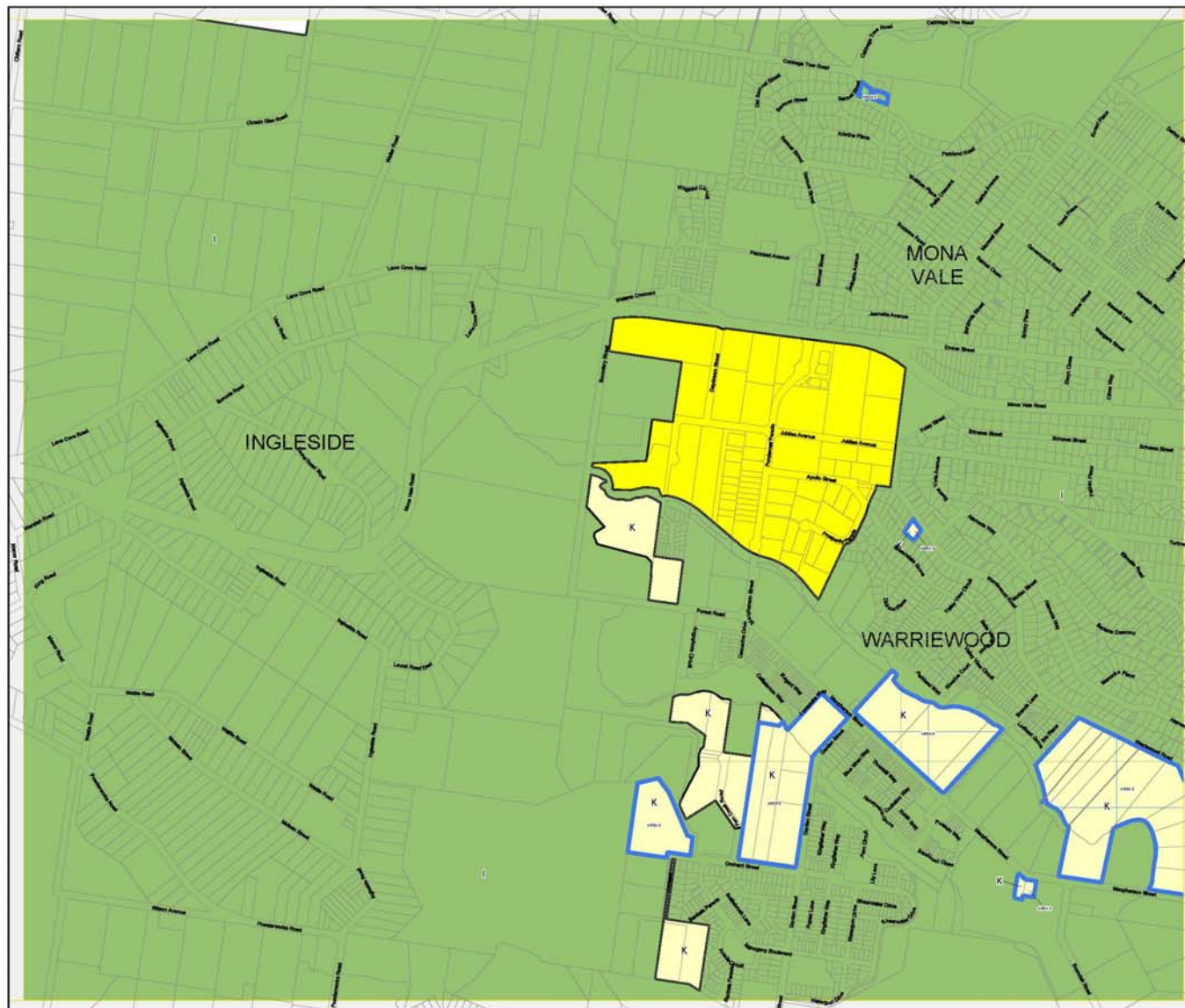
Cadastral 7/7/2012
© Land & Property Information (LPI)



Scale 1:10,000 @ A3

Projection: GDA 1984
MGA Zone 56

File Number: 6375_COM_HOB_012_010_20141009



Warriewood Valley Strategic Review Addendum Report



ADOPTED 17 NOVEMBER 2014

www.pittwater.nsw.gov.au

WARRIEWOOD VALLEY STRATEGIC REVIEW ADDENDUM REPORT 2014

Amendment no.	Date	Description	Status
1	28 May 2014	Draft Warriewood Valley Strategic Review Addendum Report presented to Council on 2 June 2014 for public exhibition	Draft
2	4 June 2014	Draft Warriewood Valley Strategic Review Addendum Report endorsed by Council on 2 June 2014 for public exhibition. Amended consistent with Council resolution of 2 June 2104 to correct typographical/mapping errors.	Exhibited Draft
3	11 November 2014	Draft Warriewood Valley Strategic Review Addendum Report amended post exhibition. Presented to Council on 17 November 2014 for adoption.	Final Draft
4	17 November 2014	Warriewood Valley Strategic Review Addendum Report adopted by Council at meeting held on 17 November 2014.	Adopted by Council

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Executive Summary



Photo by: Amanda Clarke 2011

Chapter 1

1.0 Executive Summary

Pittwater Council (Council), following consideration of matters arising from the public exhibition, has finalised the *Warriewood Valley Strategic Review Addendum Report* (Addendum Report).

1.1 Background and purpose

In June 2013 Council adopted the *Warriewood Valley Strategic Review Report 2012* (2012 Strategic Review) as the contemporary planning framework for the majority of undeveloped residential lands in the Warriewood Valley Release Area (Release Area).

The 2012 Strategic Review re-examined the *Warriewood Valley Planning Framework 2010* (2010 Planning Framework). The review process aimed to identify residential lands with development capability greater than their designated capability under the 2010 Planning Framework. The 2012 Strategic Review also investigated development opportunities in the Southern Buffer.

As a result of significant environmental constraints, existing development or current use, several sectors within the Release Area were not considered by the 2012 Strategic Review or identified with a forward path.

The purpose of this Addendum Report is to identify and recommend a forward path for these remaining sectors.

1.2 The review process

1.2.1 Identification of sectors to be reviewed

A preliminary review of land parcels within the Release Area identified the sectors without a forward path following the completion of the 2012 Strategic Review.

Until this review, these sectors have retained their land use designation under the 2010 Planning Framework, with the onus on individual landowners to alter the zoning of their land through the lodgement of a Planning Proposal.

In addition several sectors were not discussed in the 2012 Strategic Review as they were considered to be developed. Some of these sectors have been re-considered within the Addendum Report to ensure a contemporary forward path for all properties within the Release Area is provided. Additionally Sector 801 was re-examined given it was the preferred location, under the 2010 Planning Framework, for the Focal Neighbourhood Centre.

These sectors and their reason for exclusion under the 2012 Strategic Review are identified in **Table A**.

Table A: Sectors subject to further review

Sector	Property Address	Reason for exclusion from 2012 Strategic Review
172	1A Boondah Road	Investigated however unresolved or outstanding issues remain.
173	9A Boondah Road	
174	9 Boondah Road	
Southern Buffer	2, 4, 6 Jacksons Road and 1, 2, 2A, 3, 4A, 6, 8, 10, 12 Boondah Road	
120-122 Mona Vale Road	120 and 122 Mona Vale Road	
10A.1	Portion of 115 Orchard Street	
10A.2	Portion of 111, 111A and 113 Orchard Street	
901A	204 and 206 Garden Street, 2, 2A, 4, 4A, 6 and 6A Orchard Street and 9, 10 and 13 Fern Creek Road	
901C	12 Fern Creek Road	
901D	1 Fern Creek Road	
901E	Portion of 12 Orchard Street	
901G	11 Fern Creek Road	
901H	Portion of 4 & 5 Fern Creek Road	
102	185 Warriewood Road	Not investigated due to employment generating land use designation or zone.
103	10c, 10d, 12a, 12b, 12c, 14a, 14b, 14c & 16a Ponderosa Parade	
104	3 Harris Street	
105	15 Jubilee Avenue	
702	10 Jubilee Avenue	
3	14 Macpherson Street	Not investigated as they were considered to be developed.
201	4 Walana Crescent	
202	14 Walana Crescent	
203	3 Harrier Place	
204	79 Cabbage Tree Road	
802	5 Forest Road (Mater Maria Catholic College)	
10C	194 Garden Street	
Buffer Area 2	6-12 Macpherson Street	

1.2.2 Opportunities and constraints analysis

Following the identification process, a desktop analysis of opportunities and constraints was undertaken to determine the most suitable future development. The following factors were considered during the review to determine the most appropriate land use and a suitable forward path for each of the sectors:

- Known environmental affectations,
- Zoning under the *Pittwater Local Environmental Plan 2014* (PLEP 2014),
- Existing development on the site and likelihood of redevelopment,
- Outcomes and recommendations of various development assessments previously undertaken for particular sites,
- Recommendations of Council's contemporary strategic and land use planning policies.

With regard to the investigation of environmental affectations, a land capability assessment was undertaken based on Council's available mapping data. This considered environmental constraints including bushfire (updated with the adopted *Pittwater 2013 Bush Fire Prone Land Map*), flooding (updated with the adopted *Narrabeen Lagoon Flood Study 2013*), biodiversity and slope.

During the exhibition of the Addendum Report the *Pittwater Local Environmental Plan 2014* (PLEP 2014) was published and came into effect on 27 June 2014. The provisions of the published PLEP 2014 were considered in finalising the Addendum Report.

1.3 Recommendations

The opportunities and constraints analysis identified a number of sectors constrained by environmental factors or their existing land uses, as well as other relatively less constrained sectors with future development opportunities.

Based on the analysis undertaken, the Addendum Report recommends a number of amendments to the Warriewood Valley Release Area boundary, including removing some properties. It also recommends changes to the land uses designated for particular sectors under the 2010 Planning Framework, reflecting the current development constraints and opportunities.

The Release Area will be reduced from approximately 199 hectares to approximately 195 hectares.

The recommended approach for each individual sector is summarised in **Table B**. These recommendations will result in a net increase of 17 dwellings within the Release Area.

1.4 Provision of infrastructure and services

The recommendations of the Addendum Report will result in a net increase of 17 dwellings within the Release Area. This relatively minor increase in dwelling yield is unlikely to have a significant impact on the requirements for infrastructure and services in the Release Area. The additional yield is able to be accommodated through a minor amendment to the *Warriewood Valley Section 94 Contributions Plan* (Section 94 Plan).

1.5 Conclusion

The Addendum Report has provided an opportunity to re-examine the opportunities and constraints affecting the remaining sectors in the Release Area based on the most current information available. The Addendum Report re-evaluates the sector boundaries and the land uses for these sectors.

The recommended forward path for each sector has considered the relevant environmental constraints and the patterns of existing development, and will result in appropriate levels of development within the Release Area.

The Addendum Report, supported by an opportunities and constraints analysis based on contemporary information, is consistent with the community's expectations for the Release Area and will ensure continuity across Council's strategic and land use planning documents.

Table B: Summary of recommendations

Sector	Property Address	2010 Planning Framework Land Use Designation	Recommendations	Additional Dwellings
102	185 Warriewood Road	Industrial	Employment Generating land use designation recommended. Recommend landowners pursue opportunities to amalgamate to facilitate development.	-
103	10c, 10d, 12a, 12b, 12c, 14a, 14b, 14c & 16a Ponderosa Parade	Industrial	Employment Generating land use designation recommended. Recommend landowners pursue opportunities to amalgamate to facilitate development.	-
104	3 Harris Street	Industrial	Employment Generating land use designation recommended.	-
105	15 Jubilee Avenue	Industrial	Employment Generating land use designation recommended. Recommend landowners pursue opportunities to amalgamate to facilitate development.	-
172	1A Boondah Road	Conservation/Open Space	Amend Release Area boundary to include property within Southern Buffer sector. Passive Recreation land use designation recommended.	-
173	9A Boondah Road	Employment Generating	Remove from Release Area.	-
174	9 Boondah Road	Employment Generating	Remove from Release Area.	-

Sector	Property Address	2010 Planning Framework Land Use Designation	Recommendations	Additional Dwellings
Southern Buffer	2 and 4 Jacksons Road and 2, 2A, 3, 4A, 6, 8, 10, 12 Boondah Road	Employment Generating and Conservation/Open Space	Recreation Area land use designation recommended.	-
	1 Boondah Road	Employment Generating	Infrastructure land use designation recommended.	-
	6 Jacksons Road	Employment Generating	No development potential due to environmental affectations.	-
702	Portion of 10 Jubilee Avenue	Employment Generating	Remove from Release Area.	-
201	4 Walana Crescent	Traditional Residential	Remove from Release Area.	0
202	Portion of 14 Walana Crescent	Traditional Residential	Residential – Low Density land use designation recommended. Reduce yield from 4 dwellings to 1 dwelling. ¹	-3
203	Portion of 3 Harrier Place	Traditional Residential	Residential – Low Density land use designation recommended. Maintain maximum yield of 4 dwellings. ²	0
204	Portion of 79 Cabbage Tree Road	Traditional Residential	Remove from Release Area.	0
Buffer Area 2 and Sector 3	4 -16 Macpherson Street	Medium Density Residential	Recommend sector boundaries be amended to amalgamate these sectors. Retain land use designation.	0
801	23B Macpherson Street	Medium Density Residential	Residential – Medium Density and Focal Neighbourhood Centre land use designation recommended.	0

¹ Sector 20 Masterplan allocated 4 dwellings to this property.

² Sector 20 Masterplan allocated 4 dwellings to this property.

Sector	Property Address	2010 Planning Framework Land Use Designation	Recommendations	Additional Dwellings
802	Portion of 5 Forest Road	Medium Density Residential	Infrastructure land use designation recommended. Entire land parcel to be rezoned to SP2 Infrastructure (Educational Establishment).	0
9 Fern Creek Road	9 Fern Creek Road	Mixed Residential	Recreation land use designation recommended.	0
901A	204 and 206 Garden Street, 2, 2A, 4, 4A, 6 and 6A Orchard Street and 9, 10 and 13 Fern Creek Road	Mixed Residential	Clarify the dwelling yield allocation for each land parcel within the sector.	0
901C and G	12 and 11 Fern Creek Road	Mixed Residential	Recommend that Sectors 901C and 901G be required to be developed together.	0
901H	Portion of 4 & 5 Fern Creek Road	Mixed Residential	Recommend sector boundary be amended to identify only the battle-axe handles of the properties as within the Release Area. Residential – Medium Density land use designation recommended for battle-axe handles. Recommend battle-axe handles be rezoned R3 Medium Density Residential and a maximum yield of 3 dwelling be attributed. Remainder of the original sector to be removed from the Release Area.	3
10A.1	Portion of 115 Orchard Street	Mixed Residential	Remove from Release Area.	0
10A.2	Portion of 111, 111A and 113 Orchard Street	Mixed Residential	Remove from Release Area.	0

Sector	Property Address	2010 Planning Framework Land Use Designation	Recommendations	Additional Dwellings
120 and 122 ³	120 and 122 Mona Vale Road	Conservation/Open Space <i>Not originally identified as a development sector within Release Area</i>	Recommend to be identified as two separate sectors. Residential - Low Density land use designation recommended for Sector 120 (known as Clause 6.2 on Urban Release Area Map). Conservation land use designation recommended for Sector 122.	0
Creek line corridor land within Buffer Area 1 subsectors	23 to 53A Warriewood Road inclusive	Creek line corridor - Subject to environmental constraints	Recommend that only 25 metre corridor either side of the creek centreline be identified as Creek Line Corridor.	-
Additional Dwellings				17

³ Properties rezoned by Joint Regional Planning Panel Sydney East (acting as the Relevant Planning Authority). In rezoning the land, the no maximum yield was allocated; rather minimum lot size provisions apply.

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Why are we undertaking the Warriewood Valley Strategic Review Addendum?



Photo by: Amanda Clarke 2011

2.0 Why are we undertaking the Warriewood Valley Strategic Review Addendum Report?

2.1 Completion of Warriewood Valley Strategic Review Report 2012

The Warriewood Valley Strategic Review 2012 (2012 Strategic Review) was commenced in 2011 in response to the Planning Assessment Commission's (PAC) approval of the development at 79-91 Macpherson Street, Warriewood⁴ under the former Part 3A provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In approving the development, the PAC recommended that Council and the then Department of Planning and Infrastructure review the dwelling densities, height controls, the current transport network and necessary improvement works, and infrastructure demands in Warriewood Valley and the surrounding area. The PAC recommended that the review seek to clarify the subregional role of Warriewood Square, how it relates to the rest of Warriewood Valley, the potential for higher density residential development and the opportunity for employment-generating developments adjacent to Warriewood Square.

The 2012 Strategic Review investigated all residential sectors within the Release Area considered undeveloped, as well as land within the Southern Buffer. Sectors designated for non-residential development (with the exception of the Southern Buffer) were not investigated.

For the majority of undeveloped residential sectors, the 2012 Strategic Review found that residential densities up to a maximum of 32 dwellings per developable hectare could be achieved. **Table 1** details the sectors afforded this change under the 2012 Strategic Review, as well as those sectors completed prior to the commencement of the 2012 Strategic Review, requiring no further investigation.

Some undeveloped sectors, due to significant environmental constraints were not recommended a forward path under the 2012 Strategic Review, however have been rezoned since the completion of the review.⁵ These sectors are discussed further in this report to confirm their forward path. These sectors are listed in **Table 2**.

For the remaining sectors not identified with a forward path under the 2010 Strategic Review Council's resolution of 12 June 2013 identified that a future review would be undertaken to address these. **Tables 3** and **4** identify these sectors.

Table 3 lists the remaining undeveloped residential sectors that due to significant constraints were not investigated or identified with a forward path under the 2012 Strategic Review. This table also includes Sector 801, which while designated with a forward path in terms of its potential for residential development, was not considered in terms of the location for the Focal Neighbourhood Centre for the Release Area.

Table 4 lists the remaining undeveloped land identified as employment generating sectors under the 2010 Planning Framework. This includes the Southern Buffer, which due to the significant environmental constraints and divergent landowner expectations, was not recommended a future land use designation under the 2012 Strategic Review.

⁴ Property known as 14-18 Boondah Road, Warriewood at time of approval.

⁵ Council resolution of 12 June 2013.

Table 1: Sectors afforded a forward path under 2012 Strategic Review or completed prior to the review

Sector	Density (dwellings/developable hectare) ⁶	Zoning under the PLEP 2014	Development Considered Complete?
1	15	R3 Medium Density Residential	Yes (Pre 2012)
101	26	R3 Medium Density Residential	No
2	15	R3 Medium Density Residential	Yes (Pre 2012)
301	32	R3 Medium Density Residential	No
302	32	R3 Medium Density Residential	No
303	32	R3 Medium Density Residential	No
501	32	R3 Medium Density Residential	No
6	N/A - Designated for employment generating development	IN2 Light Industrial	Yes (Pre-2012)
701	N/A - Designated for employment generating development	B7 Business Park	Yes (Pre-2012)
8	25	R3 Medium Density Residential	Yes (Pre 2012)
801	32	R3 Medium Density Residential	No
901A	32	R3 Medium Density Residential	No
901B	32	R3 Medium Density Residential	No
901C	32	R3 Medium Density Residential	No
901F	10	R3 Medium Density Residential	No

⁶ Developable area is the site area excluding the creek line corridor land.

Sector	Density (dwellings/developable hectare)⁷	Zoning under the PLEP 2014	Development Considered Complete
9 Fern Creek Road	0	R3 Medium Density Residential	No
10	15	R3 Medium Density Residential	Yes (Pre 2012)
10B	20	R3 Medium Density Residential	No
11	25	R3 Medium Density Residential	Yes (Pre 2012)
12	15	R3 Medium Density Residential	Yes (Pre 2012)
12A	21 ⁸	R3 Medium Density Residential	Yes (Pre 2012)
20	Less than 10	R3 Medium Density Residential	Yes (Pre 2012)
Buffer Area 1A	20	R3 Medium Density Residential	Yes (Pre 2012)
Buffer Area 1B	32	R3 Medium Density Residential	No
Buffer Area 1C	32	R3 Medium Density Residential	No
Buffer Area 1D	32	R3 Medium Density Residential	No
Buffer Area 1E	32	R3 Medium Density Residential	No
Buffer Area 1F	32	R3 Medium Density Residential	No
Buffer Area 1G	32	R3 Medium Density Residential	No
Buffer Area 1H	32	R3 Medium Density Residential	No
Buffer Area 1I	32	R3 Medium Density Residential	No

⁷ Developable area is the total site area excluding the creek line corridor land, measured as 25 metres either side of the creek centreline.

⁸ Developed prior to Sector 12 master plan.

Sector	Density (dwellings/developable hectare) ⁹	Zoning under the PLEP 2014	Development Considered Complete
Buffer Area 1J	32	R3 Medium Density Residential	No
Buffer Area 1K	32	R3 Medium Density Residential	No
Buffer Area 1L	32	R3 Medium Density Residential	No
Buffer Area 1M	0	R3 Medium Density Residential	No
Buffer Area 2A	25	R3 Medium Density Residential	No
Buffer Area 3A	60 ¹⁰	R3 Medium Density Residential	Yes (Pre 2012)
Buffer Area 3B	32	R3 Medium Density Residential	No

⁹ Developable area is the total site area excluding the creek line corridor land, measured as 25 metres either side of the creek centreline.

¹⁰ Development approved by Planning Assessment Commission under Part 3A of EP&A Act 1979 (provision now repealed).

Table 2: Sectors rezoned following completion of 2012 Strategic Review

Sector	Density (Dwellings/ developable hectare) ¹¹	Zoning under the PLEP 2014	Reason for Rezoning
901D and 901E	10	R3 Medium Density Residential	Forward path adopted by Council on 12 June 2013. Rezoned in accordance with Council decision of 12 June 2013.
901G	10	R3 Medium Density Residential	Forward path adopted by Council on 12 June 2013. Rezoned in accordance with Council decision of 12 June 2013.
120 Mona Vale Road	Undefined. The property is identified on the Minimum Lot Size map, allowing the property to be subdivided to a range of lot sizes.	Part E4 Environmental Living and R2 Low Density Residential	Rezoned by Joint Regional Planning Panel Sydney East (acting as the Relevant Planning Authority). A portion of site (creekline corridor zoned E2 Environment Conservation) is identified on the Land Reservation Acquisition Map under PLEP 2014.
122 Mona Vale Road	-	E2 Environmental Conservation	Rezoned by Joint Regional Planning Panel Sydney East (acting as the Relevant Planning Authority). The entire site is identified on the Land Reservation Acquisition Map under PLEP 2014.

¹¹ Developable area is the total site area excluding the creek line corridor land, measured as 25 metres either side of the creek centreline.

Table 3: Remaining residential sectors identified for review

Sector	Land Use Designation as per 2010 Planning Framework	Density (Dwellings/developable hectare) ¹² for original 'whole of sector' ¹³	Zoning under the PLEP 2014	Reason for consideration
3 & Buffer Area 2	Medium Density Residential	25 (Sector 3 and Buffer Area 2)	R3 Medium Density Residential	Anomaly due to development across sector boundaries.
801	Medium Density Residential Identified as location for the Focal Neighbourhood Centre	25 (Sector 8)	R3 Medium Density Residential Schedule 1 Additional Permitted Use ¹⁴	Sector not confirmed as location for Focal Neighbourhood Centre.
802	Medium Density Residential	25 (Sector 8)	RU2 Rural Landscape	Current land use inconsistent with Land Use Designation.
901A	Mixed Residential	25 (Sector 9)	R3 Medium Density Residential	Uncertainty surrounding dwelling yield allocation for individual properties within sector
901C	Mixed Residential	25 (Sector 9)	R3 Medium Density Residential	Sector required to be developed with 901G
901G	Mixed Residential	25 (Sector 9)	R3 Medium Density Residential	Sector required to be developed with 901C
901H	Mixed Residential	25 (Sector 9)	RU2 Rural Landscape	No outcome under 2012 Strategic Review.
10A.1	Mixed Residential	15 (Sector 10)	RU2 Rural Landscape	No outcome under 2012 Strategic Review.

¹² Developable area is the total site area excluding the creek line corridor land, measured as 25 metres either side of the creek centreline.

¹³ The 'whole of sector' approach was established for the Release Area under the *Draft Warriewood Valley Planning Framework 1997* and retained until the 2012 Strategic Review. A maximum density was historically allocated across a whole sector, acknowledging that the development within the sector may occur at a range of dwelling densities based on the characteristics and constraints within the sector.

¹⁴ Schedule 1, Clause 20 permits development for the purposes of restaurants and cafes and permits neighbourhood shops larger in floor area than otherwise permitted under PLEP 2014.

Sector	Land Use Designation as per 2010 Planning Framework	Density (Dwellings/developable hectare) ¹⁵ for original 'whole of sector' ¹⁶	Zoning under the PLEP 2014	Reason for consideration
10A.2	Mixed Residential	15 (Sector 10)	RU2 Rural Landscape	No outcome under 2012 Strategic Review.
10C	Mixed Residential	15 (Sector 10)	R3 Medium Density Residential	Capacity to be redeveloped.
201	Traditional Residential	8 (Sector 20)	SP2 Infrastructure (Cemetery)	Current use inconsistent with Land Use Designation.
203	Traditional Residential	8 (Sector 20)	R3 Medium Density Residential	Residue lot of Sector 20.
204	Traditional Residential	Not rezoned with rest of Sector 20	RU2 Rural Landscape	Residue lot of Sector 20.

¹⁵ Developable area is the total site area excluding the creek line corridor land, measured as 25 metres either side of the creek centreline.

¹⁶ The 'whole of sector' approach was established for the Release Area under the *Draft Warriewood Valley Planning Framework 1997* and retained until the 2012 Strategic Review. A maximum density was historically allocated across a whole sector, acknowledging that the development within the sector may occur at a range of dwelling densities based on the characteristics and constraints within the sector.

Table 4: Employment generating sectors identified for review

Sector	Land Use Designation under 2010 Planning Framework	Zoning of land within the Release Area under the PLEP 2014	Reason for consideration
102	Industrial	IN2 Light Industrial	Undeveloped residue lot of Stage 1 Release
103	Industrial	IN2 Light Industrial	Undeveloped residue lot of Stage 1 Release
104	Industrial	IN2 Light Industrial	Undeveloped residue lot of Stage 1 Release
105	Industrial	IN2 Light Industrial	Undeveloped residue lot of Stage 1 Release
172	Conservation/Open Space	RE1 Public Recreation	No outcome under 2012 Strategic Review.
173	Employment Generating	SP2 Infrastructure (Sewerage System)	No outcome under 2012 Strategic Review.
174	Employment Generating	SP2 Infrastructure (Sewerage System)	No outcome under 2012 Strategic Review.
Southern Buffer	Employment Generating	Part RU2 Rural Landscape, SP2 Infrastructure (Public Administration Building), RE1 Public Recreation and SP2 Infrastructure (Community Facility)	No outcome under 2012 Strategic Review.

2.2 Review of other Pittwater-wide policies and studies since the completion of the 2012 Strategic Review

2.2.1 Narrabeen Lagoon Flood Study 2013

A review of the *Narrabeen Lagoon Flood Study 1990* commenced in 2010.

*Narrabeen Lagoon Flood Study 2013*¹⁷ was adopted in November 2013. The study resulted in a slight increase in flood levels from the previously adopted design flood conditions for Narrabeen Lagoon. This information has been incorporated in the flood mapping layer utilised for the composite capability map for this report.

