



Northern Beaches Aboriginal Land Development Delivery Plan

(Department of Planning and Environment)

February 2022

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Acknowledgement

We pay our respects to the Elders past, present and emerging, for they hold the memories, the traditions, the culture and hopes of Aboriginal and Torres Strait Islander peoples across the State.

A better understanding and respect for Aboriginal and Torres Strait Islander cultures develops an enriched appreciation of Australia's cultural heritage and can lead to reconciliation. This is essential to the maturity of Australia as a nation and fundamental to the development of an Australian identity.



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September 2021

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Abbreviations

ALR	Aboriginal Land Rights
APZ	Asset Protection Zone
CBD	Central Business District
CLBP	Community Land and Business Plan
DA	Development Application
DDP	Development Delivery Plan
DP	Deposit Plan
EEC	Endangered Ecological Community
EIE	Explanation of Intended Effects
IPC	Independent Planning Commission
LGA	Local Government Area
LHS	Local Housing Strategy
LSPS	Local Strategic Planning Statement
MLALC	Metropolitan Local Aboriginal Land Council
MRA	Metropolitan Rural Area
NBC	Northern Beaches Council
NBN	National Broadband Network
NRAR	National Resources Access Regulator
PPA	Planning Proposal Authority
RFS	Rural Fire Service
SEPP	State Environmental Planning Policy
VPA	Voluntary Planning Agreement

Executive Summary

The Metropolitan Local Aboriginal Land Council's objectives and future plans for development of their site are guided by the Aboriginal Land Rights Act, whereby development is to balance the environmental constraints with the economic participation and cultural use of the land by Aboriginal people.

The Metropolitan Local Aboriginal Council (MLALC) has requested the preparation of a Development Delivery Plan (DDP) and inclusion in the *State Environmental Planning Policy (Aboriginal Land) 2019* (Aboriginal Land SEPP) for certain parcels of land within the Northern Beaches Local Government Area (LGA).

The MLALC is seeking inclusion in the Aboriginal Land SEPP in accordance with the principle of self-determination which underpins the *Aboriginal Land Rights Act 1983* by utilising its land assets to deliver tangible economic, social and cultural benefits to the Aboriginal community.

The Aboriginal Land SEPP framework aligns the NSW planning system with the intent of the *Aboriginal Land Rights Act 1983* (ALR Act) and stimulates improved governance, empowerment, strategic planning and more efficient land use. In accordance with the Aboriginal Land SEPP, it is intended that a Development Delivery Plan (DDP) be prepared for MLALC to recognise the development objectives for identified land owned by a Local Aboriginal Land Council and provides the link between the requirements of the ALR Act and *Environmental Planning and Assessment Act 1979* (EP&A Act) to assist in planning and development decisions.

A DDP must be considered by planning authorities in key planning assessment processes, including planning proposals and development applications (DA). The DDP provides detailed guidance on sites identified through a land audit and strategic assessment of opportunities and constraints of the MLALC land holdings.

The DDP has been prepared in consultation with MLALC and identifies sites suitable for consideration as part of a planning proposal or development application process. The strategic intent of the DDP is to facilitate delivery of future land uses

and public benefits including conservation of sensitive land, provision of community facilities, and educational programs/activities that promote Aboriginal cultural heritage within the Northern Beaches LGA.

What makes these sites different from the other sites owned by MLALC is the opportunity to showcase Aboriginal Cultural Heritage. These sites can deliver priorities and actions in the district plan whilst at the same time providing community benefits that promote and support the preservation of Aboriginal cultural heritage. The request for these sites to be included in the Aboriginal Land SEPP is supported for the following reasons:

Consistent with ALR Act and will support ongoing cultural use of the land

- Guided by the ALR Act, these sites can facilitate the ongoing cultural use of the land by Aboriginal people as part of a development that balances the environmental and constraints and generates an economic return.

The DDP is a holistic review of MLALC holdings

- The DDP has considered all MLALC land in the Northern Beaches LGA and examined opportunities and constraints to guide potential land use outcomes. Council has a clear picture of sites with potential to be used for conservation, planning proposals and development applications.

Economic self determination

- These projects enables the opportunity for the implementation of the District Plan through the engagement with Aboriginal communities founded on self-determination and mutual respect to foster opportunities for economic participation, culturally appropriate social infrastructure and contemporary cultural expression.

Consistent with District Plan

- These sites provide the opportunity for development that is consistent with the strategic directions in the

North District Plan by providing the opportunity to plan for the future of MLALC land and enable economic independence.

- These sites enable the management and protection of the natural bushlands and creeks whilst preserving a significant amount of natural space and Aboriginal artefacts.

