

The logo for 'urbis' is located in the top right corner. It consists of the word 'urbis' in a lowercase, sans-serif font, enclosed within a white square. The background of the entire page is a photograph of a dense forest with sunlight filtering through the trees.

urbis

PLANNING PROPOSAL

RALSTON AVENUE, BELROSE

APRIL 2013

The bottom portion of the image shows a close-up of a garden path. On the left, there are dense, bright green shrubs. On the right, a light-colored gravel or stone path curves through the garden. The background is filled with more greenery and trees, with sunlight creating dappled shadows.

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	John Wynne
Senior Consultant	Matthew O'Donnell
Job Code	SA4645
Report Number	SA4645 Final

© Urbis Pty Ltd
ABN 50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission. While we have tried to ensure the accuracy of the information in this publication, the Publisher accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

URBIS
Australia Asia Middle East
urbis.com.au

TABLE OF CONTENTS

Executive Summary	i
1 Land to Which the Planning Proposal Applies	5
1.1 Site Description	5
1.2 Planning Context	9
1.3 Pre Lodgement Meeting – Warringah Council	12
2 Objectives or Intended Outcomes.....	13
2.1 Objectives.....	13
2.2 Intended Outcomes	15
3 Explanation of Provisions.....	18
3.1 Overview	18
3.2 Land Use Zoning	18
3.3 Average Lot Sizes.....	21
3.4 Height of Buildings.....	21
3.5 Subdivision.....	22
4 Justification for Proposed LEP	23
4.1 Need for the Planning Proposal	23
4.2 Relationship to Strategic Planning Framework	30
4.3 Environmental, Social and Economic Impact.....	42
4.4 State and Commonwealth Interests	45
5 Community Consultation.....	49
6 Conclusion	50
Appendix A Concept Plan	1
Appendix B Ecological Constraints and Biodiversity Offsets Analysis	2
Appendix C Open Space and Recreation Study	3
Appendix D Infrastructure Services and Water Management Strategy.....	4
Appendix E Bushfire Protection Assessment.....	5
Appendix F Assessment of Traffic Implications.....	6
Appendix G Zoning and Building Height Maps	7
Appendix H Economic Impact Assessment	8
Appendix I Housing Needs Study	9
Appendix J Aboriginal Archaeological Assessment.....	10
Appendix K Contamination Assessment	11
Appendix L Geotechnical Assessment.....	12
Appendix M Social Impact Assessment	13
Appendix N Electrical Services Strategy.....	14

Appendix O	Consultation Report.....	15
Appendix P	Survey Plan	16
Appendix Q	Pre Lodgement Letter and Response.....	17

FIGURES:

Figure 1 – Location Plan (Urbis).....	5
Figure 2 – Site Aerial Photograph (Urbis)	6
Figure 3 – Site Photographs (Urbis)	7
Figure 4 – Local Context Plan (Urbis).....	8
Figure 5 – Existing Land Use Zone (Warringah LEP 2000)	10
Figure 6 – Deferred LEP Land (www.planning.nsw.gov.au).....	12
Figure 7 – Proposed Land Use Zoning (Hassell)	18
Figure 8 – Proposed Height of Buildings (Hassell)	21
Figure 9 – Housing Density in the North East Subregion (Department of Planning).....	36

TABLES:

Table 1 – Net Community Benefit	26
Table 2 – Sustainability Criteria for New Land Release.....	30
Table 3 – State Environmental Planning Policies.....	38
Table 4 – Section 117 Directions	39

Executive Summary

This Planning Proposal has been prepared by Urbis on behalf of Metropolitan Local Aboriginal Land Council (MLALC) to facilitate the preparation of a Local Environmental Plan (LEP) to rezone land within Locality C8 – Belrose North to allow its future development for residential purposes.

The site is located at the western end of Ralston Avenue, Belrose. It is located north-west of the established residential area of Belrose, immediately west of the Transgrid/Ausgrid Sydney East Substation. The site is currently undeveloped with vegetation, predominantly comprising native flora.

The key objectives of the Planning Proposal are to:

- Utilise the existing assets of the MLALC through the release of land for the wider economic, cultural and social benefits of the Metropolitan Aboriginal community to meet the objectives of the provision of housing, education and employment.
- Allowing land owned under freehold title through the NSW Land Rights Act 1983 to be more than just symbolic, and provide economic opportunity for the Aboriginal people through the development of their own land.
- To provide a landmark development which has the highest regards for urban design and master planning, and at the same time deliver capacity and economic self-sufficiency. The aim is to develop individual house lots for release on the open market.
- Provide compatible land use zones that will create additional low density housing opportunities to meet the existing and likely future needs of the local community.
- Integrate the site with the broader local community through improved accessibility and connections between the adjoining established residential areas and the Garigal National Park.
- Avoid unacceptable impacts on the character and amenity of the adjoining and surrounding residential development by developing a range of controls that will facilitate housing that is consistent with the surrounding development and compatible with the bushland setting.
- Develop an integrated design solution for the site that incorporates the unique ecological and hydrological features.
- Utilise the established physical and social infrastructure which currently services the site and adjacent urban areas.

The Planning Proposal is accompanied by a range of plans and reports prepared by specialist consultants to provide a comprehensive analysis of the site opportunities and constraints. These address the key issues and impacts associated with the proposed rezoning including:

- Urban design and built form (Hassell)
- Flora and fauna and bushfire protection (Travers Bushfire and Ecology)
- Aboriginal archaeological report (Dominic Steele Consulting Archaeology)
- Open space and recreation (Gondwana Consulting)
- Transport and traffic (Transport and Traffic Planning Associates)
- Site contamination (Environmental Investigations)
- Infrastructure services (Warren Smith & Partners)
- Electrical services (DEP Consulting Pty Ltd)

- Social impacts, housing demand and economic impacts (Hill PDA)
- Land survey (Lockley Land Title Solutions)

Each of the above plans and reports has informed the proposed rezoning of the site from 'Locality C8 – Belrose North' under Warringah Local Environmental Plan 2000 to a mixture of zones under the provisions of a site specific LEP, including:

- Zone R2 Low Density Residential (approximately 12.7% of the site when combined with RE1)
- Zone RE1 Public Recreation (approximately 12.7% of the site when combined with R2)
- Zone E3 Environmental Management (approximately 87.3% of the site, including 4.73ha of APZ)

A draft written instrument and accompanying maps have been prepared and are submitted with the rezoning application. If Council consider the environmental zoning proposed is inappropriate, then MLALC would engage with council officers in respect of the most suitable zoning for this area of the site.

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. In summary the proposal demonstrates a net community benefit as summarised below:

- The proposal will ensure that up to an additional 17.15 ha (12.7% of the site) of residentially zoned land will be provided in close proximity of an existing residential area to contribute to the North East subregion meeting its additional housing targets of 29,000 additional dwellings to be achieved by 2036.
- The proposal will broaden the range of housing choices and will achieve a diversity of dwellings on the site to meet the demands of the changing population and provides ample opportunity for good urban design.
- The proposed character and scale of the proposed development is consistent with the existing low density development located to the east of the site.
- The site is located close to established residential areas and local services such as shops and public transport are located in close proximity.
- The proposal is capable of being connected to existing utilities infrastructure servicing the existing nearby residential developments. The proposed development will require very minor upgrading of existing utility services to enable the future residential population to be accommodated. The proposed low density residential development is within close proximity to an existing nearby neighbourhood centre and facilities located on Ralston Avenue.
- Local and regional bus services travel along Contentin Road and Wyatt Avenue and the potential exists to extend these services to include the development site. The development site is within walking distance of these transport services.
- The proposal will result in 7,869sqm of land being dedicated to Council for the purpose of public open space. This is a significant public benefit of the proposal to which a number of positive impacts are foreshadowed. Additionally Asset Protection Zones (APZ) and buffers are proposed to be used as informal open space for bush walking, mountain biking and other recreational activities.
- The proposed development will generate additional demand for some community and recreational facilities; however the current and future residents living in Belrose have access to a wide variety of educational, medical, civic and recreational facilities.
- The development of the site for residential zoned land will be satisfactory in relation to road and intersection capacity implications, traffic related environmental implications and traffic management and safety implications. The proposed road geometry reflects a contemporary development which responds appropriately to the terrain, access for service vehicles and buses.

- The proposal provides for approximately 87.3% of the site to be zoned E3 Environmental Management zone, including 4.7ha of APZ under ownership of the MLALC, and it is MLALCs stated preference that the potential management of this land be by the National Parks and Wildlife Services as an Aboriginal National Park area. This is subject to further discussion with Warringah Council and the State Government
- The Ecological Survey and Offset Analysis concludes that the residential subdivision area is not constrained by any endangered ecological community (EEC) or by any endangered flora populations. Three threatened fauna species have been recorded within or in close proximity to the subject site during surveys to date. Rosenberg's Goanna, the Red Crowned Toadlet and the Giant Burrowing Frog are significant threatened fauna species, with potential habitat areas having been identified on or immediately adjacent to the site, requiring further investigation.

Two additional threatened flora species including *Tetrathica grandulosa* and *Grevillea calyei* are also potentially affected. Two rare flora species including *Eucalyptus luehmanniana* and *Angophora crassifolia* are also affected by the proposed R2 zone and associated asset protection zones.

- No specific areas of Potential Aboriginal Archaeological Sensitivity relative to the rezoning proposal have been identified in the course of site inspections.

Overall the site is capable of providing a diversity of dwellings on the site to meet the demands of the changing population, whilst giving consideration to the environmental constraints of the site.

1 Land to Which the Planning Proposal Applies

1.1 SITE DESCRIPTION

The Planning Proposal relates to part of Lot 1 in Deposited Plan 1139826 as shown in the location plan at **Figure 1** and the site aerial photograph at **Figure 2**.

The proposed rezoning affects approximately 17.15 hectares (12.7%) of the total lot which has a total area of 135.3 hectares. The proposed residential development site is generally located to the north of the existing sealed road which extends from the gated entry to the site near the intersection of Ralston Avenue and Elm Avenue to the electrical substation to the west. The site is located on a plateau with varying slopes, generally less than five degrees. It is currently undeveloped with vegetation, predominantly comprising regrowth and native flora.

It is surrounded by natural bushland to the north, west and south, comprising the balance of the lot parcel and Garigal National Park. A single detached dwelling and the Sydney East electrical substation are located to the east. A well-established residential area is located to the south east.

Photographs of the sites and surrounding land are provided in **Figure 3**.

FIGURE 1 – LOCATION PLAN (URBIS)

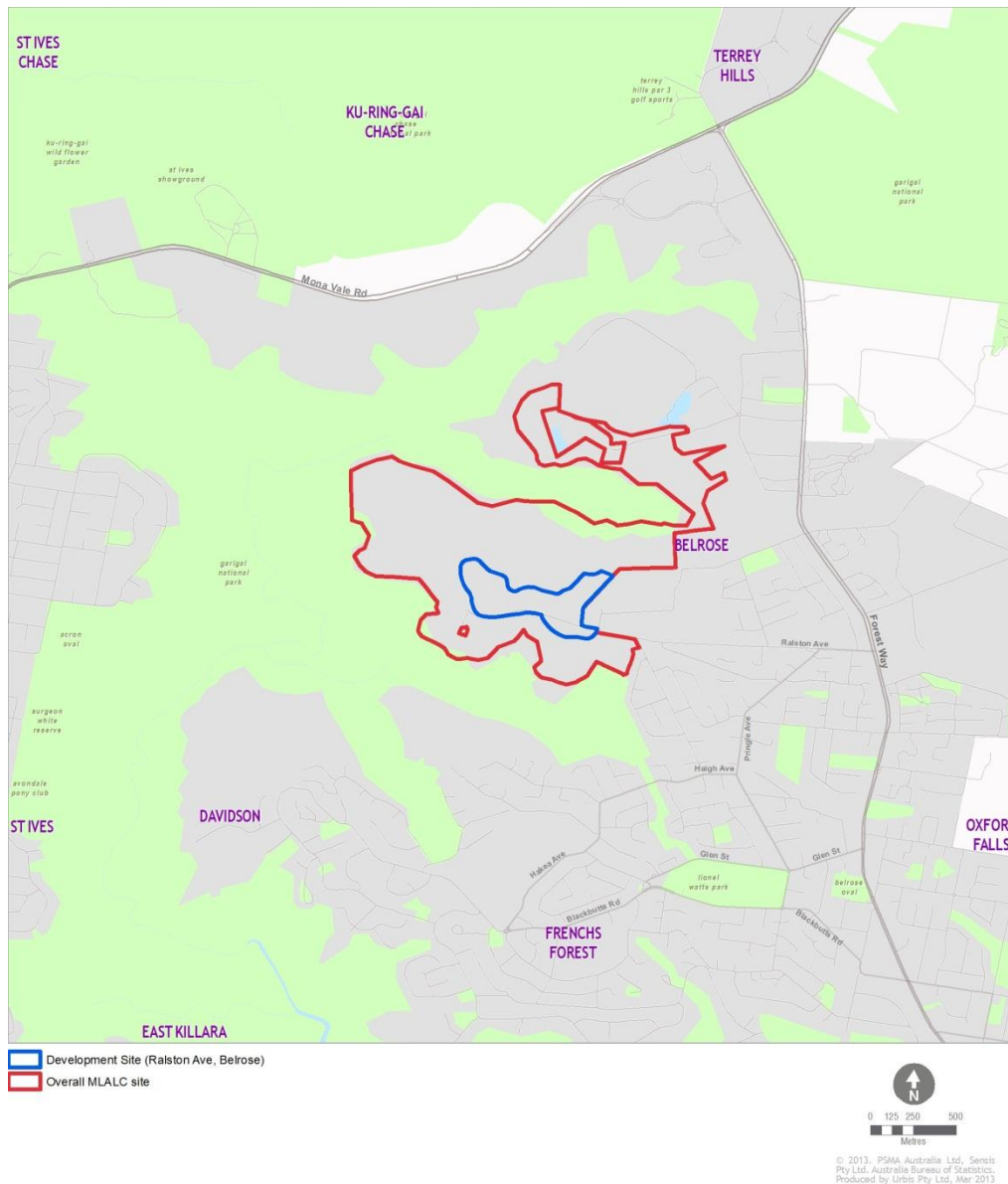


FIGURE 2 – SITE AERIAL PHOTOGRAPH (URBIS)



1.1.1 LOCAL CONTEXT

A neighbourhood retail centre is located on Ralston Avenue, within walking distance of the site. The Village Centre includes an IGA supermarket, as well as a range of local retail and commercial services, including auto accessories, beauty salon, fitness centre, florist, hairdresser, newsagent and restaurants.