The updated flooding information has also been reflected in minor amendments to Council's planning documents, including the *Pittwater 21 Development Control Plan*, relevant Section 149(2) notations and the Narrabeen Creek Sea Level Rise Investigation Area.

2.2.2 Pittwater Bushfire Prone Lands Map

Council's bushfire mapping was updated in 2013 in accordance with the *Rural Fires Act 1997* and *Environmental Planning and Assessment Amendment Act 2008*.

The *Bushfire Prone Lands Map for Pittwater 2013* was adopted by Council in March 2013 and certified by the Rural Fire Service in June 2013. These maps have been used to inform the composite capability map developed for this report.

2.2.3 Pittwater Public Open Space and Recreation Strategy 2014

In 2012, Council commenced a review of the *Pittwater Open Space, Bushland and Recreation Strategy 2000* and aimed at:

- Enhancing existing public open space, sport and recreation networks,
- Encouraging social ownership and the desire to protect and use networks in such a way that enhance Pittwater's natural areas and cultural heritage.
- Expanding public open space, sport and recreation networks for the benefit of future generations that considers the needs of the community for social interaction, public health, provision of access for all, and that are sustainable in economic and environmental terms.
- Improving the quality of public open space through upgrading and managing existing networks as well as consideration given to purchasing additional land and the sale of surplus land. In particular, additional land for sports fields is required to service the growing population.

The *Pittwater Public Space and Recreation Strategy 2014* (Open Space Strategy) identifies:

- Opportunities to, where feasible, upgrade and expand the public open space network for the benefit of the broader community,
- The need to promote programs that support social interaction, access for all and are sustainable in economic and environmental terms,

¹⁷ BMT WBM (2013) *Narrabeen Lagoon Flood Study 2013*, prepared for Warringah and Pittwater Councils.

- Provision of well designed, safe open spaces that protect and enhance the natural environment, identify cultural heritage and consider aesthetics, sustainability and 'sense of place',
- The need to improve equity in the distribution of public open space and recreational opportunities,
- Provision of multi-use spaces that promote intergenerational use including additional opportunities for an ageing population and for children and young people.

Specific recommendations are proposed for tourism opportunities and for the following public spaces:

- Nature Conservation Areas,
- Walking, Cycling and Equestrian Tracks,
- Ocean Beaches,
- Foreshore Reserves and Waterways,
- Large Developed Parks,
- Structured Sports and Recreation Areas,
- Sports fields,
- Indoor Sports and Recreation Facilities,
- Village Greens, Culture and Leisure.

The Open Space Strategy confirms that there is a significant undersupply of recreation areas in the Pittwater Local Government Area (LGA). The review recognised the importance of the release areas (being Warriewood Valley and Ingleside) providing places for recreation and other facilities to meet the needs of their incoming populations to ensure that the demands of any additional population do not further exacerbate the existing shortage of recreation areas.

This strategy was adopted by Council on 13 October 2014.

2.3 Moving from the *Warriewood Valley Planning Framework 2010*

For those lands not identified with a forward path under the 2012 Strategic Review, listed in **Tables 3 and 4** above, the 2010 Planning Framework continued to apply as the planning strategy for these sectors. The 2010 Planning Framework specifies a land use designation and, for residential sectors, a maximum residential density.

In accordance with Council's resolution of 12 June 2013, a review of the 2010 Planning Framework as it applies to the remaining lands in the Release Area is necessary to confirm a contemporary forward path for all sectors.

The Addendum Report seeks to identify the forward path for the sectors identified in **Tables 3 and 4**. The Addendum Report also seeks to clarify and correct anomalies that have arisen as sectors within the Release Area have been progressively rezoned and developed.

2.4 Warriewood Valley Section 94 Contributions Plan

At its meeting of 12 June 2013, Council in adopting the 2012 Strategic Review also directed that a review of the Section 94 Plan be undertaken to articulate additional infrastructure commensurate with the development anticipated in Warriewood Valley under the 2012 Strategic Review. At the time, among the other additional infrastructure requirements, Council was advised of the increase in open space requirements, particularly the quantum of active open space land for sports fields.

The review of the Section 94 Plan included the consideration of the recommendations of the *Warriewood Valley Strategic Review Economic Feasibility Study* (Hill PDA, 2011).¹⁸

2.5 Forward Path

The Addendum Report will be a supplement to the 2012 Strategic Review, so as to achieve a single comprehensive document applying to all undeveloped lands in the Warriewood Valley Release Area.

The 2012 Strategic Review, together with the Addendum Report, supersede the 2010 Planning Framework, and form the strategic planning framework for the development of land in the Release Area.

¹⁸ Hill PDA (2011) *Warriewood Valley Strategic Review Economic Feasibility Study*, prepared for NSW Department of Planning and Infrastructure and Pittwater Council.

The Review Process



Photo by: Amanda Clarke 2011

Chapter 3

3.0 The Review Process

3.1 Identifying the land to be reviewed

The PAC's determination report (2010) advocated for a '*...comprehensive study of all undeveloped sites in the Valley including the future role of Warriewood Centre and the development potential around the centre...*'

The 2012 Strategic Review identified a forward path for undeveloped lands that were capable of intensified residential development, generally at a density up to 32 dwellings per developable hectare.

A review of all land parcels in Warriewood Valley was undertaken to identify the sites not afforded a forward path following the completion of the 2012 Strategic Review. In addition several sectors were not investigated by the 2012 Strategic Review as they were considered to be developed. These sectors have been further investigated to ensure a forward path for all properties within the Release Area is provided.

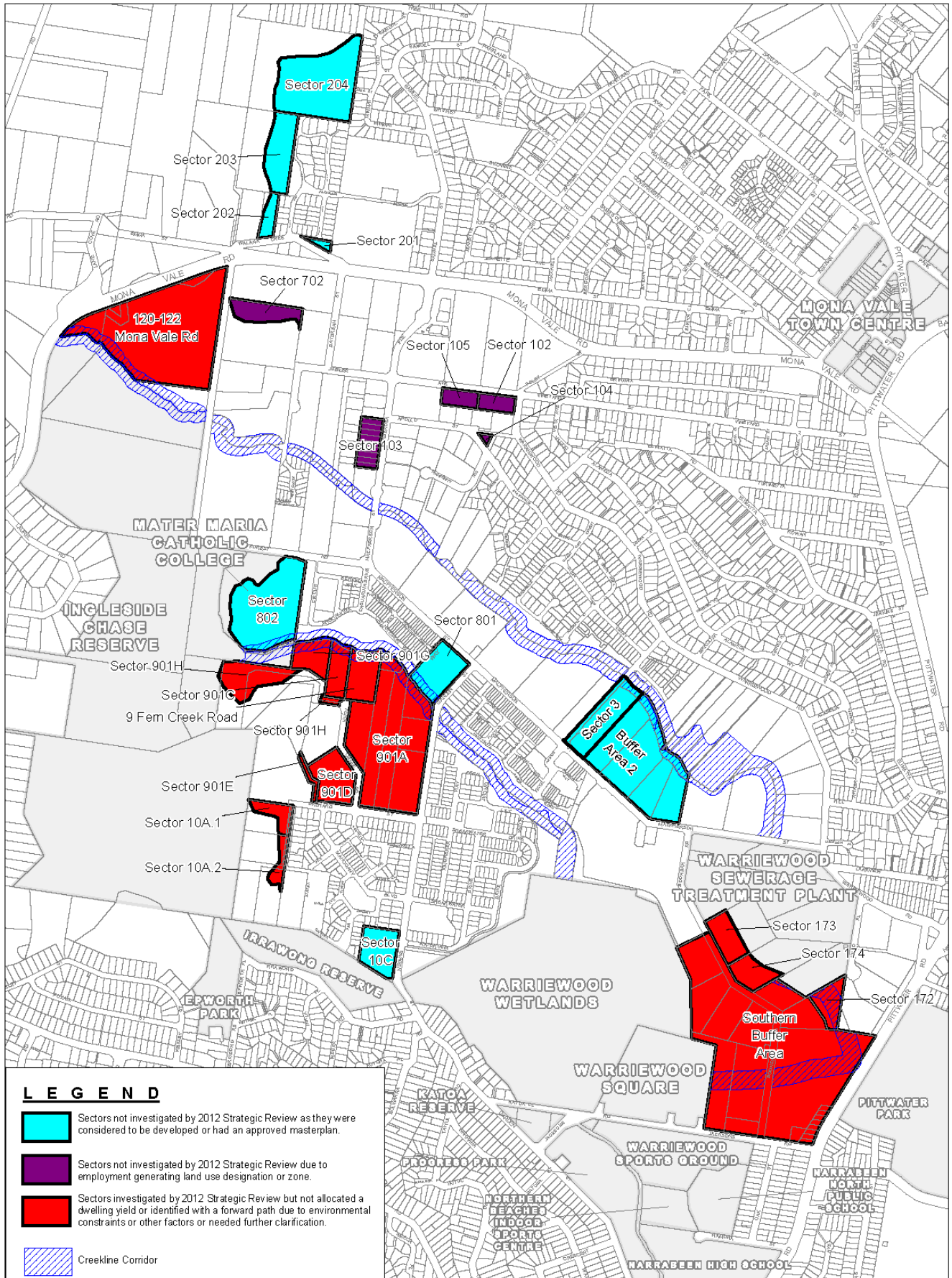
Based on the 2012 Strategic Review's Undeveloped Lands Map,¹⁹ the following criteria were used to identify the sites subject to this review:

- Sites investigated by the 2012 Strategic Review but outstanding or unresolved issues remain,
- Sites not investigated by 2012 Strategic Review due to employment generating land use designation under 2010 Planning Framework or zone,
- Sites not investigated by the 2012 Strategic Review because they were considered to be developed or had an approved masterplan applying to the site.

The sectors identified for review are depicted in **Map 1**.

¹⁹ Pittwater Council and Department of Planning & Infrastructure (2012) *Warriewood Valley Strategic Review Report 2012*, Map 2, p. 29.

Map 1: Land to be reviewed (corresponds with Sectors listed in Tables 3 & 4)



3.2 Factors considered during the opportunities and constraints analysis

The following factors were considered during the desktop review to determine the most appropriate land use and a suitable forward path:

- Known environmental affectations,
- Zoning under the PLEP 2014,²⁰
- Existing development on the site and likelihood of redevelopment,
- Outcomes and recommendations of various development assessments previously undertaken for particular sites,
- Recommendations of Council's contemporary strategic and land use planning policies.

The process for assessing known environmental affectations is discussed in more detail in Section 3.3.

3.3 Process for assessing environmental affectations

The land capability mapping exercise utilised for the 2012 Strategic Review was again used for this review to assess environmental affectations. Since the completion of the 2012 Strategic Review, Council has acquired more current flooding and bushfire data. This information has been incorporated into the bushfire and flooding map layers which were utilised for land capability mapping exercise undertaken for this review (see **Appendix 1**).

The land capability mapping process builds geographical layers to produce a visual representation of areas with lower or higher levels of development capability. Seventeen individual base map layers have been prepared for the Pittwater Local Government Area, each map representing an environmental, economic or social characteristic that influences land use decisions. The map layers also identify issues that should be addressed in the future management of the land. The following layers were used to prepare the overall Composite Capability Map.

- Bushfire (*updated based on Bushfire Prone Lands Map for Pittwater 2013 adopted by Council on 4 March 2013 and certified by the Rural Fire Service on 17 June 2013*),
- Flooding (*updated based on Narrabeen Lagoon Flood Study 2013 adopted by Council on 4 November 2013*),
- Acid sulphate soils,
- Biodiversity,
- Climate change including sea level rise,
- Coastal processes,
- Cultural (heritage value),
- Estuarine processes,
- Foreshores and water bodies,
- Geotechnical,
- Proximity to ridgelines,
- Proximity to watercourses,
- Sewer availability,
- Slope,
- Water availability.

²⁰ Pittwater Local Environmental Plan 2014 (PLEP 2014) was published and came into effect on 27 June 2014. The provisions of the published LEP were considered in finalising this report.

The constraints map layers have been divided into the following three classes:

- **Class A: Low restriction to intensification of development.**
Existing development may require generic management prescriptions to achieve sustainable land use. Intensification of development must be confined to defined targets to maintain sustainability.
- **Class B: Moderate restriction to intensification of development.**
Existing development forms require generic management prescriptions to achieve sustainable land use. Any intensification needs site specific investigation and must address constraints.
- **Class C: Significant restriction to intensification of land use.**
Existing development forms require site specific and detailed management prescription to achieve sustainable land use. Any intensification must fully address each specific constraint.

The map layers are combined into a single layer to form a Composite Capability Map, categorising the land in terms of its level of development capability. The land capability classifications are outlined in **Table 5**.

Table 5: Land capability classifications

Map Classification	Level of Capability	Categories from Composite Maps
1	Most	All A's: areas of land that were mapped as suitable for development or intensification.
2	More	All A and B: areas of land that were mapped as having at least one moderate constraint to development or intensification.
3	Moderate	Only have one instance of C: areas of land that were mapped as having one severe constraint to development or intensification.
4	Less	Two instances of C: areas of land that were mapped as having two instances of a severe constraint to development or intensification.
5	Least	Three or more instances of C: areas of land that were mapped as having three or more severe constraints to development or intensification.

For the purpose of this review, the Composite Capability Map produced did not include the proximity to centres and public transport links base map layers as these issues will not significantly affect the development capability of the land. This is consistent with the approach applied for the 2012 Strategic Review.

The outcomes of the land capability exercise are discussed in Chapter 4. The Composite Capability Map produced for this review is depicted in Chapter 4 in **Map 2**.

3.4 Community engagement process

A strategy for community engagement was devised for this review based on Council's Community Engagement Policy and Procedures. The strategy includes the following:

- Notification to all affected landowners of the recommendations of the draft Addendum Report, inviting them to meet with Council staff to discuss the recommendations for their property,
- Notification to the local community representative group which represents the interest of Warriewood Valley landowners advising them of the release of the draft Addendum Report,
- Media releases and website updates,
- Advertisement in the local newspaper advising of the exhibition of the draft Addendum Report, and
- Public exhibition of the draft Addendum Report for a minimum of 28 days.

The implementation of the strategy has ensured that all stakeholders in the community, whether affected directly or indirectly by the recommendations of the draft Addendum Report, were adequately informed and provided with opportunities to voice their concerns.

3.5 Probity Advisor

It was identified that probity issues could arise from the mixed ownership of land in the Warriewood Valley Release Area, being Crown, Council and privately owned land. A probity advisor was engaged to oversee the governance established for the completion of this review and to prevent real and perceived conflicts of interest.

The scope of works undertaken by the probity advisor includes:

- Providing probity advice and services in relation to the public exhibition of the draft Addendum Report,
- Attending meetings with landowners during the exhibition period where it is deemed there may be a potential conflict of interest, and
- Overseeing the submission review process and, where necessary, providing advice on key decisions associated with finalising the Addendum Report.

The probity advisor has audited the processes undertaken in finalising this report and prepared a Probity Report that accompanies the Addendum Report.

Results



Photo by: Amanda Clarke 2011

Chapter 4

4.0 Results

4.1 Summary of results

The desktop review identified a number of sectors constrained by environmental affectations or by their existing development or land uses. The most significant constraints included the following:

- Bushfire,
- Flooding,
- Access,
- Biodiversity,
- Site configuration and size.

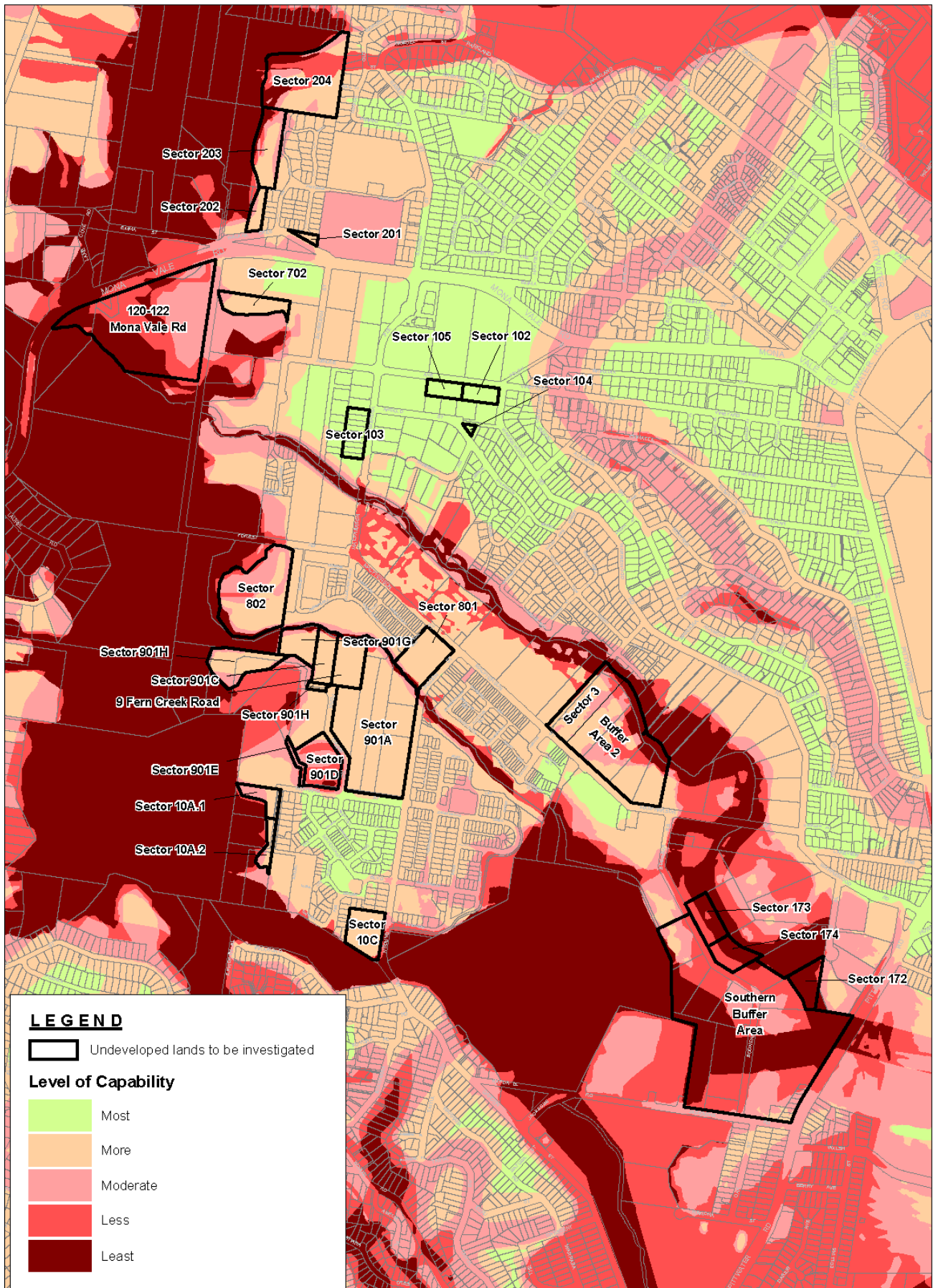
Conversely, other sectors were relatively less constrained and identified as having future development opportunities.

The land capability assessment undertaken for this review has produced a Composite Capability Map depicted in **Map 2**.

This chapter summarises the outcomes of the opportunities and constraints analysis process (as described in Section 3.2 and 3.3) undertaken for each sector.

The detailed opportunities and constraints analysis for individual sectors is contained in **Appendix 2**.

Map 2: Composite Capability Map



4.2 Undeveloped sectors with limited capacity for development

The desktop review identified undeveloped lands on the fringe of the Release Area with limited capacity for development due to bushfire, biodiversity, topography and access constraints due to their proximity to the Ingleside Chase Reserve. These undeveloped lands are:

- Sector 201 and 204,
- Sector 702,
- Sector 901H,
- Sectors 10A.1 and 10A.2.

The following sections discuss these sectors in more detail.

4.2.1 Sectors 201 and 204

Sector 201, currently designated for future residential development, is a triangular shaped allotment used by/for Mona Vale cemetery. It is zoned SP2 Infrastructure (Cemetery) under the PLEP 2014. It is unlikely to be developed in accordance with the prescribed land use designation under the 2010 Planning Framework.

Sector 204 currently contains the AVEO Peninsular Gardens Retirement Village. This is a subsidiary sector of Sector 20 and was not afforded a density under the approved masterplan for Sector 20. It was considered to be developed at the time the Sector 20 masterplan was produced. Given this and as the property is heavily vegetated, bushfire prone and flood affected, it is unlikely that Sector 204 will be redeveloped in the future.

4.2.2 Sector 702

Sector 702, currently designated for employment generating development, is a rural zoned residue of Sector 7. The development potential of Sector 702 for future employment is unlikely given the property comprises part of the Pittwater Uniting Church. For development on Sector 702 to be realised, it will require excising this portion of land from the current land parcel with provision for safe and viable access from Jubilee Avenue.

4.2.3 Sector 901H

The land capability of Sector 901H is diverse. The majority of Sector 901H, adjacent to the Ingleside Chase Reserve, is significantly constrained due to bushfire hazards and proximity to dense vegetation, and has no likely prospects for urban development.

Conversely, the battle-axe handles of Sector 901H (being the portion of the driveways of 4 & 5 Fern Creek Road within the Release Area) are less constrained. The development potential of this portion of the sector may be realised, with the size of the battle-axe handles being 1,138m². If developed, access to 4 and 5 Fern Creek Road must be ensured. Better development outcomes will be achieved if the battle-axe handles of Sector 901H are developed with either 901B or 901C. The onus will be on land owners for these sectors to work collaboratively and contemplate amalgamation with the adjoining sectors.

Since the exhibition of the Addendum Report, a development application has been lodged for Sector 901B, which did not incorporate Sector 901H. In the event that the amalgamation is not possible, any development at this location must address how access will be retained for 4 and 5 Fern Creek Road as well as incorporate other environmental and associated infrastructure requirements, such as water management, into their proposal.

4.2.4 Sectors 10A.1 and 10A.2

The development potential of Sectors 10A.1 and 10A.2 is particularly limited due to their proximity to dense vegetation and bushfire hazards. Given these constraints, in addition to the size and configuration of these sites, there is little potential for these sectors to be developed for urban purposes.

4.3 Residential sectors with development potential and/or requiring clarification

The following sectors have been identified with development potential and have either been recommended with a forward path under the Addendum Report or their forward path previously identified needs clarification. These sectors include the following:

- Sectors 202 and 203,
- Sector 10C,
- Sectors 901D and 901E, and 901C and 901G,
- Sector 801,
- 120 and 122 Mona Vale Road,
- Sector 3 and Buffer Area 2, and
- 802.

The following sections discuss these sectors in more detail.

4.3.1 Sectors 202 and 203

Sectors 202 and 203 are considered constrained, however have been largely cleared of significant vegetation and are large enough to achieve some development potential. Nonetheless, Sector 203 has some significant access issues due to its topography. Whilst Sector 202 has adequate access and the portion within the Release Area is primarily cleared, it has recently been developed for a single dwelling and there is little potential for any future redevelopment. However, it is recognised that these sectors may have opportunities for low density development subject to these constraints being adequately addressed.

4.3.2 Sector 10C

Sector 10C a residue parcel of Sector 10. It was developed as seniors living development prior to the master planning of Sector 10. Sector 10C is an underutilised site and possesses few constraints. This sector adjoins Irrawong Reserve and is at the southern entrance of Warriewood Valley. Sector 10C has potential to be redeveloped at a similar scale to neighbouring developments. During the 2012 Strategic Review process the landowners of Sector 10C expressed their desire to redevelop this property.

4.3.3 Sectors 901D and 901E, and 901C and 901G

Sector 901D is constrained by biodiversity, visual impact issues and high voltage overhead cables while Sector 901E comprises a battle-axe handle only. It was recognised during the 2012 Strategic Review that there was

potential for Sectors 901D and 901E including the Orchard Street road reserve (north-east portion) to conglomerate, enabling more appropriate setbacks to constraints while maximising development potential across these sectors (up to 16 dwellings).

Sector 901G being a land-locked parcel, is located between the Ingleside Chase Reserve and Sector 901C. Given that Sectors 901G and 901C are under the same ownership it was recommended that they develop together (with the majority of the development being placed on 901C, in recognition of the asset protection zone and creekline buffer requirements constraining development of Sector 901G).²¹

These sectors were rezoned for residential development, consistent with Council's decision of 12 June 2013.

4.3.4 Sector 801 and location of Focal Neighbourhood Centre

The 2010 Planning Framework identified 23B Macpherson Street (now known as Sector 801) as the preferred site for the Focal Neighbourhood Centre (FNC). The FNC with a gross floor area between 855m²-2,222m² is planned to be developed to meet the retail needs of the incoming population. It is intended to provide goods and services in the form of a small general store, Post Office and coffee shop for example. This is reflected in Schedule 1 of the PLEP 2014.²²

This sector is permitted to develop up to 32 dwellings per developable hectare in accordance with 2012 Strategic Review recommendations.

In July 2011 development consent was granted for the construction of an infill affordable housing development consisting of 46 residential townhouses and a Focal Neighbourhood Centre. This development is currently under construction. The Focal Neighbourhood Centre, approved as part of this development, satisfies the planned location of Focal Neighbourhood Centre.

4.3.5 120 and 122 Mona Vale Road

The properties 120 (identified as Clause 6.2 on the Urban Release Area Map under the PLEP 2014) and 122 Mona Vale Road are significantly constrained. The sites are affected by environmental constraints, being slip, bushfire, and significant vegetation, and the sites contain the upper reaches of Narrabeen Creek. Access is limited to a single driveway from Mona Vale Road and a right of carriageway from 10 Jubilee Avenue.

120 Mona Vale Road was identified in Warriewood Valley Release Area through a Council decision in 2007.

At the time of preparing the draft Addendum Report the Joint Regional Planning Panel Sydney East (JRPP) was in the process of progressing a Planning Proposal to rezone 120 and 122 Mona Vale Road.²³ These properties have now been rezoned via an amendment to the PLEP 2014 (identified as Clause 6.2 on Urban Release Area Map).²⁴

²¹ Both parcels owned by the same owner at 12 June 2013 Council decision.

²² Schedule 1, Clause 20 permits development for the purposes of restaurants and cafes and permits neighbourhood shops larger in floor area than otherwise permitted under PLEP 2014.

²³ The JRPP was nominated as the Relevant Planning Authority for the Planning Proposal lodged for 120-122 Mona Vale Road as Council did not support the initial Planning Proposal application.

²⁴ PLEP 2014, Amendment 1.

The amendment zoned the property 120 Mona Vale Road part E4 Environmental Living, R2 Low Density Residential and E2 Environment Conservation (portion containing the creek line corridor). The property 122 Mona Vale Road has been zoned entirely E2 Environment Conservation.

4.3.6 Anglican Retirement Village development within Sector 3 and Buffer Area 2

Originally several properties comprised Sector 3 and Buffer Area 2.

Formerly Sector 3 comprised:

- 20 Macpherson Street (now known as Sector 301)
- 18 Macpherson Street (now known as Sector 302)
- 16 Macpherson Street (now known as Sector 303)
- 14 Macpherson Street (now known as Sector 3)

Formerly Buffer Area 2 comprised:

- 6 to 12 Macpherson Street (now known as Buffer Area 2)
- 4 Macpherson Street (now known as Buffer Area 2a)

Prior to the 2012 Strategic Review, the pre-planning for these properties had envisaged a 'whole of sector' density of 25 dwellings per developable hectare.