New housing supply and diversity

- These sites enable the provision of new housing that would be delivered in conjunction with the implementation of environmental and cultural conservation practices and maintenance of the site.
- These site can increase diversity and supply to assist in reaching the North District and Northern Beaches LGA housing demand. The proposal would boost housing supply and diversity in the locality.

Biodiversity conservation

- The strategic approach to land management provides the opportunity to identify and preserve important conservation areas.

Can inform the Metropolitan Rural Area (MRA) review

- Council has identified certain sites as "Future MRA investigation area" and is using the precautionary principle until the review of the area is complete. The sites enable the opportunity to plan for MLALC owned land as well as inform the review of the area addressing the principles and maintaining the cultural significance of the site.

The DDP is the first step in considering the management of MLALC land and there will be further opportunity for community participation in the process should the DDP be approved and a planning proposals be prepared and again if development applications (DAs) were submitted.

The DDP may be amended to include further MLALC land in the future.

Supporting economic, social and cultural outcomes to benefit Aboriginal people

The Department of Planning and Environment (the Department) recognises the planning system can and should do more to support Local Aboriginal Land Councils (LALCs) to achieve their aspirations so they are well positioned to use their land to achieve strong, economic, social and cultural outcomes to benefit Aboriginal people across NSW.

A Development Delivery Plan (DDP) is a plan made under the Aboriginal Land SEPP and approved by the Minister for Planning, to set out the objectives for identified land owned by a Local Aboriginal Land Council (LALC).

DDPs provide the link between the requirements of the ALR Act and the EP&A Act to produce planning and development decisions.

A DDP formally recognises the development pipeline for a LALC and must be considered by planning authorities in key planning assessment processes, including planning proposals and development applications.

The requirements for the form and content of a DDP are outlined in Part 2 of the Aboriginal Land SEPP.

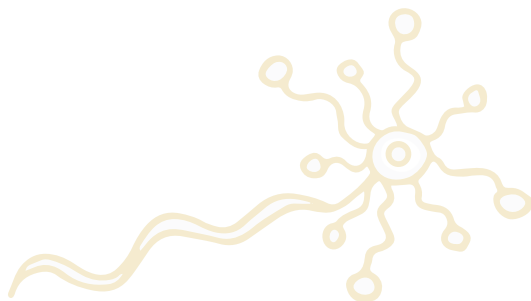


Figure 1: Uncle Allen at an engraving at Lizard Rock
Source: MLALC

Under clause 9(1) of the Aboriginal Land SEPP a DDP must:

- Apply to all land to which this Policy applies owned by the same LALC;
- Set out the general objectives of the LALC for the land;
- Set out the basis on which the development is proposed, having regard to applicable economic, social and environmental factors; and
- Set out strategies, actions and a program for achieving the objectives of the land.

Clause 9(2) of the Aboriginal Land SEPP outlines a DDP may also set out:

- The bulk, scale and size of development proposed for land to which the plan applies;
- Measures to support Aboriginal cultural heritage that may be affected by development proposed for the land;
- Measures to support strategic biodiversity conservation relating to the land; and
- Proposals for provision for public utility infrastructure and roads.

The DDP is given effect under *Ministerial Direction 5.11 (Development of Aboriginal Land Council Land)* and is to be considered when planning proposals are prepared by a planning proposal authority (PPA).

It is the responsibility of the Department to ensure planning and development processes are undertaken in partnership with and for the benefit of Aboriginal communities to promote greater self-determination and representation.

The objective of this DDP is to identify:

- The general objectives of the MLALC for land located in the Northern Beaches LGA;
- The planning framework and policy considerations for plan-making for these sites;
- The objectives, priorities, actions and directions from state and local strategic plans related to these sites;
- The strategic justification supporting these sites as the preferred sites to underpin MLALC economic independence;
- The applicable environmental, economic and social considerations to be addressed in future planning proposals;
- The design principles guiding future land use changes at these sites; and
- A program of actions to progress these sites.

The DDP is an essential component of the future planning of land owned by the MLALC within the Northern Beaches LGA.

This DDP will guide the strategic planning intent for these sites. Prepared by the Department in collaboration with MLALC, the DDP establishes the vision and objectives for the MLALC and Aboriginal People to utilise their land to gain economic independence whilst maintaining the cultural significance of these sites.

It is important to note that the DDP is a high-level strategic document that addresses Clause 9 of the Aboriginal Land SEPP. The DDP looks at the strategic merits of the site to help understand if there is any potential to develop the whole or a portion of the site. The detailed planning, technical studies and assessment of the strategic and site-specific merits of the proposal are undertaken at the planning proposal stage.