Local and regional bus services travel along Contentin Road and Wyatt Avenue. The Route 270 bus provides high frequency bus services during the morning and afternoon peak hours (with less frequent access during peak hours) to/from the Sydney CBD via Frenchs Forest and Forestville. The Route 282 provides a high frequency service from Chatswood to Glenrose shopping centre in the afternoon peak. The Route 283 bus provides a slightly less frequent service throughout the day from Chatswood to Belrose shopping centre.

FIGURE 3 – SITE PHOTOGRAPHS (URBIS)



PICTURE 1 – LOOKING WEST ALONG ACCESS TRACK



PICTURE 2 – LOOKING NORTH FROM WYATT AVENUE



PICTURE 3 – HEATH TRAIL TO NORTH OF EXISTING RESIDENTIAL DWELLING



PICTURE 4 – EXISTING WALKING TRAIL

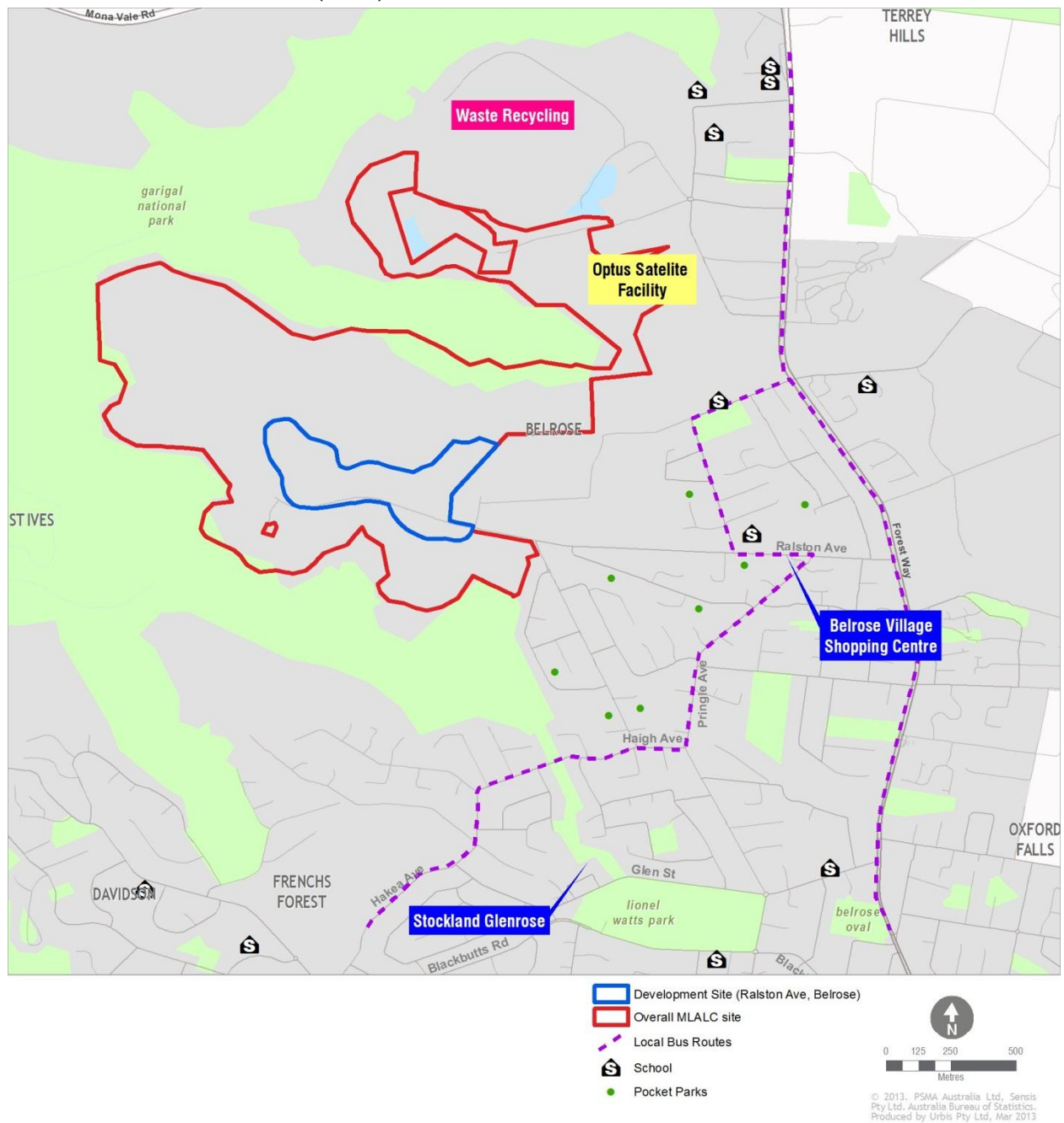


PICTURE 5 – LOOKING SOUTH TO BELROSE

A range of public open spaces are within walking distance of the site. The site provides immediate access to the Garigal National Park which offers a range of active and passive recreation opportunities. The site is also within walking/cycling distance of more formalised parks, including Wyatt Reserve, Boronia Reserve, Ralston Reserve and Windrush Reserve.

A Local Context Plan showing the key local features surrounding the site is provided as **Figure 4**.

FIGURE 4 – LOCAL CONTEXT PLAN (URBIS)



1.2 PLANNING CONTEXT

1.2.1 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2000

The key local planning control that currently applies to the site is Warringah Local Environmental Plan (LEP) 2000. The site is located within 'Locality C8 – Belrose North' under the provisions of the LEP (refer to **Figure 5**). The desired future character of Locality C8 is listed in the LEP as follows:

The present character of the Belrose North locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses

A dense bushland buffer will be retained or established along Forest Way. Fencing is not to detract from the landscaped vista of the streetscape.

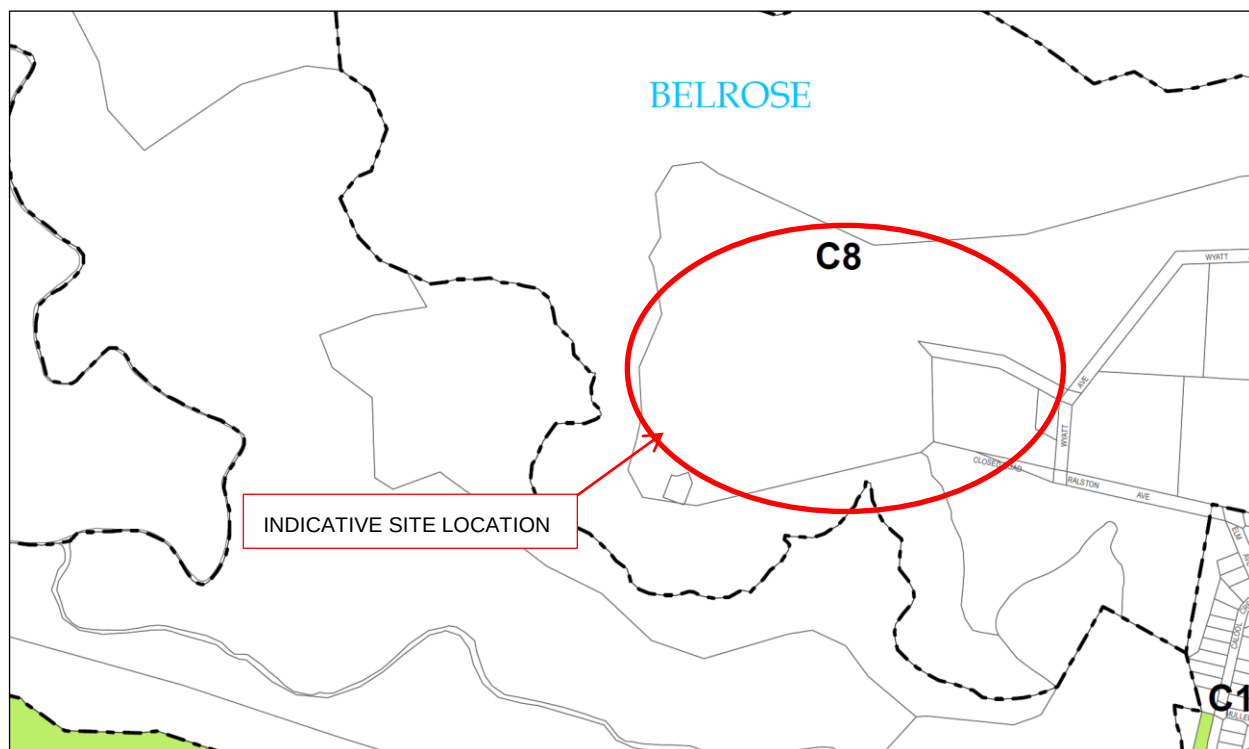
Development in the locality will not create siltation or pollution of Middle Harbour.

The following development is listed within Category Two and Three in Locality C8, meaning that it is permissible subject to the consent authority being satisfied that the development is consistent with the desired future character described in the Locality Statement:

- **Category Two** – development for the purpose of agriculture, **housing**, housing for older people and people with disabilities (subject to compliance with density provisions), other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.
- **Category Three** - development for the purpose of the following:

Animal boarding or training establishments	Heliports	Recreation facilities
Bulky goods shops	Hire establishments	Registered clubs
Business premises	Hospitals	Restaurants
Child care centres	Hotels	Retail plant nurseries
Community facilities	Industries	Service stations
Entertainment facilities	Medical centres	Shops
Extractive industries, unless this locality statement provides otherwise	Motor showrooms	Short term accommodation
Further education	Offices	Vehicle repair stations
Health consulting rooms	Places of worship	Veterinary hospitals
	Primary schools	Warehouses

FIGURE 5 – EXISTING LAND USE ZONE (WARRINGAH LEP 2000)



The following uses are listed as being prohibited:

- Brothels.
- Canal estate development.
- Housing for older people or people with disabilities (which does not comply with the housing density control).
- Potentially hazardous industries.
- Potentially offensive industries.
- Vehicle body repair workshops.

The key development controls for Locality C8 include:

- **Housing Density** – the maximum housing density is one dwelling per 20 hectares of site area, excluding access corridors. Minor variations (up to 10%) may be agreed to by the Director of Planning, subject to the non-compliance not resulting in any matters of significance for State or regional environmental planning and considering the public benefits of maintaining the planning control. There is no housing density for seniors living development, where the land adjoins a locality primarily used for urban purposes, a dwelling house is permissible and the proposed development complies with the LEP controls for this type of housing.
- **Building Height** – the maximum building height is 8.5 metres measured from the natural ground level to the topmost point of the building (excluding vents, chimneys or the like) and 7.2 metres from the natural ground level to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas located wholly within a roof space). The internal height standard may be varied on sites with slopes greater than 20% within the building platform, providing the overall maximum building height is complied with and the building is designed to minimise its bulk and visual impacts.
- **Front Building Setback** – the minimum front building setback is 20 metres to all roads. The setback is to be densely landscaped with locally occurring species of canopy trees and shrubs and free of any structures, car parking or site facilities, other than driveways, letterboxes and fences.

- **Rear and Side Building Setback** – the minimum side and rear setback is 10 metres. Setbacks are to be landscaped and free of any structure, car parking or site facilities, other than driveways and fences.
- **Bushland Setting** – a minimum of 50% of the site area is to be kept as natural bushland or landscaped with local species.
- **National Park Setback** – the minimum setback from National Park boundaries is 20 metres. The setback is to be fire fuel reduced and landscaped with local species.

The LEP 2000 provides a range of more detailed development controls that are similar to those normally found within a Development Control Plan, including glare and reflection, health and safety, public domain site planning and building design, traffic, access and car parking and soil and water management.

The planning proposal is consistent with the desired future character of the locality and is capable of compliance with the relevant development controls that apply to the locality. The majority of the natural landscape and landforms will be retained, with the exception of the proposed developable area that only consists of 12.7% of the site.

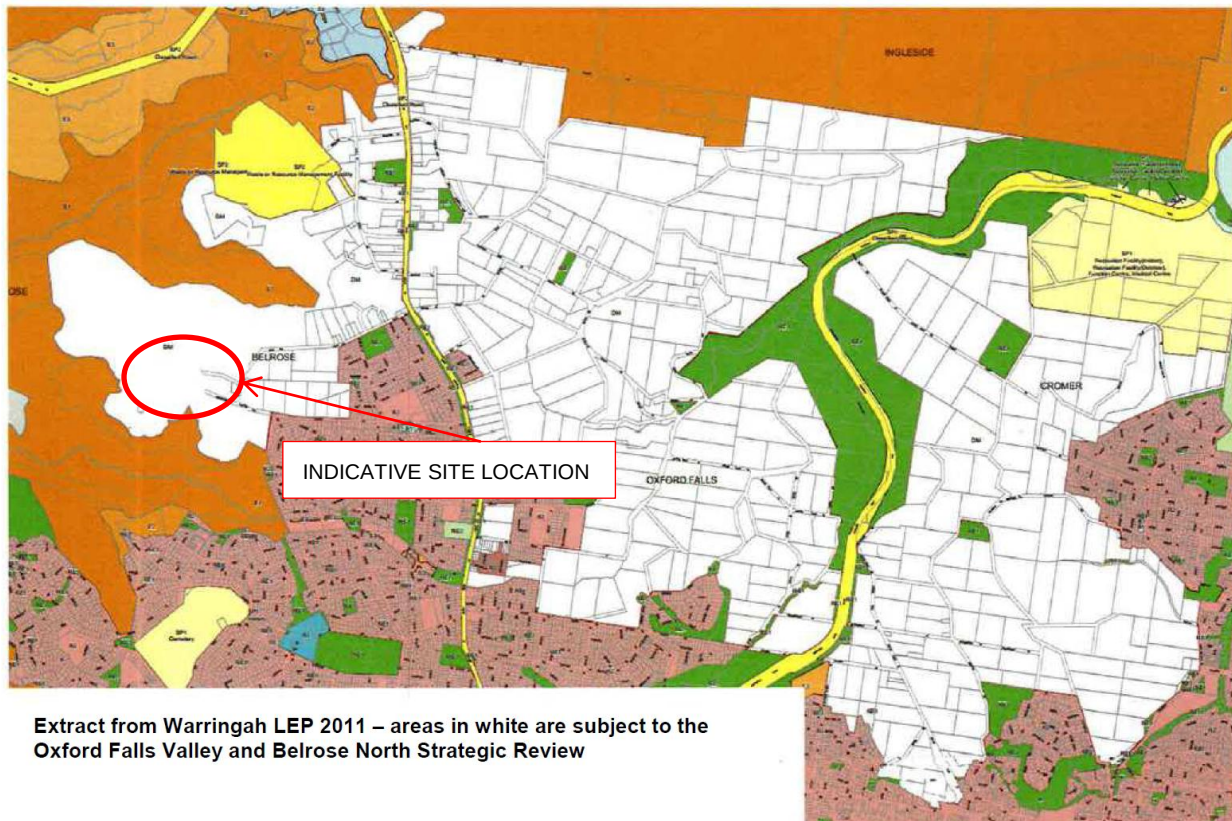
The proposed density and building heights (up to 8.5m) of the new R2 zone will comply with the C8 locality built form and design controls. The proposed rezoning will ensure that 87.3% of the overall site will be retained as natural bushland, including the proposed APZ's. This planning proposal seeks the provision of minimum lots sizes of 550m² specific to the R2 zone on the subject site.