In April 2006 development consent was granted to construct the Anglican Retirement Village (ARV) seniors living development across 6 to 14 Macpherson Street. This development, straddling across part of the former Sector 3 and part of former Buffer Area 2, was approved under the former *State Environmental Planning Policy No.5 Seniors Living* and was slightly above the anticipated density.

As the ARV development was partially completed when the 2012 Strategic Review commenced, the properties now named Sector 3 (14 Macpherson Street) and Buffer Area 2 (6-12 Macpherson Street) were not reviewed.

The remaining undeveloped sectors being Sectors 301, 302, 303 and Buffer Area 2A were reviewed under the 2012 Strategic Review. The density of up to 32 dwellings per developable hectare was recommended for Sectors 301, 302 and 303 enabling each sector to develop to that density. The density recommended for Buffer Area 2A was 22 dwellings per developable hectare.

PLEP 2014 allocated dwelling yields for Sector 3 and Buffer Area 2, representing a density of up to 25 dwellings per developable hectare in accordance with the 2010 Planning Framework; while the yield allocated to Sectors 301, 302, 303 and Buffer Area 2a was in accordance with the 2012 Strategic Review recommendations.

Given that the overall ARV development is nearing completion, Sector 3 and Buffer Area 2 are unlikely to be redeveloped in the short to medium term.

4.3.7 Existing development on Sector 802

Mater Maria Catholic College is located on Sector 802. The sector is a residue of the master planned sector known as Sector 8. The current land use designation for Sector 802 is part 'Medium Density Residential', part 'Conservation/Open Space'. Given the existing development precludes any future residential development; the land use designation should be changed to reflect the existing use.

4.4 Southern Buffer and Sectors 172, 173 and 174

The 2012 Strategic Review investigated development opportunities for the Southern Buffer (including Sectors 172, 173 and 174) however due to the significant environmental constraints and divergent landowner expectations, no future land use was recommended for this area. The 2012 Strategic Review invited landowners, either individually or collectively, to pursue development opportunities for their lands through the lodgement of a Planning Proposal addressing, as a minimum, the constraints identified during the 2012 Strategic Review.

The 2012 Strategic Review identified flooding as a major constraint to any future development. The majority of the properties within the Southern Buffer are low lying and are inundated during flood events. Flood depths reach approximately 1-2 metres above natural ground level across most of the Southern Buffer and flood events are typically long in duration and influenced by backwater flooding from the Warriewood Wetlands and Narrabeen Lagoon. These findings were reiterated in the *Narrabeen Lagoon Flood Study 2013*.

4.4.1 Warriewood Valley Strategic Review Hydrology Study 2011

The *Warriewood Valley Strategic Review Hydrology Study 2011* (2011 Hydrology Study) undertaken for the 2012 Strategic Review classified land into developable land categories (based on criteria set out in the 2011 Hydrology Study) and recommended land uses for each category. The recommended land uses for each category are as follows:

- Category A: "No aged care facilities, retirement villages, educational establishments, child care centres and other essential services,"
- Category B: "Most land uses are permitted... assuming that they comply with relevant policies on floor levels and other constraints."
- Category D: "Most land uses are permitted... assuming that they comply with relevant policies on floor levels and other constraints."
- Category F: "Sporting fields and recreational areas are the only land use recommended."
- Category G: "Commercial and industrial land uses recommended."
- *Note: No areas within the Release Area are classified Category C or E.*

In relation to the Southern Buffer, the Study classified:

- Northern section as part Category B and part Category D.
- Southern section (at junction of Jacksons Road and Pittwater Road) as Category G.
- Remaining lands (being 2, 4 and 6 Jacksons Road; 1, 2, 2A, 3, 4A, 6, 8 and 10 Boondah Road; and Sectors 172, 173 and 174) as Category F.

This Study, in considering potential development opportunities, recommended the creation of two developable islands at the highest points within the sector. This was to be achieved through significant excavation and filling in parts of the sector. Under this scenario, the central areas of the Southern Buffer were

determined suitable for open space only due to flood depths and flow path requirements.²⁵

Sector 172, being 7,792m² in area, containing significant vegetation and a section of Narrabeen Creek, is classified Category F and is the only remaining portion of Sector 17 not owned by Sydney Water or within the Warriewood Sewerage Treatment Plant.

Sectors 173 and 174, contain vegetation and are classified Category F. Sydney Water, as the owners of Sectors 173 and 174, has confirmed during the 2012 Strategic Review, that these sectors are required for works associated with the Sewerage Treatment Plant.

4.4.2 Recent review following adoption of the *Narrabeen Lagoon Flood Study 2013*

Due to revised flood modelling under the *Narrabeen Lagoon Flood Study 2013*, Cardno was commissioned to review the flood behaviour in the Southern Buffer area and have regard to the recommendations made for these lands under the 2011 Hydrology Study. The review identified that the floor levels required for development would increase from the 2011 Hydrology Study. In addition the evacuation potential would not be improved. The review also confirmed that the majority of the Southern Buffer land continues to be classified as Category F consistent with the recommendations of the 2011 Hydrology Study. It reaffirmed the land uses recommended for Category F classification is sporting fields and recreational areas only.

4.4.3 Review of existing Council policies and studies

Council, in considering the recommendations of the 2012 Strategic Review, was advised there were additional infrastructure requirements commensurate with the additional demand as a result of the increased development. At that time, it was identified that up to 5 hectares of additional recreational area was required to be purchased.²⁶

As outlined in Section 2.2.3, the *Pittwater Public Space and Recreation Strategy 2014* recognises the importance for the Release Areas (Warriewood Valley and Ingleside) to provide recreation areas and facilities to meet the needs of their incoming populations to ensure that the demands of any additional population do further exacerbate the existing shortage of recreation areas in the balance of the Pittwater LGA.

As outlined in Section 2.4, a review of local infrastructure commensurate with the increased dwellings forecast under the 2012 Strategic Review has been undertaken. The *Draft Warriewood Valley Section 94 Contributions Plan* identified the quantum of recreational area required for the total development anticipated in the Release Area. The *Draft Warriewood Valley Section 94 Contributions Plan*, taking into account what available land is remaining in and adjacent to Warriewood Valley, has identified land in the Southern Buffer as suitable for use as a recreation area. The aggregated site area of the identified lands in the Southern Buffer is close to the quantum required to be provided.

²⁵ Cardno (NSW/ACT) Pty Ltd (2011) *Warriewood Valley Strategic Review Hydrology Study*, prepared for Department of Planning & Infrastructure and Pittwater Council.

²⁶ Council Report to Item C5.1 entitled Warriewood Valley Strategic Review Report – Outcomes of public exhibition and final report, extraordinary Council meeting 12 June 2013, p. 26.

4.4.4 Planning Proposal lodged for privately owned lands in the Southern Buffer

A Planning Proposal has been lodged for the privately owned lands in the Southern Buffer, namely 6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road, Warriewood. The proposal envisaged a large mixed use development within the sector comprising retail, commercial and residential uses.²⁷ Don Fox Planning were commissioned by Council to undertake an assessment of the Planning Proposal.

The application was not supported for the following reasons:

- It did not meet the strategic objectives of the Draft North East Subregional Plan, SHOROC Employment Lands Study, Pittwater Local Planning Strategy and Warriewood Valley Strategic Review Report through the expansion of Warriewood Square shopping centre to provide a new town centre;
- It would result in unacceptable adverse outcomes for public open space and recreation areas within the Southern Buffer;
- It was inconsistent with Section 117 Direction 4.3 Flood Prone Land;
- The approach to managing flooding constraints to justify the urban zone on flood prone land was not supported;
- It failed to retain and protect high value biodiversity land (including Endangered Ecological Communities (EEC's)) and provided insufficient justification for their removal or consideration of ecological recommendations;
- It was unable to achieve connectivity between the Site and adjoining commercial areas (including relocated Boondah Road and Vuko Place connection) on the basis of unacceptable ecological and traffic impacts;
- It did not address potential negative economic impacts upon surrounding retail centres, or address the potential oversupply of commercial floor space;
- The urban design outcomes of the Masterplan were not supported; and
- It did not adequately represent the interests of all affected land owners.²⁸

Additionally, Don Fox Planning recommended that any future planning proposal should incorporate all land within the Southern Buffer and also the Warriewood Square Shopping Centre site.

A Pre-Gateway Review request is currently being considered by the Department of Planning and Environment. To date, no decision has been made to this request.

4.5 Other employment generating sectors

All remaining employment generating lands, except for Sector 702 and the Southern Buffer including Sectors 172, 173 and 174, are already zoned to permit employment generating land uses. While they have few environmental affectations, they are constrained due to their size and configuration.

²⁷ Planning Proposal application prepared by SJB Planning (NSW) Pty Ltd (March 2014). Council's reference number for this application is PP0007/13.

²⁸ Reasons for refusal as appeared in the Council determination issued 18 March 2014, in accordance with Council resolution of 17 March 2014.

Sectors 102 and 105, while relatively small, are able to be developed on their own. Nonetheless, a better development outcome could be achieved if these sectors amalgamate.

Sector 103 is comprised of multiple small land parcels with an average site area of 910m², each with a different landowner. Given the size of individual land parcels, redevelopment of this sector can only be achieved through lot consolidation.

Sector 104, due to its size and configuration, is difficult to develop. There is however, a range of development uses permissible within the IN2 Light Industrial zone that may be able to be achieved within this relatively small site.

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Recommendations



Photo by: Amanda Clarke 2011

Chapter 5

5.0 Recommendations

5.1 Introduction

The Addendum Report has reviewed the development potential of sectors that were excluded from the 2012 Strategic Review. The opportunities and constraints analysis has identified a number of sectors constrained by environmental factors or by their existing development or current use, as well as other relatively less constrained sectors with future development opportunities.

Due to significant environmental and developmental constraints affecting particular sectors, a number of sites are recommended to be removed from the Release Area or for more suitable land uses. This review has also identified other relatively less constrained sectors with opportunities for development.

Based on this analysis, the Addendum Report recommends a number of amendments to the Release Area boundary and the land uses designated for particular sectors under the 2010 Planning Framework. The review has also recommended the rezoning of two sectors and amendments to specific sector yields.

The Addendum Report also recommends amendments to the Warriewood Valley Release Area Map, Residential Density Map and Land Use Designation Map (see **Maps 3, 4 and 5** respectively).

5.2 Recommendations for residential sectors

5.2.1 Developed sectors (Sectors 802, 10C, Sector 3 and Buffer Area 2)

Sector 802 is constrained by the existing development on the site that is likely to preclude any future residential development. The land use designation of Sector 802 should be 'Infrastructure' rather than 'Residential - Medium Density' in recognition of the Mater Maria Catholic College on this site. It is recommended to rezone the entire site to an infrastructure zone, consistent with the zoning of other schools in the Pittwater LGA. The sector boundary is not proposed to be amended.

Sector 10C, consistent with landowner aspirations expressed during the exhibition of the 2012 Strategic Review, has potential to be developed for low density residential purposes, in keeping with the pattern and scale of the surrounding development. It is recommended that the sector be allocated a dwelling yield consistent with the adjoining Sector 10. This will ensure a consistent streetscape character is maintained along this section of Garden Street.

The Anglican Retirement Village (ARV) development, partially completed, straddles Sector 3 and Buffer Area 2. Given the approved development, it is appropriate to amalgamate these sectors (resulting in a revision of the sector boundary) and relabel it 'Buffer Area 2'. It is recommended that the new Buffer Area 2 have a land use designation of 'Residential - Medium Density', retaining the density of 25 dwellings per developable hectare allocated under the 2010 Planning Framework.

Detailed recommendations for the above listed sectors are in **Appendix 3**.

5.2.2 Undeveloped sectors to be removed from the Release Area (Sectors 201, 204, 10A.1 and 10A.2, and Part of 901H)

The majority of remaining undeveloped residential sectors are located on the fringe of the Release Area at the base of Ingleside Chase Reserve and therefore are limited in their ability to develop due to bushfire, geotechnical hazards and access issues. Several sectors are also unlikely to be redeveloped due to the existing development on the site or their current use.

Given the above, a number of sectors are recommended to be removed from the Release Area as they are unlikely to be developed for urban purposes in the future. These sectors include Sectors 201, 204, 10A.1, 10A.2 and the western portion of 901H.

Detailed recommendations for the above listed sectors are in **Appendix 3**.

5.2.3 Undeveloped sectors recommended for development (Sectors 202, 203, Revised 901H)

This review also identified a small number of other sectors, which, while constrained, are able to achieve low density development. These sectors are 202 and 203. It is recommended that a yield of 1 dwelling be allocated to Sector 202 and a yield of 4 dwellings be allocated to Sector 203.

This review has identified revised Sector 901H (comprising only the battle-axe portion) as having capacity to be developed in the future.

As discussed in section 4.2.4, the original Sector 901H consisting a bulb-shaped area immediately adjoining Ingleside Chase Reserve is significantly constrained and has limited prospects for urban development.

Redefining the sector to only comprise the battle-axe portion to facilitate development opportunity is reasonable so long as access to 4 and 5 Fern Creek Road is retained. Additionally, the size and shape of the battle-axe necessitates the revised Sector 901H being integrated with the adjoining sectors (901B or 901C) to facilitate better development outcomes. Any density allocated to the now revised Sector 901H needs to be consistent with adjoining sectors to provide incentive for amalgamation with Sector 901B and/or 901C to be realised.

In the event that amalgamation cannot be achieved, it will be difficult for this revised sector to develop on its own given its size, the associated infrastructure requirements as well as ensuring unimpeded access is available for 4 and 5 Fern Creek Road.

It is recommended that the sector boundary is revised to only contain the battle-axe portion of 4 and 5 Fern Creek Road (to be known as Sector 901H) and for the revised sector to be rezoned to allow residential development of up to 3 dwellings (representing a density of 32 dwellings per developable hectare identical to the adjoining sectors). It is also recommended that the revised Sector 901H be allocated a land use designation of 'Residential - Medium Density'. Nonetheless, the onus will be on landowners to negotiate opportunities for amalgamation to realise development potential on revised Sector 901H.

Detailed recommendations for the above listed sectors are in **Appendix 3**.

5.2.4 Sectors 901D and 901E, 901C and 901G

Concurrent to the adoption of the 2012 Strategic Review, Council agreed to rezone the following sectors:

- Sectors 901D and 901E (to be developed together and agreed to by landowners of these sectors), and
- 901G to be developed with 901C (under the same ownership),

and allocated a yield consistent with Council direction on 12 June 2013. The Addendum Report does not recommend any change to their existing zoning or yield however, reiterates the land use designation, reflecting Council's 2013 decision for these sectors.

The anticipated development of Sectors 901C and 901G has not been reflected in the PLEP 2014, appearing as separate sectors, contrary to Council's decision.²⁹ Accordingly it is recommended that Sectors 901C and 901G be identified in the PLEP 2014 together, with one yield, consistent with Council's 2013 decision.

5.2.5 120 and 122 Mona Vale Road

120 and 122 Mona Vale Road have already been rezoned via a Planning Proposal. Based on the approved zoning, 120 Mona Vale Road is recommended to have a 'Residential - Low Density' designation and 122 Mona Vale Road is recommended to have a 'Conservation' land use designation. There is no yield specified for this sector as it reverts to a minimum lot size map.

Detailed recommendations for the above listed sectors are in **Appendix 3**.

5.2.6 Sector 801

Sector 801, known as 23B Macpherson Street, was identified as the preferred site for the Focal Neighbourhood Centre in the 2010 Planning Framework. Development consent has been granted to develop this sector to include a Focal Neighbourhood Centre. Schedule 1 of the PLEP 2014 lists development for the purpose of restaurants, cafes and neighbourhood shops as additional permissible land uses for this sector reflecting the aspirations in the 2010 Planning Framework for this site. Under this circumstance, it is recommended that for Sector 801:

- the land use designation for this sector be altered to 'Residential-Medium Density and Focal Neighbourhood Centre', and
- Control C6.15 of Pittwater 21 DCP be amended to specifically identify 23B Macpherson Street (Sector 801) as the location for the Focal Neighbourhood Centre.

Detailed recommendations for the above listed sectors are in **Appendix 3**.

²⁹ Council's resolution of 12 June 2013.

5.2.6 Clarification of dwelling yield allocation within Sector 901A

The 2012 Strategic Review recommended Sector 901A have a density up to 32 dwellings per developable hectare and expressly allowed individual properties to develop to that density.

This sector has now been rezoned in accordance with those recommendations and allocated a total yield of 192 dwellings. This number represents the total sum of dwellings calculated on a pro-rata basis for the individual properties within the sector. The calculation below expresses how this number was determined.

$$\text{(Developable area of land parcel x 32)/10,000} = \text{Yield for individual land parcel per 10,000m}^2$$

To provide certainty should individual parcels develop on their own, the pro-rata dwelling yield allocation of the individual land parcels within Sector 901A is identified in Table 6.

In the development of these sites, it must be demonstrated that they are capable of developing on their own as well as demonstrating how the development (within individual parcels) will connect to adjoining future developments on adjoining properties. It will also need to be demonstrated how these development sites can be developed in an orderly manner in accordance with clause 5(a)(ii) of the EP&A Act 1979.

Table 6: Pro-rata dwelling yield for individual parcels in Sector 901A

Address	Developable Area ⁺ (m ²)	Density range	Minimum Yield	Maximum Yield	Comments
9 Fern Creek Road	9,297	25 to 32	0	0	This parcel was bought by Council for recreation purposes. Under the 2012 Strategic Review it was zoned R3 with no dwelling yield allocated against the parcel.
13 Fern Creek Road	606	25 to 32	2	2	-
6 Orchard Street	15,170	25 to 32	39	48	6 and 6A Orchard Street are to be developed together.
6A Orchard Street	284				
4 Orchard Street	10,496	25 to 32	27	33	4 and 4A Orchard Street are to be developed together.
4A Orchard Street	289				
206 Garden Street	3,149	25 to 32	8	10	-
204 Garden Street	7,082	25 to 32	18	23	-
2 Orchard Street	13,320	25 to 32	35	43	2 and 2A Orchard Street are to be developed together.
2A Orchard Street	573				
10 Fern Creek Road	10,240	25 to 32	27	33	-
TOTAL	60,063		156	192	

⁺ Individual site area excluding creek line corridor

5.2.7 Facilitating quality medium density housing

The 2012 Strategic Review allows individual properties within sectors to develop on their own. At a density of 32 dwellings per developable hectare, the typical housing form is townhouses, terrace housing and low-rise residential flat buildings. Recent experience demonstrates a trend in land subdivision proposals for detached dwellings on lots less than 300m². At this lot size, even modest dwellings result in numerical non-compliance with the current Pittwater 21 DCP controls. In recognition of this issue, it is recommended that a comprehensive review of the Pittwater 21 DCP occur to provide updated controls that cater for dwellings on smaller lot sizes.

Until this review is complete it is recommended that integrated housing developments be pursued. Integrated housing, as a form of development incorporates land subdivision and dwellings on individual lots in the same application. It facilitates detailed assessment of the subdivision of the land, provision of infrastructure and the design of dwellings on the smaller lots resulting in a more comprehensive consideration of the associated planning and built form outcomes.

5.3 Recommendations for the Southern Buffer and Sectors 172, 173 and 174

In light of contemporary information available since the completion of the 2012 Strategic Review, the Addendum Report has reviewed the opportunities and constraints in order to determine the most appropriate forward path for the Sectors 172, 173 and 174 and the broader Southern Buffer.

5.3.1 Recommended sector boundary re-alignment

Sector 172, formerly part of Sector 17, is the remaining portion of Sector 17 that is not owned by Sydney Water or within the Warriewood Sewerage Treatment Plant. This sector comprises a section of Narrabeen Creek and significant vegetation, and provides connectivity with the creekline corridor network to the Southern Buffer Sector. Rather than creating a single sector, its utility may be best served by being incorporated into the Southern Buffer Sector.

During the 2012 Strategic Review process Sydney Water confirmed, as the owner of Sectors 173 and 174 that these sectors are required for works associated with the Sewerage Treatment Plant. Given these circumstances, Sectors 173 and 174 are recommended to be removed from the Release Area. Concurrence for removal of Sectors 173 and 174 has now been received from Sydney Water.

5.3.2 Recommended land use designation

A review of the lands within the Southern Buffer based on the *Narrabeen Lagoon Flood Study 2013*, identified that the floor levels required for development would increase. The Category F classification for the majority of land in the Southern Buffer remains. Under this category the land uses recommended are restricted to sporting fields and recreational areas.

The property 1 Boondah Road currently contains Council's Operations Centre and is not likely to be relocated in the near future. It is zoned SP2 Infrastructure (Public Administration Building) and it is recommended that this property be designated 'Infrastructure' and still remain in the Southern Buffer Sector.

Sector 172 contains significant vegetation, a portion of the Narrabeen Creek and is bushfire prone land. Its environmental constraints are noted however, this sector provides connectivity with the creekline corridor network in the Release Area. As such, it is recommended that the sector be given a 'Recreation' land use designation and be incorporated into the Southern Buffer sector. The property is already zoned RE1 Public Recreation under the PLEP 2014.

The properties 3, 6, 8, 10 and 12 Boondah Road are recommended to have a 'Recreation' land use designation for the following reasons:

- The planning of the Release Area was premised on infrastructure and services being provided for the incoming residents, delivered as development occurs in the Release Area and that the broader Pittwater community will not fund the additional infrastructure and services required by the Release Area development.
- Council in considering the 2012 Strategic Review report identified that, as a result of increased development, additional active open space lands of approximately 4.6 hectares are still to be purchased for recreational uses. In adopting the 2012 Strategic Review, Council agreed to review among other documents, the *Warriewood Valley Section 94 Contributions Plan* to respond to the new development outcomes envisaged by that report.
- Council's recently completed review of the *Pittwater Public Space and Recreation Strategy* reaffirmed the philosophy articulated in the planning of the Release Area. It documented that release areas (Warriewood Valley and Ingleside) identify and purchase recreation areas to meet the demands of incoming populations. The Strategy recommends that:

"The ratio of 2.83 hectares per 1000 population has been applied to determine the provision of open space in the Warriewood Valley land release area. With an estimated incoming population of 6,777 people this equates to 19.1 hectares. Purchases to date include:

- 6.1 hectares of active open space;
- 3.99 hectares of passive open space; and
- 3.12 hectares of linear open space (30% of creek line corridors).

*It is intended that the remaining balance of 6.32 hectares comprises of 1.69 hectares of linear open space and 4.63 hectares of active open space. The 2.83 hectares per 1000 population is an industry standard and it is reasonable that Council determine the best possible mix of landscape settings to ensure the open space network meets the needs of the incoming population. The active open space component, by definition of its use, will consist of larger areas of flat land suitable for active recreation."*³⁰

³⁰ Pittwater Public Space and Recreation Strategy 2014, adopted August 2014, p. 79

- The assessment of the Planning Proposal for the privately owned land within the sector, in recognition of the sector's severe flood affectation, topography, proximity to existing recreational land as well as the current shortage of open space in Warriewood Valley, did not support a mixed use development on these lands. The assessment in so far as it related to suitability of this land for another purpose, concluded:

- *"The flood prone land within the Southern Buffer may be suitable for public open space and recreation purposes as it is subject to inundation, it adjoins existing public reserves (thus allowing sharing of infrastructure) and has access to valuable bore water irrigation. The topography of alternative areas within Pittwater LGA presents cost, infrastructure and maintenance issues.*

*Availability of public open space and recreation land areas across Pittwater LGA is limited by a number of factors. The Planning Proposal would result in the removal of strategically significant land from a precinct which presently suffers from an under supply of public open space and recreation land particularly for sports fields and will be subject to a future increase in demand for these areas."*³¹

- Based on total development, approximately 4.6 hectares is required for sports fields (land quantum comprises playing surface, run out areas, curtilage for associated infrastructure and buffer zone to adjoining development.)
- The properties 3, 6, 8, 10 and 12 Boondah Road adjoin each other and have an aggregated site area of approximately 4.71 hectares.

6 Jacksons Road contains remnant Coastal Saltmarsh, being an Endangered Ecological Community, and a section of Narrabeen Creek. It is also bushfire prone land and is highly constrained by flooding and biodiversity (foreshore vegetation). Due to these constraints this property is recommended to have a land use designation of 'No development potential'.

The recommendations for the Southern Buffer and Sectors 172, 173 and 174 are detailed in **Appendix 4**.

5.4 Recommendations for other employment generating/industrial sectors

The major constraint to development of the remaining undeveloped employment generating sectors is lot size limitations and fragmented ownership. With all sectors already appropriately zoned and relatively unconstrained from environmental hazards, it is recommended that Sectors 102, 103, 104 and 105 retain their 'Employment Generating' land use designation. In order to facilitate timely development of these sectors, the land owners of Sectors 102, 105 and particularly 103 are encouraged to explore opportunities for amalgamation with adjoining land owners.

Conversely, Sector 702 is distinct from the other undeveloped employment generating sectors in terms of its environmental constraints. Sector 702 is a residual parcel of Sector 7, not rezoned as part of Sector 7 and is on separately owned land to that land comprising the major development for the sector. Given its size and shape, location, proximity to the escarpment and the property that contains Sector 702 is used for church purposes by the Uniting Church (the landowner); it is unlikely to be redeveloped

³¹ Don Fox Planning Assessment of Planning Proposal PP007/13, March 2014, p. 68.

for employment generating purposes. Removing this sector from the Release Area is recommended.

Detailed recommendations for each employment generating sector are in **Appendix 4**.

5.5 Additional dwellings and infrastructure requirements

The net increase in dwellings, as a result of the Addendum Report is an additional 17 dwellings above the 2012 Strategic Review's total. A summary of the additional dwellings recommended is outlined in **Appendix 3**.