About the MLALC

The MLALC is a significant organisation within the Aboriginal community, working towards caring for Country and improving the lives of Aboriginal people in their region. The MLALC covers 24 Local Government Areas in NSW including the following 16 in Greater Sydney:

- Inner west Council
- Canterbury Bankstown Council
- Bayside Council
- Burwood Council
- Canada Bay Council
- Hornsby Shire Council
- Hunters Hill Council
- Ku-ring-gai Council
- Lane Cove Council
- Northern Beaches Council
- Mosman Council
- Parramatta Council
- City of Ryde Council
- Strathfield Council
- City of Sydney Council
- Willoughby Council

The MLALC operates in accordance with the ALR Act by utilising its land and assets to provide for the sustainability of its business and the needs of the Aboriginal community. The MLALC's primary objective is to *"improve, protect and foster the best interests of all Aboriginal persons within the Council's area and other persons who are members of the Council."*

The functions of the MLALC include:

- Protect the interests of Aboriginal persons in its area in relation to the acquisition, management, use, control and disposal of land;
- Take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law;
- Manage, in accordance with the ALR Act and consistently with its community, land and business plan, the investment of any assets of the Council; and
- Facilitate business enterprise in accordance with the ALR Act, and the regulations, and consistently with the community, land and business plan.

MLALC Community Land and Business Plan

Under the ALR Act, LALCs are required to prepare community land and business plans in consultation with the members and persons who have a cultural association with land in the land Council's area.

The MLALC Community Land and Business Plan (CLBP) (Appendix 1) sets a long-term vision relating to community benefits and participation, land and people, health, cultural, financial benefits, education, employment, justice outcomes and partnerships and collaboration with key government and non-government organisations. MLALC CLBP goals align with those of the 2018-2022 NSW Aboriginal Land Council Strategic Plan and its overall purpose:

"to provide strong leadership, support and advocate for Aboriginal Land Rights and the Aboriginal people of NSW"

The MLALC CLBP Goals are:

- **MLALC Goal 1** – Healing and wellbeing
- **MLALC Goal 2** – Promote, protect and preserve culture and heritage
- **MLALC Goal 3** – Foster Economic and Industry opportunities for Tourism and Education programs
- **MLALC Goal 4** – Better Education and Employment outcomes
- **MLALC Goal 5** – Develop new businesses and group our existing businesses while prudently managing investments.



Aboriginal Land Planning Framework

Aboriginal Land Rights Act 1983

The ALR Act was passed by the NSW Parliament to establish a network of Aboriginal Land Councils to acquire and manage land as an economic base for Aboriginal communities, as compensation for historic dispossession and in recognition of their ongoing disadvantage. The ALR Act recognises that land is of spiritual, social, cultural and economic importance to Aboriginal people .

In 2016, the NSW Parliament's Standing Committee on State Development Inquiry into Economic Development in Aboriginal Communities recommended that the planning system needed to better accommodate aspirations of the ALR Act.

The NSW Aboriginal Land Council and a network of 120 LALCs were established to acquire and manage land as an economic base for Aboriginal people, laying the basis for a self-reliant and more secure economic future.

State Environmental Planning Policy (Aboriginal Land) 2019

The Aboriginal Land SEPP commenced in February 2019.

The Aboriginal Land SEPP:

- Enables the making of DDPs for land owned by LALCs and identifies the process for approving and amending DDPs;
- Maps LALC landholdings that the SEPP applies to;
- Requires a consent authority to consider a DDP when assessing a planning proposal or development application made by a LALC for land mapped in the Aboriginal Land SEPP; and
- Makes certain development on land mapped under the Aboriginal Land SEPP and owned by a LALC regionally significant so that planning decisions would be made by the relevant planning panel rather than the local council.

LALC development proposals continue to be subject to the same environmental assessment criteria and legislative requirements as any other proposal at the planning proposal and DA stages.



Figure 2: View over Lizard Rock
Source: MLALC

Aboriginal Land SEPP Guideline

On 19 November 2020 the Department released the Aboriginal Land SEPP Guideline (**Figure 9**), which outlines how LALCs can navigate and engage with the planning system, to support the critical work of LALCs as well as enhance Aboriginal economic participation in NSW. The guideline is available on the Department's website at: www.planning.nsw.gov.au/Policy-and-Legislation/Aboriginal-land-use-planning/Aboriginal-Land-Planning-Framework

The Guideline also sets out the process and key information requirements for LALCs who are seeking to have the Aboriginal Land Planning Framework apply to their landholdings and other key information including:

- An overview of the NSW Planning system and key planning pathways;
- Information to help LALCs consider whether the Framework is the most appropriate pathway to achieve their development aspirations;
- An overview of biodiversity considerations and opportunities; and
- The relationship between the planning system and key Aboriginal Land Rights processes.