1.2.2 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

Warringah Local Environmental Plan 2011 was gazetted on 9 December 2011. However, Oxford Falls Valley and Belrose North were deferred from the LEP due to residents' concerns regarding the appropriateness of the use of Zone E3 Environmental Management across these localities. A map extract showing the indicative location of the two sites within Locality C8 – Belrose North is provided as **Figure 6**.

The Department of Planning and Infrastructure and Warringah Council have since commenced a strategic review to identify the most appropriate zoning and land use controls for these localities. The review is proposed to consider the range of existing land uses, environmental constraints and infrastructure to recommend the most appropriate land use, zoning and development controls. The recommendations of the strategic review will help to inform a future Planning Proposal to apply which will incorporate Oxford Falls Valley and Belrose North into Warringah LEP 2011 (www.planning.nsw.gov.au). Once the localities are incorporated within LEP 2011, the detailed development controls contained within Warringah DCP will also apply to these localities.

FIGURE 6 – DEFERRED LEP LAND (WWW.PLANNING.NSW.GOV.AU)



1.3 PRE LODGEMENT MEETING – WARRINGAH COUNCIL

Matthews Civil and the MLALC met with Warringah Council on 12 February 2013 prior to lodgement of this planning proposal. The purpose of the meeting was to discuss the deferred Oxford Falls Valley and Belrose North precinct from the LEP 2011, and to outline the proposed LEP amendments, and the proposed developments potential impact on the deferred LEP 2011.

Council provided formal feedback (**Appendix Q**) on the proposal and specifically requested the applicant address a range of matters within this planning proposal. A compliance table addressing each issue is included at **Appendix Q** and identifies where in this planning proposal responses have been provided to address each issue.

2 Objectives or Intended Outcomes

2.1 OBJECTIVES

2.1.1 METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL

The Metropolitan Local Aboriginal Land Council (the Land Council) owns the subject site under freehold title. The land was granted by the NSW Government to the Land Council under the NSW Aboriginal Land Rights Act 1983 that provides a mechanism for compensating Aboriginal people of NSW for the loss of their land.

The Land Council has identified their site at the western end of Ralston Avenue, Belrose, for potential residential development. The proposed development site relates to a portion of the overall landholding, owned by the Land Council under freehold title. Under the proposal more than 85% of the 135 hectare site will remain undeveloped as natural bushland.

The site is currently the subject of a broader strategic land review by Warringah Council and the NSW Department of Planning and Infrastructure and was deferred from Warringah's Local Environment Plan in 2011. This proposal seeks to facilitate the preparation of a LEP to rezone land within Locality C8 – Belrose North to allow its future development for residential purposes.

Whilst the benefits of the planning proposal to the MLALC are not a statutory consideration of any rezoning, consideration should be given to the wider community benefits of the proposal, and its ability to positively contribute to the Aboriginal people.

The Land Council recognises the need to respect the character of the Belrose area and create additional community benefit to the non-Aboriginal community, whilst ensuring that the development of the land still has direct benefits to the Aboriginal people, under their charter.

The Land Council views the development of the site as an important opportunity, with benefits for the local community and the Aboriginal people: These benefits will include:

- Ensuring the project provides social and economic capital to Aboriginal people and MLALC members across central and northern Sydney.
- Allowing land owned under freehold title through the NSW Land Rights Act 1983 to be more than just symbolic, and provide economic opportunity for the Aboriginal people through the development of their own land.
- Contributing to the Metropolitan Local Aboriginal Land Council ongoing role as the statutory body charged with managing land assets and providing a range of support services delivered at a local level to their community.
- Maintain the Land Council, as recognised by Warringah Council, as the custodians of Aboriginal land, cultural sites and landscapes within the Local Government Area.
- Utilise the existing assets of the MLALC through the release of land for the wider economic, cultural and social benefits of the Metropolitan Aboriginal community to meet the objectives of the provision of housing, education and employment.
- The relevant stakeholders and community members continuing to work together to foster reconciliation between Aboriginal and non-Aboriginal people.
- Actively working with the local community to promote an increased understanding of Aboriginal culture.
- Establish a framework for considering development proposals affecting the Land Council's interests, elsewhere in Warringah and the wider Sydney Metropolitan region, and to build expertise and capacity so that MLALC are better placed to manage other projects.

- The Land Council is committed to working with the community and key stakeholders. Once preliminary studies have been completed, the Land Council will undertake a community consultation program, with residents and stakeholders invited to have their say on the proposal.

2.1.2 DEVELOPMENT OBJECTIVES

The primary objective of the proposed rezoning is the creation of a new sustainable residential community within an attractive landscaped setting. This will be achieved through:

- To provide a landmark development which has the highest regards for urban design and master planning, and at the same time deliver capacity and economic self-sufficiency. The aim is to develop individual house lots for release on the open market.
- The development will be socially sustainable, based on a number of key principles including low density housing consistent with the current low density zoning of the Belrose area, maintaining the bushland setting of the surrounding area and ensuring that community access to bushland areas owned by the Land Council will be maintained and enhanced.
- Environmental sustainability will also be a key consideration in the proposal, with less than 16% (including APZs) of the Belrose land owned by the Land Council to be considered for development. The remaining land will be retained as urban bushland.
- Improved local amenity is anticipated upon completion of the development through the provision of walking paths, bicycle paths, bushland park areas and improved accessibility to the wider Garigal National Park area.
- Providing compatible land use zones that will create additional low density housing opportunities to meet the existing and likely future needs of the local community.
- Integrating the site with the broader local community through improved accessibility and connections between the adjoining established residential areas and the Garigal National Park.
- Avoiding unacceptable impacts on the character and amenity of the adjoining and surrounding residential development by developing a range of controls that will facilitate housing that is consistent with the surrounding development and compatible with the bushland setting.
- Developing an integrated design solution for the site that incorporates the unique ecological and hydrological features.
- Utilising the established physical and social infrastructure which currently services the site and adjacent urban areas.

Future development of the land is to be guided by the detailed principles outlined within the Urban Design Report (**Appendix A**) prepared by Hassell and as summarised below:

- The MLALC seeks that the land is to be developed in a manner which:
 - Creates a “landmark” flagship development in environmental terms
 - Provides a quality development that cares for the environment and the community
 - Utilises the land efficiently for its most productive use
 - Enhances and connects with the environment
 - Is commercially viable and responds to the market
 - Is in accordance with accepted standards of development and environmental responsibility
 - Achieves ecologically sustainable development

- Maximises the commercial potential of the land and returns to the landowners
- Builds capacity for MLALC through knowledge sharing
- The design development process included the following design considerations:
 - Create a strong sense of place in prestigious new land estate
 - Have appropriate regard for the natural setting and proximity to the adjoining bushland of Garigal National Park
 - Create suburban housing lots in a bush landscape context
 - Utilise existing road and other infrastructure to support new housing lots
 - Lot design and orientation to capture district views and solar access
 - Provide the future and surrounding community with access to and through the site connecting to existing bushland walking trails
- The process of review and analysis has involved a series of planning and design options for potential lot layouts and density scenarios. Through a process of consultation and environmental analysis, a concept master plan has been developed that includes the following key features:
 - Mix of residential densities to suit topography, location and visual context
 - Pedestrian / Cycle links
 - Public access to bushland
 - Sympathetic development appropriate to its visual setting
 - Managed bushland edges and adjoining lands

A copy of the Concept Plan Report prepared by Hassell is attached as **Appendix A**.

2.2 INTENDED OUTCOMES

The indicative development concept plan prepared by Hassell (**Appendix A**) has been prepared based on a comprehensive assessment of the site and its context, as well as the outcomes of a number of specialist consultant studies and reports (each of which has been submitted with the Planning Proposal), including:

- Ecological Survey and Biodiversity Offsets Analysis (Travers Bushfire and Ecology)
- Open Space and Recreation (Gondwana Consulting)
- Infrastructure Services Strategy (Warren Smith & Partners)
- Bushfire Protection Assessment (Travers Bushfire and Ecology)
- Assessment of Traffic Implications (Transport and Traffic Planning Associates)
- Zoning and Building Heights Maps
- Economic Impact Assessment (Hill PDA)
- Housing Demand Study (Hill PDA)

- Aboriginal Archaeological Assessment (Dominic Steele Consulting Archaeology)
- Stage 1 Contamination Assessment (Environmental Investigations)
- Social Impact Assessment (Hill PDA)
- Electrical Services Strategy (DEP Consulting Pty Ltd)
- Consultation Strategy (KJA)
- Survey Plan (Lockley Land Title Solutions)

This collaborative assessment and analysis concludes that the 135.3 hectare site includes a developable area of approximately 17.15 hectares (approximately 12.7% of the site) which is proposed to be rezoned to enable its development for residential purposes.

It is proposed that the plateau area of the site will be rezoned to a residential zone to accommodate a variety of residential dwellings that will meet the existing and likely future housing demand within the local area. The Concept Plan Report and indicative development concept plan provides for approximately 169 lots, the average lot size across the site is expected to be 600m². The actual dwelling mix and type will be determined at the development application stage. Some lots will be a minimum of 550m² and it is proposed that a draft DCP provision specific to the site will allow minimum lot sizes of 550m².

The balance of the developable area of the site will comprise the public open space, stormwater management and asset protection zones (APZ) for bushfire protection. Each of these elements has been designed in an integrated manner to enable the recreational use of these spaces and to utilise the natural landscape as a defining element of the visual character and mitigate any potential impacts on water quality.

A maximum building height limit of 8.5m is proposed.

The key features of this integrated system are anticipated to include:

- **Ecological analysis and management** - The Ecological Survey and Biodiversity Offsets Analysis prepared by Travers bushfire and ecology (**Appendix B**) provides an overview of the expected ecological impacts based on the proposed layout of the planning proposal. It also provides base data for offsetting purposes and provides a preliminary assessment of offset ratios based on the vegetation communities and recorded threatened flora populations.

The following threatened flora species and endangered ecological community have been recorded:

- *Tetratheca glandulosa*
- *Grevillea caleyi*
- *EEC - Coastal Upland Swamp of the Sydney Basin Bioregion*

The following are rare species also affected by the R2 zone and APZs:

- *Eucalyptus luehmanniana*
- *Angophora crassifolia*

The following threatened fauna have been recorded within or in close proximity to the site:-

- *Powerful Owl (Ninox strenua)*
- *Grey-headed Flying-fox (Pteropus poliocephalus)*

- *Eastern Bentwing-bat (Miniopterus schreibersii oceanensis)*
 - *Little Bentwing-bat (Miniopterus australis)*
 - *Little Lorikeet (Glossopsitta pusilla)*
 - *Rosenberg's Goanna (Varanus rosenbergi)*
 - *Red-crowned Toadlet (Pseudophryne australis)*
 - *Giant Burrowing Frog (Heleioporus australiacus)*
- **Public open space** – the public open space area will include a neighbourhood park (approximately 7,869m² in area). The proposal also includes up to 4 smaller local parks within the proposed development area. Other open space will include a multi-use bike path constructed through the APZ around the perimeter of the development site linking to the Heath trail and linking to bike and regional trails proposed by Council. Public open space and pathways will include interpretive signage. Refer to **Appendix C**.
 - **Stormwater** - the stormwater management system will include a range of water sensitive urban design measures to reduce run-off volumes and pollution loads discharging from the site. The proposed development will utilise Rainwater Capture and Reuse, On-Site Detention, Stormwater Bio-Retention Systems and Permeable Pavements and will result in the development meeting the most stringent Water Quality Targets. The stormwater system will be designed to ensure that flows will be reduced to a pre-development development rate in-line with Warringah Council's OSD Policy. The utilisation of On-Site Detention in lots and in the parkland/streetscape will be implemented to achieve this. A preliminary design has been undertaken to service the site with water, and in summary the existing infrastructure in Ralston and Wyatt Avenue possesses adequate capacity to service the development with a minor amplification required for the water main. Liaison with the relevant authorities has taken place which has resulted in straightforward connections to existing mains to provide reticulation services to the development. Refer to **Appendix D**.
 - **Asset protection zones** – the asset protection zones have been determined relative to the slope and vegetation characteristics for the proposed development and in accordance with the requirements of *Planning for Bushfire Protection 2006* that necessitates that a significant portion of land will be managed as an APZ. The potential asset protection zones will range from a minimum of 15m up to 61m affecting a total of 4.73ha. The APZs can be utilised as public roads, fire trails, playing fields, parking areas, generally cleared drainage zones, generally cleared electricity easements, playgrounds or similar types of managed facilities. Refer to **Appendix E**.

The key transport and traffic measures proposed to accommodate the proposed rezoning and future development of the site are described below and included at **Appendix F**:

- **Vehicle access** - the access to the site is proposed from the western end of Ralston Avenue and from an extension of Wyatt Avenue along the northern and western boundaries of the Sydney East Substation. Both accesses are important for access or egress for fire fighters and residents during a bushfire emergency. All vehicular access has been designed in accordance with the requirements of *Planning for Bushfire Protection 2006*, and is capable of accommodating waste and service vehicles.
- **Road layout** - the internal road layout responds to the terrain, the requirements for access for service vehicles and buses. The road layout provides a number of traffic management devices including traffic calming devices at main intersections and mid-block. The site will connect to the existing road system through the construction of Ralston Avenue, from the existing junction with Elm Avenue and the construction of an extension to Wyatt Avenue, from the existing termination of Wyatt Avenue. The road layout will comply with Section 4.1.3 of *Planning for Bushfire Protection*.
- **Car parking** – it is anticipated that the future car parking rates will be in accordance with the requirements outlined in the Warringah DCP 2011 for low density housing.

3 Explanation of Provisions

3.1 OVERVIEW

It is proposed to rezone the site by way of an amendment to Warringah Local Environmental Plan (WLEP) 2011. An explanation of the proposed written provisions is provided within the following sub-sections, including:

- **Land Use Zoning** – description and justification of proposed land use zones, objectives and permitted uses.
- **Height of Buildings** - description and justification of the proposed objectives and maximum height of buildings.