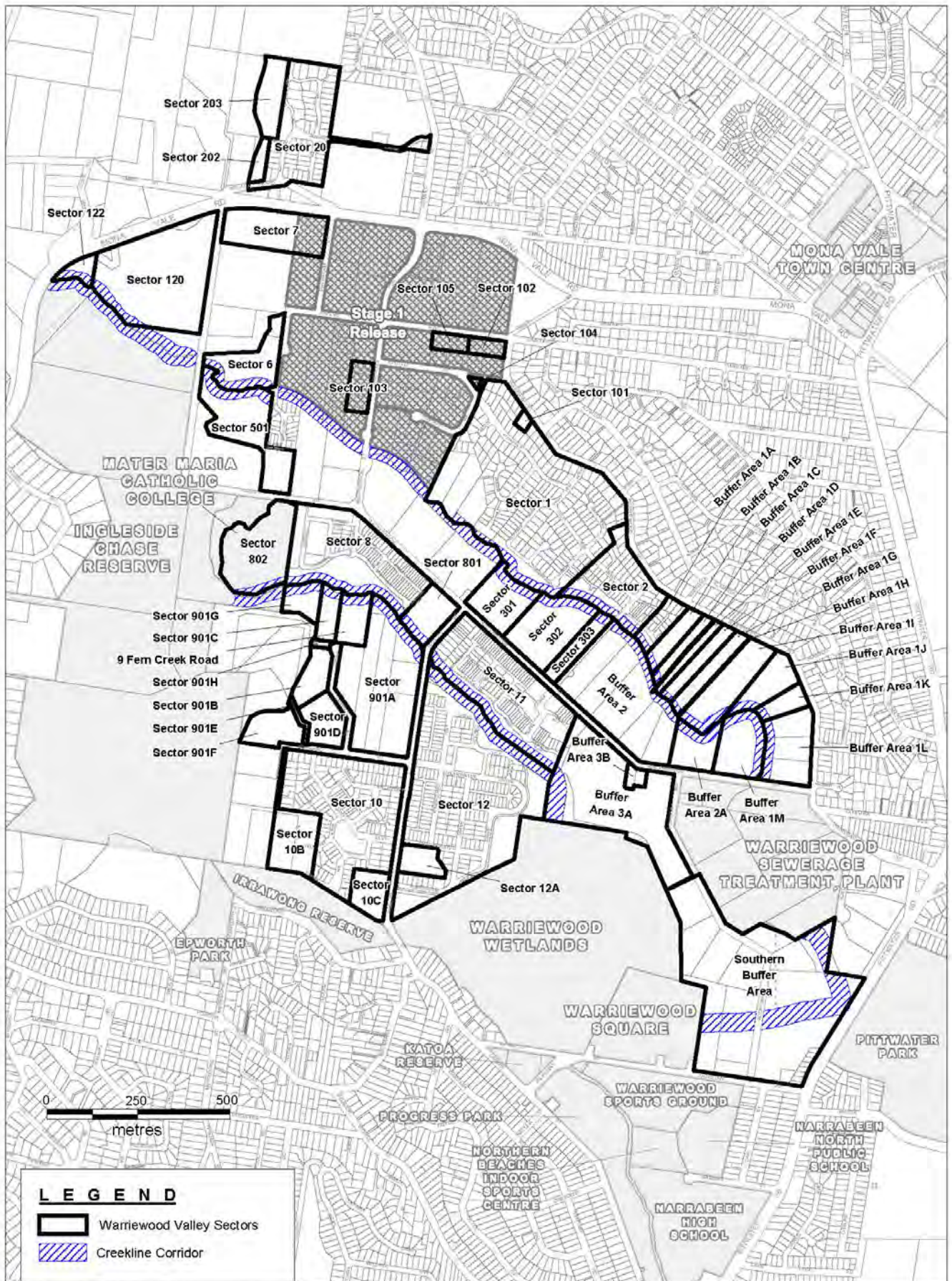
Preliminary analysis indicates that this minor increase in dwelling yield can be accommodated within the Section 94 Plan. The Plan will need to be revised to account for the increased dwelling yield of 17 dwellings and resultant additional infrastructure and service requirements.

5.6 Realignment of creek line corridor

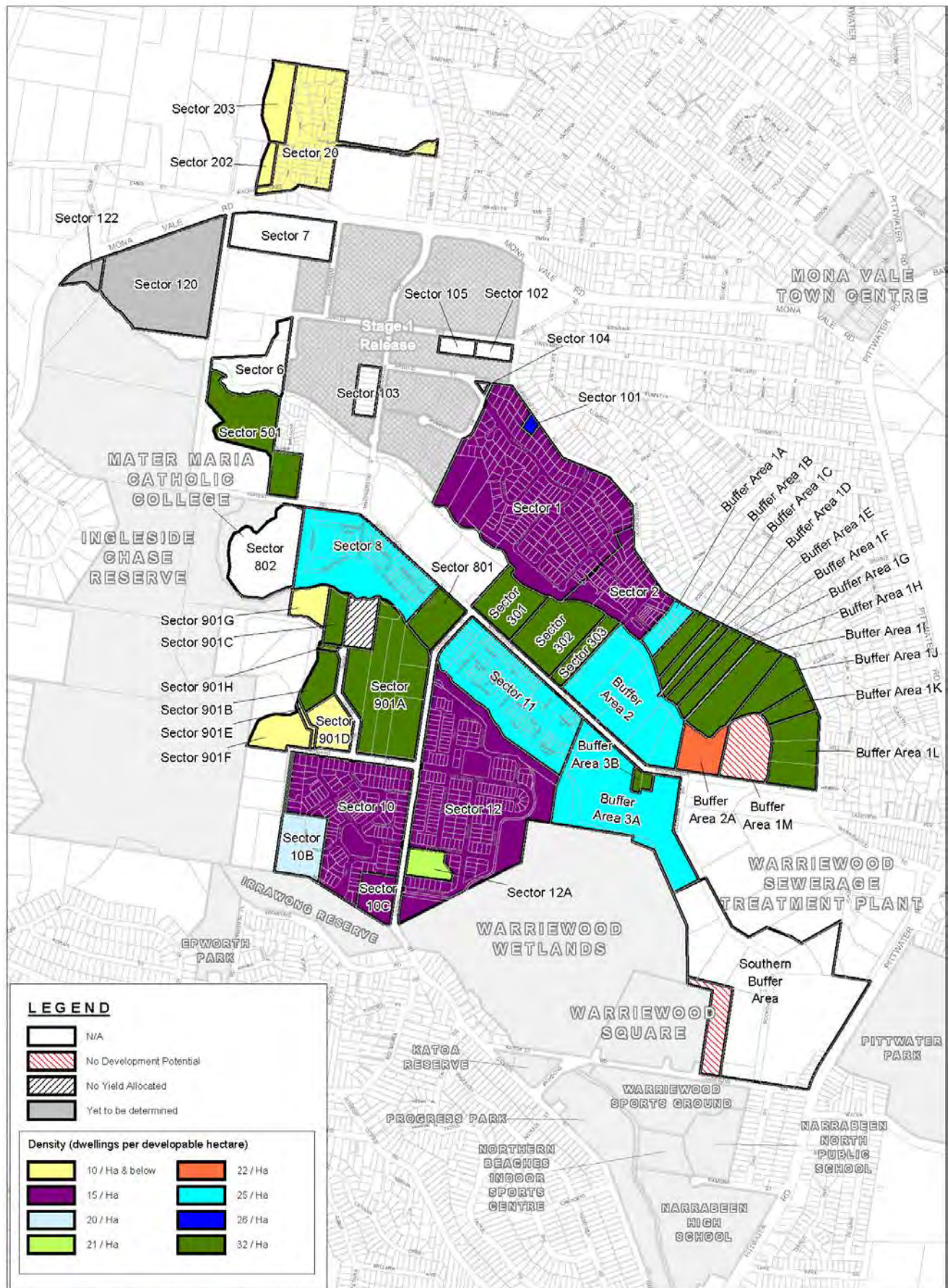
Integral to the development of Warriewood Valley is the definition of creek line corridor land in the Release Area. This is identified as land 25 metres either side of the centre line of the creek. The creekline within the Buffer Area 1 sub-sectors (Buffer Areas 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K and 1L) has been revised, consistent with the other portions of the creekline land in the Release Area already purchased or to be purchased under the Section 94 Plan.

It is recommended that the defined creekline corridor, as it applies to the sectors, be translated into the Urban Release Area map in PLEP 2014. This can only be achieved through a Planning Proposal.

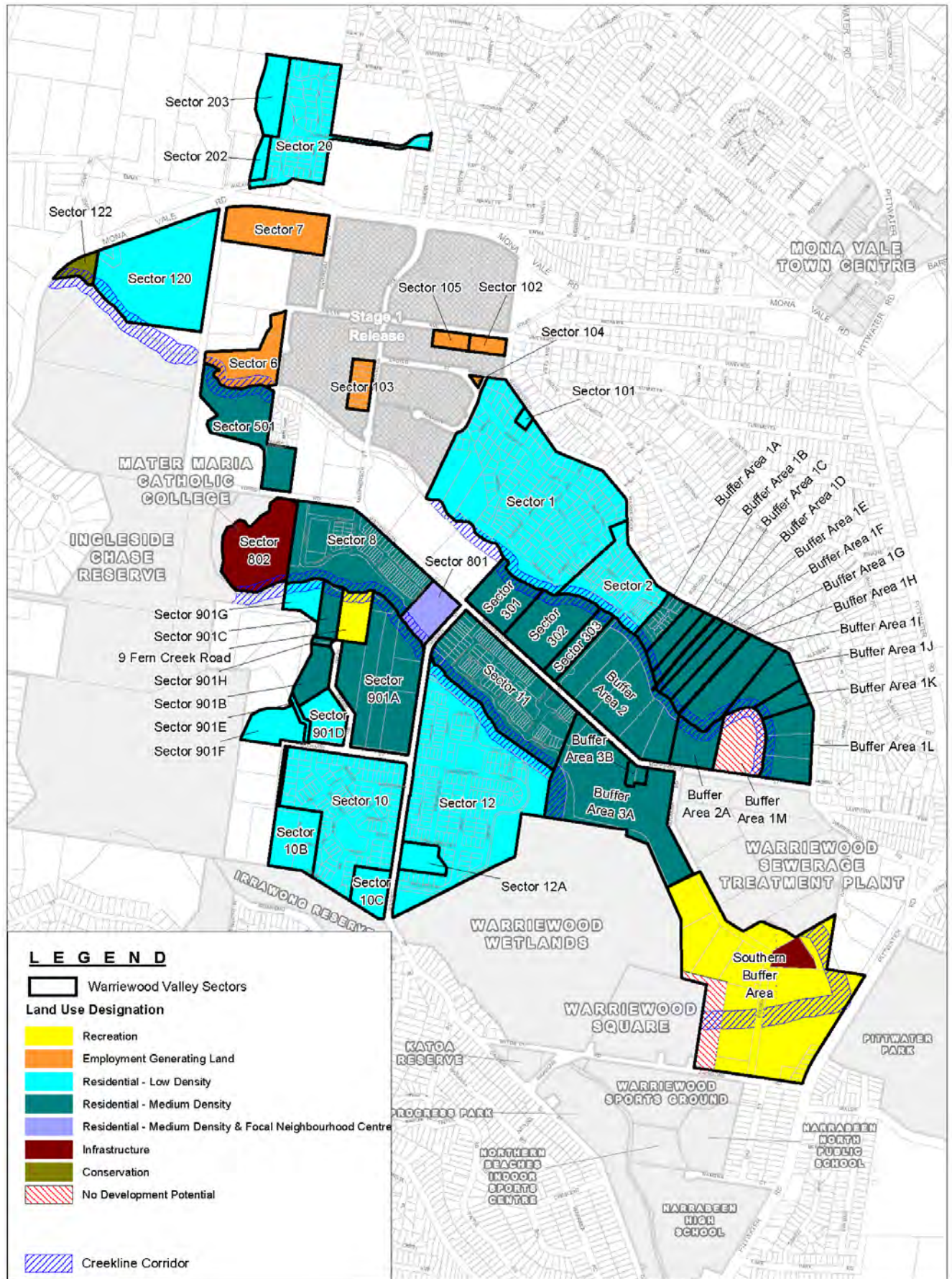
Map 3: Warriewood Valley Release Area Map



Map 4: Residential Density Map



Map 5: Land Use Designation Map



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Conclusion



Photo by: Amanda Clarke 2011

6.0 Conclusion

The Addendum Report has provided an opportunity to re-examine the opportunities and constraints affecting the remaining undeveloped land in the Warriewood Valley Release Area, including the Southern Buffer, based on the most current information available.

The recommended forward path for each sector has considered the applicable environmental affectations and the patterns of existing development and will result in appropriate levels of development within the Release Area. The recommendations of the Addendum Report will result in a net increase of 17 dwellings in the Release Area. This relatively minor additional development yield is able to be accommodated within the Release Area.

The Release Area will be reduced from approximately 199 hectares to approximately 195 hectares.

The Addendum Report, based on contemporary information and supported by an opportunities and constraints analysis, is consistent with the community's expectation for the Release Area and will ensure continuity across Council's strategic and land use planning documents.

The Addendum Report will supplement the 2012 Strategic Review, so as to achieve a single comprehensive document applying to all undeveloped land in Warriewood Valley. The Addendum Report, together with the 2012 Strategic Review, will become the strategic planning framework for all undeveloped land in the Warriewood Valley Release Area.

Appendices

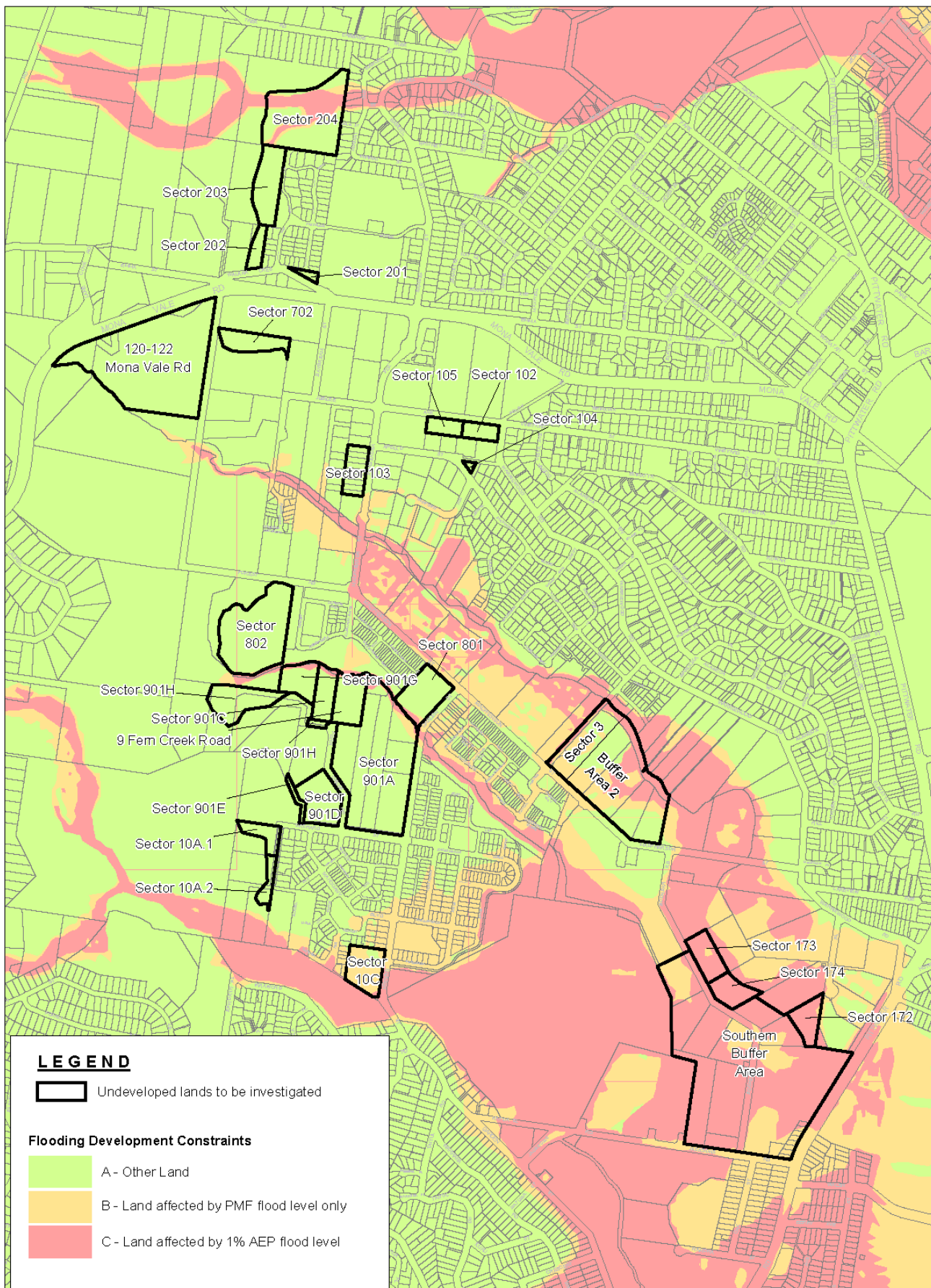


Photo by: Amanda Clarke 2011

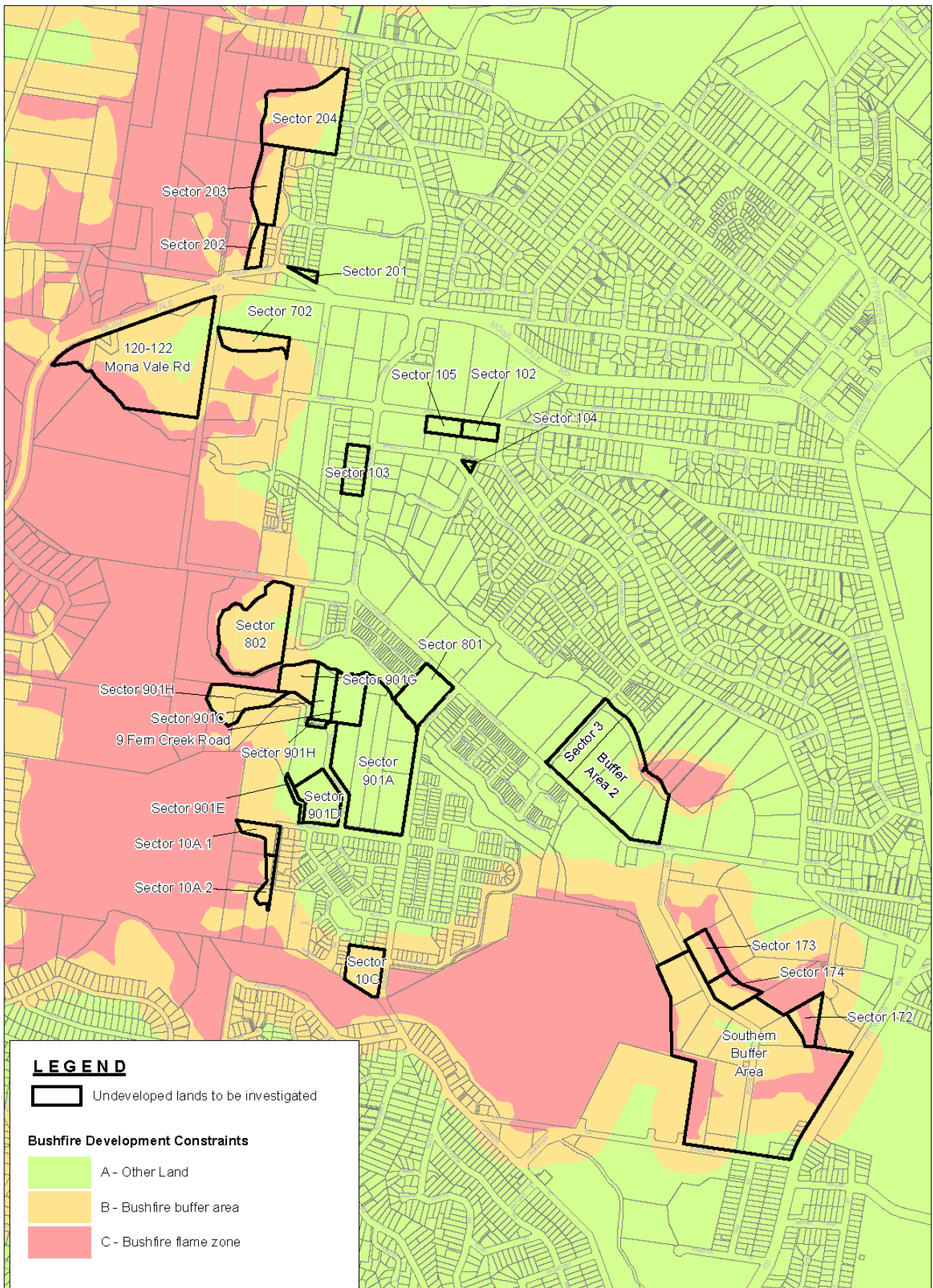
Appendix 1 to 4

Appendix 1: Updated Constraints Mapping

Map 6: Flooding Constraints Base Map – Updated based on Narrabeen Lagoon Flood Study 2013 (adopted by Pittwater Council on 4 November 2013)



Map 7: Bushfire Constraints Base Map – Updated based on Pittwater Bushfire Prone Lands Map 2013 (adopted by Council on 4 March 2013 and certified by the Rural Fire Service on 17 June 2013)



Appendix 2: Results Table

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³²	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
102	185 Warriewood Road	4,561	Private	Non-residential land use designation	Industrial	IN2 Light Industrial	Most	- Cleared - Flat - Regular in shape - Wide street frontage - Opportunity to amalgamate with adjoining site, Sector 105	Few constraints to development.
103	10c, 10d, 12a, 12b, 12c, 14a, 14b, 14c & 16a Ponderosa Parade	8,199	Multiple private (5)	Non-residential land use designation	Industrial	IN2 Light Industrial	Most	- Small lot sizes with an average size of 910m² - Multiple landowners - Wide street frontage - Flat - Regular in shape	Incentive to redevelop already by rezoning however redevelopment has been delayed due to land fragmentation. Unlikely to develop as individual parcels on speculation alone.
104	3 Harris Street	595	Private	Non-residential land use designation	Industrial	IN2 Light Industrial	Most	Unusual shape (triangular) and small lot size for industrial development	Whilst it is a small site the permissible uses under PLEP 2014 would still allow development to occur on the site.
105	15 Jubilee Avenue	4,562	Private	Non-residential land use designation	Industrial	IN2 Light Industrial	Most	- Cleared - Flat - Regular in shape - Wide street frontage - Opportunity to amalgamate with adjoining site, Sector 102	Few constraints to development.
702	10 Jubilee Avenue	9,215	Uniting Church	Non-residential land use designation	Employment Generating Land	RU2 Rural Landscape	Moderate-More	- Biodiversity - Existing development on site	This sector forms part of the Pittwater Uniting Church site. Given the existing development on the site, the sector is unlikely to be re-developed in the future for employment generating purposes.

³² Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³³	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
172	1A Boondah Road	7,792	Pittwater Council	Environmental constraints/ other factors	Conservation/ Open Space	RE1 Public Recreation	Least	- Biodiversity - Flooding (Category F) - Bushfire	The sector is intersected by Narrabeen Creek and contains significant vegetation. The site should be conserved for passive recreation, which is consistent with the recommended land use of recreational areas under Category F ³⁴ .
173	9A Boondah Road	8,869	Sydney Water	Environmental constraints/ other factors	Sewage Treatment Plant	SP2 Infrastructure (Sewerage System)	Least-less	Proposed future use which is consistent with the adjoining lands use	Council has been advised by the land owner the site will be required for uses associated with the Warriewood Sewerage Treatment Plant in the future.
174	9 Boondah Road	7,899	Sydney Water	Environmental constraints/ other factors	Sewage Treatment Plant	SP2 Infrastructure (Sewerage System)	Least-less	Proposed future use which is consistent with the adjoining lands use	Council has been advised by the land owner the site will be required for uses associated with the Warriewood Sewerage Treatment Plant in the future.
Properties within Southern Buffer	4A Boondah Road	231	Sydney Water	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least	<i>Note: These comments apply to all properties within the Southern Buffer</i> - Flat, low lying - Flooding constraints - flood depths exceeding 1m across most of the Southern Buffer in a 1% AEP event and flood events more prolonged. Identified as Category F under the Warriewood Valley Strategic Review Hydrology Study 2011.	4A Boondah Road is owned by Sydney Water and currently contains a pumping station operated in connection with the Warriewood Sewerage Treatment Plant. Sydney Water advised that they required the land for ongoing operational use and that the current zoning of RU2 Rural Landscape appropriately accommodates this use.
	1 Boondah Road	7,475	Pittwater Council	Environmental constraints/ other factors	Employment Generating Land	SP2 Infrastructure (Public Administration Building)	Less - Moderate	<i>Continued below.</i>	Currently contains Council's Operations Centre, which is not likely to be relocated in the near future.

³³ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

³⁴ Warriewood Valley Strategic Review Hydrology Study 2011 prepared by Cardno.

Sector	Address	Area (m ²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³⁵	Composite Capability map classification Least to Most Capable	Constraints and Opportunities	Comments
Properties within Southern Buffer Continued	6 Jacksons Road	15,161	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least	<i>Note: These comments apply to all properties within the Southern Buffer</i> - Biodiversity constraints - species include: - Swamp Oak Floodplain Forest (EEC), - Swamp Oak, - Swamp Sclerophyll Forest (EEC), - Bangalay/Apple Open Forest (characteristic of Sydney Coastal Sand Bangalay Forest EEC), - Freshwater Wetlands (EEC) - Bushfire hazards - Privately owned lands in Southern Buffer adjoin existing recreational precinct and Warriewood Wetlands - In addition some properties within the Southern Buffer have site specific opportunities/ constraints: 1 Boondah Road currently utilised as Council's Operations Centre 4A Boondah Road required for uses ancillary to the Warriewood Sewerage Treatment Plant 2 and 4 Jacksons Road have frontage to Pittwater Road 1 Boondah Road is classified as Category F under the Warriewood Valley Strategic Review Hydrology Report 2011.	In December 2013 a Planning Proposal was lodged for the privately owned land within the sector (6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road). The Planning Proposal proposed to rezone the land to B4 Mixed Use, proposing a commercial, industrial and residential development with heights up to 24 metres. The application was refused by Council on 17 March 2014. It was considered that the proposal was not consistent with the 2012 Strategic Review. Whilst no forward path was given for the Southern Buffer under the 2012 Strategic Review, Don Fox Planning (consultants engaged to assess the application) recommended any future planning proposals should incorporate all land within the Southern Buffer and also the Warriewood Square Shopping Centre site. Don Fox Planning's assessment of the Planning Proposal concluded the proposal is inconsistent with the 2012 Strategic Review, the Planning Proposal was unable to achieve a clear and direct link to Warriewood Square shopping centre, and was inconsistent with recommendations of the specialist consultant reports relating to flooding, building height, dwelling density, land use, traffic generation and the format of retail floor space. Additionally, it was inconsistent with Council and NSW government policies relating to flood prone land and would result in unacceptable adverse outcomes for existing open space and recreation areas. This portion of the sector also has evacuation issues which are likely to restrict future uses of the sector.
	3 Boondah Road	6,152	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Less		
	6 Boondah Road	10,218	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least-Moderate		
	8 Boondah Road	10,317	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least-Less		
	10 Boondah Road	10,256	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least-Less		
	12 Boondah Road	10,165	Private	Environmental constraints/ other factors	Employment Generating Land	RU2 Rural Landscape	Least-More		

³⁵ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m ²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³⁶	Composite Capability map classification Least to Most Capable	Constraints and Opportunities	Comments
<i>Properties within Southern Buffer Continued</i>	2 Jacksons Road	2,850	Pittwater Council	Environmental constraints/ other factors	Conservation/ Open Space	RE1 Public Recreation/SP2 Infrastructure (Community Facility)	Moderate-More	See comments above	2 and 4 Jacksons Road and 2 Boondah Road contain community centres, which have a special use zoning under the PLEP 2014. It is unlikely that these facilities will be redeveloped in the near future, except for embellishment of the existing facilities. 2A Boondah Road and 4 Jacksons Road contain sports fields, which have a public recreation zoning under PLEP 2014.
	4 Jacksons Road	57,801	Pittwater Council	Environmental constraints/ other factors	Conservation/ Open Space	RE1 Public Recreation	Least-Moderate		
	2 Boondah Road	3,750	Crown Lands	Environmental constraints/ other factors	Conservation/ Open Space	SP2 Infrastructure (Community Facility)	Less		
	2A Boondah Road	18,203	Crown Lands	Environmental constraints/ other factors	Conservation/ Open Space	RE1 Public Recreation	Least-Less		
201	4 Walana Crescent	1,302	NSW Dep't of Lands	Not considered undeveloped as part of Sector 20	Traditional Residential	SP2 Infrastructure (Cemetery)	More	- Existing use of site ancillary to the Mona Vale Cemetery - Shape - Size	The sector adjoins Mona Vale Cemetery to the east. The land currently forms part of Sector 20. The land was donated by the developer for the expansion of the Mona Vale Cemetery when the remainder of the sector was rezoned in 2005. The transfer to the Crown occurred in 2009.
202	14 Walana Crescent	4,155	Private	Not considered undeveloped as part of Sector 20	Traditional Residential	Portion of the site included in the Release Area is zoned R3 Medium Density Residential	More	- Bushfire - Flooding – Overland Flow - Geotechnical Hazard - Biodiversity - Existing development on site - Access issues if additional lots are created	The site is the undeveloped portion of Sector 20. The master plan approved for Sector 20 showed 72 lots in total. The majority of Sector 20 has been developed with 8 lots yet to be created. The master plan indicates 4 lots on this site. The existing dwelling and ancillary development on the site may also preclude further residential development.