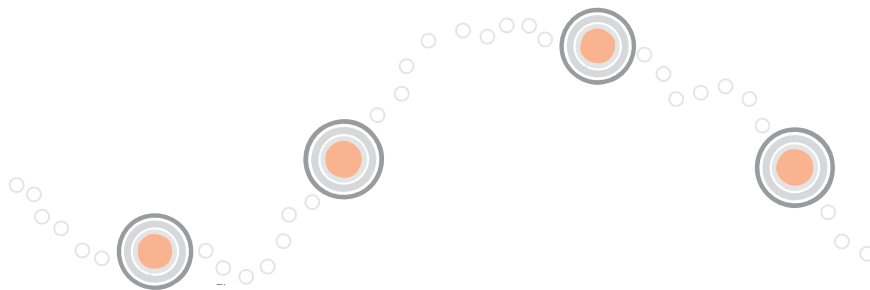


Figure 3: Aboriginal SEPP Guideline
Source: the Department

Development Delivery Plans

To begin the process of inclusion in the Aboriginal Land SEPP, a LALC needs to prepare and provide information to explain their aspirations for the nominated land.

The requirements to prepare a Development Delivery Plan (DDP) include:

- **Confirmation of Land Ownership** (Lot and DP information) For land to be included in the Aboriginal Land SEPP as part of a DDP it must be held in freehold title by the LALC.
- **Community, Land and Business Plan** – A current CLBP as discussed above.
- **Land Audit or Planning Analysis Report** - This report provides an overview of the land use planning framework applying to a LALC's land holdings, including details of the key planning and environmental constraints for the development of land holdings.
- **Overview of Planning Opportunities** - to provide an additional layer of detail outlining preferred future outcomes.



*Figure 4: DDP process
Source: the Department*

Role of Planning Panels

Sydney and Regional Planning Panels were introduced to NSW in 2009 to strengthen decision making on regionally significant development applications and other planning matters.

There are five Sydney Planning Panels and four Regional Planning Panels across NSW. Each panel is an independent body that is not subject to the direction of the Minister of Planning and Public Spaces.

Primarily, the role of the Panels comprises determining significant and certain development applications, modifications applications and rezoning reviews. The Panels would also act as the Planning Proposal Authority (PPA) when directed and can provide advice on planning and development matters as requested.

The relevant Panel is the Sydney North Planning Panel which covers the North District comprising:

- | | |
|-------------------------|-----------------------------|
| • Hornsby Shire Council | • North Sydney City Council |
| • Hunters Hill Council | • Northern Beaches Council |
| • Ku-Ring-Gai Council | • Ryde Council |
| • Lane Cove Council | • Willoughby City Council |
| • Mosman Council | |

Planning Circulars

Planning Circular PS 19-003 outlines the administrative review processes available for plan-making decisions under Part 3 of the Act for land subject to a DDP and identified in the Aboriginal Land SEPP.

LALCs can request an independent review or a rezoning review before a planning proposal has been submitted to the Department for a Gateway determination.

These reviews are carried out by the relevant Sydney or Regional Planning Panel and must consider the DDP when it applies the strategic and site-specific merit test to determine if a proposal should proceed as well as considering the social and economic benefit to the Aboriginal community facilitated by the proposal.

Minister's Planning Principles

The principles set the government's expectations of how the planning system should operate and focuses on achieving sustainable outcomes.

They bring together well-accepted practices of good planning and insights for achieving the best outcomes across the focus areas.

The Planning Principles are grouped to guide planning and development in New South Wales. The nine focus areas are:

- **Planning Systems** - A strategic and inclusive planning system for the community and the environment.
- **Design and Place** – Delivering well-designed places that enhance quality of life, the environment and the economy.
- **Biodiversity and Conservation** - Preserving, conserving and managing NSW's natural environment and heritage.
- **Resilience and Hazards** - Managing risks and building resilience in the face of hazards.
- **Transport and Infrastructure** – Providing well-designed and located transport and infrastructure integrated with land use.
- **Housing** - Delivering a sufficient supply of safe, diverse, and affordable housing.
- **Industry and Employment** - Growing a competitive and resilient economy that is adaptive, innovative and delivers jobs.
- **Resources and Energy** - Promoting the sustainable use of NSW's resources and transitioning to renewable energy.
- **Primary Production** - Protecting and supporting agricultural lands and opportunities for primary production.

Any future development proposals from the sites identified in this DDP can have regard to the Minister's principles which were released in December 2021.