Accompanying maps have been prepared and submitted with the Planning Proposal as **Appendix G**.

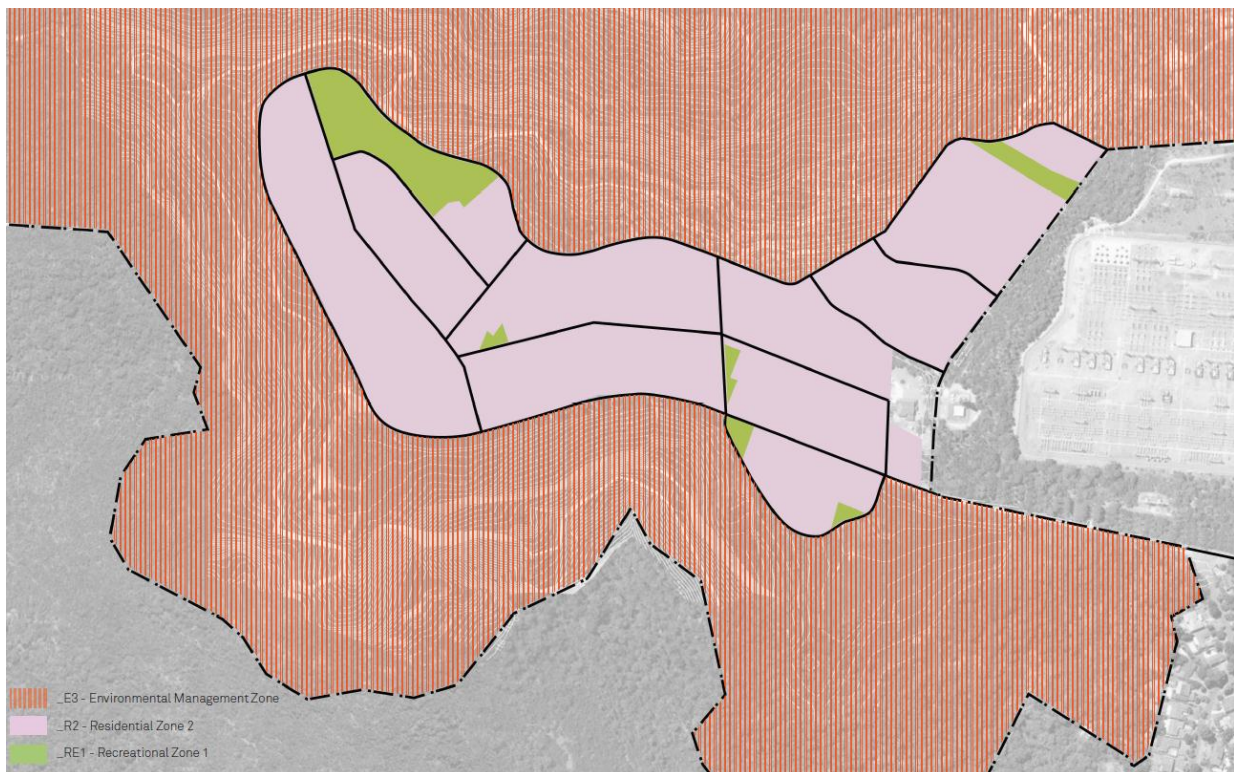
3.2 LAND USE ZONING

A Land Use Zone Map has been prepared which seeks to rezone the site to the following zones in accordance with the provisions of WLEP 2011:

- Zone R2 Low Density Residential.
- Zone RE1 Public Recreation.
- Zone E3 Environmental Management.

The draft Land Use Zone Map is submitted with the Planning Proposal. A reduced sized copy is provided as **Figure 7**. If Council consider the environmental zoning proposed is inappropriate, then MLALC would engage with council officers in respect of the most suitable zoning for this area of the site.

FIGURE 7 – PROPOSED LAND USE ZONING (HASSELL)



Each of the relevant zone provisions, as provided in WLEP 2011, is extracted below, and the proposals compliance with the objectives of each zones is identified.

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

*Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; **Dwelling houses**; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Places of public worship; Recreation areas; Respite day care centres; Roads; Veterinary hospitals*

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

2 Permitted without consent

Environmental facilities; Environmental protection works; Roads

3 Permitted with consent

*Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Emergency services facilities; Kiosks; **Recreation areas**; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Water recreation structures*

4 Prohibited

Any development not specified in item 2 or 3

Zone E3 Environmental Management

1 Objectives of zone

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To ensure that development, by way of its character, design, location and materials of construction, is integrated into the site and natural surroundings, complements and enhances the natural environment and has minimal visual impact.*
- *To protect and enhance the natural landscape by conserving remnant bushland and rock outcrops and by encouraging the spread of an indigenous tree canopy.*
- *To protect and enhance visual quality by promoting dense bushland buffers adjacent to major traffic thoroughfares.*

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Home businesses; Home industries; Horticulture; Recreation areas; Roads

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

The proposed land use zones are considered appropriate, having regard to the following matters:

- The proposed low density residential zone is consistent with the zoning of the nearby residential areas to the west and south and will provide for housing choice and diversity at varying price points.
- The public recreation zoning will provide for active and passive recreation opportunities that benefit the future residents and the existing local community.
- The provision of a vegetated APZ between the R2 zone and the E3 zone ensures a harmonious transition between the proposed built form and the wider non developable lands.
- The proposed neighbourhood/local parks within the developable area will create additional useable open space for future residents and surrounding residents. The proposed neighbourhood parks will accommodate children's play equipment, open ball and games spaces and areas of natural vegetation similar to the existing landscape on site to allow users to interact.
- The proposal only seeks to develop 12.7% of the overall site with minimal impact on ecological and scientific values on the site. The provision of the remainder of the site (87.3%) in its natural state is consistent with the objectives of the RE1 and E3 zoning.
- The environmental zoning will provide for the conservation and management of the significant ecological features of the site. The management of the E3 zone will remain the responsibility of MLALC, and the E3 zone will be accessible to the public through a series of existing bush tracks.

- The E3 zoning of up to 118.15ha (87.3%) of the site will ensure that the natural surrounding environment is maintained and that the existing character of the surrounds is preserved.
- The E3 zoning ensures that the natural landscape is conserved including remnant bushland, and rock out crops.

3.3 AVERAGE LOT SIZES

The proposed average lot size across the site is expected to be 600m². The actual dwelling mix and type will be determined at the development application stage. Some lots will be a minimum of 550m² and it is proposed that a draft DCP provision specific to the site will allow minimum lot sizes of 550m².

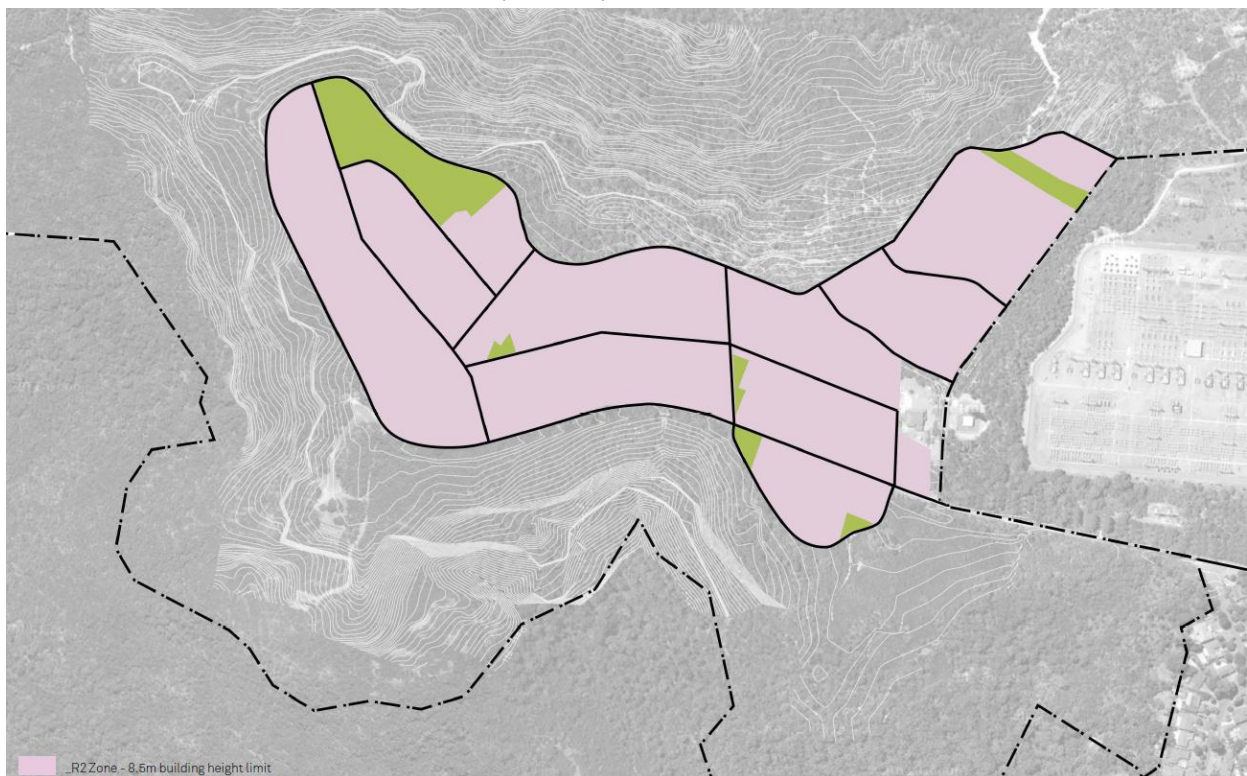
The proposed average lot sizes are considered appropriate as they are generally consistent and compatible with the surrounding residential areas to the west and south, while providing for lot sizes that meet the changing demands for smaller and more affordable housing.

3.4 HEIGHT OF BUILDINGS

The proposed maximum building heights for the site areas zoned R2 is 8.5 metres which is consistent with the nearby residential land along Mona Vale Road to the north and Davidson to the south.

The draft building heights are shown on the Height of Buildings Map, which is submitted with the Planning Proposal. A reduced sized copy is provided as **Figure 8**.

FIGURE 8 – PROPOSED HEIGHT OF BUILDINGS (HASSELL)



The proposed maximum building heights are considered appropriate as they are entirely consistent with the surrounding residential zones and will reduce the potential visual impacts of the future residential development.

3.5 SUBDIVISION

The subdivision layout and title will be appropriately addressed through subsequent Development Applications. Notwithstanding that, the applicant intends the following land titling of the residential subdivision.

- Ownership of the redundant lands (approximately 87.3% of the site, including 4.73ha of APZ) would remain under The MLALC, with the MLALCs stated preference of providing public benefit through the use of this land as Aboriginal National Park, under the management of the National Parks and Wildlife Services. This is subject to further discussion with Warringah Council and the State Government.
- MLALC stated preference is for torrens titling for new residential lots, and dedication of roads and parkland to Council.

4 Justification for Proposed LEP

4.1 NEED FOR THE PLANNING PROPOSAL

4.1.1 NSW STATE PLAN 2021

NSW 2021 is a 10 year plan to rebuild the economy, return quality services, renovate infrastructure, restore accountability to government, and strengthen our local environment and communities. It replaces the State Plan as the NSW Government's strategic business plan. NSW 2021 includes 32 goals, several of which may be considered relevant to the proposal.

- Place downward pressure on the cost of living
 - Improve housing affordability and availability
- Grow patronage on public transport by making a more attractive choice
 - Increase the number of commuter trips
- Protect and conserve land, biodiversity and native vegetation
- Fostering Opportunity and Partnership with Aboriginal People
- Protect our natural environment
 - Protect and restore priority land, vegetation and water habitats

Overall, it is considered that the proposed rezoning will contribute to delivering these goals through the following:

- The proposal is consistent with a target of the state plan to bring an average 20,000 hectares per year of private land under conservation management and increasing *Aboriginal participation in natural resource management by supporting Aboriginal Green Teams and other Aboriginal groups working to protect and conserve natural environments*. The MLALC proposal seeks to zone up to 118.15ha (87.3% of the site) of privately owned land as E3 Environmental Management, and would contribute to the protection and conservation of ecologically significant land under ownership of the MLALC.
- It is proposed that the majority of the developable area of the site will be rezoned R2 low density residential to accommodate a variety of low density dwellings that will meet the existing and likely future housing demand within the local area. It is proposed that the plateau area of the site will be rezoned to a residential zone to accommodate a variety of residential dwellings that will meet the existing and likely future housing demand within the local area. The Concept Plan Report and indicative development concept plan provides for approximately 169 lots, the average lot size across the site is expected to be 600m² and will add to the availability and diversity of dwellings within Belrose and the Warringah LGA. The actual dwelling mix and type will be determined at the development application stage.
- The balance of the developable area of the site will comprise the public open space, stormwater management and asset protection zones (APZ) for bushfire protection. Each of these elements has been designed in an integrated manner to enable the recreational use of these spaces and to utilise the natural landscape as a defining element of the visual character and mitigate any potential impacts on water quality.
- It is considered highly unlikely, that undetected evidence for past Aboriginal visitation and use of the subject site may be exposed by the proposed development. The proposal would be consistent with the State Plan in seeking to protect any detected Aboriginal artefacts or evidence of visitation as outlined in the Aboriginal Archaeological Assessment at **Appendix J**.

- It is considered that indirect employment benefits and improvements to social infrastructure for the Aboriginal community in the wider metropolitan area would occur through reinvestment of the returns from the release and sale of this asset of the MLALC.
- Allowing land owned under freehold title through the NSW Land Rights Act 1983 to be more than just symbolic, and provide economic opportunity for the Aboriginal people through the development of their own land.
- Contributing to the Metropolitan Local Aboriginal Land Council ongoing role as the statutory body charged with managing land assets and providing a range of support services delivered at a local level to their community.
- The proposal will provide a mix of appropriate housing to meet the current housing demands and needs of the North East subregion.
- The proposed development provides a mix of housing that is accessible to means of transport including the existing local and regional bus services, access to jobs within the wider north east region and the Sydney metropolitan area.
- The proximity of the development site to existing bus routes, and the capability of the development site to accommodate new bus routes will contribute to promoting patronage of public transport for commuter trips and local convenience trips.

4.1.2 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The planning proposal has been prepared based on a comprehensive analysis of the site and its context, including a detailed master planning study and a range of specialist technical reports that address key issues, such as managing traffic generation, bushfire, stormwater and flooding issues and flora and fauna analysis.