³⁶ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³⁷	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
203	3 Harrier Place	14,679	Private	Not considered undeveloped as part of Sector 20	Traditional Residential	Portion of the site included in the Release Area is zoned R3 Medium Density Residential	Moderate-More	• Bushfire • Flooding – Overland Flow • Geotechnical Hazard • Biodiversity • Access issues if additional lots are created	The site is the undeveloped portion of Sector 20. The master plan approved for Sector 20 showed 72 lots in total. The majority of Sector 20 has been developed with 8 lots yet to be created. The master plan indicates 4 lots on this site. Redevelopment of the site is limited due to the site's topography and geotechnical hazards. The site is also bushfire prone. Access is currently gained across a right of carriageway across two privately owned adjoining sites. Access to any new lots created is likely to be over this right of carriageway in the future which may be problematic. Access for emergency vehicles is also likely to be an issue.
204	79 Cabbage Tree Road	38,643	Private	Not considered undeveloped as part of Sector 20	Traditional Residential	RU2 Rural Landscape	Less-More	• Bushfire • Flooding – Overland Flow • Geotechnical Hazard • Biodiversity	Currently contains the Aveo Peninsular Gardens Retirement Village. The sector, a residue of Sector 20, was not rezoned as part of Sector 20 as development already existed on the site. There has been no indication that the retirement village will re-develop in the future.
802	5 Forest Road (Mater Maria Catholic College)	37,472	Trustees of the Roman Catholic Church	Not considered undeveloped as part of Sector 8	Medium Density Residential	RU2 Rural Landscape	Less-More	• Bushfire • Flooding • Geotechnical Hazard • Biodiversity • Existing development on the site	This sector is a residue of Sector 8, which was not zoned with Sector 8. It however is not zoned for residential development, nor was it attributed a yield under the master plan for Sector 8. It is currently developed as a school. Given the site was developed recently and scale of the development it is unlikely to be redeveloped in the future.

³⁷ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³⁸	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
901D and 901E	1 Fern Creek Road and adjoining Orchard Street road reserve (901D) and portion of 12 Orchard Street (battle-axe handle) and adjoining Orchard Street road reserve (901E)	13,240 (901D) 1,914 (901E)	Private (2)	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Mixed Residential	R3 Medium Density Residential	Moderate - Less	901D - Slope - Visual amenity - High voltage power lines - Biodiversity 901E - Thin width as it is an access corridor which would require the cooperation of the adjoining land owners to develop	Following the completion of the 2012 Strategic Review, Council staff undertook a review of the environmental constraints affecting these sites, as well as Sector 901G and 901C. It was recognised that the sites had similar characteristics to Sector 20 where 6 -10 dwellings per hectare had been achieved. There was potential for Sectors 901D and 901E and the adjoining Orchard Street road reserve (north-east portion) to amalgamate, to enable more appropriate setbacks to constraints, maximising development potential across the two sites. The sectors were rezoned in December 2013 with a maximum dwelling yield of 12 dwellings across Sectors 901D, 901E and the adjoining Orchard Street road reserve.
901G	11 Fern Creek Road	6,470	Private	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Mixed Residential	R3 Medium Density Residential	More	- Land locked site with no access to Fern Creek Road - Contains a large proportion of creek line corridor - Visual Amenity - Biodiversity	Following the completion of the 2012 Strategic Review, Council staff undertook a review of the environmental constraints affecting this site, 901C, as well as Sector 901D and 901E. It was recognised that the site had potential for 6 lots, subject to development occurring in conjunction with the adjoining land parcel (Sector 901C) as both sectors were owned by same landholder. The sector was rezoned in December 2013 with a maximum dwelling yield of 6 dwellings. However the sector is to be developed with 901C.

³⁸ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ³⁹	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
901C	12 Fern Creek Road	6,879	Private	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Mixed Residential	R3 Medium Density Residential	More	- Contains a large proportion of creek line corridor - Visual Amenity - Biodiversity	Following the completion of the 2012 Strategic Review, Council staff undertook a review of the environmental constraints affecting this site, 901G, as well as Sector 901D and 901E. It was recognised that the site had potential for 22 lots, subject to development occurring in conjunction with the adjoining land parcel (Sector 901G) as both sectors were owned by same landholder. The sector was rezoned in December 2013 with a maximum dwelling yield of 22 dwellings. However the sector is to be developed with 901G.
901H	Portion of 4 and 5 Fern Creek Road	1,138	Private (2)	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Mixed Residential	RU2 Rural Landscape	More	- Slope - Visual amenity - Bushfire - Biodiversity	Only a portion of 4 and 5 Fern Creek Road were originally included in Sector 9. These two sites formed 901H under the 2012 Strategic Review and were identified as not suitable for development due to significant environmental constraints, particularly bushfire and biodiversity. The 2012 Strategic Review recommended this sector be removed from the Release Area. Land owners were given the opportunity to come forward with additional information demonstrating their sites capacity for residential development. To date, no substantive information justifying a review has been received. It is confirmed that the majority of the sector is not capable of being developed due to environmental constraints. However, the battle axe portion has potential to amalgamate with neighbouring development sites (either Sectors 901B, or 901C and 901G) to facilitate better development outcomes. Any use of the battle axe handles by the adjoining neighbours would need to ensure that access to 4 and 5 Fern Creek Road is not impeded in accordance with the "Isolation of Sites" Planning Principle.

³⁹ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ⁴⁰	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
10A.1 & 10A.2	Portion of 115 and portion of 111, 111A and 113 Orchard Street	5,566 (10A.1) 3,768 (10A.2)	Private (2)	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Mixed Residential	RU2 Rural Landscape	More-Less	- Slope - Visual amenity - Bushfire - Biodiversity	These sectors are a residue of Sector 10 however they were not rezoned as part of the masterplan for Sector 10. The 2012 Strategic Review recommended these sectors be removed from the Release Area. Land owners were given the opportunity to come forward with additional information demonstrating their sites capacity for residential development. To date, no substantive information justifying a review has been received.
10C	194 Garden Street	11,677	Private (1 owner, 52 strata titled units)	Not considered undeveloped as existing development on site	Mixed Residential	R3 Medium Density Residential	More	- Bushfire - Flooding - Flat, regular shape - Adjoins Irrawong Reserve to the south	This sector was a residue of Sector 10 however it was not rezoned or allocated a yield as the Seaside Residential Aged Care Facility existed on site. In recognition of the owners of the strata scheme investigating opportunities to redevelop the site, the sector should be allocated a yield that is consistent with the adjoining sectors and reflective of its position on the edge of Irrawong Reserve and the Release Area.

⁴⁰ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

Sector	Address	Area (m ²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ⁴¹	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
120 Mona Vale Road (identified as Clause 6.2 on Urban Release Area Map)	120 Mona Vale Road	77,395	Private	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Not defined in 2010 Planning Framework. ⁴²	Part E4 Environmental Living Part R2 Low Density Residential Part E2 Environment Conservation	Least - Moderate	- Slope - Visual amenity - Bushfire - Biodiversity - Geotechnical - Creek line corridor - Access	Property immediately adjoins Ingleside Chase Reserve to the south and Katandra Bushland Sanctuary to the north. It also contains the upper reach of Narrabeen Creek which abuts the southern boundary. Access is currently facilitated by a right of carriageway via 10 Jubilee Avenue. A single driveway off Mona Vale Road currently facilitates access to the single dwelling on 120 Mona Vale Road. 120 Mona Vale Road is substantially cleared but contains some significant vegetation on the southern fringes. This sector is also subject to bushfire and geotechnical hazards. This property has recently been zoned⁴³ for residential development with 122 Mona Vale Road rezoned for environmental conservation. It also rezoned the creekline corridor (25 metres from the centre of the creekline) as E2 Environment Conservation. At this stage the yield for 120 Mona Vale Road is uncertain, as a masterplan is yet to be submitted which is consistent with the Clause 6.2 of the PLEP 2014 and the lot size map. It is uncertain if 4 Boundary Street and 10 Jubilee Avenue are proposed to provide access to 120 Mona Vale Road as part of the redevelopment of the site. The creekline corridors within 120 and 122 Mona Vale Road contain part of the upper reach of the Narrabeen Creek catchment. A missing portion of the upper reach, south of 120 Mona Vale Road is contained on 3 Boundary Street; however 3 Boundary Street is not part of the Release Area.

⁴¹ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

⁴² Council resolution of 18 September 2006 to include 120 Mona Vale Road in the Warriewood Valley Release Area.

⁴³ PLEP 2014 Amendment 1 (came into effect on 27 June 2014). The JRPP was the Relevant Planning Authority, being the authority that progressed the rezoning of the property.

Sector	Address	Area (m ²)	Land owner	Reason for exclusion from 2012 Strategic Review	Land use designation under 2010 Planning Framework	Current zoning under PLEP 2014 ⁴⁴	Composite Capability map classification <i>Least to Most Capable</i>	Constraints and Opportunities	Comments
122 Mona Vale Road	122 Mona Vale Road	5,516	Private	Investigated but no density recommended as environmentally constrained and unlikely to achieve density greater than 25 dwellings per hectare	Not defined in 2010 Planning Framework. ⁴⁵	E2 Environment Conservation	Least - Moderate	- Slope - Visual amenity - Bushfire - Biodiversity - Geotechnical - Creek line corridor - Access	The property immediately adjoins Ingleside Chase Reserve to the south and Katandra Bushland Sanctuary to the north. Contains the upper reach of Narrabeen Creek which abuts the southern boundary. This property has recently been rezoned⁴⁶ for environmental conservation. It also rezoned the creekline corridor (25 metres from the centre of the creekline) as E2 Environment Conservation. The property has been identified for acquisition on the Urban Release Area Map.
Creek Line Corridor within Buffer Area 1 sub-sectors	-	-	Multiple private	-	Creek line corridor subject to environmental constraints including a Threatened Species Community	R3 Medium Density Residential	Least	- Biodiversity - Flooding	Environmentally sensitive lands within the Buffer Area 1 subsectors were identified to be purchased under the Section 94 Plan. The review of the Section 94 Plan has rationalised expenditure, identifying only the inner 25m creek line corridor component for purchase. The land is identified on the Biodiversity map in the PLEP 2014. Future development will need to consider the potential impact of the development on the vegetation.

⁴⁴ Since exhibition of the addendum report, the Pittwater Local Environmental Plan (PLEP) 2014 has come into effect.

⁴⁵ Council resolution of 18 September 2006 to include 120 Mona Vale Road in the Warriewood Valley Release Area.

⁴⁶ PLEP 2014 Amendment 1 (came into effect on 27 June 2014). The JRPP was the Relevant Planning Authority, being the authority that progressed the rezoning of the property.

Appendix 3: Recommendations for Residential Sectors

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Additional Dwellings	Comments
201	4 Walana Crescent	-	Remove from PLEP 2014 Urban Release Area Map. No change to zoning in PLEP 2014 (SP2 Infrastructure (Cemetery)).	0	Sector now part of Mona Vale Cemetery site and already zoned for this use (SP2 Infrastructure (Cemetery)).
202	14 Walana Crescent	Residential – Low density	Amend PLEP 2014 Urban Release Area Map – identify as individual sector. Amend PLEP 2014 Part 6.1 Clause 3 – attribute a maximum yield of 1 dwelling	-3	Landowner has no intention to develop the site further. Original master plan for Sector 20 showed site accommodating 4 dwellings.
203	3 Harrier Place	Residential – Low density	Amend PLEP 2014 Urban Release Area Map – identify as individual sector. Amend PLEP 2014 Part 6.1 Clause 3 – attribute a maximum yield of 4 dwellings.	0	Recommended yield consistent with original master plan for Sector 20.
204	79 Cabbage Tree Road (Aveo Peninsular Gardens Retirement Village)	-	Remove from PLEP 2014 Urban Release Area Map. No change to zoning (RU2 Rural Landscape).	0	Developed as a seniors living development prior to land being identified for release. Unlikely to be redeveloped.
Buffer Area 2 and Sector 3	6-14 Macpherson Street (Anglican Retirement Village)	Residential – Medium density	Amend PLEP 2014 Urban Release Area Map – consolidated sector labelled “Buffer Area 2”. Amend PLEP 2014 Part 6.1 Clause 3 – remove Sector 3 and attribute a maximum yield of 147 dwellings to Buffer Area 2.	0	Anglican Retirement Village development straddles Buffer Area 2 and Sector 3.

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Additional Dwellings	Comments
801	23B Macpherson Street	Residential - Medium Density and Focal Neighbourhood Centre	No change to PLEP 2014.	0	Already zoned R3 Medium Density Residential with a dwelling yield of 38 dwellings. Already listed in Schedule 1 of the PLEP 2014 which allows the additional permitted use of development for the purpose of restaurants, cafes and neighbourhood shops.
802	Portion of 5 Forest Road (Mater Maria Catholic College)	Infrastructure	Amend PLEP 2014 Urban Release Area Map – identify as individual sector. Amend zoning under PLEP 2014 - Rezone entire school site to SP2 Infrastructure (Educational Establishment)	0	Developed as school, unlikely to be redeveloped for residential development. Recommended to be zoned SP2 Infrastructure (Educational Establishment), consistent with the zoning of schools in LGA.
9 Fern Creek Road	9 Fern Creek Road	Recreation	No change to PLEP 2014.	0	Already rezoned R3 Medium Density Residential but was not allocated a dwelling yield as Council recognised 9 Fern Creek Road being integral to facilitating better design outcomes for the surrounding sectors and 9 Fern Creek Road.
901 D	1 Fern Creek Road and Orchard Street Road Reserve	Residential – Low Density	No change to PLEP 2014.	0	Already zoned R3 Medium Density Residential and attributed a dwelling yield of 16 dwellings
901E	Portion of 12 Orchard Street				
901G	11 Fern Creek Road	Residential – Low Density	Amend PLEP 2014 Part 6.1 Clause 3 to identify Sectors 901G and 901C together and attribute a maximum yield of 28 dwellings and a minimum of 17 dwellings.	0	Already zoned R3 Medium Density Residential with a dwelling yield of 6 dwellings
901C	12 Fern Creek Road	Residential – Medium Density	Amend PLEP 2014 Part 6.1 Clause 3 to identify Sectors 901G and 901C together and attribute a maximum yield of 28 dwellings and a minimum of 17 dwellings.	0	Already zoned R3 Medium Density Residential with a dwelling yield of 22 dwellings

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Additional Dwellings	Comments
901H	Portion of 4 & 5 Fern Creek Road	Residential - Medium Density (Battle-axe handles only)	Amend PLEP 2014 Urban Release Area Map – identify revised 901H (battle-axe handles only) as Sector 901H. Amend zoning under PLEP 2014 – Rezone battle-axe handles to R3 Medium Density Residential. Amend PLEP 2014 Part 6.1 Clause 3 – allocate a maximum of 3 dwellings Amend PLEP 2014 Minimum Lot Size Map and Height of Buildings Map.	3	Original 901H is unlikely to be developed. Battle-axe portion has capacity to be incorporated into either adjoining sector and to incentivise development occurring. Yield for battle axe portion is based on a density of 32 dwellings per hectare developing with Sectors 901B or 901C.
10A.1 & 10A.2	Portion of 115 Orchard Street Portion of 111, 111A and 113 Orchard Street	-	No change to PLEP 2014.	0	Unlikely to be developed residentially because of significant environmental constraints. Sectors already removed from PLEP 2014 Urban Release Area Map and is zoned RU2 Rural Landscape.
10C	194 Garden Street (Seaside Residential Aged Care Facility)	Residential – Low Density	Amend PLEP 2014 Urban Release Area Map – identify as individual sector. Amend PLEP 2014 Part 6.1 Clause 3 – allocate a maximum yield 17 dwellings	17	Already zoned R3 Medium Density Residential under PLEP 2014. Yield based on a density of 15 dwellings per hectare, consistent with density of adjoining Sector 10.
120 & 122	120 & 122 Mona Vale Road	Conservation (122) and Residential – Low Density (120)	Amend PLEP 2014 Urban Release Area Map – identify sites as individual sectors – Sector 120 & 122. No change to zoning.	No yield determined as Clause 6.2 of PLEP 2014 requires a DCP to be prepared for the site to determine the yield.	No change to current zoning in PLEP 2014 (Part E4 Environmental Living, R2 Low Density Residential and E2 Environment Conservation) in recognition of current Planning Proposal progressed by the JRPP.

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Additional Dwellings	Comments
Creek Line Corridor	Creek line corridor within Buffer Area 1 sub-sectors	Creek Line Corridor (25 metres either side of the creek line)	Amend PLEP 2014 Urban Release Area Map - reduce the creek line corridor width to 25 metres either side of the creek line.	0	The creekline corridor land on Buffer Areas 1F, 1G, 1H, 1i, 1J and 1K identified for purchase has been reduced to 25 metres as measured from the centre line of the creek. Identifying 25 metres either side of the creekline for purchase is a practice that has consistently been applied elsewhere in Warriewood Valley.
Net Additional Dwellings				17	The net additional dwelling are based on: - The Additional yield recommended to be attributed to Sectors 10C (17 dwellings) and 901H (3 dwellings). - Yield currently attributed to Sector 202 recommended to be reduced (minus 3 dwellings).

Appendix 4: Recommendations for Employment Generating Sectors & Southern Buffer

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Comments
102	185 Warriewood Road	Employment Generating Land	No change to PLEP 2014.	Sector already identified on PLEP 2014 Urban Release Area Map and zoned IN2 Light Industrial. Land owners encouraged to investigate opportunities for amalgamation to facilitate development.
103	10c, 10d, 12a, 12b, 12c, 14a, 14b, 14c & 16a Ponderosa Parade	Employment Generating Land	No change to PLEP 2014.	Sector already identified on PLEP 2014 Urban Release Area Map and zoned IN2 Light Industrial. Land owners encouraged to investigate opportunities for amalgamation to facilitate development.
104	3 Harris Street	Employment Generating Land	No change to PLEP 2014.	Sector already identified on PLEP 2014 Urban Release Area Map and zoned IN2 Light Industrial. Land owner encouraged to explore options for employment generating on site.
105	15 Jubilee Avenue	Employment Generating Land	No change to PLEP 2014.	Sector already identified on PLEP 2014 Urban Release Area Map and zoned IN2 Light Industrial. Land owners encouraged to investigate opportunities for amalgamation to facilitate development.
172	1A Boondah Road	Recreation	No change to PLEP 2014. Amend PLEP 2014 Urban Release Area Map – include sector in Southern Buffer Sector.	Not suitable for employment generating development.
173	9A Boondah Road	-	No change to PLEP 2014.	Sector not in PLEP 2014 Urban Release Area Map. Zoned SP2 Infrastructure (Sewerage System). Sydney Water has indicated land is required for Sewerage Treatment Plant operations.
174	9 Boondah Road	-	No change to PLEP 2014.	Sector not in PLEP 2014 Urban Release Area Map. Zoned SP2 Infrastructure (Sewerage System). Sydney Water has indicated land is required for Sewerage Treatment Plant operations.

Sector	Property Address	Recommended Land Use Designation	Recommended Forward Path	Comments
Southern Buffer	2 and 4 Jacksons Road and 2, 2A, 3, 4A, 6, 8, 10, 12 Boondah Road	Recreation	No change to PLEP 2014.	No longer considered appropriate for employment generating development. Majority of sector best utilized for recreation. 2 and 4 Jacksons Road zoned part RE1 Public Recreation and SP2 Infrastructure (Community Facility). 2 Boondah Road zoned SP2 Infrastructure (Community Facility). 2A Boondah Road zoned RE1 Public Recreation. 3, 4A, 6, 8, 10, 12 Boondah Road zoned RU2 Rural Landscape. All sectors already identified on PLEP 2014 Urban Release Area Map.
	1 Boondah Road	Infrastructure	No change to PLEP 2014.	No longer considered appropriate for employment generating development. To be retained as Councils operation facility. Zoned SP2 Infrastructure (Public Administration Building). Sector already identified on PLEP 2014 Urban Release Area Map.
	6 Jacksons Road	No development potential	No change to PLEP 2014.	No longer considered appropriate for employment generating development. Zoned RU2 Rural Landscape. Sector already identified on PLEP 2014 Urban Release Area Map.
702	10 Jubilee Avenue	-	No change to PLEP 2014.	Site currently utilised for Pittwater Uniting Church, unlikely to be developed for industrial use. Sector not in PLEP 2014 Urban Release Area Map. Zoned RU2 Rural Landscape.

References

- Pittwater Council (2010) *Warriewood Valley Planning Framework 2010*. Adopted by Pittwater Council on 3 May 2010. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/12F_00340EED.001.pdf
- Pittwater Council (2011) *Pittwater Local Planning Strategy – Planning for Pittwater towards 2031*. Adopted by Council 15 August 2011. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/185_003A68E3.002.pdf
- Pittwater Council and NSW Department of Planning & Infrastructure (2012) *Warriewood Valley Strategic Review 2012*. Adopted by Pittwater Council on 12 June 2013. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/07B_004386B1.002.pdf
- Cardno (NSW/ACT) (2011) *Warriewood Valley Strategic Review Hydrology Study*, prepared for NSW Department of Planning and Infrastructure and Pittwater Council, Sydney.
- Hill PDA (2011) *Warriewood Valley Strategic Review Economic Feasibility Study*, prepared for NSW Department of Planning and Infrastructure and Pittwater Council, Sydney. Reported to Council with the Warriewood Valley Strategic Review.
- Pittwater Council (2013) *Pittwater 2013 Bush Fire Prone Land Map*. Certified by the Rural Fire Service on 17 June 2013. http://www.pittwater.nsw.gov.au/_data/assets/pdf_file/0009/136359/BFPL_Pittwater_201306.pdf
- BMT WBM (2013) *Narrabeen Lagoon Flood Study 2013*, prepared for Warringah and Pittwater Council. Adopted by Pittwater Council on 4 November 2013. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/196_00452230.001.pdf
- Pittwater Council (2014) *Pittwater Public Space and Recreation Strategy 2014*. Adopted by Pittwater Council on 13 October 2014. http://www.pittwater.nsw.gov.au/recreation/parks_and_reserves/public_space_and_recreation_strategy
- Pittwater Council (2014), *Draft Warriewood Valley Section 94 Contributions Plan (Plan No.15 Amendment No.16) (Revision No.1)*. Exhibited from 19 April to 3 June 2014. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/0AA_00461450.068.pdf
- Pittwater Council (2014) *Draft Warriewood Valley Urban Release Area Landscape Masterplan and Design Guidelines (Public Domain)*. Exhibited from 19 April to 3 June 2014. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/095_0047C28B.002.pdf
- Don Fox Planning Consultants (2014) *Assessment of Planning Proposal at 6 Jacksons Road, and 3, 6, 8, 10 and 12 Boondah Road*, prepared for Pittwater Council. Reported to Council on 17 March 2014. http://portal.pittwater.nsw.gov.au/Temp/ViewedDocs/09E_00476AEC.001.pdf



SUBJECT: Outcome of Public Exhibition of Warriewood Valley Strategic Review Addendum Report

Meeting: Sustainable Towns and Villages Committee

Date: 17 November 2014

COMMITTEE RECOMMENDATION

1. That Council note the attached Probity Report prepared by Procure Group.
2. That Council note the responses to the public exhibition process detailed in the submissions table.
3. That Council adopt the attached Warriewood Valley Strategic Review Addendum Report.
4. That Council note that the *Warriewood Valley Strategic Review Report 2012*, together with the *Warriewood Valley Strategic Review Addendum Report 2014*, supersedes the *Warriewood Valley Planning Framework 2010*.
5. That Council agree to forward the attached Planning Proposal to Department of Planning and Environment for Gateway Determination to amend *Pittwater Local Environmental Plan 2014* as follows:
 - Amend the Urban Release Area Map to:
 - Remove Sectors 201, 204, and 702
 - Identify Sectors 202, 203, 802 and 10C as new sectors
 - Identify Sector 3 and Buffer Area 2 as one sector, labelled "Buffer Area 2"
 - Identify Sector 172 and Southern Buffer as one sector, labelled "Southern Buffer"
 - Identify the properties 120 and 122 Mona Vale Road as Sectors 120 and 122 respectively
 - Amend boundary of Sector 901H to identify only the battle-axe portion.
 - Amend the Land Zoning Map to rezone:
 - Sector 901H (battle-axe portion only) to R3 Medium Density Residential
 - Sector 802 (5 Forest Road) be rezoned SP2 Educational Establishment
 - Amend the Lot Size Map to:
 - Remove minimum lot size applying to Sector 901H (battle-axe portion only)
 - Remove minimum lot size applying to Sector 801
 - Amend the Height of Buildings Map to:
 - Apply a 10.5 metre height limit to Sector 901H (battle-axe portion only)
 - Amend Clause 6.1(3) to:
 - Identify Sectors 901C and 901G together.
 - Allocate Sector 202 a yield of not more than 1 dwelling.
 - Allocate Sector 901H (battle-axe portion only) a yield not more than 3 dwellings.
 - Allocate Sector 10C a yield of not more than 17 dwellings.
6. That those landowners whose properties will be subject to the Planning Proposal be advised of Council's decision in regard to recommendation 5.

7. That a review of Pittwater 21 Development Control Plan be undertaken to ensure that it enables developments at a density of 32 dwellings per developable hectare. In addition, control C6.15 is to be amended to specifically identify 23B Macpherson Street (Sector 801) as the location for the Focal Neighbourhood Centre.
8. That landowners of properties within Sector 901A be advised of the pro-rata allocation specified in Table 6 of the attached Addendum Report.
9. That any person or organisation who made a submission to the draft Warriewood Valley Addendum Report be advised of Council's decision.
10. That a public notice be published in the Manly Daily notifying of the adoption of Warriewood Valley Strategic Review Addendum Report.

(Cr Grace / Cr Ferguson)

Notes:

1. Cr Hegarty left the meeting at 8.56pm and returned at 9.08pm, having declared a significant non-pecuniary interest in Item C12.6 – Outcome of Public Exhibition of Warriewood Valley Strategic Review Addendum Report - and took no part in discussion and voting on this item. The reason provided by Cr Hegarty was:

"My mother is a landowner in the Warriewood Valley area."

5. Cr Millar had declared a less than significant non-pecuniary interest in Item C12.6 – Outcome of Public Exhibition of Warriewood Valley Strategic Review Addendum Report, and elected to remain in the meeting and to take part in discussion and voting on this item. The reason provided by Cr Millar was:

"I live in Warriewood Valley which does not preclude me from debate."