Figure 5: View over Lizard Rock
Source: MLALC

Strategic Context

Greater Sydney Region Plan

The Greater Sydney Region Plan (Region Plan) acknowledges the Sydney area is rich in Aboriginal culture and this history and connection to Country and community makes a continuing, valuable contribution to the District's heritage and identity.

The Region Plan recognises the importance of Aboriginal people's knowledge and relationship with the landscape of Greater Sydney. It also acknowledges the LALCs are major landowners in most local government areas and engagement with Aboriginal communities should be founded on self-determination, economic participation and mutual respect. This includes facilitating the ability for LALCs to more readily derive economic, community and cultural use of Aboriginal land acquired under the ALR Act.

Across Sydney, significant parcels of the urban-rural fringe are owned by LALCs. The Region Plan recognises future planning of these areas will need to be flexible in order to balance rural values with greater economic participation, and community and cultural uses by Aboriginal people .

The Region Plan sets directions for liveability, productivity and sustainability with specific objectives and actions that align with the objectives of the MLALC and the future of these sites.

The DDP responds to the key objectives and actions in the Region Plan in relative to:

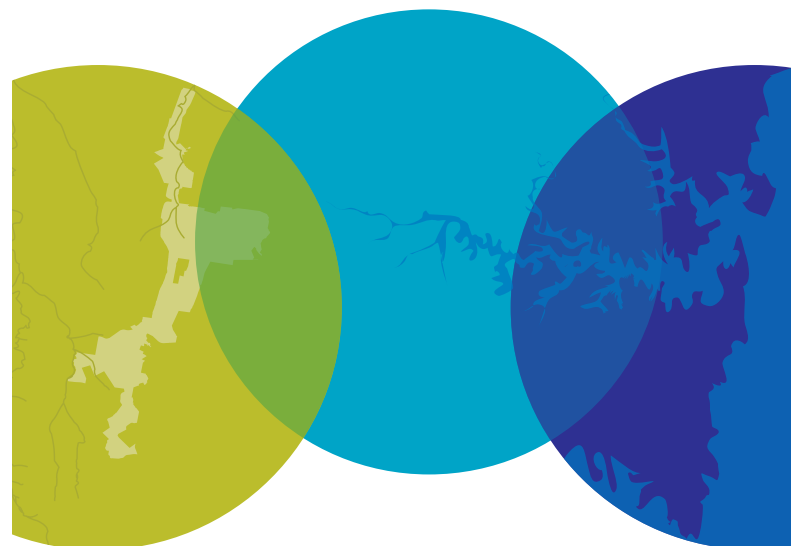
- **Objective 8** – Greater Sydney communities are culturally rich with diverse neighbourhoods
- **Objective 10** – Greater housing supply
- **Objective 13** – Environmental heritage is identified, conserved and enhanced
- **Objective 28** – Scenic and cultural landscapes are protected
- **Objective 29** – Environmental, social and economic values in rural areas are protected and enhanced.



GREATER SYDNEY REGION PLAN

A Metropolis of Three Cities

– connecting people



March 2018
Updated

*Figure 6: Greater Sydney Region Plan
Source: the Department*

North District Plan

The North District Plan recognises the need of flexibility in future planning for MLALC owned land. The North District Plan includes Action 14 to strengthen the economic self-determination of Aboriginal communities through landholdings acquired under the ALR Act.

The following priorities and actions are relevant to the objectives of the MLALC and the future of these sites:

- **Planning Priority N4** - Fostering healthy, creative, culturally rich and socially connected communities.
- **Planning Priority N5** - Providing housing supply, choice and affordability, with access to jobs, services and public transport
- **Planning Priority N17** – Protecting and enhancing scenic and cultural landscapes
- **Planning Priority N18** – Better managing rural areas

The DDP responds to these objectives as well as the broader objectives of the North District Plan, including the need to encourage Aboriginal people to gain economic benefit from their land that would support economic participation, foster mutual respect and enhance cultural and social outcomes.

Greater Sydney
Commission

OUR GREATER SYDNEY 2056

North District Plan

– connecting communities



March 2018

Figure 7: North District Plan
Source: the Department

Towards 2040

The Northern Beaches Council Local Strategic Planning Statement (LSPS) – Towards 2040 came into effect on the 26 March 2020.

Towards 2040 states that Northern Beaches Council (Council) acknowledges decisions regarding land owned by MLALC will be guided by the principles established in the ALR Act. Within this framework, Council will work with the MLALC, surrounding landowners and the community to balance environmental and rural needs with economic participation and cultural use of the land by Aboriginal people.