The gazettal of the Warringah LEP 2011 deferred the subject site area and other parcels of land within the Belrose area. This planning proposal has been prepared to inform the existing Warringah LEP 2011 review process being undertaken by the NSW Department of Planning and Infrastructure and Warringah Council to address the future zoning of the subject site to ensure consistency with the Warringah LEP 2011.

As outlined at the Oxford Falls Valley & Belrose North Stakeholders Meeting held 15 October 2012 the LEP review process is being undertaken in a two stage approach.

Stage 1

- To endeavour to have the consolidating LEP for the deferred area resolved and translated into the standard template by early next year. There will be a draft zoning outcomes for our site.
- The process will include stakeholder consultation and hearing stakeholders' views.
- The report for Stage 1 will recommend proposed land use zones and suitable land uses, while identifying other controls for inclusion in a planning proposal for the area. Recommendations from the review will enable a planning proposal to be lodged to bring Oxford Falls Valley and Belrose North into Warringah's standard LEP.
- This process is due to finish April 2013.

Stage 2

- Stage 2 includes a comprehensive review of the LEP having regard to housing targets, the environment and transport issues and the impact of any new urban growth.
- This stage of the process is due to in 2013 and is anticipated to take 3 years.
- It is understood that 7 speciality studies will investigate long term capacity for urban growth and determine how much more urban growth can be accommodated within the Warringah LGA.

This planning proposal is a result of a number of strategic studies undertaken by Matthew's Civil to inform the suitability of the future development of the site, and inform the Oxford Falls Vallet & Belrose North review process.

4.1.3 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

The primary objective of the Planning Proposal is to:

- Utilise the existing assets of the MLALC through the release of land for the wider economic, cultural and social benefits of the Metropolitan Aboriginal community to meet the objectives of the provision of housing, education and employment.
- Provide compatible land use zones that will create additional low density housing opportunities to meet the existing and likely future needs of the local community.
- Integrate the site with the broader local community through improved accessibility and connections between the adjoining established residential areas and the Garigal National Park.
- Avoid unacceptable impacts on the character and amenity of the adjoining and surrounding residential development by developing a range of controls that will facilitate housing that is consistent with the surrounding development and compatible with the bushland setting.
- Develop an integrated design solution for the site that incorporates the unique ecological and hydrological features.
- Utilise the established physical and social infrastructure which currently services the site and adjacent urban areas.

The proposed rezoning and redevelopment of this land represents the best means of achieving this objective as discussed in each of the following points:

- **Ecological benefits (Refer Appendix B)** – The EEC - Coastal Upland Swamp occurs in several patches covering a total of 1.8ha. 1.65ha or 92% of Coastal Upland Swamp will be retained as part of the proposed planning scheme. The planning proposal provides a natural vegetation buffer of 30m to the north west of the largest patch of Coastal Upland Swamp. An asset protection zone provides additional separation. The proposed rezoning also proposes that approximately 87.3% of the site is retained under E3 Environmental Management to ensure the natural habitat and ecosystems contained within this large portion of the site are maintained.

As a biodiversity offset is proposed, an examination of proposed offsets and provision of relevant information and assessment will be needed in the form of a biodiversity offset package for the proposed planning scheme which will be expected to satisfy a maintain or improve test. There is no doubt that the proposed offset areas provide a major contribution to the adjoining national park estate and appear to provide typically acceptable offsets based on the loss and gain of vegetation communities.

Adequacy of the offsets will need to be determined through the application the Biodiversity Certification Assessment Methodology or the Biobanking Assessment Methodology. Additional offsets including restoration of habitat may be required to adequately offset the loss of threatened flora and fauna habitat.

- **Economic benefits (Refer Appendix H)** – the proposed economic benefits include:
 - Creating additional retail expenditure available to be captured by existing centres in the local area such as Ralston Avenue Belrose, Glenrose Small Village Centre and Sorlie Road Frenchs Forest Neighbourhood Centre
 - Supporting jobs in surrounding centres which would benefit both existing and new residents
 - Creating significant direct and indirect capital investment in Warringah LGA, the North East Subregion and the Sydney Metropolitan Area
- **Employment and training** – Creating jobs directly and indirectly during the construction process, and through the maintenance of the proposed asset protection zones and public recreation areas post construction. Indirect employment benefits to the Aboriginal community in the wider metropolitan area through reinvestment of the returns from the release and sale of this asset of the MLALC.
- **Local housing supply (Refer Appendix I)** - the residential development of the site can provide a meaningful contribution to the provision of housing, and importantly, a range of housing typologies that respond to the demographic characteristics of the area and assisting to ease housing price inflation resulting from constrained supply

Overall, it is considered that the proposed rezoning will provide compatible land use zones that will create additional low density housing opportunities to meet the existing and likely future needs of the local community. The proposal will also contribute to utilising the established physical and social infrastructure which currently services the site and adjacent urban areas, whilst contributing to additional employment during construction and post construction.

4.1.4 IS THERE A NET COMMUNITY BENEFIT?

Net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

TABLE 1 – NET COMMUNITY BENEFIT

CRITERIA	PROPOSAL
The contribution the proposed development will make to the stocks of residential land	The Planning Proposal will result in approximately 17.15 hectares (12.7% of the site) of additional land being made available for residential development. It is proposed that the developable area of the site will be rezoned to accommodate a variety of low density dwellings that will meet the existing and likely future housing demand within the local area. The Concept Plan Report and indicative development concept plan provides for approximately 169 lots, the average lot size across the site is expected to be 600m². The proposed minimum lot size on site will be 550m², and it is proposed that a draft DCP provision specific to the site will allow the minimum lot sizes. The actual dwelling mix and type will be determined at the development application stage. The proposal will provide a meaningful contribution to the provision of housing, and importantly, a range of housing typologies that respond to the demographic characteristics of the area. Refer to Hill PDA Economic Impact Assessment and Housing Demand Study included at Appendix H and I.

CRITERIA	PROPOSAL
The likely job creation from the proposal	The Planning Proposal is anticipated to result in the creation of approximately 1825 job years directly and indirectly during the construction period. (Refer to Hill PDA Economic Impact Assessment and Housing Demand Study included at Appendix H and I) It is also anticipated that some jobs would also be created during the operational phase of the development, including direct jobs (e.g. maintenance of the asset protection zones) and indirect jobs (e.g. cleaners, local services, etc.). It is also considered that indirect employment benefits to the Aboriginal community in the wider metropolitan area would occur through reinvestment of the returns from the release and sale of this asset of the MLALC.
Special benefits associated with the proposal, including housing affordability and diversity; heritage conservation and infrastructure contributions	The special benefits of the project include: ▪ Indirect employment benefits to the Aboriginal community in the wider Sydney metropolitan area would occur through reinvestment of the returns from the release and sale of this asset of the MLALC. ▪ Delivery of additional housing and housing choice in the Warringah LGA and ease in housing price inflation resulting from constrained supply. ▪ Creating significant direct and indirect capital investment in Warringah LGA, the North East Subregion and the Sydney Metropolitan Area. ▪ The creation of approximately 118.15ha (approximately 87.3% of the site) as E3 zoned land to ensure the protection and management of a large proportion of natural environment is achieved, and to provide increased connectivity and access for recreational users. ▪ Ensuring the project provides social and economic capital to Aboriginal people and MLALC members across central and northern Sydney. ▪ Allowing land owned under freehold title through the NSW Land Rights Act 1983 to be more than just symbolic, and provide economic opportunity for the Aboriginal people through the development of their own land. ▪ Utilise the existing assets of the MLALC through the release of land for the wider economic, cultural and social benefits of the Metropolitan Aboriginal community to meet the objectives of the provision of housing, education and employment. ▪ Matthews Civil proposes a Voluntary Planning Agreement to implement the objectives of the planning proposal and ensure a level of public benefit as a result of the proposal. MLALCs stated preference is subject to further investigation but could include the use of the redundant lands 118.15ha (approximately 87.3% of the site) as an Aboriginal National Park, under management of the National Parks and Wildlife Services. This is subject to further discussions with Warringah Council and the State Government.

The key issues to be balanced in weighing the net community costs and benefits of this proposal are:

Costs

- **Ecological impacts (refer Appendix B)** – Appendix B identifies the following potential ecological impacts to the site.

The planning proposal results in a potential loss of one hundred and one (101) *Tetratheca glandulosa* plants, and a potential loss of six (6) *Grevillea caleyi* plants within the areas proposed for residential rezoning, including road corridors. Significant areas of potential *Tetratheca glandulosa* habitat exist within the offset lands and more extensive population are likely to be present.

An estimated 80% of both populations of *Eucalyptus luehmanniana* and *Angophora crassifolia* will be conserved. There is an estimated three thousand and sixty-two (3,062) *Eucalyptus luehmanniana* and nine hundred and seventy eight (978) *Angophora crassifolia* being protected within the proposed offset lands.

The planning proposal directly impacts on 0.15ha of the EEC – Coastal Upland Swamp but conserves a larger contiguous area of 1.27ha to the south of Ralston Road plus a further 0.53ha to the north of the Wyatt Road extension within the proposed offset lands. The retention of the 0.15ha patch is not feasible within the current planning scheme and represents a 7.6% loss of this community.

Rosenberg's Goanna (*Varanus rosenbergi*), Redcrowned Toadlet (*Pseudophryne australis*) and the Giant Burrowing Frog (*Heleioporus australiacus*) are significant threatened fauna species having been found on site which require further investigation.

The heath habitat is being utilised as foraging habitat for Rosenberg's Goanna (*Varanus rosenbergi*). Peripheral areas of the planning proposal also provide suitable habitat for Redcrowned Toadlet (*Pseudophryne australis*) and dispersal and potential breeding habitat for Giant Burrowing Frog (*Heleioporus australiacus*). Based on the advice of Mr Gerry Swan (Goanna Expert), the Rosenberg Goanna population is expected not to be significantly impacted and a viable population can be maintained in the presence of the proposed development.

The recorded Giant Burrowing Frog (a desiccated carcass confirmed by DNA analysis) is a juvenile and likely to be dispersing at the time of capture. Potential breeding habitat for this species occurs within the perennial streams that drain off the plateau. The noted expert, Dr Michael Mahoney (University of Newcastle) has been engaged to provide an expert report on the Giant Burrowing Frog and Red Crowned Toadlet.

- **Water quality** - the proposed development has the potential to increase water run-off as a result of the increase in impervious area and impact on the downstream water quality as a result of additional pollutants from residential activities. A stormwater management system with a range of water sensitive urban design measures is proposed to reduce the volume and pollution loads of water discharging from the site. The proposed development will utilise Rainwater Capture and Reuse, On-Site Detention, Stormwater Bio-Retention Systems and Permeable Pavements and will result in the development meeting the most stringent Water Quality Targets. The stormwater system will be designed to ensure that flows will be reduced to a pre-development development rate in-line with Warringah Council's OSD Policy. The utilisation of On-Site Detention in lots and in the parkland/streetscape will be implemented to achieve this.
- **Aboriginal archaeology** – It is considered highly unlikely that undetected evidence for past Aboriginal visitation and use of the subject site may be exposed by the proposed development and if it did occur, it would consist of either isolated items or low density distributions of flaked ground stone or possible rock engravings/axe grindings grooves that may be obscured by existing vegetation cover (refer to **Appendix J**).
- **Economic Impact** – it should be noted that there may be some short-term adverse economic impact during the construction process resulting from increased traffic locally. This potential adverse impact would likely be insignificant and would be mitigated as far as possible.

Benefits

- **Economic impacts** – The proposal will result in creating additional retail expenditure available to be captured by existing centres in the local area such as Ralston Avenue Belrose, Glenrose Small Village Centre and Sorlie Road Frenchs Forest Neighbourhood Centre. In addition economic benefits include the creation of supporting jobs in surrounding centres and the provision of additional retail floorspace which would benefit both existing and new residents.

The creation of significant direct and indirect capital investment in Warringah LGA, the North East Subregion and the Sydney Metropolitan Area is also considered a benefit to the proposal.

- **Employment outcomes** – The Planning Proposal is anticipated to result in the creation of approximately 1825 job years directly and indirectly during the construction period. (Refer to Hill PDA Economic Impact Assessment included at **Appendix H**).

It is also anticipated that some jobs would also be created during the operational phase of the development, including direct jobs (e.g. maintenance of the asset protection zones) and indirect jobs (e.g. cleaners, local services, etc.).

It is also considered that indirect employment benefits to the Aboriginal community in the wider metropolitan area would occur through reinvestment of the returns from the release and sale of this asset of the MLALC.

- **Housing diversity and choice** – the proposed rezoning will result in approximately 17.15 hectares (approximately 12.7% of the site) of additional land being made available for residential development. It is proposed that majority of the developable area of the site will be rezoned R2 Low Density Residential to accommodate a variety of low density dwellings that will meet the existing and likely future housing demand within the local area. The Concept Plan Report and indicative development concept plan provides for approximately 169 lots, the average lot size across the site is expected to be 600m². The actual dwelling mix and type will be determined at the development application stage. The proposed dwellings will add to the availability and diversity of dwellings within Belrose and the Warringah LGA and assisting to ease housing price inflation resulting from constrained supply. Refer to **Appendix I**.
- **Aboriginal Archaeology** – No specific areas of Potential Aboriginal Archaeological Sensitivity relative to the rezoning proposal have been identified in the course of site inspections.
- **Increased accessibility to National Park** – the proposed development will provide formal access to the Garigal National Park, benefitting both the future residents of the site as well as the broader local community. The proposed multi use bike path to be constructed through the APZ around the perimeter of the proposed development will link the development to the National Park.
- **Safety and Accessibility** - the nature, width and layout of the proposed road system is suitable and appropriate for any potential evacuation for a bushfire event to the benefit of the community. The road layout will comply with Section 4.1.3 of *Planning for Bushfire Protection*.
- **Public Recreation** – the proposed development will result in the provision of public recreation areas including a regional park, up to 4 local parks, and managed APZs including multi use pathways with connectivity to the surrounding wider Garigal National Park and its trails.

Overall, it is considered that the benefits of developing the site will have a net community benefit by facilitating the provision of additional housing diversity and choice, the creation of direct and indirect employment opportunities, additional retail expenditure benefits to the local area and the provision of managed open space areas for the benefit of future residents and surrounding residents.

4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

4.2.1.1 METROPOLITAN PLAN FOR SYDNEY 2036

The NSW Government released the Metropolitan Plan for Sydney 2036 (Metropolitan Plan) in December 2010. The Metropolitan Plan supersedes the Metropolitan Strategy for Sydney to 2031, which was released in December 2005.