SUBJECT: Outcome of Public Exhibition of Warriewood Valley Strategic Review Addendum Report

Meeting: Sustainable Towns and Villages Committee

Date: 17 November 2014

STRATEGY: Land Use & Development

ACTION: Implement recommendations from the Warriewood Valley Strategic Review.

PURPOSE OF REPORT

- To inform Council of the outcome of the public exhibition of the draft Warriewood Valley Strategic Review Addendum Report (Addendum Report).
 - Address issues raised in submissions.
 - Recommend the adoption of a revised Warriewood Valley Strategic Review Addendum Report (**tabled separately**).
 - Commence the Planning Proposal process for specific lands identified in the Warriewood Valley Strategic Review Addendum Report to amend *Pittwater Local Environmental Plan 2014*.
 - Inform Council and stakeholders of the Probity Report (**tabled separately**) prepared by Procure Group, engaged to oversee the governance issues regarding the Addendum Report process.
-

1.0 BACKGROUND

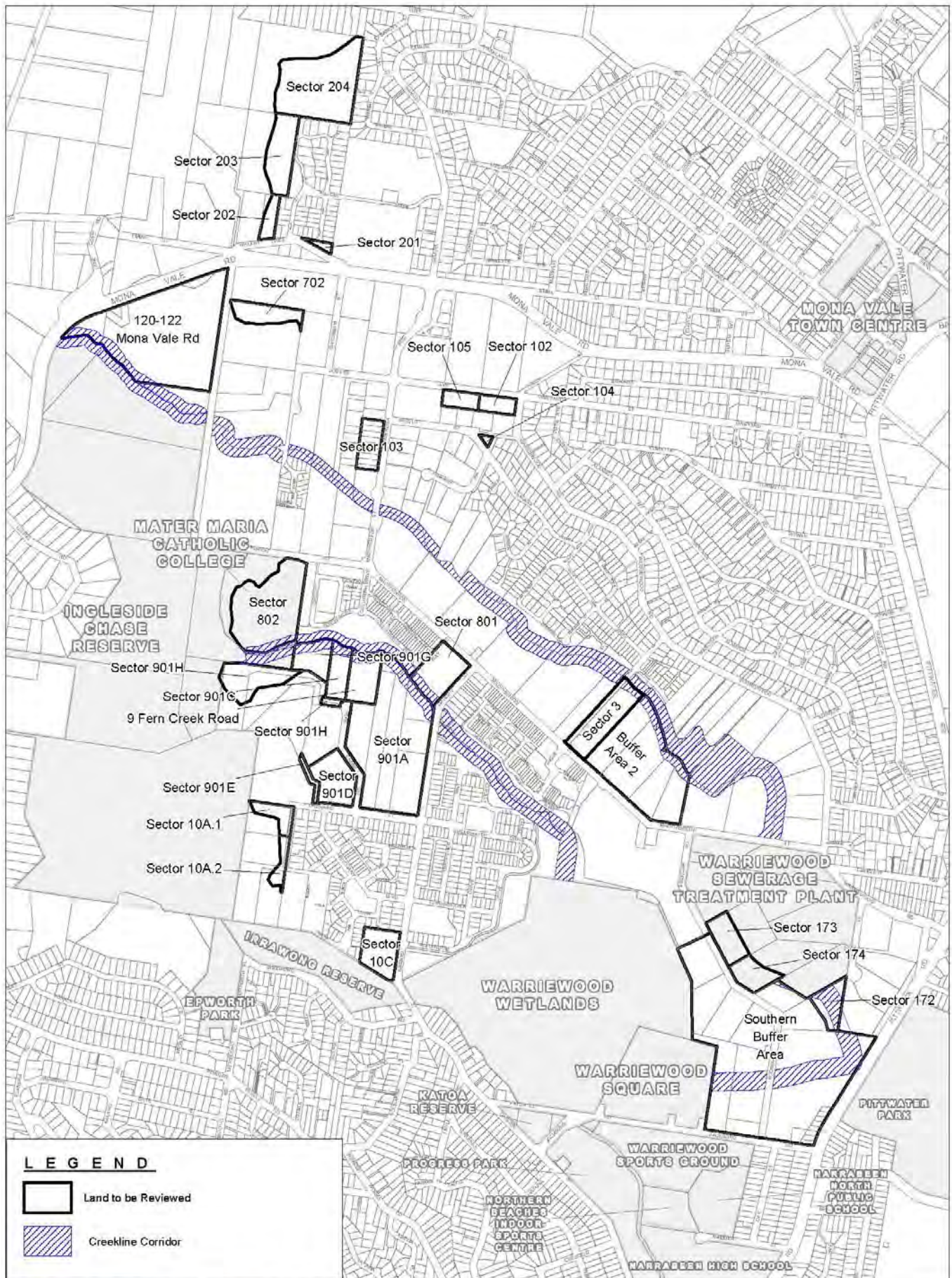
1.1 At its meeting of 12 June 2013, Council adopted the *Warriewood Valley Strategic Review Report 2012* (2012 Strategic Review). Concurrently, Council resolved, inter alia:

“13. That a future report be provided to Council following a review of the following documents relating to Warriewood Valley:

- *Warriewood Valley Water Management Strategy*
- *Warriewood Valley Water Management Specification, following release of the Narrabeen Lagoon Flood Study update*
- *Applicable development controls within Pittwater 21 Development Control Plan*
- *Warriewood Valley Section 94 Contributions Plan, Roads Masterplan and Landscape Masterplan (Public Domain)*
- *Warriewood Valley Planning Framework 2010 in relation to the Southern Buffer lands and those lands not covered under the Strategic Review*
- *Narrabeen Lagoon Floodplain Risk Management Study & Plan”*

- 1.2 The draft Addendum Report has been prepared in accordance with the Council resolution of 12 June 2013. All lands not provided with a forward path by the 2012 Strategic Review, including the Southern Buffer have been addressed under the Addendum Report.
- 1.3 In addition, some lands not discussed under the 2012 Strategic Review as they were considered to be developed at the time have been included in the Addendum Report to ensure a forward path has been afforded for all properties within the Release Area.
- 1.4 The lands subject to this review are identified in Map 1.
- 1.5 At its meeting of 2 June 2014, Council resolved to publicly exhibit the draft Warriewood Valley Strategic Review Addendum Report (draft Addendum Report) and associated base map layers for 28 days (see Attachment 1).

Map 1: Lands subject to further review



2.0 PUBLIC EXHIBITION PROCESS

- 2.1 The draft Addendum Report was publicly exhibited for 28 days from 10 June 2014 to 7 July 2014. All affected landowners and the Warriewood Residents Association were notified by letter and invited to comment on the draft report.
- 2.2 The exhibition of the draft Addendum Report was advertised in the Manly Daily on 28 June 2014. Information on the draft Addendum Report and exhibition details were published on Council's website and copies of exhibited documents made available at Council's Customer Service Centres and Mona Vale and Avalon libraries.
- 2.3 As part of the exhibition process, affected land owners were invited to meet with Council staff to discuss the recommendations as they related to their property. Landowners of 3, 6, 8, 10 and 12 Boondah Road and 6 Jacksons Road (part of the Southern Buffer) met with Council staff and the Probity Advisor to discuss the recommendations of the draft Addendum Report.

3.0 PROBITY

- 3.1 Procure Group Pty Ltd was engaged as the independent probity advisor overseeing probity issues concerning the Warriewood Valley Strategic Addendum Review.
- 3.2 The Probity Advisor was present at the meeting with private landowners of the Southern Buffer, and has audited Council's review of submissions and the post-exhibition amendments to the Addendum Report.
- 3.3 With the review now complete, the final outcomes of the audit are presented in the Probity Report (**tabled separately**).

4.0 SUBMISSIONS

- 4.1 A total of two submissions were received, one from a consultant representing the private land owners of the Southern Buffer (Submission 1) and the other from Sydney Water (Submission 2). A summary of all submissions received and Council's responses are contained in **Attachment 2**.
- 4.2 The main concerns identified in the submission from the private land owners of the Southern Buffer are as follows:
 - The lack of regard for the Planning Proposal (PP0007/13), which envisaged a large mixed use development comprising retail, commercial and residential uses for part of the land in the Southern Buffer. This application is still awaiting determination by the Department of Planning and Environment (DPE) under the Pre-Gateway Process.
 - The influence the draft Warriewood Valley Section 94 Contributions Plan had on the recommendations for the Southern Buffer lands provided in the Addendum Report.
 - That Council has disregarded proper planning processes.
 - The change in the recommended forward path for the privately owned land in the Southern Buffer from the recommendation of the 2012 Strategic Review.
 - The lack of supportive investigations in the Addendum Report relating to the change in land use designation.
 - The lack of participation by the DPE in the preparation of the draft Addendum Report and the level of consideration given to the Planning Assessment Commission's (PAC) recommendations in the determination of the development application for 14-18 Boondah Road, Warriewood.
 - Lack of consideration for proposals that provide employment generating development that address the constraints of the land.
 - Lack of regard for loss of employment generating land.
- 4.3 The response from Sydney Water was one of support, provided that the zoning of their land was not altered.

5.0 RESPONSE TO MAIN ISSUES RAISED IN SUBMISSIONS

5.1 The draft Addendum Report recommends, for the privately owned land in the Southern Buffer, the following:

- Alter the land use designation from 'Employment Generating' to 'Recreation' for 3, 6, 8, 10 and 12 Boondah Road.
- Alter the land use designation from 'Employment Generating' to 'No Development Potential' for 6 Jacksons Road.

Regardless of the land use designation, the privately owned land within the Southern Buffer is currently zoned RU2 Rural Landscape and will remain as such. Any development that is permissible within the RU2 zone will continue to remain permissible.

5.2 A summary of Council's response to the main concerns raised in Submission 1 are provided below.

- Council, based on the assessment and recommendations of independent consultant Don Fox Planning, refused the Planning Proposal PP0007/13. To date, the request by the applicant for a Pre-Gateway Review has not been determined by the DPE. The draft Addendum Report was prepared in accordance with Council's resolution of 12 June 2013. The finalisation of the Addendum Report by Council must not be subservient to any request for a Pre-Gateway Review.
- The concerns relating to the draft Warriewood Valley Section 94 Contributions Plan noted. The draft Section 94 Plan was the subject of a separate public exhibition earlier this year. The Addendum Report, as revised, justifies the strategic planning merit for designating land in the Southern Buffer for "Recreation", which is consistent with the Planning Proposal assessment and some of the findings of the 2012 Strategic Review process.
- Council has completed the Addendum Report in a transparent manner. Council has engaged an independent probity advisor to oversee the process. Council exhibited the draft Addendum Report for public comment for 28 days and provided affected landowners with the opportunity to meet with Council staff to discuss the recommendations. During the exhibition Council also made available all supporting documentation.
- Pittwater Local Planning Strategy 2011 recommended that further investigations be carried out to determine the likely opportunity for a new mixed use centre in the Southern Buffer area. This was investigated twice. Firstly through the Warriewood Valley Strategic Review 2012 which found no forward path for the sector and secondly, in the assessment of a Planning Proposal (PP0007/13) which found that a mixed use centre was not appropriate for these properties.
- Council staff updated the draft Addendum Report articulating why the change in land use designation was appropriate for the Southern Buffer lands.
- Council has conducted the review of the remaining undeveloped land within the Release Area in accordance with Council's resolution of 12 June 2013. The PAC's determination and the DPE participation in the process was obviated when the 2012 Strategic Review was completed and endorsed by the then Director General of Planning and Infrastructure and adopted by Council.
- The potential for employment generating development in the Southern Buffer was tested through the assessment of the Planning Proposal PP0007/13. It was found that a mixed-use development comprising commercial, retail and residential floor space was not a suitable land use given the prevailing constraints. Employment and retail matters are a Sydney Metropolitan subregional issue that will be addressed in the upcoming round of strategic discussions with Council's subregional partners.
- The Addendum Report is limited to the Warriewood Valley Release Area (Release Area). The role of the Addendum Report is not to resolve the retail and employment issues for the subregion within the Sydney Metropolitan area or the Pittwater Local Government Area. Rather the Addendum Report seeks to provide an appropriate

forward path for the land in Warriewood Valley not afforded a forward path under the 2012 Strategic Review.

- 5.3 Additionally, a review of the extent of flood affectation was subsequently sought of Cardno regarding the appropriate future land use for these sites. Cardno confirmed that the majority of the land is severely flood affected and reaffirmed its use being limited to recreational activities. The review took into account the findings of the updated *Narrabeen Lagoon Flood Study 2013*. This updated flood information completed after the 2012 Strategic Review, combined with the previous assessments resulted in the recommended change to the land use designation for this land.
- 5.4 Given the analysis by Cardno and the assessment by Don Fox Planning, it is considered that the Southern Buffer area is best utilised for recreation purposes. Further consideration of this use will occur under the Section 94 Plan review. At this stage the quantum of recreation land needed and the location of facilities has not yet been finalised. Given this, the Addendum Report only recommends a change to the land use designation. It is expected that negotiations which may result in the rezoning of part or all of the land will occur at a later stage.

6.0 AMENDMENTS TO EXHIBITED ADDENDUM REPORT

6.1 Articulation of studies that informed the constraints and opportunities mapping

- 6.1.1 *Bushfire Prone Lands Map for Pittwater 2013* and *Narrabeen Lagoon Flood Study 2013*, adopted after the 2012 Strategic Review, resulted in the bushfire and flooding map layers being updated for the draft Addendum Report.
- 6.1.2 At its meeting of 13 October 2014, Council adopted the *Pittwater Public Space and Recreation Strategy 2014*.
- 6.1.3 The Addendum Report has been revised to articulate the origin of these updated maps and the relationship of the *Pittwater Public Space and Recreation Strategy 2014* to this review.
- 6.1.4 In response to a submission, the flood affectation of the Southern Buffer lands were further reviewed by Cardno based on the adopted *Narrabeen Lagoon Flood Study 2013*. Cardno concluded that the land was severely flood affected, and retained its Category F classification, which recommends the uses being limited to recreational activities.

6.2 Minor errors

- 6.2.1 Council at its meeting of 2 June 2014 resolved inter alia:
- “2. *That the draft Warriewood Valley Strategic Review Addendum Report (tabled separately) be placed on public exhibition for 28 days with Map 5 on page 31 being amended in relation to Sector 802 to indicate that the Mater Maria School land has nil residential development potential...*
5. *That subject to item 5.3.2 Recommended Land Use Designation at Page 28 of the Warriewood Valley Strategic Review Addendum Report being amended to recommend that there is no development potential for 6 Jackson Road within the Southern Buffer.*”
- 6.2.2 The exhibited Addendum Report incorporated the above changes.
- 6.2.3 Other minor typographical and grammatical errors identified in the exhibited Addendum Report have now been corrected.

7.0 OTHER POST-EXHIBITION AMENDMENTS TO PROVIDE CLARITY & CERTAINTY FOR FUTURE DEVELOPMENT

7.1 Following the exhibition of the draft Addendum Report, it was realised that there were anomalies with sectors that had been included in the 2012 Strategic Review Report or were considered developed however needed to be addressed further. These issues related to ambiguity in dwelling yields, the location of the Focal Neighbourhood Centre and sector labelling.

7.2 Sector 901A pro-rata dwelling yield allocation

7.2.1 To provide clarity and certainty in relation to the development opportunities for individual parcels within Sector 901A, the pro-rata dwelling yield allocation for each parcel has been calculated. The pro-rata allocation is in accordance with the agreed density for the sector under the 2012 Strategic Review.

7.2.2 The 2012 Strategic Review allocated Sector 901A a density of 32 dwellings per developable hectare with the maximum yield being 192 dwellings. The Strategic Review 2012 allows individual properties to develop to this density. The sector is comprised of eleven properties in fragmented ownership.

7.2.3 Given that individual properties in this sector can develop on their own, a pro-rata yield allocation based on the individual properties' area has been calculated (see table below).

Address	Minimum Yield	Maximum Yield
9 Fern Creek Road	0	0
13 Fern Creek Road	2	2
6 Orchard Street	39	48
6A Orchard Street		
4 Orchard Street	27	33
4A Orchard Street		
206 Garden Street	8	10
204 Garden Street	18	23
2 Orchard Street	35	43
2A Orchard Street		
10 Fern Creek Road	27	33
TOTAL	156	192

7.2.4 9 Fern Creek Road was afforded a yield of 0 dwellings as it was purchased by the Council for open space purposes. The Addendum Report recommends that the land use designation be 'Recreation', consistent with the intent for which it was purchased. It is acknowledged that separate discussions are being had with adjoining landowners that may result in an alternative open space configuration within this sector.

7.3 Location of the Focal Neighbourhood Centre

7.3.1 Sector 801, also known as 23B Macpherson Street, was identified in the 2010 Planning Framework as the preferred location for the Focal Neighbourhood Centre.

7.3.2 In recognition that construction of the Focal Neighbourhood Centre has now commenced within Sector 801, the Addendum Report recommends that this sector have a dual land use designation, 'Residential Medium Density' and 'Focal Neighbourhood Centre.'

7.4 Labelling of Sector 901C and 901G

7.4.1 In recognition of the ownership of Sector 901C and Sector 901G and Council's decision of 12 June 2013 relating to the rezoning of these properties, it is recommended that the *Pittwater Local Environmental Plan 2014* (PLEP 2014) be amended to identify Sector 901C and 901G together and combined dwelling yield be provided to encourage two properties to be developed together.

7.5 Labelling of Sector 3 and Buffer Area 2

7.5.1 Sector 3 and Buffer Area 2 were excluded from discussion under the 2012 Strategic Review as they were considered to be developed, with the Anglican Retirement Village straddling the two sectors. The PLEP 2014 identifies both Sector 3 and Buffer Area 2 and allocates a yield reflective of the 2010 Planning Framework.

7.5.2 The Addendum Report recommends that the PLEP 2014 be amended to amalgamate the sectors and rename them as Buffer Area 2, reflecting the current development.

8.0 OUTCOMES OF THE ADDENDUM REPORT

8.1 The Addendum Report recommends the following:

8.1.1 The yields for specific sectors are to be altered. This will result in an additional 17 dwellings.

The following yields are recommended:

- Sector 202 – Reduced from 4 to 1 dwelling (-3).
- Sector 203 – Allocated 4 dwellings, consistent with the masterplan yield identified (0).
- Sector 901H (battle-axe portion only) – Allocated 3 dwellings (+3).
- Sector 10C – Allocated 17 dwellings (+17).

8.1.2 The area of the Release Area is to be reduced from approximately 199 hectares to 195 hectares. This is due to the following sectors being removed from the Release Area:

- Sectors 201 and 204 (originally part of Sector 20)
- Sectors 10A.1 and 10A.2 (originally part of Sector 10)
- Sectors 173 and 174 (originally part of Southern Buffer)
- Sector 702 (originally part of Sector 7)

Additionally the sector boundary of Sector 901H is to be modified to identify only the battle-axe portion of the sector as 901H. This will result in the majority of the original 901H Sector being removed from the Release Area.

8.1.3 Sector 3 and Buffer Area 2 are to be amalgamated (re-labelled Buffer Area 2) and Sector 172 and Southern Buffer are to be amalgamated (re-labelled Southern Buffer).

8.1.4 Sectors 202, 203, 802 and 10C are to be identified as new sectors. 120 and 122 Mona Vale Road are to be identified as Sectors 120 and 122 respectively.

8.1.5 For the majority of sectors within the Release Area, the land use designations under the 2010 Planning Framework have been translated to a contemporary land use designation based on the sectors' current density. For the remaining sectors, based on the review, the following land use designations are recommended:

- 801 – ‘Residential – Medium Density’ and ‘Focal Neighbourhood Centre’ (previously ‘Medium Density Residential’)
 - 802 – ‘Infrastructure’ (previously ‘Medium Density Residential’)
 - 9 Fern Creek Road – ‘Recreation’ (previously ‘Mixed Residential’)
 - 901H (Battle-axe handles only) – ‘Residential – Medium Density’ (previously ‘Mixed Residential’)
 - 120 Mona Vale Road – ‘Residential – Low Density’ (not included in Release Area under 2010 Planning Framework)
 - 122 Mona Vale Road – ‘Conservation’ (not included in Release Area under 2010 Planning Framework)
 - 172 – ‘Recreation’ (previously ‘Conservation/Open Space’)
 - Southern Buffer – ‘Recreation’ (previously ‘Employment Generating’)
 - 1 Boondah Road – ‘Infrastructure’ (previously ‘Employment Generating’).
 - 6 Jacksons Road – ‘No development potential’ (previously ‘Employment Generating’).
- 8.1.6 Revised Sector 901H (battle-axe portion only) be rezoned R3 Medium Density Residential and Sector 802 be rezoned SP2 Educational Establishment.
- 8.1.7 Clause 6.2 of the PLEP 2014 is to be amended to identify Sectors 901C and 901G together and allocated a combined dwelling yield.
- 8.1.8 Pittwater 21 DCP be reviewed to ensure that it facilitates quality and compliant housing developments at 32 dwellings per hectare and that Control C6.15 of Pittwater 21 DCP be amended to specifically identify 23B Macpherson Street (Sector 801) as the location for the Focal Neighbourhood Centre.

9.0 RECOMMENDED AMENDMENTS TO PITTWATER 21 DCP

9.1 Amendments to facilitate quality and compliant medium density housing

- 9.1.1 The 2012 Strategic Review allowed individual parcels to develop individually at a density of up to 32 dwellings per developable hectare. At this density, the typical housing form is townhouses, terrace housing and low-rise residential flat buildings. However recent experience demonstrates a trend in land subdivision proposals for lots less than 300m².
- 9.1.2 The current housing controls in Pittwater 21 DCP have been developed for lots greater than 400m². To ensure that development at 32 dwellings per hectare can be achieved, the Addendum Report recommends a future review of the applicable DCP controls to ensure that the planning controls cater subsequent dwellings on these smaller lot sizes.

9.2 Location of the Focal Neighbourhood Centre

- 9.2.1 Currently Control C6.15 discusses the location of the Focal Neighbourhood Centre in general terms. Given that development approval has been granted and construction has commenced of the Focal Neighbourhood Centre at 23B Macpherson Street (Sector 801), it is recommended that this control be amended to specifically the location of the Focal Neighbourhood Centre as 23B Macpherson Street.

10.0 INFRASTRUCTURE CONSIDERATIONS

- 10.1 Preliminary analysis indicates that this minor increase in dwelling yield expected for the Release Area (additional 17 dwellings) can be accommodated within the *Warriewood Valley Section 94 Contributions Plan*. Nonetheless, it is recommended that the draft Section 94 Plan be revised to account for the increased dwelling yield and resultant infrastructure and service requirements

11.0 FORWARD PATH

11.1 Relationship to 2012 Strategic Review Report and status of 2010 Planning Framework

11.1.1 If adopted the *Warriewood Valley Strategic Review Addendum Report 2014* will provide the forward path for those sectors not provided with a forward path in the *Warriewood Valley Strategic Review Report 2012*.

11.1.2 The *Warriewood Valley Strategic Review Report 2012*, together with the *Warriewood Valley Strategic Review Addendum Report 2014*, will become the contemporary planning strategies for the Release Area. Together, these reports will supersede the *Warriewood Valley Planning Framework 2010*.

11.2 Progression of Planning Proposal

11.2.1 If Council agrees, the Planning Proposal prepared in accordance with the recommendations of the Addendum Report (see **Attachment 3**), will be forwarded to the DPE to formally commence the LEP amendment process.

11.2.2 On receipt of a Gateway Determination, the Planning Proposal will be formally exhibited.

11.2.3 The outcomes of the public exhibition of the Planning Proposal will be the subject of a future report to Council.

11.3 Amendment to draft Warriewood Valley Section 94 Contributions Plan

11.3.1 Given the minor increase in dwelling yield of 17, the *Warriewood Valley Section 94 Contributions Plan* will need to be revised to account for the increased dwelling yield and resultant infrastructure and service requirements.

11.4 Amendments to Pittwater 21 DCP

11.4.1 Given the issues with the current controls facilitating development at a density of 32 dwellings per developable hectare, Pittwater 21 DCP is to be amended to facilitate quality and compliant developments at 32 dwellings per developable hectare.

11.4.2 To reflect the location of the approved Focal Neighbourhood Centre at 23B Macpherson Street, control C6.15 of Pittwater 21 DCP is to be amended.

12.0 SUSTAINABILITY ASSESSMENT

12.1 Supporting & Connecting our Community (Social)

The Warriewood Valley Strategic Review Addendum Report takes into consideration infrastructure, land capacity, urban form, social fabric and the area's current character.

12.2 Valuing & Caring for our Natural Environment (Environmental)

The Warriewood Valley Strategic Review Addendum Report will enable the conservation of bushland, waterways and biodiversity.

12.3 Enhancing our Working & Learning (Economic)

The Warriewood Valley Strategic Review Addendum Report continues the orderly planned development of the Warriewood Valley Release Area, to ensure the delivery of a viable land release.

12.4 Leading an Effective & Collaborative Council (Governance)

Landowner and community participation was facilitated during the exhibition of the draft Warriewood Valley Strategic Review Addendum Report to ensure that decision making is ethical, accountable and transparent. A probity advisor was also engaged to oversee the process and has prepared a Property Report, which provides an audit of the governance arrangements.

12.5 Integrating our Built Environment (Infrastructure)

The Warriewood Valley Strategic Review Addendum Report will, if adopted, continue to enhance the liveability and amenity of the Warriewood Valley Release Area by locating an appropriate mix of land uses and development and providing associated infrastructure through reasonable developer contribution rates.