Planning Priority P4 - *Protected Metropolitan Rural Area (MRA)* identifies Oxford Valley Falls, Belrose North and Cottage Point as part of the MRA. In addition, the LSPS identifies land owned by MLALC in Belrose North as “Future MRA investigation area.” Council is using the precautionary principle and applying the principles and actions in this priority. Council would then work with the Greater Sydney Commission (GSC) and the Department to assess the areas suitable for inclusion in the MRA when the Region Plan is reviewed.

The DDP responds to the following priorities and actions in the LSPS:

- **Planning priority P13** - Strong engagement and cooperation with Aboriginal communities as it recognises that Council are required to engage with Aboriginal and Torres Strait Islander people in planning and decision making.
- **Action 13.3** - work with MLALC to implement initiatives in their community land and business plan including tourism strategies and aspirations for a cultural centre, homelessness strategies and social housing schemes, feasible and appropriate land use opportunities, and identification and protection of places with high cultural heritage values.
- **Action 4.7** - work with the MLALC to better understand constraints as well as feasible and appropriate land use opportunities on land owned by the MLALC.

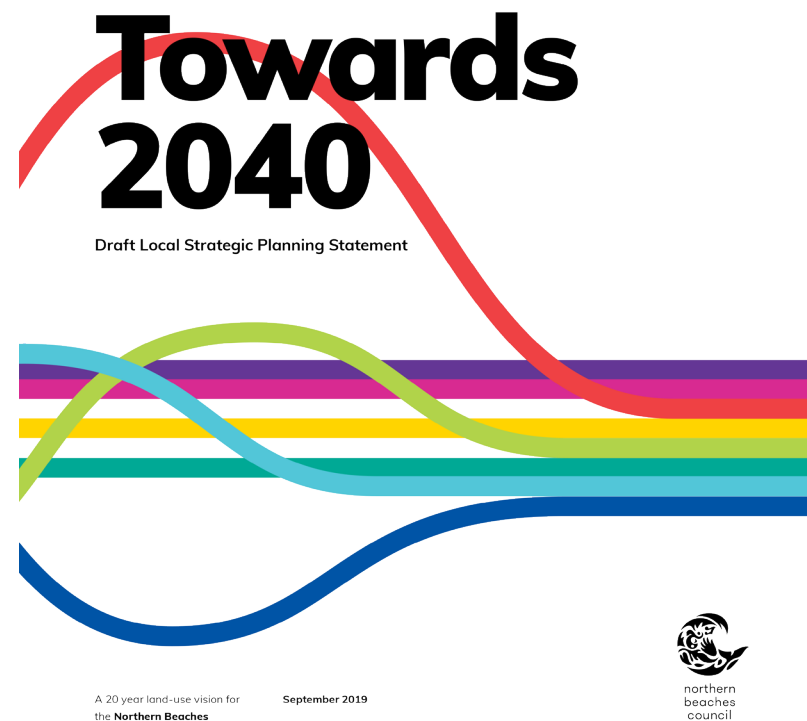


Figure 8: Local Strategic Planning Statement
Source: Northern Beaches Council

Northern Beaches Local Housing Strategy

The Northern Beaches Local Housing Strategy (NBLHS) is in the process of assessment for endorsement by the Department. The NBLHS was adopted by Council in April 2021.

It guides planning for a diversity of housing within the Northern Beaches LGA for the next 20 years and builds on the designation of strategic, local and village centres identified in the NBLHS.

The following priority is relevant to the objectives of MLALC and future of these sites.

Priority 1 Housing Targets - Meet district Plan and 6-10 year housing target

The DDP responds to the priority as well as the broader objectives and actions of the NBLHS, including a collaborative approach in providing diverse housing within the Northern Beaches LGA.

It is acknowledged that given the nature of the land able to be acquired by LALCs, the sites included in this DDP are generally outside of centres but may be connected to existing developed areas.