Four of the Strategic Directions within the Metropolitan Plan have direct relevance to the Planning Proposal. Each of these matters is discussed in detail below:

- **Strategic Direction D – Housing Sydney’s Population** - the Metropolitan Plan identifies the need for 770,000 additional homes within Metropolitan Sydney with a range of housing types, sizes and affordability levels for a growing and ageing population. A key action is to locate 70% of new housing within existing urban areas, while recognising that greenfield development will continue to play a significant role in meeting Sydney’s long term housing needs. The site is located within the North East subregion which has a target of 29,000 additional dwellings to be achieved by 2036. Overall, it is considered that the proposal is broadly consistent with Strategic Direction D as it will provide for new low density dwellings adjacent to an established residential area and within walking distance of an existing neighbourhood centre and local and regional bus services.
- **Strategic Direction F - Balancing Land Uses on City Fringe** – this component aims to contain Sydney’s footprint by focussing land release in the North West and South West Growth Centres. Specific reference is given to the independent assessment of the proposed land releases within the Oxford Fall by the Planning and Assessment Commission and the importance of complying with the sustainability criteria. The Sydney Metropolitan Strategy requires any substantially new greenfield area to meet the sustainability criteria shown below, including mechanisms to ensure the timely delivery of services, infrastructure and open space.

TABLE 2 – SUSTAINABILITY CRITERIA FOR NEW LAND RELEASE

Development may be approved if they substantially meet the criteria below after a merit assessment

THRESHOLD SUSTAINABILITY CRITERIA FOR LISTING OF SITE ON MDP	MEASURABLE EXPLANATION OF CRITERIA	COMPLIANCE
1. Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.	▪ Development is consistent with any relevant residential development strategy, subregional strategy, regional infrastructure plan and Metropolitan Strategy. ▪ The provision of infrastructure (utilities, transport open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure contribution. ▪ Preparedness to enter into development agreement.	Yes

THRESHOLD SUSTAINABILITY CRITERIA FOR LISTING OF SITE ON MDP	MEASURABLE EXPLANATION OF CRITERIA	COMPLIANCE
2. Access Accessible transport options for efficient and sustainable travel between homes, jobs, services, and recreation to be existing or provide.	▪ Accessibility of the area by public transport and appropriate road access in terms of: - Location/land use; to existing networks and related activity centres. - Network: the areas potential to be serviced by economically efficient public transport services. - Catchment: the area's ability to contain, or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals. ▪ No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network.	Yes
3. Housing Diversity Provide a range of housing choices to ensure a broad population can be housed.	▪ Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.	Yes
4. Employment Lands Provide regional/local employment opportunities to support Sydney's role in the global economy.	▪ Maintain or improve the existing level of subregional employment self-containment. ▪ Meets subregional employment capacity targets: – Employment related land is provided in approximately zoned areas.	Yes

THRESHOLD SUSTAINABILITY CRITERIA FOR LISTING OF SITE ON MDP	MEASURABLE EXPLANATION OF CRITERIA	COMPLIANCE
5. Avoidance of Risk Land use conflicts, and risk to human health and life, avoided.	- Available safe evacuation route (Flood and Bushfire). - No residential development within 1:100 floodplain. - Avoidance of physically constrained land: high slope; highly erodible. - Avoidance of land use conflicts with adjacent, existing or future land use and rural activities as planned under regional strategy.	Yes
6. Natural Resources Natural resource limits not exceeded/environmental footprint minimised.	- Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows. - Demonstrates most efficient/suitable use of land. - Avoids identified significant agricultural land. - Avoids impacts on productive resource lands; extractive industries, coal, gas and other mining and quarrying. - Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; requires demonstration of efficient and sustainable supply solution.	Yes
7. Environmental Protection Protect and enhance biodiversity, air quality, heritage, and waterway health.	- Consistent with Government approved Regional Conservation Plan (if available). - Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities	Yes

THRESHOLD SUSTAINABILITY CRITERIA FOR LISTING OF SITE ON MDP	MEASURABLE EXPLANATION OF CRITERIA	COMPLIANCE
	and their habitats. ▪ Maintain or improve existing environmental condition for air quality. ▪ Maintain or improve existing environmental condition for water quality and quantity. - Consistent with community water quality objectives for recreational water use and river health (DEC and CMA). - Consistent with catchment and stormwater management planning (CMA and local council). ▪ Protects areas of Aboriginal cultural heritage value (as agreed by DEC).	
8. Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible.	▪ Available and accessible services. - Do adequate services exist? - Are they at capacity or is some available? - Has Government planned and budgeted to further service provision? ▪ Developer funding for required service upgrade/access is available.	Yes

- **Strategic Direction G - Tackling Climate Change & Protecting Sydney's Natural Environment** – the Metropolitan Plan identifies the need to manage growth sustainability and minimising human impact on natural resources while realising social and economic gains. The Plan identifies that Sydney's economic competitiveness relies to a large degree on its natural assets to attract international business and support livelihoods and businesses. The objectives of the strategy seek to reduce greenhouse gas emissions, ensure adaptation to climate change, and to integrate environmental targets into land use planning. Additionally the Plan seeks to protect Sydney's unique diversity of plants and animals and to maintain air quality.
- **Strategic Direction H - Achieving Equity, Liveability and Social Inclusion** – the Metropolitan Plan aims to promote equity and social inclusion in the Sydney region and to ensure the quality of life, health and wellbeing within the city – its liveability – is always improving. Access to job opportunities, transport, appropriate and affordable housing and physical and social infrastructure is essential to achieving equity, liveability and social inclusion and these are key themes throughout the plan.

Overall, it is considered that the proposal meets the objectives of the relevant Metropolitan Plan Strategic Directions by way of the following:

- The proposal is broadly consistent with Strategic Direction D as it will provide for new low density dwellings adjacent to an established residential area and within walking distance of an existing neighbourhood centre and local and regional bus services.
- The proposal will provide a mix of an appropriate housing choice to meet the current housing demands and needs of the North East subregion.
- The proposal is broadly consistent with Strategic Direction G, as it is not considered the proposal will result in a significant increase in greenhouse gas emissions. The proposal also seeks to retain a significant area of bushland and vegetation (approximately 118.15ha or 87.3% of the site) within the overall site.
- The consistency of the proposal with Strategic Direction F ensure the proposed development provides a mix of housing, that is accessible to means of transport including the existing local and regional bus services, access to jobs within the wider north east region and the Sydney metropolitan area. The proposal also ensures that environmental targets will be integrated into land use planning through the retention of large areas of existing native vegetation and fauna communities, and the adoption of appropriate bushfire hazard protection measures.

Based on the site context and the issues of relevance considered by the PAC, the proposal has given particular consideration to the following sustainability criteria for new land release matters:

- **Infrastructure provision** – the proposal is capable of being connected to existing utilities infrastructure servicing the existing nearby residential developments. The proposed development will require very minor upgrades to existing utility services to enable the future residential population to be accommodated. (Refer to Infrastructure Services Strategy included at **Appendix D**). Additionally the proposal gives provision of a mix of social infrastructure including open space areas such as a Local Park, neighbourhood playground and multi-use bike path to be constructed around the perimeter of the development site.
- **Access** - local and regional bus services travel along Contentin Road and Wyatt Avenue in close proximity to the site and the potential exists to extend these services to include the development site. Pedestrian and cyclist accessibility through and around the site is capable of being improved by the implementation of way finding signage situated at strategic locations. The provision of a perimeter multi use path will ensure that access to the wider Garigal National Park is retained for non-residents of the development site.
- **Diversity of housing** – the proposal will provide for new low density dwellings adjacent to an established residential area and within walking distance of an existing neighbourhood centre and local and regional bus services. The future housing typology proposed will provide a mix of dwelling types to be determined at a later DA stage to address local housing typologies demand.
- **Avoidance of risk** – the provision of appropriate APZs within the concept design and two alternative vehicular access roads provides appropriate ingress and egress for fire fighters and residents during emergency situations. The provision of APZ's will comply with the guidelines *Planning for Bushfire Protection*.
- **Environmental protection** – 1.65ha or 92% of Coastal Upland Swamp will be retained as part of the proposed planning scheme. The planning proposal provides a natural vegetation buffer of 30m to the north west of the largest patch of Coastal Upland Swamp. An asset protection zone provides additional separation. The proposed rezoning also proposes that approximately 87.3% of the site is retained under E3 Environmental Management to ensure the natural habitat and ecosystems contained within this large portion of the site are maintained. The proposal seeks to rezone up to 87.3% of the site (118.15ha) as E3 Environmental Management Zone.

Rosenberg's Goanna, the Red Crowned Toadlet and the Giant Burrowing Frog are significant threatened fauna species, with potential habitat areas having been identified on and surrounding the site, requiring further investigation. In summary investigation in to these threatened species concludes the following:

Rosenbergs Goanna

The heath habitat on site is being utilised as foraging habitat for Rosenberg's Goanna (*Varanus rosenbergi*). Peripheral areas of the planning proposal also provide potential habitat for Red Crowned Toadlet (*Pseudophryne australis*) and dispersal and potential breeding habitat for Giant Burrowing Frog (*Heleioporus australiacus*). Based on the advice of Mr Gerry Swan (Goanna Expert), the Rosenberg Goanna population is expected not to be significantly impacted and a viable population can be maintained in the presence of the proposed development.

Red Crowned Toadlet (RCT) and Giant Burrowing Frog (GBF)

Prof. Michael Mahony of the University of Newcastle has been engaged by the applicant to address the following:

- The likely breeding area for RCT and GBF and whether any buffers are likely to impact on the proposed development area
- The significance of impact of the proposed rezoning on the GBF and RCT
- Whether the proposed site (sandstone plateau) is critical to the survival of the population and which parts of the landscape are likely to be more important for breeding purposes
- Whether there is adequate surrounding habitat outside the proposed residential zone to support a viable population
- Whether the planning proposal is likely to result in a significant movement or connectivity restriction on the local population

The result of the analysis will be made available upon receipt by the applicant and will form part of future updated Flora and Fauna analysis.

4.2.1.2 DRAFT SUBREGIONAL STRATEGY FOR THE NORTH EAST SUBREGION

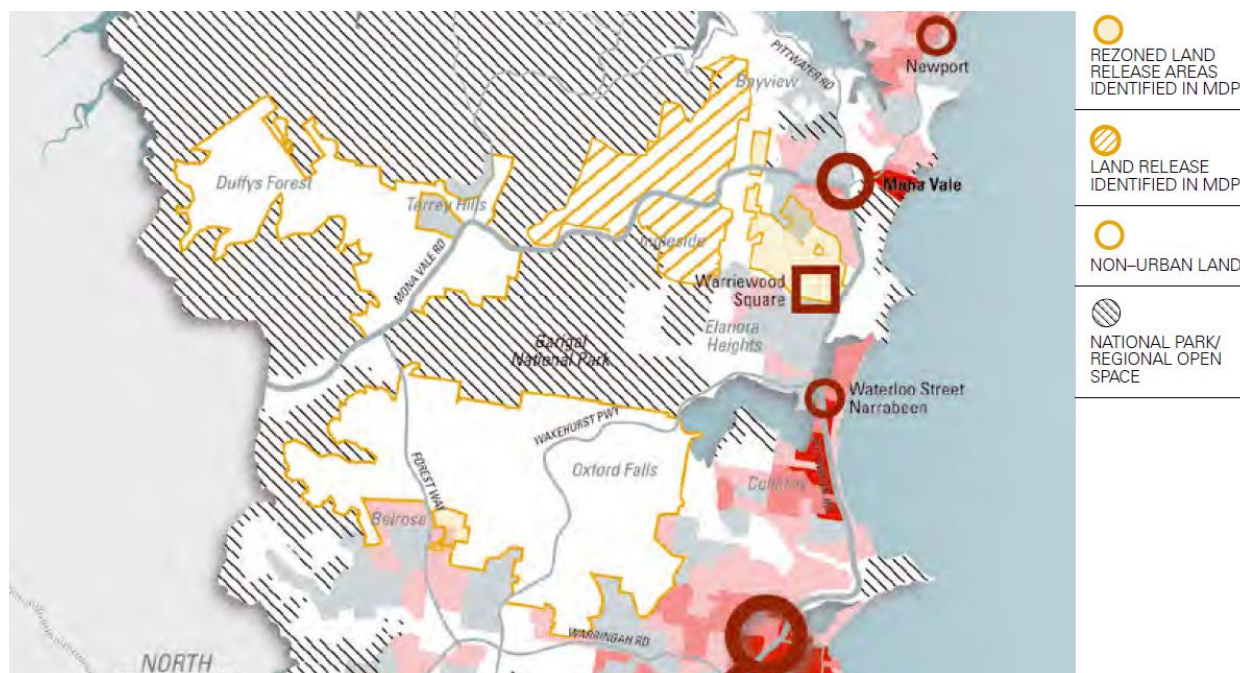
The Draft Subregional Strategy for the North East Subregion prescribes a housing target for Warringah of 10,300 homes by 2031. However, all land is to be provided as 'infill development' noting the provisions of Action C1.1.2 which states:

There is no necessity for non-urban lands (not already identified on the MDP) to meet the dwelling targets for the North East Subregion to 2031. Non-urban lands may be investigated beyond 25 years for potential to provide for residential development. The North East Subregional Strategy will provide a context for timing and the need for future land release areas.

Notwithstanding the above, the Department of Planning will undertake a review of the property market for Sydney's Greater Metropolitan Region (GMR). In particular, this review will identify the range of submarkets within the GMR and whether the existing land use planning controls in each subregion provides excess capacity to meet subregional demands for the next 25 years.

This site is identified in Figure 16 on page 51 of the Strategy as 'Non Urban Land' (shown below). Accordingly, the site is not considered to be 'infill development'.

FIGURE 9 – HOUSING DENSITY IN THE NORTH EAST SUBREGION (DEPARTMENT OF PLANNING)



The redevelopment of the site for residential purposes is considered appropriate for the following reasons:

- There are no flooding constraints to the site, and bushfire constraints can be appropriately managed through the provision of APZs and alternate access arrangements in the case of an emergency.
- The proposed development of the site for residential development is of an appropriate scale and density for its location on the fringe of existing low density residential areas.
- The development site is a smaller parcel of land (17.15ha or 12.7% of the site) in the context of the wider site area (135.3ha) that would be retained in its natural state and includes maintained APZs. The developments location on the fringe of the existing residential area to the east presents an opportunity for the natural expansion of the suburban locality to meet the demand for housing within the North East Region.
- The proposal will result in a net loss of natural vegetation within the wider context of the site, however given the abundance of the remaining flora species within the wider area the proposal is considered appropriate.
- The proposed residential development gives provision of additional housing within close proximity of the neighbourhood retail centre located on Wyatt Avenue that contributes to the community services available to future occupiers.