13.0 EXECUTIVE SUMMARY

- 13.1 The draft Warriewood Valley Strategic Review Addendum Report was placed on public exhibition for 28 days, from 10 June 2014 to 7 July 2014, in accordance with Council's resolution of 2 June 2014.
- 13.2 The issues raised in the two (2) submissions are addressed in the submissions table (**Attachment 2**).
- 13.3 A revised Warriewood Valley Strategic Review Addendum Report (**tabled separately**) has been prepared following consideration of the issues raised in submissions and other issues identified following the exhibition process.
- 13.4 The Addendum Report recommends amendments to the current Release Area boundary, certain sector boundaries, and land use designations for particular sectors. In addition the Addendum Report recommends changes to some sector yields, resulting in an additional 17 dwellings expected within the Release Area.
- 13.5 A draft Planning Proposal has been prepared to amend the *Pittwater Local Environmental Plan 2014* to reflect the recommendations of the revised Warriewood Valley Strategic Review Addendum Report (see **Attachment 3**).
- 13.6 If adopted, *Warriewood Valley Strategic Review Report 2012*, together with the *Warriewood Valley Strategic Review Addendum Report 2014*, will become the contemporary planning strategies for the Release Area. Together, these reports will supersede the *Warriewood Valley Planning Framework 2010*.
-

RECOMMENDATION

1. That Council note the attached Probity Report prepared by Procure Group (**tabled separately**).
2. That Council note the responses to the public exhibition process detailed in the submissions table (**Attachment 2**).
3. That Council adopt the attached Warriewood Valley Strategic Review Addendum Report (**tabled separately**).
4. That Council note that the *Warriewood Valley Strategic Review Report 2012*, together with the *Warriewood Valley Strategic Review Addendum Report 2014*, supersedes the *Warriewood Valley Planning Framework 2010*.
5. That Council agree to forward to the attached Planning Proposal to Department of Planning and Environment for Gateway Determination (**Attachment 3**) to amend *Pittwater Local Environmental Plan 2014* as follows:
 - Amend the Urban Release Area Map to:
 - Remove Sectors 201, 204, and 702
 - Identify Sectors 202, 203, 802 and 10C as new sectors
 - Identify Sector 3 and Buffer Area 2 as one sector, labelled "Buffer Area 2"
 - Identify Sector 172 and Southern Buffer as one sector, labelled "Southern Buffer"

- Identify the properties 120 and 122 Mona Vale Road as Sectors 120 and 122 respectively
 - Amend boundary of Sector 901H to identify only the battle-axe portion.
 - Amend the Land Zoning Map to rezone:
 - Sector 901H (battle-axe portion only) to R3 Medium Density Residential
 - Sector 802 (5 Forest Road) be rezoned SP2 Educational Establishment
 - Amend the Lot Size Map to:
 - Remove minimum lot size applying to Sector 901H (battle-axe portion only)
 - Remove minimum lot size applying to Sector 801
 - Amend the Height of Buildings Map to:
 - Apply a 10.5 metre height limit to Sector 901H (battle-axe portion only)
 - Amend Clause 6.1(3) to:
 - Identify Sectors 901C and 901G together.
 - Allocate Sector 202 a yield of not more than 1 dwelling.
 - Allocate Sector 901H (battle-axe portion only) a yield not more than 3 dwellings.
 - Allocate Sector 10C a yield of not more than 17 dwellings.
6. That those landowners whose properties will be subject to the Planning Proposal be advised of Council's decision in regard to recommendation 5.
 7. That a review of Pittwater 21 Development Control Plan be undertaken to ensure that it enables developments at a density of 32 dwellings per developable hectare. In addition, control C6.15 is to be amended to specifically identify 23B Macpherson Street (Sector 801) as the location for the Focal Neighbourhood Centre.
 8. That landowners of properties within Sector 901A be advised of the pro-rata allocation specified in Table 6 of the attached Addendum Report.
 9. That any person or organisation who made a submission to the draft Warriewood Valley Addendum Report be advised of Council's decision.
 10. That a public notice be published in the Manly Daily notifying of the adoption of Warriewood Valley Strategic Review Addendum Report.

Report prepared by

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MANAGER, PLANNING & ASSESSMENT

MINUTE ITEM

C10.2 Draft Warriewood Valley Strategic Review Addendum Report

Meeting: Natural Environment Committee

Date: 2 June 2014

COMMITTEE RECOMMENDATION

1. That Council note the contents of this report.
2. That the draft *Warriewood Valley Strategic Review Addendum Report* (tabled separately) be placed on public exhibition for 28 days with Map 5 on page 31 being amended in relation to Sector 802 to indicate that the Mater Maria School land has nil residential development potential.
3. That prior to the public exhibition commencing, all effected land owners and the Warriewood Residents Association be invited to meet with Council staff during the public exhibition period to discuss the recommendations of the draft *Warriewood Valley Strategic Review Addendum Report*.
4. That a future report on the outcomes of the public exhibition, including a Planning Proposal to bring into effect the draft *Warriewood Valley Strategic Review Addendum Report*, be presented to Council for further consideration.
5. That subject to item 5.3.2 *Recommended Land Use Designation* at Page 28 of the *Warriewood Valley Strategic Review Addendum Report* being amended to recommend that there is no development potential for 6 Jackson Road within the Southern Buffer.

(Cr Hegarty / Cr Griffith)

Submission Number	Summary of Comment	Response
1	Concern was raised in relation to the change in land use designation and inconsistencies with the Pittwater Local Planning Strategy 2011 and Warriewood Valley Strategic Review Report 2012 (2012 Strategic Review).	Concern regarding the change in land use designation is noted. Pittwater Local Planning Strategy 2011 identified the development of the Southern Buffer an option, among others, to potentially meet Pittwater's projected retail floor space demand. It supported the further investigation of an option for a new centre in the Southern Buffer. Since the adoption of the Pittwater Local Planning Strategy 2011, the option for a new town centre in the Southern Buffer area was investigated twice, firstly via the Warriewood Valley Strategic Review 2012 process with the Department of Planning and Infrastructure and then through an independent assessment of the Planning Proposal lodged on behalf of the land owners. The 2012 Strategic Review investigated development opportunities for the Southern Buffer (including Sectors 172, 173 and 174) however due to the significant environmental constraints and divergent landowner expectations, no future land use was recommended for this area. Development opportunities were tested on a second occasion through the assessment of the Planning Proposal PP0007/13 by Don Fox Planning earlier this year. Don Fox Planning recommended that the mixed use centre, as proposed, should not be supported by the Council. Council endorsed this recommendation on 17 March 2014.
	Concern relating to the lack of supportive investigations in the draft Warriewood Valley Strategic Review Addendum Report (Addendum Report).	Chapter 3 of the draft Addendum Report outlines the processes undertaken to complete the review, one of which relates to the investigation of environmental affectations. Since the completion of the 2012 Strategic Review, Council's flood and bushfire mapping has been updated. Data from the Narrabeen Flood Study (adopted by Council in November 2013) and the Pittwater 2013 Bush Fire Prone Land Map (certified by the Rural Fire Service in June 2013) was used to update the Composite Capability Map originally produced for the 2012 Strategic Review.

Submission Number	Summary of Comment	Response
		The draft Addendum Report also relies on the environmental studies undertaken for the 2012 Strategic Review, as well as the outcomes of the recent review of the Pittwater Open Space and Recreation Strategy and Don Fox Planning's assessment of the Planning Proposal for the privately owned lands in the Southern Buffer (PP0007/13). Nonetheless, the Addendum Report has been revised to clearly articulate the origin of the studies that informed the Composite Capability Map, and the justifications supporting the Addendum Report's recommendations.
	Concern relating to the Department of Planning and Environment's level of involvement in the preparation of the draft Addendum Report, and inconsistencies with the Planning Assessment Commission's (PAC) recommendations in relation to the Southern Buffer in its determination of the development at 79-91 Macpherson Street, Warriewood.	The statement that the draft Addendum Report is inconsistent with the direction outlined in the PAC's determination report is incorrect. The recommendations of the PAC were for Council and the then Department of Planning and Infrastructure to undertake a comprehensive strategic study of the dwelling densities, height controls, the current transport network and necessary improvement works, and infrastructure demands for Warriewood Valley. The Warriewood Valley Strategic Review Report was completed in 2012, endorsed by the Director General of the then Department of Planning and Infrastructure and adopted by Council in 2013. The adopted 2012 Strategic Review Report, in taking into consideration the extent of environmental constraints and level of opposition from the community and landowners to the exhibited draft concept plan, identified no forward path for the Southern Buffer. Concurrent to Council adopting the 2012 Strategic Review Report, Council resolved to review lands not afforded a forward path under the 2012 Strategic Review Report. The Department of Planning and Infrastructure completed their participation once the 2012 Strategic Review had been completed. The PAC's directions insofar as it relates to the draft Addendum Report are now obviated.

Submission Number	Summary of Comment	Response
	Concern relating to the Council exercising planning powers that are contrary to the <i>Environmental Planning and Assessment Act 1979</i>.	The draft Addendum Report is a local strategy for a release area, prepared in accordance with the <i>Environmental Planning and Assessment Act 1979</i>. The report has been placed on public exhibition and a Probity Advisor has been engaged to ensure transparency in the process. The preparation of the draft Addendum Report was under Council's direction, through its resolution of 12 June 2013 including the review of infrastructure requirements for the Release Area, providing clear directions and transparency in Council's decision. The review of documents specific to Warriewood Valley commenced after Council's adoption of the 2012 Strategic Review Report in June 2013. These documents were reported to Council as they were finalised. Council has undertaken these investigations in a consistent manner to ensure that all recommendations under these documents are aligned.
	Concern raised in relation to the time and money spent in the preparation of the Planning Proposal for the private lands in the Southern Buffer (PP0007/13) which was refused.	The adopted 2012 Strategic Review invited landowners in the Southern Buffer to submit a Planning Proposal for their lands, either collectively or individually, and required all relevant constraints identified for all lands (in the 2012 Strategic Review) be addressed. A Planning Proposal was lodged by the private landowners in the Southern Buffer in late 2013. This was independently assessed by Don Fox Planning who recommended that the proposal not proceed to a Gateway Determination. Council, in considering Don Fox Planning's assessment and agreed with its recommendations, resolved to not support the progression of the Planning Proposal. The time and money spent by private landowners in preparing the Planning Proposal is noted. Nonetheless, Council has made a decision for the Planning Proposal, separate to the Addendum Report.

Submission Number	Summary of Comment	Response
	Suggestion that Council in exercising its planning powers has acted contrary to the objectives of the <i>Environmental Planning and Assessment Act 1979</i> and the State government's objectives in relation to strategic planning and Planning Proposals.	Council objects to this suggestion. The Addendum Review has been undertaken in accordance with the objectives of the <i>Environmental Planning and Assessment Act 1979</i>. The lodgement of Planning Proposal PP0007/13 coincided with the review of a number of strategic documents applying to Warriewood Valley. Council engaged Don Fox Planning to assess the application, to ensure a fair and transparent assessment occurred.
	Claim that draft Warriewood Valley Section 94 Plan and draft Addendum Report effectively 'down zone' and sterilise the privately owned lands in the Southern Buffer from development. Claim that Council's actions seek to circumvent the Gateway process and are improper and deny procedural fairness.	The draft Warriewood Valley Section 94 Plan and draft Addendum Report do not recommend any change to the zoning of the land in the Southern Buffer. Any change in zoning would be subject to a Council resolution to commence the rezoning process. The privately owned land in the Southern Buffer is zoned under Pittwater Local Environmental Plan 2014 as RU2 Rural Landscape. This zone stipulates the permissible and prohibited uses. The identification of this land for Recreation use under the revised Addendum Report, or it being identified as land for future purchase (under the exhibited draft Warriewood Valley Section 94 Plan) does not preclude the lodgement of a development application for a permissible use under the RU2 Rural Landscape zone.
	Objection to the change in land use designation from 'Employment Generating Land' to 'Recreation' and 'No Development Potential' to satisfy the need for additional open space, despite some land in the Southern Buffer being viable for development. Claim that neither the outcomes of the assessment of the Planning Proposal PP0007/13 or the Composite Capability Map within the draft Addendum Report support this change.	The objection to the proposed change to land use designation is noted. Don Fox Planning, in their assessment report, identified that these lands (subject of the Planning Proposal) may be best utilised as open space due to their environmental constraints, topography, proximity to existing recreational land and access to irrigation sources. The Composite Capability Map (in the draft Addendum Report) identifies this land as having 'Moderate' to 'Least' levels of capability.

Submission Number	Summary of Comment	Response
		Based on these factors, as well as advice from Cardno Pty Ltd, Council through the Addendum Report has identified this land most suitable for recreation use to meet the open space demand generated by the residents of Warriewood Valley. <i>Pittwater Open Space and Recreation Strategy 2014</i> (adopted by Council 13 October 2014) recommends the Release Areas (Warriewood Valley and Ingleside) are to identify suitable land for sportsfields and other open space areas to meet the demands of the incoming populations of these release areas. The justification supporting this strategic recommendation is clearly articulated in the revised Addendum Report (see Chapter 3).
	Objection to statement within the draft Addendum Report in relation to “<i>divergent landowner expectations</i>” within the Southern Buffer.	Council acknowledges the private landowner consortium prepared and lodged the Planning Proposal known as PP0007/13 for lands in the Southern Buffer. The masterplan accompanying the Planning Proposal lodged by the private landowner consortium however relied on other land within the Southern Buffer (thus agreement from landowners not in the consortium) to facilitate the development being realised. During the exhibition of the Planning Proposal these landowners objected to the proposal, voicing differing expectations for the future use of their land. During the exhibition of the draft Addendum Report, Sydney Water confirmed their expectation for their land, identical to what was expressed during the exhibition of the Planning Proposal (submission 2).
	Claim that the draft Concept Plan for the Southern Buffer within the exhibited draft Warriewood Valley Strategic Review Report was biased and optimised Council owned land.	This concern was addressed in the Warriewood Valley Strategic Review Analysis of Submissions Report and the independent probity advisor’s final Probity Report for the 2012 Strategic Review. It was found to have no bias in Council’s undertakings in relation to the Strategic Review.

Submission Number	Summary of Comment	Response
	Concern is raised regarding the weight given to the Composite Capability Mapping.	This concern is noted. Council has amended the draft Addendum Report detailing the justification and reasoning to changes in the land use designation (in Chapter 3) rather than relying on discussions within the Appendix (in the Addendum Report).
	Concern that Council has disregarded the PAC's position (outlined in their determination of the development proposal at 79-91 Macpherson Street, Warriewood) regarding environmental constraints, particularly flooding, and their impact on development potential.	It is important to point out that the PAC's statement was made in relation to a specific property and development proposal. It is misleading to suggest that the PAC's statement is applicable across the whole of the Pittwater LGA. Council acknowledges that there are constraints that may be able to be managed through design or engineering solutions; however, Council has considered the land use designation from a strategic perspective. Environmental constraints are only part of the considerations in determining the land use designation. The need for open space to meet the demand from the Warriewood Valley Release Area (Release Area) and the ability of the land in the Southern Buffer to supply this open space has also been a consideration in determining the land use designation for this land. The PAC, in their determination, recognised the need for a strategic investigation of all undeveloped sites in Warriewood Valley. The completion of the 2012 Strategic Review has satisfied this direction.
	Concerns relating to the loss of employment generating land in the Southern Buffer as a result of the change in land use designation.	The potential for employment generating development in the Southern Buffer has been tested twice; initially through the Warriewood Valley Strategic Review investigations and again through the assessment by Don Fox Planning of the Planning Proposal PP0007/13. These investigations found that a mixed-use development comprising commercial, retail and residential floor space was not a suitable land use given the prevailing constraints. The identification of suitable employment generating land in the broader Pittwater LGA will be the subject of future investigation.

Submission Number	Summary of Comment	Response
		The role of the draft Addendum Report is not to resolve the retail and employment issues for the whole of the Pittwater LGA. Rather the draft Addendum Report seeks to provide an appropriate forward path for the land not afforded one under the 2012 Strategic Review Report.
	<i>"The Draft Warriewood Valley Section 94 Contributions Plan (recently exhibited) has erroneously informed the strategy for our Client's land under the draft Addendum Report as it is not the role of a Section 94 Contributions Plan to provide strategic direction for land."</i>	Concerns relating to the draft Warriewood Valley Section 94 Plan are noted. The draft Section 94 Plan was the subject of a separate public exhibition earlier this year. The Addendum Report, as revised, has justified the strategic planning merit for designating land in the Southern Buffer for "Recreation".
	<i>"Council has ignored the Planning Proposal lodged by our Clients for the area known as the Boondah Masterplan Precinct. The Planning Proposal is still under review by the Department of Planning and Environment (DPE) and accordingly, the draft Addendum Report should not proceed until such time as the Planning Proposal is fully determined."</i>	As identified earlier, Council has directed a review of those lands not afforded a planning direction under the 2012 Strategic Review, the outcome of which is the draft Addendum Report. Additionally Council, based on Don Fox Planning's assessment and recommendation, refused the Planning Proposal lodged by the private landowners' consortium for lands in the Southern Buffer. The request for a Pre-Gateway Review, being assessed by the Department of Planning and Environment (DPE), is a separate process. The finalisation of a local strategy by Council for its release area must not be subservient to any request for a Pre-Gateway Review.
2	Supports the recommendation to remove their property 9 and 9a Boondah Road	Note the letter supporting the recommendation. This relates to sectors 173 and 174.

Submission Number	Summary of Comment	Response
	<i>“Does not support the rezoning of any land attributed to the operation and future expansion of the Warriewood SPS 0389. All remaining lots that are included within the plan for rezoning should be removed as the rezoning is unsupported by Sydney Water as the landowners.</i> <i>The current zoning appropriately accommodates the need for Sydney Water to operate the SPS and facilitate and [sic] future expansion needs required through growth in the surrounding catchment area.”</i>	The Addendum Report does not recommend changing the zoning of the land comprising the Warriewood Sewerage Treatment Plant (referenced in letter as Warriewood SPS 0389), as it is already zoned SP2 Infrastructure (Sewerage System) under Pittwater LEP 2014. Nonetheless, sectors 172 and 173 are recommended to be removed from the Release Area.



PLANNING PROPOSAL

To amend the Urban Release Area Map, Land Zoning Map, Height of Buildings Map and Minimum Lot Size Map applying to the Warriewood Valley Release Area

To introduce/amend the dwelling yield provisions applying to land within the Warriewood Valley Release Area

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PART 1: OBJECTIVES OF PLANNING PROPOSAL

The objectives of this Planning Proposal are to amend the Pittwater Local Environmental Plan 2014 to:

1. Amend the Urban Release Area Map by amending the boundary of various sectors within the Warriewood Valley Release Area, including adding and removing various sectors or parts thereof.
2. Amend the Land Zoning Map to rezone specific land.
3. Amend the Minimum Lot Size Map to remove the lot size applying to specific land.
4. Amend the Height of Buildings Map to amend the maximum height applying to specific land.
5. Amend/introduce dwelling yield provisions for sectors in the Warriewood Valley Release Area

Council's General Manager (Council's sub-delegate) seeks to exercise the LEP making powers delegated under Section 59 of the *Environmental Planning & Assessment Act 1979* in regard to this Planning Proposal. Council's General Manager requests that a Written Authorisation to Exercise Delegation be issued in regard to this Planning Proposal

PART 2: EXPLANATION OF PROVISIONS

	Proposed Amendments	Description
1	Amendments to Urban Release Area Map – Sheet URA_012	Identify land as new sector: – Battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>)
		Amend boundary of existing Sector 10 to excise 194 Garden Street (SP 22115) and identify as an individual sector (<i>Sector 10C</i>)
		Amend boundary of existing Sector 20 to: – Remove 79 Cabbage Tree Road (Lot 20 DP 632081) and 4 Walana Crescent (Lot 8 DP 1124862) from Release Area – Excise 14 Walana Crescent (Lot 367 DP 806738) and 3 Harrier Place (Lot 35 DP 1135383) from Sector 20 and identify as individual sectors (<i>Sector 202 and Sector 203</i>)
		Amend boundary of Sector 8 to excise portion of 5 Forest Road (Lot 13 DP 1083731) within Release Area and identify as an individual sector (<i>Sector 802</i>)
		Amend boundary of Sector 120-122 Mona Vale Road (Lot 3 DP 124602, Lot 5 DP 124602, Lot 4 DP 124602 and Lot 1 DP 383009) to identify the two properties as two individual sectors (<i>Sector 120 and Sector 122</i>)
		Amend width of area identified as 'Creek Line Corridor' within Buffer Area 1F to Buffer Area 1J to maximum of 25 metres on either side of the centre line of the creek.
		Amend boundary of existing Sector 3 and existing Buffer Area 2 to combine two sectors and identify as an individual sector (<i>Buffer Area 2</i>)
2	Amendments to Urban Release Area Map – Sheet URA_013	Amend boundary of existing Sector 10 to excise 194 Garden Street (SP 22115) and identify as an individual sector (<i>Sector 10C</i>)
3	Amendments to the Land Zoning Map – Sheet LZN_012	Rezone battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) from RU2 Rural Landscape to R3 Medium Density Residential.
		Rezone 5 Forest Road (Lot 13 DP 1083731) from RU2 Rural Landscape to SP2 Infrastructure (Educational Establishment)
4	Amendment to the Minimum Lot Size Map – Sheet LSZ_012	Remove minimum lot size applying to battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) that is to be zoned R3 Medium Density Residential as part of this Planning Proposal.
		Remove minimum lot size applying to 5 Forest Road (Lot 13 DP 1083731) (<i>Sector 802</i>) that is to be zoned SP2 Infrastructure (Educational Establishment) as part of this Planning Proposal.
5	Amendment to Height of Buildings Map – Sheet HOB_012	Alter maximum height applying to battle-axe portion of 4 (Lot 3 DP 736961) and 5 (Lot 4 DP 736961) Fern Creek Road (<i>Sector 901H</i>) from 8.5 metres to 10.5 metres
6	Amendments to Part 6, Clause 6.1(1)(a)	After "Warriewood Valley Strategic Review" insert "as amended".
7	Amendments to Part 6, Clause 6.1(3)	The text related to Sector 20 in the table in Clause 6.1(3) is to be amended as follows: Sector 20

		The text related to Sector 3 and Buffer Area 2 in the table in Clause 6.1(3) is to be amended as follows: <table><tr><td>Sector 3</td><td>Not more than 34 dwellings</td></tr><tr><td>Buffer area 2</td><td>Not more than 113 dwellings</td></tr><tr><td>Buffer area 2</td><td>Not more than 147 dwellings</td></tr></table>	Sector 3	Not more than 34 dwellings	Buffer area 2	Not more than 113 dwellings	Buffer area 2	Not more than 147 dwellings		
Sector 3	Not more than 34 dwellings									
Buffer area 2	Not more than 113 dwellings									
Buffer area 2	Not more than 147 dwellings									
		The text related to Sectors 901C and 901G in the table in Clause 6.1(3) is to be amended as follows: <table><tr><td>Sector 901C</td><td>Not more than 22 dwellings or less than 17 dwellings</td></tr><tr><td>Sector 901G</td><td>Not more than 6 dwellings</td></tr><tr><td>Sectors 901C and 901G</td><td>Not more than 28 dwellings or less than 23 dwellings</td></tr></table>	Sector 901C	Not more than 22 dwellings or less than 17 dwellings	Sector 901G	Not more than 6 dwellings	Sectors 901C and 901G	Not more than 28 dwellings or less than 23 dwellings		
Sector 901C	Not more than 22 dwellings or less than 17 dwellings									
Sector 901G	Not more than 6 dwellings									
Sectors 901C and 901G	Not more than 28 dwellings or less than 23 dwellings									
		The following text is to be added to the table in Clause 6.1(3): <table><tr><td>Sector 901H</td><td>Not more than 3 dwellings</td></tr><tr><td>Sector 10C</td><td>Not more than 17 dwellings</td></tr><tr><td>Sector 202</td><td>Not more than 1 dwelling</td></tr><tr><td>Sector 203</td><td>Not more than 4 dwellings</td></tr></table>	Sector 901H	Not more than 3 dwellings	Sector 10C	Not more than 17 dwellings	Sector 202	Not more than 1 dwelling	Sector 203	Not more than 4 dwellings
Sector 901H	Not more than 3 dwellings									
Sector 10C	Not more than 17 dwellings									
Sector 202	Not more than 1 dwelling									
Sector 203	Not more than 4 dwellings									

PART 3: JUSTIFICATION

Section A Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of the *Warriewood Valley Strategic Review Addendum Report 2014* (Addendum Report). The Addendum Report is a supplement to the adopted *Warriewood Valley Strategic Review Report 2012* (Strategic Review Report) which reviewed the appropriate height and density standards for medium density residential development within the Warriewood Valley Release Area (Release Area). The Addendum Report investigates and identifies a forward path for all other land in the Release Area that was not considered or provided with a forward path under the Strategic Review Report.

The Addendum Report is informed by an opportunities and constraints analysis undertaken by Council, and updated flooding and bushfire information, including an additional flooding analysis of the Narrabeen Lagoon Flood Study adopted in 2013 by the same consultant who produced the Warriewood Valley Strategic Review Hydrology Study 2011. Relevant environmental studies undertaken for the Strategic Review Report were also considered. Due to the significant environmental and development constraints affecting particular sectors within the Release Area, some sectors, or parts thereof, are recommended to be removed from the Release Area. The Addendum Report has also identified other relatively less constrained sectors with opportunities for development.

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

Progressing this Planning Proposal is the best means of achieving consistency with Council's strategic and land use planning documents.

The Planning Proposal is the only mechanism to enable land to be removed or added to the Urban Release Area Map, rezone land and enable changes to be made to the mapping and dwelling yield provisions in Clause 6.1(4) of *Pittwater LEP 2014*.

Section B Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

While this Planning Proposal is largely an administrative amendment and therefore will generally only have minor impact on the objectives and actions within these strategies, it will provide for some new residential development in the Release Area and is therefore consistent with the objectives and actions within the *Draft Metropolitan Strategy for Sydney* and the *Draft North-East Subregional Strategy* where goals are set for housing delivery and land supply.

4. Is the Planning Proposal consistent with the council's local strategy or other local strategic plan?

The Planning Proposal is consistent with the recommendations of the *Warriewood Valley Strategic Review Addendum Report 2014*.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal is generally consistent with the relevant State Environmental Planning Policies (see **Appendix 1**).

6. Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

The Planning Proposal is generally consistent with the applicable Ministerial Directions. Where there are inconsistencies, justification has been provided addressing how the inconsistency can be waived consistent with the Directions (see **Appendix 2**).

Section C Environmental, social and economic impact

7. 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?

This Planning Proposal is largely an administrative amendment, involving various adjustments to the boundary of the Release Area and dwelling yield provisions.

- Amalgamation of adjoining Sectors 901C and 901G,
- Amalgamation of adjoining Sector 3 and Buffer Area 2,
- Minor adjustment to sector boundaries to identify properties within existing sectors as individual sectors (Sectors 120, 122, 202, 203, 10C),
- Removal of property known as 79 Cabbage Tree Road from Sector 20,
- Adjustment of dwelling yield provisions to reflect amended sector boundary (Sectors 20, 202, 203, 901C and 90G, 10C, Sector 3 and Buffer Area 2),

Some other minor amendments are proposed, these recommendations are supported by the opportunities and constraints analysis undertaken by Council. It is therefore unlikely that this Planning Proposal will result in adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

The sectors proposed to be rezoned under this Planning Proposal and/or allocated a dwelling yield under Clause 6.1(4) have already been zoned for urban development, are already developed upon and/or are located within existing residentially zoned areas.

- Sector 202 and 203 are subsectors of the current Sector 20 and already zoned R3 Medium Density Residential. The Planning Proposal seeks to amend the current dwelling yield provision applying to Sector 20 by attributing a yield to each of these subsectors based on the outcomes of the opportunities and constraints analysis undertaken by Council.
- Sector 802 is already developed as a school and proposed to be rezoned to reflect its current use.
- Sector 901H consists of the battle axe portion of two properties and is situated between residentially zoned Sectors 901B and 901C. Sector 901H is proposed to be rezoned from a rural zone to R3 Medium Density Residential zone. The sector is currently utilised as a driveway and largely cleared. The rezoning of Sector 901H will allow either adjoining sector, which have already been rezoned R3 Medium Density Residential, to incorporate this additional land (approximately 1,100 square metres) into their development site.

- Sector 10C, already zoned R3, is proposed to be allocated a dwelling yield to allow the property to be redeveloped from its current use as a retirement village to an urban residential development, similar in scale to the surrounding existing low density development.

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

As outlined above, this Planning Proposal is largely an administrative amendment, however will provide for a small number of additional dwellings within the Release Area (net increase of 17 dwellings). As outlined above, the sectors proposed to be rezoned under this Planning Proposal and/or allocated a dwelling yield under Clause 6.1(4) are mostly zoned R3 Medium Density Residential, are already developed upon and/or are located within existing residentially zoned areas.

These recommendations are supported by an opportunities and constraints analysis based on mapping layers adopted by Council in 2011 as part of the *Pittwater Local Planning Strategy 2011*, which have been updated based on Council's most current flood and bush fire mapping (*Narrabeen Lagoon Flood Study 2013* and *Bush fire Prone Land Map 2013*). The recommendations are also supported by an additional analysis undertaken by the consultant who produced the Warriewood Valley Strategic Review Hydrology Study 2011.