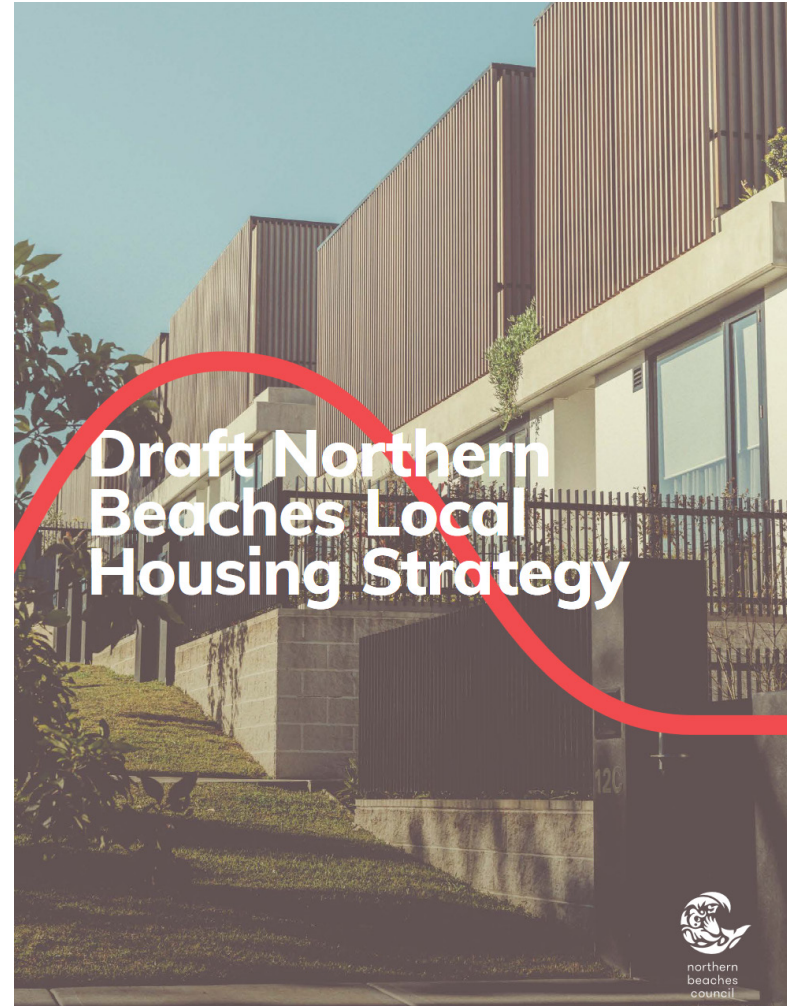


Figure 9: Local Housing Strategy
Source: Northern Beaches Council

MLALC Land Holdings in the Locality

MLALC is a significant owner of land in the Sydney basin across 25 LGAs in metropolitan Sydney. All landholdings are identified in the Community Land Business Plan 2016 – 2021 (pp 44-52) including nine sites within the Northern Beaches LGA, including the Lizard Rock site.

Further details of these sites, including a desk top land audit are included in **Annexure 2**.

Of the nine sites (totalling 912 ha) owned by the MLALC in the Northern Beaches LGA, only the 71ha Lizard Rock site is currently endorsed by MLALC members and the NSW ALC to be actively investigated for land dealing.

The intention is that future development potential at Lizard Rock will provide an income stream to fund the goals identified in the Community Land and Business Plan.