4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?

4.2.2.1 DRAFT WARRINGAH HOUSING STRATEGY (MAY 2011)

This Housing Strategy identifies areas suitable for the provision of additional housing to assist Council to meet its housing targets into the future. The Strategy has been prepared in response to the State Government's Metropolitan Strategy and draft North East Subregional Strategy. Council has adopted a concentrated, centres approach, with housing located in existing centres rather than dispersed throughout the entire LGA.

The key highlights of the strategy include:

- No high density.
- No land release.
- Centre based up zonings.

The following objectives of the Strategy have been established to ensure the outcomes of this Strategy are consistent with State Government Policy and the expectations of the Community.

- *Ensure that an adequate supply of appropriate land is appropriately zoned for residential development.*
- *Plan for housing in accessible location to transport and services.*
- *Provide a more contained and efficient pattern of urban development with an emphasis on efficient and effective use of existing and new facilities, services and infrastructure.*
- *Optimise the use of existing infrastructure, services and facilities.*
- *Facilitate a diversity of housing options through the provision of a greater mix of housing, in terms of type, density and affordability, to accommodate an increasing and diverse population.*
- *Minimise the impacts of residential growth on the natural environment.*
- *Encourage development that will enhance the amenity of residential areas, and ensure that new housing relates to the character and scale of existing residential development.*

Whilst the proposal is not consistent with the overall outcomes of Strategy that seeks to ensure that no new land release occurs, the proposal is broadly considered consistent with the objectives of the Strategy for the following:

- The proposal will provide up to an additional 18.15 ha (12.7% of the site) of residentially zoned land will be provided on the fringe of an existing residential area to contribute to the North East subregion meeting its additional housing targets of 29,000 additional dwellings to be achieved by 2036.
- Local and regional bus services travel along Contentin Road and Wyatt Avenue and the potential exists to extend these services to include the development site. The development site is currently within walking distance of these transport services. The MLALC has informed local bus service providers of the proposed development objectives and designed distributor roads capable of accommodating bus services. Ultimately the suitability of the site to be serviced by public transport is determined by Transport for NSW, who are likely to be notified of the proposed planning proposal and provide preliminary comment.
- The proposal is capable of being connected to existing utilities infrastructure servicing the existing nearby residential developments. The proposed development will require very minor upgrading of existing utility services to enable the future residential population to be accommodated. The proposed low density residential development will be contained within a development within close proximity to existing nearby neighbourhood centre services and facilities located on Wyatt Avenue.
- The proposal will broaden the range of housing choices and provide ample opportunity for good urban design. The site is located close to established residential areas and local services such as shops and public transport are located in close proximity.
- Proposed housing will give provision of a diversity of housing on the site to meet the demands of a diverse population.
- The proposed character and scale of the proposed development is similar to the existing low density development located to the east of the site.

4.2.2.2 WARRINGAH REGIONAL MULTIPLE USE TRAILS STRATEGY 2007

This document is a planning strategy for the implementation of a Regional multiple-use trails network for Warringah council area and surrounding region. The Strategy also supports the goal “to provide recreational access to natural areas while ensuring the sustainability of the natural environment”.

This strategy seeks to improve the recreation opportunities for the community and is a response to the increasing number of management issues associated with existing trails, and the growing demand for use of the trails.

The proposal is consistent with the strategy in that it proposes a multi-use bike path to be constructed through the APZ around the perimeter of the proposed development and will link the development to the National Park and other trails within Warringah LGA.

4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

TABLE 3 – STATE ENVIRONMENTAL PLANNING POLICIES

POLICY	DETAILS
SEPP 19 Bushland in Urban Areas	The SEPP seeks to protect and preserve areas of urban bushland. Clause 10 of the SEPP sets out matters which must be considered when preparing draft Local Environmental Plans, including consideration of the general provisions and for priority to be given to retaining bushland. The Ecological Assessment at Appendix B identifies that there is the potential for threatened flora species to exist on the development site and two fauna species have been found in the proposed developable area including the red-crowned toadlet and Rosenbergs Goanna. The heath habitat is being utilised as foraging habitat for Rosenberg’s Goanna (<i>Varanus rosenbergi</i>). Peripheral areas of the planning proposal also provide suitable habitat for Redcrowned Toadlet (<i>Pseudophryne australis</i>) and dispersal and potential breeding habitat for Giant Burrowing Frog (<i>Heleioporus australiacus</i>). Further survey work and assessment by OEH is required to measure the level of impact the proposal would have on these species. The provisions of SEPP19 would apply to future development applications, providing additional protection to bushland areas retained within the site.
SEPP 55 Remediation of Land	The potential for site contamination arising from the previous site use has been assessed in detail by Environmental Investigations (Appendix K). This analysis has concluded that the potential contaminants can be managed so that the site is suitable for the proposed residential use. The potential for contamination is considered to be low, with only minimal sampling/testing will be required in the areas affected by dumping. Overall, it is considered that the site is considered suitable for the proposed residential use.

POLICY	DETAILS
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency. The envisaged development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the development application stage.
SEPP (Infrastructure) 2007	The proposed development will require minor upgrades to the existing utility services to enable the future residential population to be accommodated. These works will need to be undertaken in accordance with the provisions of the SEPP. An existing DN100 Sydney Water watermain is located at the junction of Ralston and Elm Avenue. A new connection will be made from this main to service the proposed development. A minor amplification of the existing watermain has been identified by Sydney Water in their Feasibility Letter dated 20th June 2012. The amplification consists of the upgrading of the existing DN100 to a DN150 service for approximately 130m between Elm and Windrush Avenue. Consideration will also need to be given to the potential impacts, if any, on the existing electrical substation and its associated infrastructure.
SEPP No 44 - Koala Habitat Protection	Not applicable as no Koala Habitats on site. Refer Appendix B .

4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (S117 DIRECTIONS)?

The Planning Proposal has been assessed against the s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

TABLE 4 – SECTION 117 DIRECTIONS

DIRECTION	COMMENT
1. Employment and Resources	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	
2. Environment and Heritage	
2.1 Environment Protection Zones	The proposal seeks to zone up to 118.15ha (87.3% of the site) as E3 Environmental Management. Whilst there are ecological impacts to consider on the site as outlined in Appendix B, mitigation measures to be agreed with Council and the OEH can overcome the majority of these constraints and can be balanced against the net community benefits of the proposal.

DIRECTION	COMMENT
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The proposal will broaden the range of housing choices and provide ample opportunity for good urban design. The site is located close to established residential areas and local services such as shops and public transport are located in close proximity.
3.2 Caravan Parks and Manufactured Home Estates	Not Applicable
3.3 Home Occupations	The proposed rezoning seeks to permit home occupations without development consent, providing opportunities to work from home.
3.4 Integrating Land Use and Transport	The site is located less than 900 metres walking distance from the nearest existing bus stop at Belrose Public School, which provides access to/from the Sydney CBD, Chatswood and nearby suburbs. The proposal has been designed to accommodate local and regional bus services and give sufficient accessibility and manoeuvring options for the expansion of any local bus service routes.
3.5 Development Near Licensed Aerodromes	Not Applicable
3.6 Shooting Ranges	Not Applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	A geotechnical report (refer to Appendix L) has been prepared and submitted with the Planning Proposal. The proposed residential area is to be located on the top of a sandstone ridge, which is understood to comprise some topsoil underlain by a thin residual soil layer and sandstone. No acid sulphate soils exist on site.
4.2 Mine Subsidence and Unstable Land	A geotechnical report (refer to Appendix L) has been prepared and submitted with the Planning Proposal. A walkover of the site was conducted and there was no evidence of instability within the proposed residential area.
4.3 Flood Prone Land	Not Applicable

DIRECTION	COMMENT
4.4 Planning for Bushfire Protection	A bushfire protection assessment (refer to Appendix E) has been prepared and submitted with the Planning Proposal as the site is considered to be bushfire prone. This assessment has established the required asset protection zones for the development, taking into account the slope and vegetation characteristics.
5. Regional Planning	
5.1 Implementation of Regional Strategies.	Not Applicable
5.2 Sydney Drinking Water Catchments	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not Applicable
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not Applicable
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not Applicable
5.8 Second Sydney Airport: Badgerys Creek	Not Applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.
6.3 Site Specific Provisions	The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan	The proposal is broadly consistent with Metropolitan Plan as it will provide for new low density dwellings adjacent to an established residential area and within walking distance of an existing neighbourhood centre and local and regional bus services.

DIRECTION	COMMENT
	The proposal will provide a mix of appropriate and affordable housing to meet the current housing demands and needs of the North East subregion. The proposal is broadly consistent as it is not considered the proposal will result in a significant increase in greenhouse gas emissions. The proposal also seeks to retain a significant area of bushland and vegetation (approximately 118.15ha) within the overall site. The consistency of the proposal will ensure the proposed development provides a mix of housing that is accessible to means of transport including the existing local and regional bus services, access to jobs within the wider north east region and the Sydney metropolitan area. The proposal also ensures that environmental targets will be integrated into land use planning through the retention of large areas of existing native vegetation and flora and fauna communities, and the adoption of appropriate bushfire hazard protection measures.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The Planning Proposal is accompanied by a Ecological Survey and Offset Analysis prepared by Travers Bushfire and Ecology at **Appendix B**. The analysis has provided a comprehensive assessment of the proposed impacts of the proposal and provides recommendations for the future detailed design phase. A summary of the key findings is provided below:

The following threatened flora species and endangered ecological community have been recorded:-

- *Tetratheca glandulosa*
- *Grevillea caleyi*
- EEC - Coastal Upland Swamp of the Sydney Basin Bioregion

The following are rare species also affected by the R2 zone and APZs:

- *Eucalyptus luehmanniana*
- *Angophora crassifolia*

The following threatened fauna have been recorded within or in close proximity to the site:-

- Powerful Owl (*Ninox strenua*)
- Grey-headed Flying-fox (*Pteropus poliocephalus*)
- Eastern Bentwing-bat (*Miniopterus schreibersii oceanensis*)

- *Little Bentwing-bat (Miniopterus australis)*
- *Little Lorikeet (Glossopsitta pusilla)*
- *Rosenberg's Goanna (Varanus rosenbergi)*
- *Red-crowned Toadlet (Pseudophryne australis)*
- *Giant Burrowing Frog (Heleioporus australiacus)*

There are no suitable breeding sites for the Powerful Owl due to a lack of large hollows. The Grey-headed flying fox, Eastern Bentwing Bat, Little Bentwing Bat and Little Lorikeet are not significantly affected by the proposed rezoning.

Rosenberg's Goanna, Red Crowned Toadlet and the Giant Burrowing Frog are significant threatened fauna species, with potential habitat area having been identified on site, which require further investigation.

The heath habitat is being utilised as foraging habitat for Rosenberg's Goanna (*Varanus rosenbergi*). Peripheral areas of the planning proposal also provide suitable habitat for Redcrowned Toadlet (*Pseudophryne australis*) and dispersal and potential breeding habitat for Giant Burrowing Frog (*Heleioporus australiacus*). Based on the advice of Mr Gerry Swan (Goanna Expert), the Rosenberg Goanna population is expected not to be significantly impacted and a viable population can be maintained in the presence of the proposed development.

The recorded Giant Burrowing Frog (a desiccated carcass confirmed by DNA analysis) is likely to be a juvenile and therefore may have been in dispersal at the time of capture as there is potential breeding habitat for this species within the perennial streams that drain off the plateau. Prof Michael Mahony, of the University of Newcastle has been engaged by the applicant to undertake further analysis of the Giant Burrowing Frog and Red Crowned Toadlet.

The planning proposal results in a potential loss of one hundred and one (101) *Tetratheca glandulosa* plants, and a potential loss of six (6) *Grevillea caleyi* plants within the areas proposed for residential rezoning, including road corridors. Significant areas of potential *Tetratheca glandulosa* habitat exist within the offset lands and more extensive population are likely to be present.

An estimated 80% of both populations of *Eucalyptus luehmanniana* and *Angophora crassifolia* will be conserved. There is an estimated three thousand and sixty-two (3,062) *Eucalyptus luehmanniana* and nine hundred and seventy eight (978) *Angophora crassifolia* being protected within the proposed offset lands.

The planning proposal directly impacts on 0.15ha of the EEC – Coastal Upland Swamp but conserves a larger contiguous area of 1.27ha to the south of Ralston Road plus a further 0.53ha to the north of the Wyatt Road extension within the proposed offset lands. The retention of the 0.15ha patch is not feasible within the current planning scheme and represents a 7.6% loss of this community.

As a biodiversity offset is proposed, an examination of proposed offsets and provision of relevant information and assessment will be needed in the form of a biodiversity offset package.

There is no doubt that the proposed offset areas provide a major contribution to the adjoining national park estate and appear to provide typically acceptable offsets based on the loss of vegetation communities.

The overall suitability of the site from an ecological perspective for development and rezoning to R2 low density residential is constrained and further survey work and discussions with OEH and Warringah council is required to identify the sites suitability for development.

4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

- **Bushfire Protection** – the bushfire constraints analysis prepared by Travers bushfire and ecology (**Appendix B**) indicate that the property is constrained by bushfire threats. Asset Protection Zone requirements as provided under *Planning for Bushfire Protection 2006* will necessitate that a significant portion of the land will be managed as an asset protection zone. These APZ areas can be utilised as public roads, fire trails, playing fields, parking areas, generally cleared drainage zones, generally cleared electricity easements, playgrounds or similar types of managed facilities.

The emergency ingress and egress access to the site is proposed to be from the western end of Ralston Avenue and from an extension of Wyatt Avenue. Access will be provided from an extension of Wyatt Avenue along the northern and western boundaries of the Sydney East Substation. Both accesses are important as an additional option for access or egress for fire fighters and residents during a bushfire emergency.

- **Stormwater Management** – particular emphasis has been placed on stormwater quality to ensure that the surrounding environment is not detrimentally affected by the proposed development. Significant water sensitive urban design measures have been incorporated in the concept design that will assist in reducing runoff volumes and pollution loads discharging from the site. Refer to **Appendix D**.
- **Aboriginal Archaeology** – No specific areas of Potential Aboriginal Archaeological Sensitivity relative to the rezoning proposal have been identified in the course of site inspections. It is considered highly unlikely, that undetected evidence for past Aboriginal visitation and use of the subject site may be exposed by the proposed development and if any were found it would consist of either isolated items or low density distributions of flaked ground stone or possible rock engravings/axe grindings grooves that may be obscured by existing vegetation cover.

Monitoring vegetation clearance required in open areas and initial earthworks within APZs and the development area is recommended. Refer to **Appendix J**.