Any future development application will require assessment under Section 79C of the EP&A Act and will be subject to the provisions and development controls under Pittwater LEP 2014 and Pittwater 21 DCP, including those related to flooding, bushfire prone land, waste management, land contamination, geotechnical hazards, heritage and traffic.

9. How has the Planning Proposal adequately addressed any social and economic effects?

With the exception of the properties known as 120 and 122 Mona Vale Road (*Sectors 120 and 122*), the lands subject of this Planning Proposal generally comprise land originally identified for release in the early 1990s under the State Government's Metropolitan Development Program. At that time a suite of studies were undertaken for the original Warriewood Valley land release area, comprising studies which addressed the social and economic effects of the release.

The properties known as 120 and 122 Mona Vale Road (*Sectors 120 and 122*) are not proposed to be rezoned under this Planning Proposal and are only simply proposed to be identified as individual sectors within the Release Area for the purpose of aligning the properties with the referenced planning strategy in Clause 6.1(1)(a).

As this Planning Proposal is largely an administrative amendment it is concluded that it is unlikely to have any negative social or economic effects.

Section D State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

Local infrastructure to meet the needs of the current and expected future population of the Warriewood Valley community is planned for and funded through the *Warriewood Valley Section 94 Contributions Plan*.

Preliminary analysis indicates that the increased dwellings expected as a result of the Planning Proposal (17 additional dwellings) is unlikely to have a significant impact on the infrastructure requirements for the Release Area. Nonetheless, the additional dwellings proposed, will need to be factored into the Section 94 Plan.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The *draft Warriewood Valley Strategic Review Addendum Report 2014* was placed on public exhibition between June and July 2014 and the views of Sydney Water and Crown Lands, as landowners within the Release Area, were sought.

Sydney Water supported the current zoning of their land. The Addendum Report does not recommend changing the zoning of the land comprising the Warriewood Sewerage Treatment Plant as it is already zoned SP2 Infrastructure (Sewerage System) under Pittwater LEP 2014.

When a Gateway Determination is issued, further consultation with all required public authorities will be undertaken.

PART 4: MAPPING

The current Urban Release Area Maps (Sheet URA_012 and Sheet URA_013), Land Zoning Map (Sheet LZN_012), Height of Buildings Map (Sheet HOB_012) and Lot Size Map (Sheet LSZ_012) are contained **Appendix 3**.

The proposed amended maps are contained in **Appendix 4**.

PART 5: COMMUNITY CONSULTATION

This Planning Proposal is consistent with the pattern of surrounding land uses.

Local infrastructure within the Warriewood Valley Release Area is provided through the *Warriewood Valley Section 94 Contributions Plan*. Preliminary analysis indicates that the increased dwellings expected as result of the Planning Proposal (17 additional dwellings) is unlikely to have a significant impact on the infrastructure requirements for the Release Area. Nonetheless, the additional dwellings proposed and additional infrastructure requirements will need to be incorporated into the Section 94 Plan.

Subsequently, this Planning Proposal is considered to be a 'low impact' proposal. In keeping with '*A guide to preparing local environmental plans*' (Department of Planning & Infrastructure, 2012) the following consultation is considered appropriate:

- 14 day exhibition period,
- Notification in local newspaper at commencement of exhibition period,
- Notification on Council's website for the duration of the exhibition,
- Notification in writing to affected landowners and the Warriewood Residents Association at commencement of exhibition period.

PART 6: PROJECT TIMELINE

Planning Proposal Milestone	Timeframe	Anticipated Completion Date
Date of Gateway Determination	6 weeks from Council decision to forward Planning Proposal to Department of Planning & Environment for Gateway Determination.	Late December 2014
Completion of required technical information	Due to nature of proposal it is not anticipated that additional technical information will be required.	-
Government agency consultation	Preliminary consultation with government landowners was undertaken as part of the exhibition of the <i>draft Warriewood Valley Strategic Review Addendum Report</i> . Any formal consultation required by the Gateway Determination will occur during the statutory exhibition period.	Late January 2015
Public exhibition	14 days – Commencing in mid January 2015, following Gateway Determination	Late January 2015
Consideration of submissions	2 weeks from close of public exhibition	Mid February 2015
Consideration of proposal post-exhibition and report to Council	Report matter to Council.	Late February 2015
Submission to Department and PCO to prepare draft instrument	Following Council decision to finalise LEP.	Late February 2015
RPA to make plan (if delegated)	4 weeks from Council decision to finalise LEP.	Late March 2015
Notification of LEP/LEP comes into force	1 week from RPA making plan.	Early April 2015

Appendix 1: Consideration of SEPPs

The following SEPP's are relevant to the Pittwater Local Government Area. The Table identifies which of the relevant SEPPs apply to the Planning Proposal (or not) and if applying, is the Planning Proposal consistent with the provisions of the SEPP.

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent	Reason for inconsistency
SEPP No 1 – Development Standards	NO	N/A	
SEPP No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	YES	YES	
SEPP No 6 – Number of Storeys in a Building	YES	YES	
SEPP No 14 – Coastal Wetlands	NO	N/A	
SEPP No 21 – Caravan Parks	NO	N/A	
SEPP No 22 – Shops and Commercial Premises	NO	N/A	
SEPP No 26 – Littoral Rainforests	NO	N/A	
SEPP No 30 – Intensive Agriculture	NO	N/A	
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	NO	N/A	
SEPP No 33 – Hazardous and Offensive Development	NO	N/A	
SEPP No 44 – Koala Habitat Protection	NO	N/A	
SEPP No 50 – Canal Estate Development	NO	N/A	
SEPP No 55 – Remediation of Land	NO	N/A	
SEPP No 60 – Exempt and Complying Development	YES	YES	
SEPP No 62 – Sustainable Aquaculture	NO	N/A	
SEPP No 64 – Advertising and Signage	YES	YES	
SEPP No 65 – Design Quality of Residential Flat Development	YES	YES	
SEPP No 70 – Affordable Housing (Revised Schemes)	YES	YES	

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent	Reason for inconsistency
SEPP 71 – Coastal Protection	NO	N/A	
SEPP (Affordable Rental Housing) 2009	YES	YES	
SEPP (Building Sustainability Index: BASIX) 2004	YES	YES	
SEPP (Exempt and Complying Development Codes) 2008	YES	YES	
SEPP (Housing for Seniors or People with a Disability) 2004	YES	YES	
SEPP (Infrastructure) 2007	YES	YES	
SEPP (Major Development) 2005	NO	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NO	N/A	
SEPP (Rural Lands) 2008	NO	N/A	
SEPP (Temporary Structures) 2007	NO	N/A	
SEPP (Urban Renewal) 2010	NO	N/A	

The following is a list of the deemed SEPP's (formerly Sydney Regional Environmental Plans) relevant to the Pittwater Local Government Area.

Title of deemed SEPP, being Sydney Regional Environmental Plan (SREP)	Applicable	Consistent	Reason for inconsistency
SREP No 20 – Hawkesbury-Nepean River (No 2 -1997)	NO	N/A	

Appendix 2: Consideration of Section 117 Directions

1 Employment and Resources

	Direction	Applicable	Consistent
1.1	Business and Industrial Zones	NO	N/A
1.2	Rural Zones	YES	NO
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A

Justification for inconsistency with Director 1.2

The Planning Proposal, so far as it relates to the rezoning of the battle axe portion of 4 and 5 Fern Creek Road (*Sector 901H*) and 5 Forest Road from a rural zone to another zone, is inconsistent with Direction 1.2. The proposed rezoning is consistent with State Government's Metropolitan Development Program which identified these lands for urban release in the early 1990s.

2 Environment and Heritage

	Direction	Applicable	Consistent
2.1	Environmental Protection Zones	NO	N/A
2.2	Coastal Protection	NO	N/A
2.3	Heritage Conservation	YES	NO
2.4	Recreation Vehicle Areas	NO	N/A

Justification for inconsistency with Direction 2.3

The Planning Proposal is largely an administrative amendment therefore the inconsistencies with this direction are of minor significance.

Provisions also already exist within the Pittwater LEP 2014 for the protection and conservation of environmentally sensitive areas and the conservation of heritage items, areas, objects and places. These provisions will continue to apply to the lands the subject to this Planning Proposal.

3 Housing, Infrastructure and Urban Development

	Direction	Applicable	Consistent
3.1	Residential Zones	YES	YES
3.2	Caravan Parks and Manufactured Home Estates	NO	N/A
3.3	Home Occupations	YES	YES
3.4	Integrating Land Use and Transport	YES	YES
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A

4 Hazard and Risk

	Direction	Applicable	Consistent
4.1	Acid Sulphate Soils	NO	N/A
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	NO
4.4	Planning For Bushfire Protection	YES	NO

Justification for inconsistency with Direction 4.3

Sectors 120, 122 and 802 are traversed by sections of Narrabeen Creek and Fern Creek respectively. It is the creek sections that have been identified as flood prone land.

Development controls within Pittwater 21 DCP prohibit vertical structures to be erected on land comprising the creek line corridor. Development controls also require that the creek line corridor be engineered to convey the 1% AEP flood event. This land is required to be rehabilitated and subsequently dedicated to Council in accordance with the *Warriewood Valley Section 94 Contributions Plan*.

Justification for inconsistency with Direction 4.4

Sector 901H, 802, 122, 120, 202, 203 and 10C are all identified as bush fire prone under Council's Bush Fire Prone Lands Map.

Sectors 120, 122, 202, 203 and 10C are already rezoned for its intended purpose and will not be altered. This Planning Proposal only seeks to amend the sector boundary/dwelling yield provision applying to this land.

Sector 901H is to be rezoned from a rural zone to R3 Medium Density Residential under this Planning Proposal. The land proposed to be rezoned does not contain Category 1 or 2 Vegetation and is not mapped as a Bushfire Buffer, but instead forms part of a parcel identified with these affectations.

Sector 801 is already developed as a school and proposed to be zoned to reflect this land use.

This Planning Proposal is inconsistent with this direction insofar as consultation has not yet occurred with the NSW Rural Fire Service. Consultation is expected to be undertaken during the statutory exhibition period.

5 Regional Planning

	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchments	NO	N/A
5.3	Farmland of State and Regional Significance on NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Hwy, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	NO	N/A
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A

6 Local Plan Making

	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Purposes	YES	NO

Justification for inconsistency with Direction 6.3

The Planning Proposal seeks to incorporate new dwelling yield provisions for Sector 10C, 901H, 202 and 203 and amend the existing dwelling yield provision applying to Sector 20.

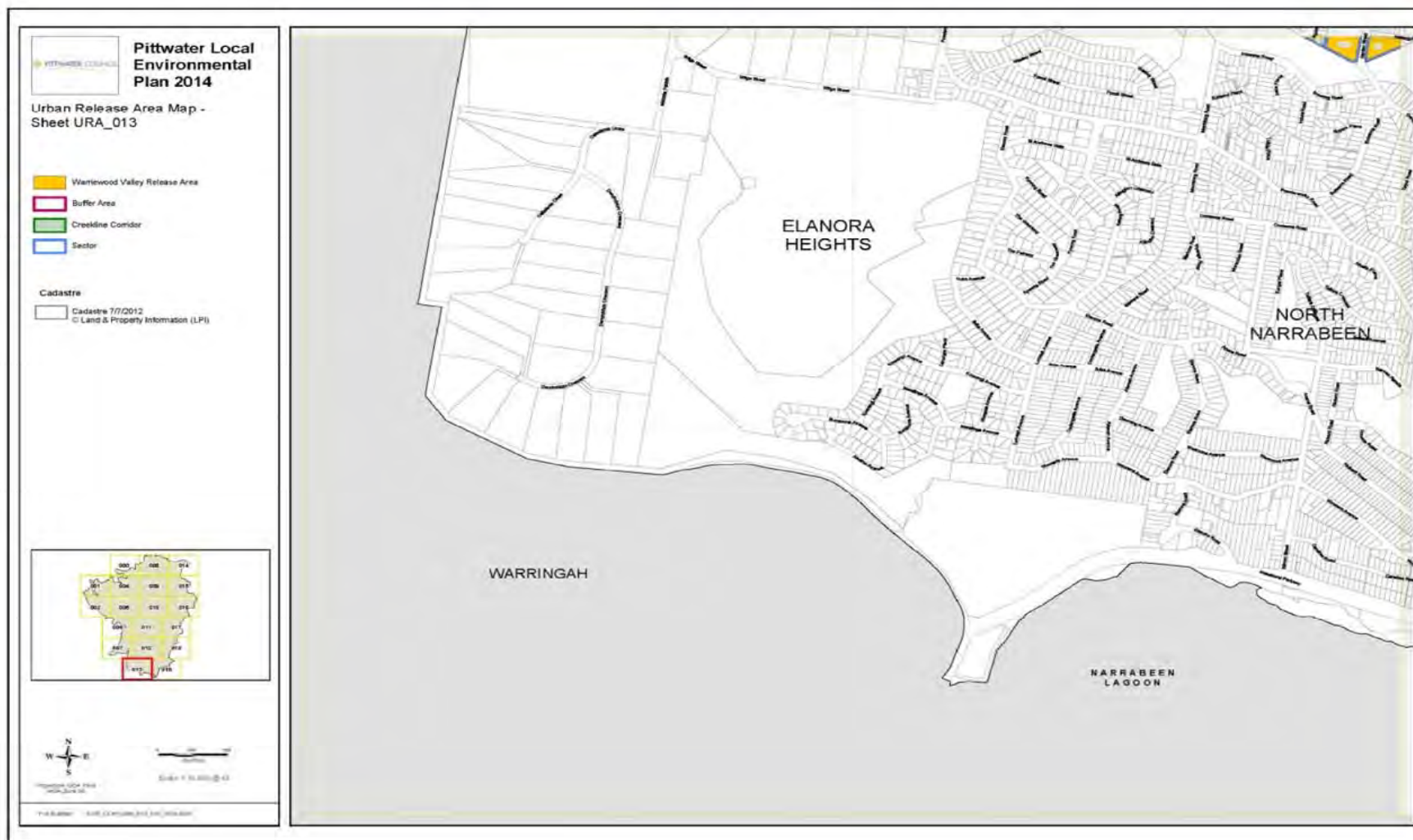
The application of the dwelling yield provisions within the Pittwater LEP is well established for the Warriewood Valley Release Area. The dwelling yield provisions in Part 6 of the Pittwater LEP 2014 were translated from Pittwater LEP 1993 and are not new provisions.

7 Metropolitan Planning

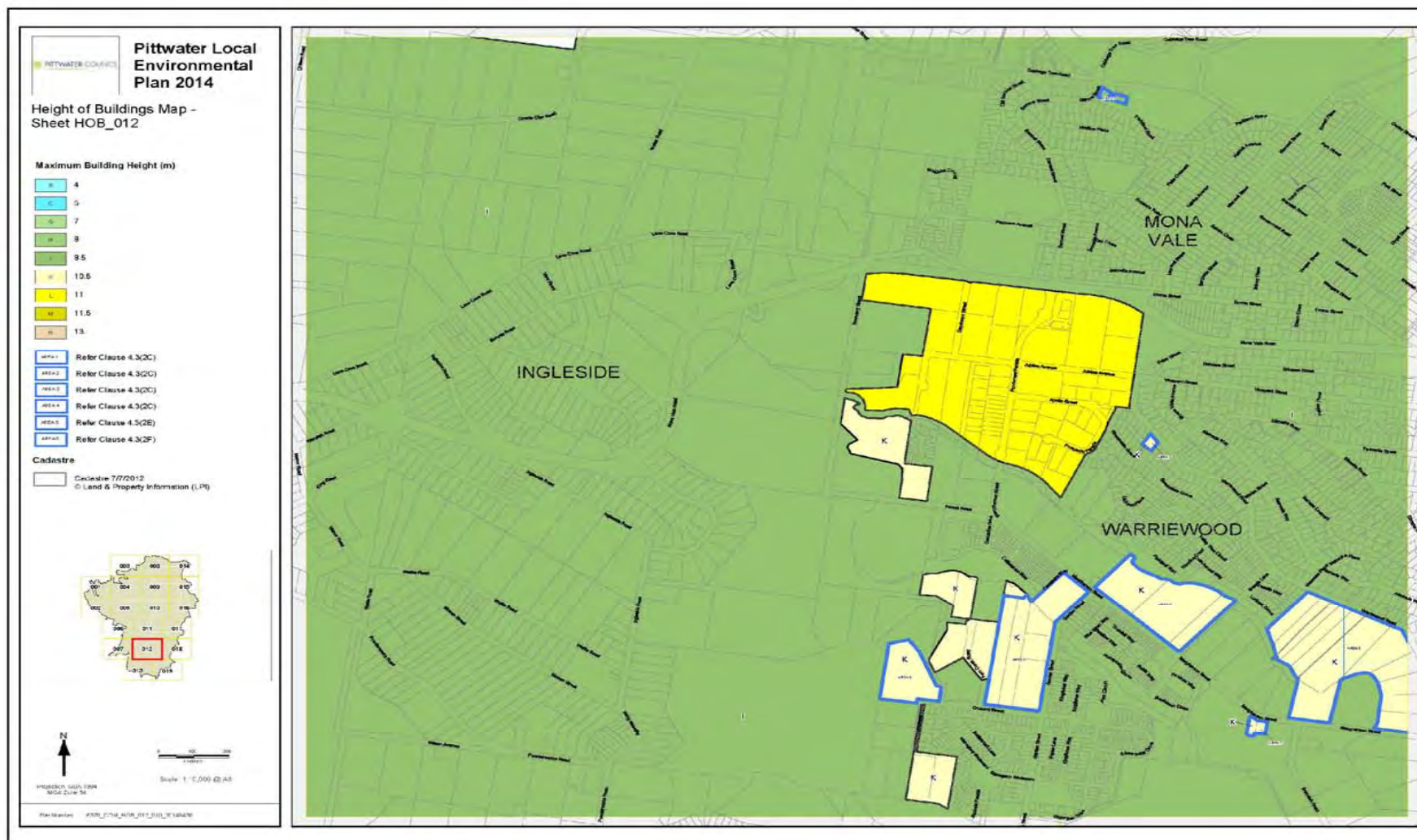
	Direction	Applicable	Consistent
7.1	Implementation of the Metropolitan Strategy	YES	YES

Appendix 3: Current LEP Maps



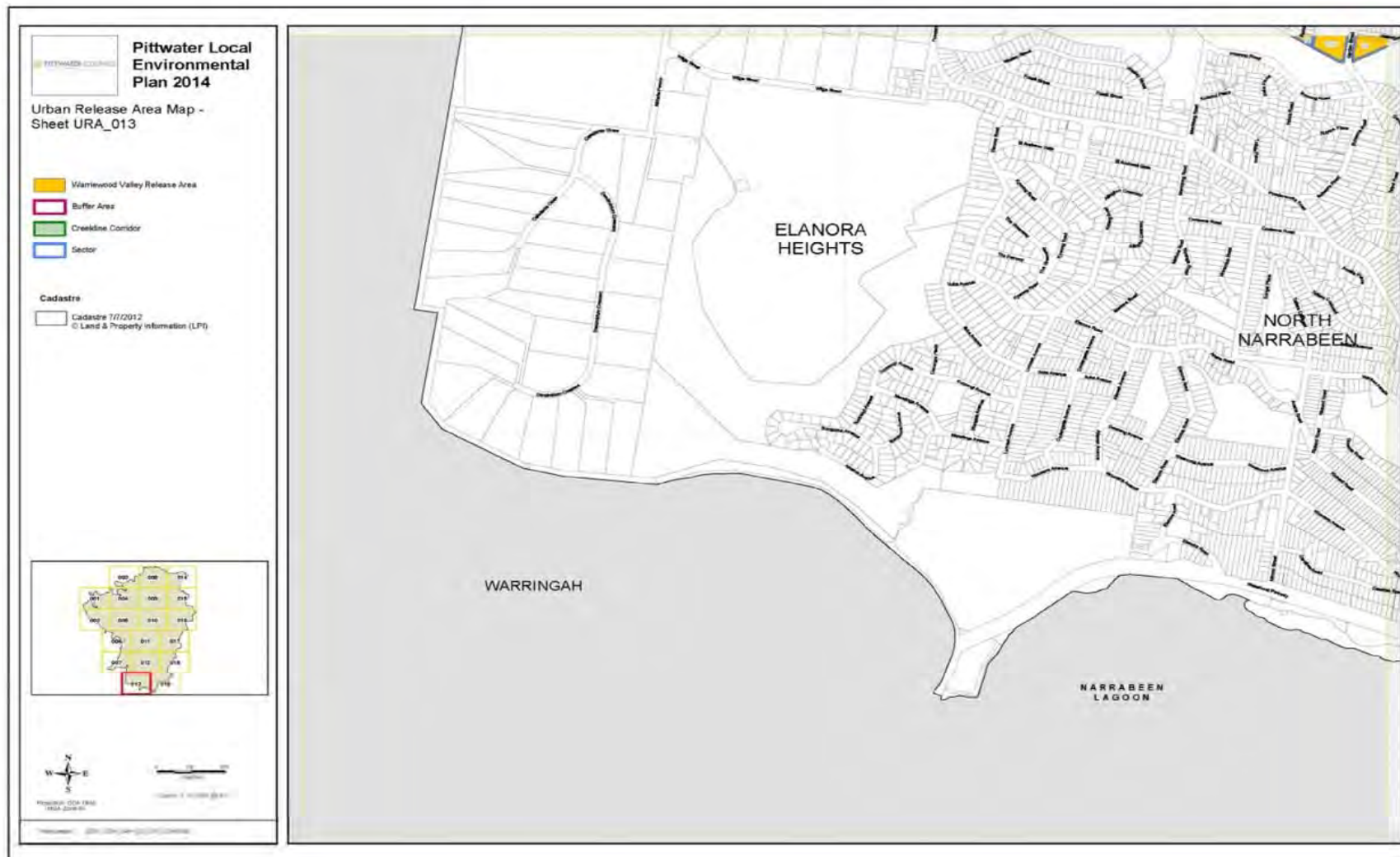


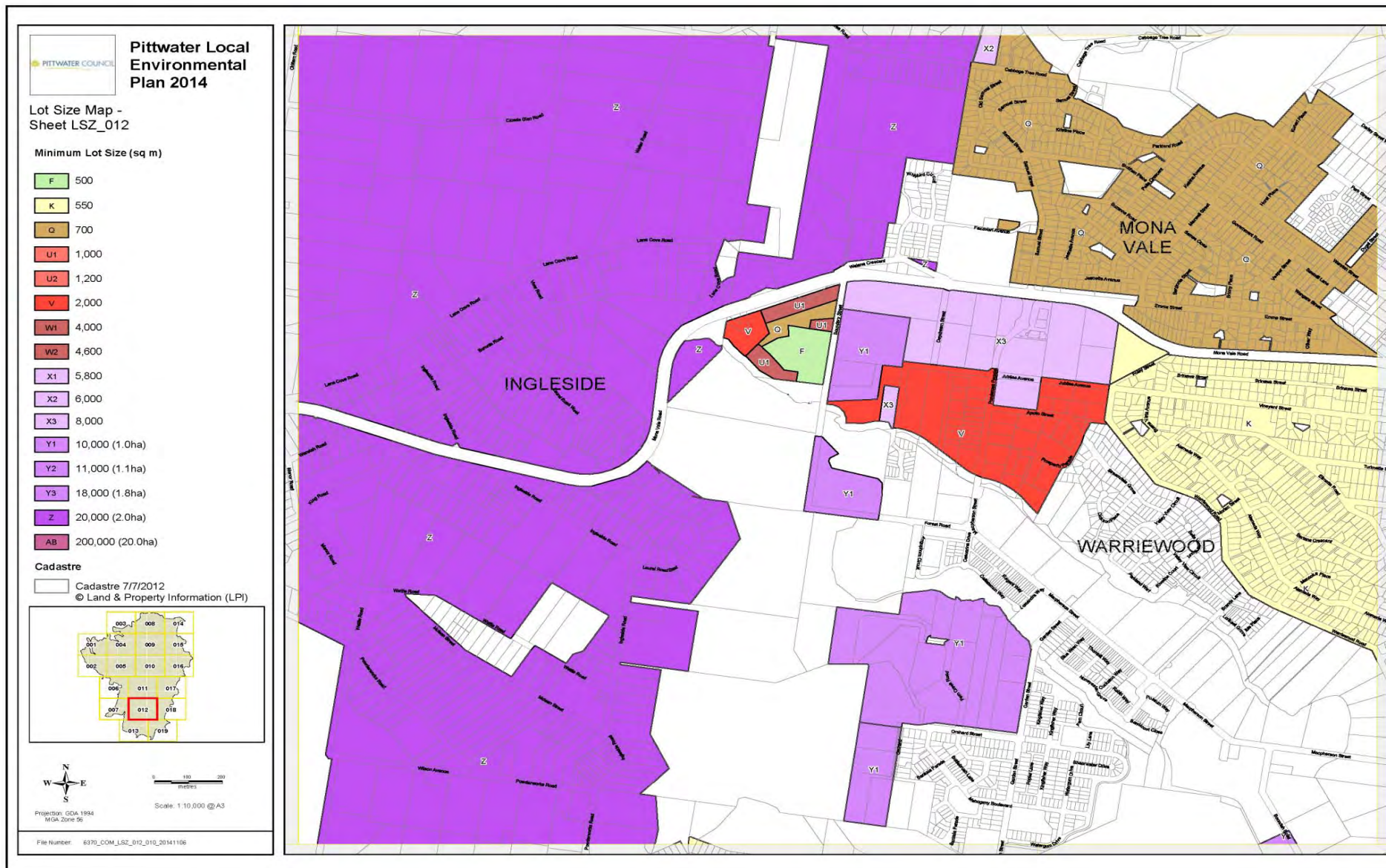




Appendix 4: Proposed LEP Map Amendments







ATTACHMENT 1 – INFORMATION CHECKLIST

▶ STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

▶ STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining) • Sea level rise	☐	☒
• Demonstrated consistency with relevant Regional Strategy • Demonstrated consistency with relevant Sub-Regional strategy • Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy • Demonstrated consistency with Threshold Sustainability Criteria	☒	☐		☐	☒
Site Description/Context			Urban Design Considerations		
• Aerial photographs • Site photos/photomontage	☐	☒	• Existing site plan (buildings vegetation, roads, etc) • Building mass/block diagram study (changes in building height and FSR) • Lighting impact • Development yield analysis (potential yield of lots, houses, employment generation)	☐	☒
Traffic and Transport Considerations			Economic Considerations		
• Local traffic and transport • TMAP • Public transport • Cycle and pedestrian movement	☐	☒	• Economic impact assessment • Retail centres hierarchy • Employment land	☐	☒
Environmental Considerations			Social and Cultural Considerations		
• Bushfire hazard • Acid Sulphate Soil • Noise impact • Flora and/or fauna • Soil stability, erosion, sediment, landslip assessment, and subsidence • Water quality • Stormwater management • Flooding • Land/site contamination (SEPP55)	☐	☒	• Heritage impact • Aboriginal archaeology • Open space management • European archaeology • Social & cultural impacts • Stakeholder engagement	☐	☒
			Infrastructure Considerations		
			• Infrastructure servicing and potential funding arrangements	☒	☐
			Miscellaneous/Additional Considerations		
			List any additional studies		
			-Warriewood Valley Strategic Review Addendum Report		