- **Traffic** - the Assessment of Traffic Implications report prepared by Transport and Traffic Planning Associates (**Appendix F**) concludes that development of the site for residential zoned land will be satisfactory in relation to road and intersection capacity implications, traffic related environmental implications and traffic management and safety implications.

The road geometry reflects a contemporary development which responds appropriately to the terrain, access for service vehicles and buses. The future DAs will be accompanied by an assessment of traffic impacts to determine the net traffic effects of the development and consequential actions required to manage traffic impact.

The level of parking proposed will be determined with regard to relevant parking standards of Warringah Council. The proposed development will seek to promote the use of sustainable modes of transport in preference to car use and will provide connection to the existing pedestrian network

- **Contamination** - the environmental site assessment undertaken by Environmental Investigations (**Appendix K**) have confirmed that the potential for site contamination is low and the site is suitable for residential development. Some minor sampling and testing will be required prior to the development of the land affected by dumping of rubbish.

Overall, it is considered that the site will not result in any significant environmental effects that would preclude it from being rezoned and redeveloped for residential purposes.

4.3.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

It is considered that the social and economic effects of the proposal will generally be positive, as outlined below:

- Creating additional retail expenditure available to be captured by existing centres in the local area such as Ralston Avenue Belrose, Glenrose Small Village Centre and Sorlie Road Frenchs Forest Neighbourhood Centre.
- Supporting jobs in surrounding centres and the provision of additional retail floorspace which would benefit both existing and new residents.
- Creating significant direct and indirect capital investment in Warringah LGA, the North East Subregion and the Sydney Metropolitan Area.
- Creating jobs directly and indirectly during the construction process; and through the maintenance of the proposed asset protection zones and public recreation areas post construction. Indirect employment benefits to the Aboriginal community in the wider metropolitan area through reinvestment of the returns from the release and sale of this asset of the MLALC also creates positive benefits.
- The Planning Proposal is anticipated to result in the creation of approximately 1825 job years directly and indirectly during the construction period.

The Social Impact Assessment prepared by Hill PDA attached at **Appendix M** has found that the proposed development would result in a range of positive and negative social impacts. The impacts vary in their significance and on balance are considered to be positive, delivering a number of significant social benefits in accordance with local and State Government policy objectives including increased housing provision and improved access for the community. In summary the positive impacts include:

- An improvement in housing supply, choice and affordability in Belrose as a result of the provision of approximately 169 more residential dwellings.
- Upon completion the project gives provision of improved transport accessibility and options through the provision of new roads, multi-use pathways for pedestrians and cyclists and suitable accessibility for servicing and emergency access, and potential public transport expansion.
- Improved local amenity is anticipated upon completion of the development through the provision of a regional park, up to 4 local parks and walking paths, bicycle paths, bushland park areas and improved accessibility to the wider Garigal National Park area.

The perceived negative impacts as a result of the proposed development have been found to mainly relate to the construction phase of the development where there is potential altered traffic conditions that will impact on accessibility to the site, and some short-term adverse economic impacts during the construction process resulting from increased traffic locally. This potential adverse impact would however likely be insignificant and would be mitigated as far as possible.

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The site is well located to allow incoming residents to capitalise on the wide range of infrastructure and services existing within the area. The Planning Proposal represents a valuable opportunity to improve the existing utility infrastructure for the area, with potential benefits to the existing community as well as new residents as outlined below:

- **Accessibility** - the internal road layout responds to the terrain, the requirements for access for service vehicles and buses. A hierarchical road network has been incorporated in the concept design to maximise road safety, amenity and function to include a distributor road, perimeter road and local street. Each road hierarchy has a particular function and are proposed to be dedicated to Council.
 - *Distributor road* - highest order in this development. It carries a high volume of traffic generated from lower order streets, and is capable of accommodating local buses
 - *Perimeter road* - provides a balance between the access and residential amenity requirements of the development
 - *Local street* - The local street is the lowest order road and its primary function is residential space where vehicular traffic is subservient to space, amenity, pedestrians and cyclists

The road layout provides a number of traffic management devices at main intersections and mid-block slow points with raised platforms. The site will connect to the existing road system through the construction of Ralston Avenue, from the existing junction with Elm Avenue and the construction of an extension to Wyatt Avenue, from the existing termination of Wyatt Avenue. The road layout will comply with Section 4.1.3 of *Planning for Bushfire Protection*.

- **Stormwater** – the development of the site will impact on the water quality and quantity as follows:
 - Increasing stormwater runoff volumes due to the increase in impervious areas
 - Increasing the concentrated pollutant loads of suspended solids and nutrients

It is the objective of the development to utilise Best Practice Guidelines in the design of the stormwater system to ensure that there are no adverse impacts on the surrounding environment as a result of the proposed development. This will be achieved through the utilisation of Water Sensitive Urban Design (WSUD) initiatives.

It is proposed that the following WSUD initiatives be incorporated into the development to achieve the water quality and quantity goals:

- Rainwater capture and reuse in WC flushing, laundry and irrigation
- On-Site Detention
- Stormwater treatment systems including Bio-Retention Tree Pits and Swales

The development will be modelled to demonstrate the performance of the stormwater treatment system utilising the MUSIC program (Model for Urban Stormwater Improvements Conceptualisation).

The development involves the clearing of the existing vegetated landscape and replacing it with an urban landscape. This will result in an increase in the volume of runoff emanating from the site as well as speeding up the movement of stormwater. Details of the proposed drainage design and OSD solutions are included in the WSP Partners Pty Ltd 'Infrastructure Services and Water Management Strategy' included at **Appendix D**.

- **Services**
 - **Water and Sewer** - An existing DN100 Sydney Water watermain is located at the junction of Ralston and Elm Avenue. A new connection will be made from this main to service the proposed development. An amplification of the existing watermain has been identified by Sydney Water in their Feasibility Letter dated 20th June 2012. The amplification consists of upgrading of the existing DN100 to a DN150 service for approximately 130m between Elm and Windrush Avenue

An existing DN150 vitrified clay Sydney Water sewer is located at the junction of Ralston and Elm Avenue. A new connection will be made from this main to service the proposed development. Existing site RLs suggest that a series of pumping stations will be required to be incorporated in the sewer

design to reticulate sewerage to the Sydney Water Sewer. This requirement will be further development upon detailed site and road RL design.

Correspondence from Sydney Water and the proposed water and sewer strategy is detailed at **Appendix D**.

- **Power** - new connections to Ausgrid's existing 11kV network are required to provide supply to the proposed subdivisions. The connections and site reticulation are to be carried in accordance to Ausgrid's Electrical Supply Standards and Network Standards, in particular NS110 "Design and Construction Standard for Underground Residential Developments"

All works associated with the connection works are deemed Contestable Works, and as such the applicant is required to meet the cost for the design and construction of the works.

An Electrical infrastructure Report prepared by DEP Consulting is included at **Appendix N** and outlines in detail the proposed requirements/upgrades in relation to power.

- **Gas** - There is an existing Jemena service reticulating to the locality. Jemena has advised that there is enough capacity to support this proposal. Supply will have to be extended from the corner of Ralston Avenue and Elm Avenue with the use of shared trenching once inside the development
 - **Telecommunications** – will be connected to existing services; it is noted that the site qualifies for NBN Co connection for new developments
 - **Waste** – Details of future waste management are not provided with this planning proposal, however future subdivision layouts will address Council's Waste Policy and future DAs will appropriately address waste management
- **Social Infrastructure** – Improved local amenity is anticipated upon completion of the development through the provision of a regional park, up to 4 local parks, walking paths, bicycle paths, bushland park areas and improved accessibility to the wider Garigal National Park area.

The Social Infrastructure Assessment prepared by Hill PDA at **Appendix M** found that the following social infrastructure exists in the immediate locality.

- There are five primary schools and one secondary school in close proximity to the Subject Site
- No medical facilities exist within the suburb of Belrose, however, there are four medical centres which fall outside the suburb
- There are five child care centres located in the suburb of Belrose
- One community centre is located in the suburb of Belrose known as the Belrose Community Centre
- One library and two places of worship exist within Belrose
- A number of open space and recreational facilities in close proximity to the proposed development

In summary the current and future residents living in Belrose have access to a wide variety of educational, medical, civic and recreational facilities. Based on the NSW Department of Planning and Infrastructure's *Draft Development Contributions Guidelines* (2009) the proposed development (with 169 dwellings and a resident population of approximately 524 people) would generate additional demand for some community and recreational facilities.

Of note of the entire social infrastructure the proposed development would generate the most demand on playgrounds. The proposal gives provision of additional playground areas within the proposed RE1 Recreation Zone. Key findings from the Hill PDA Social impact Assessment suggest that there is capacity to accommodate more students within the existing schools.

4.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?

It is acknowledged that Warringah Council will consult with relevant public authorities following the Gateway determination.

5 Community Consultation

Clause 57 of the Environmental Planning and Assessment Act 1979 requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning and Infrastructure guidelines '*A guide to preparing local environmental plans*'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the Warringah Council website.
- Written correspondence to adjoining and surrounding landowners.

The gateway determination, Planning Proposal and specialist studies would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

The proposed planning proposal has already included extensive consultation with key government stakeholders and community stakeholder groups. The key stakeholders that have been consulted about the proposed rezoning have included:

- Warringah Council.
- NSW Department of Planning and Infrastructure.

Throughout the assessment of the planning proposal and any future DAs Matthews Civil and MLALC will undertake a range of community consultation measures to the following stakeholders.

- Residents and businesses adjacent and within the immediate vicinity of the site.
- Warringah Urban Fringe Association.
- Belrose Rural Community Group.
- Trailcare.
- Northern Beaches Mountain Bikes.

The full details of the stakeholder consultation to be undertaken the methodology and approach, and is included at **Appendix O**.

The Metropolitan Aboriginal Land Council would be happy to liaise further with Council with regard to the identification of appropriate opportunities to further engage with the local community outside of the formal public exhibition process to provide a greater understanding of the likely future development that could be accommodated by way of the proposed rezoning and to identify any additional issues that are relevant to the local community.

6 Conclusion

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

It provides a comprehensive justification of the proposed rezoning of land at Ralston Avenue, Belrose from Locality C8 – Belrose North under Warringah Local Environmental Plan 2000 to a mixture of zones under the provisions of an amendment to Warringah Local Environmental Plan 2011, including:

- Zone R2 Low Density Residential.
- Zone RE1 Public Recreation.
- Zone E3 Environmental Management.

The proposal will result in a net community benefit as demonstrated within this report and as summarised below:

- Utilise the existing assets of the MLALC through the release of land for the wider economic, cultural and social benefits of the Metropolitan Aboriginal community to meet the objectives of the provision of housing, education and employment.
- Allowing land owned under freehold title through the NSW Land Rights Act 1983 to be more than just symbolic, and provide economic opportunity for the Aboriginal people through the development of their own land.
- To provide a landmark development which has the highest regards for urban design and master planning, and at the same time deliver capacity and economic self-sufficiency. The aim is to develop individual house lots for release on the open market.
- The site is located adjacent to an established residential area and complements the existing urban structure and infrastructure networks.
- The proposal will enable up to 169 dwellings of varying typologies and sizes to be accommodated, increasing choice and diversity of new dwellings within the Warringah local government area.
- The potential transport and traffic impacts of the proposal are considered to be acceptable, subject to sufficient mitigation measures during construction.
- The proposal will result in creating additional retail expenditure available to be captured by existing centres in the local area such as Ralston Avenue Belrose, Glenrose Small Village Centre and Sorlie Road Frenchs Forest Neighbourhood Centre. In addition economic benefits include the creation of supporting jobs in surrounding centres and the provision of additional retail floorspace which would benefit both existing and new residents.
- The creation of significant direct and indirect capital investment in Warringah LGA, the North East Subregion and the Sydney Metropolitan Area is also considered a benefit to the proposal.
- It is also considered that indirect employment benefits to the Aboriginal community in the wider metropolitan area would occur through reinvestment of the returns from the release and sale of this asset of the MLALC.
- The proposal will result in a number of positive social and economic impacts, having regard to the significant investment that will be made in the redevelopment of the site.
- The proposed development would generate additional demand for some community and recreational facilities; however discussions with Warringah Council to determine appropriate contributions to mitigate any impact on social infrastructure should occur throughout the assessment process.

- The proposal will utilise Best Practice Guidelines in the design of the stormwater system to ensure that there are no adverse impacts on the surrounding environment as a result of the proposed development through the utilisation of Water Sensitive Urban Design initiatives.
- The Ecological Survey and Offset Analysis concludes that the residential subdivision area is not constrained by any endangered ecological community (EEC) or by any endangered flora populations. Three threatened fauna species have been recorded within or in close proximity to the subject site during surveys to date. Rosenberg's Goanna, the Red Crowned Toadlet and the Giant Burrowing Frog are significant threatened fauna species, with potential habitat areas having been identified on or immediately adjacent to the site, requiring further investigation.
- Two additional threatened flora species including *Tetrathica grandulosa* and *Grevillea calyei* are also potentially affected. Two rare flora species including *Eucalyptus luehmanniana* and *Angophora crassifolia* are also affected by the proposed R2 zone and associated asset protection zones.

Overall, it is considered that the Planning Proposal is satisfactory and it is requested that Warringah Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

Appendix A

Concept Plan

Appendix B

Ecological Constraints and Biodiversity Offsets Analysis

Appendix C

Open Space and Recreation Study

Appendix D

Infrastructure Services and Water Management Strategy

Appendix E

Bushfire Protection Assessment

Appendix F

Assessment of Traffic Implications

Appendix G

Zoning and Building Height Maps

Appendix H

Economic Impact Assessment

Appendix I

Housing Needs Study

Appendix J

Aboriginal Archaeological Assessment

Appendix K

Contamination Assessment

Appendix L

Geotechnical Assessment

Appendix M

Social Impact Assessment

Appendix N

Electrical Services Strategy

Appendix O

Consultation Report

Appendix P

Survey Plan

Appendix Q

Pre Lodgement Letter and Response

SYDNEY

Level 23, Darling Park Tower 2
201 Sussex Street
Sydney, NSW 2000
t 02 8233 9900
f 02 8233 9966

MELBOURNE

Level 12, 120 Collins Street
Melbourne, VIC 3000
t 03 8663 4888
f 03 8663 4999

BRISBANE

Level 7, 123 Albert Street
Brisbane, QLD 4000
t 07 3007 3800
f 07 3007 3811

PERTH

Level 1, 55 St Georges Terrace
Perth, WA 6000
t 08 9346 0500
f 08 9221 1779

AUSTRALIA • ASIA • MIDDLE EAST
URBIS.COM.AU
INFO@URBIS.COM.AU