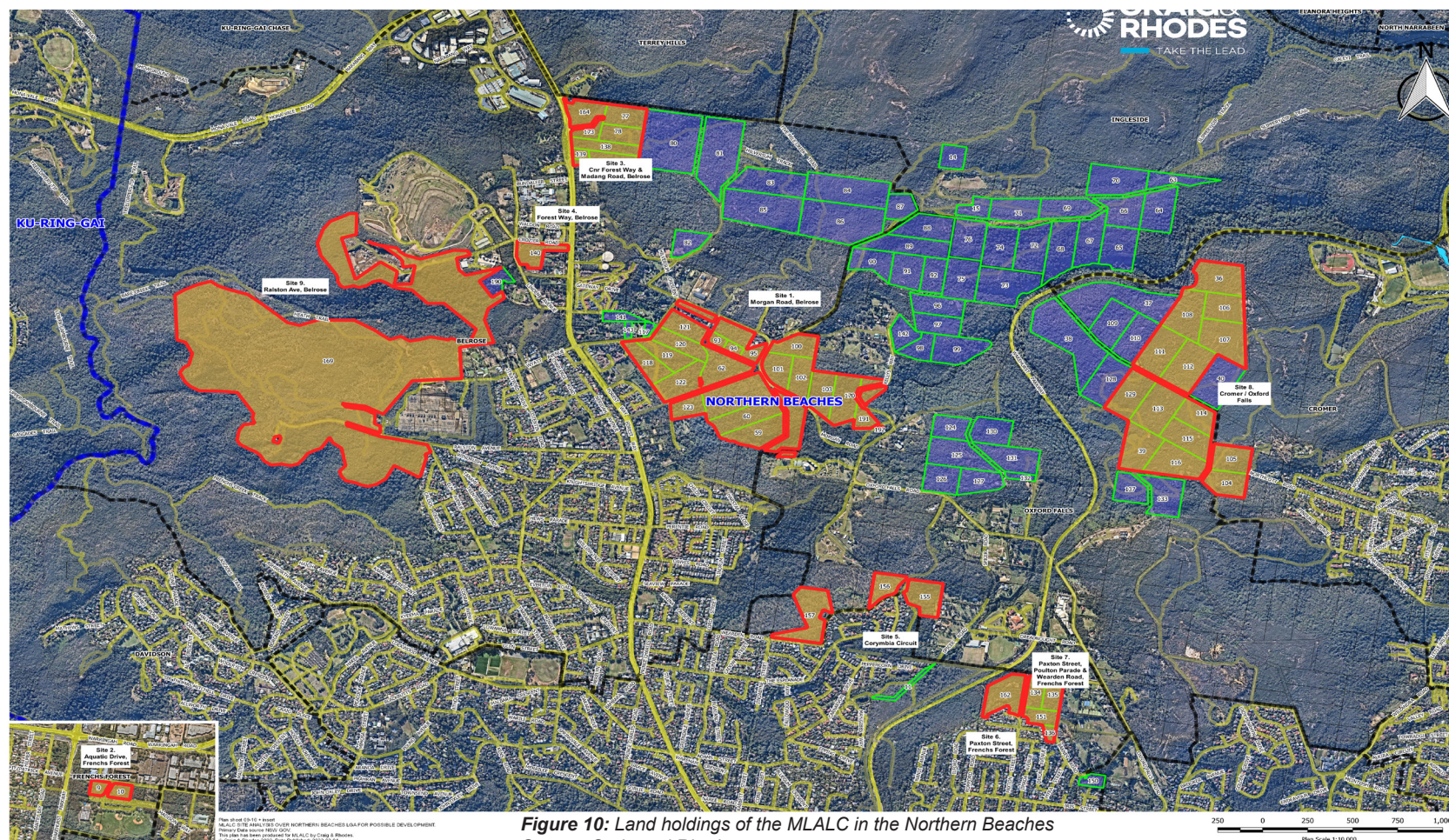


Figure 10: Land holdings of the MLALC in the Northern Beaches
Source: Craig and Rhodes

Strategic Assessment of MLALC Lands

Purpose of the Strategic Assessment

The purpose of the Strategic Assessment of MLALC Land holdings in the Northern Beaches LGA is to support the preparation of a DDP in accordance with the AL SEPP. The Study was prepared at the request of the Department.

A DDP forms part of a suite of planning mechanisms to assist LALCs achieve economic self-determination for their communities and deliver social, economic and environmental benefits as compensation for the loss and dispossession of their land.

The Strategic Assessment was undertaken in 2020 by GYDE Consulting, in association with Craig & Rhodes, Travers Bushfire and Ecology, JMT Consulting and in consultation with the MLALC. The assessment was subsequently peer reviewed by Barr Property and Planning who also has been involved in the preparation of the Darkinjung DDP.

In addition to assisting the preparation of a DDP, the strategic assessment will provide guidance to the MLALC when making decisions about how to manage their land portfolio.

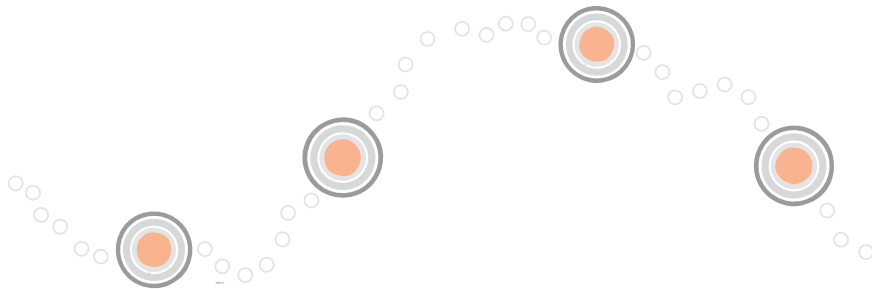


Figure 11: View over Lizard Rock
Source: MLALC

Overview of the Strategic Assessment

The strategic assessment provides contextual analysis, high level strategic analysis and prioritisation of land owned MLALC within the Northern Beaches LGA. This study comprises 3 phases:

- **Contextual analysis** within MLALC portfolio.
- **Site specific review** of constraints and opportunities on 9 sites, including:
 - Relevant statutory planning context
 - Aboriginal and European cultural heritage and value
 - Flora and fauna
 - Flooding and drainage
 - Slope
 - Availability of infrastructure
 - Bushfire risk
 - Statutory planning controls, including Local Environmental Plans (LEPs) and Development Control Plans (DCPs) provisions
- **Priority site assessment** using multi-criteria analysis to identify land suitable for development and/or conservation and an indicative order of future planning and investigation. Six short and medium term potential sites are included in this DDP.

A summary of this information is at right in **Table 1**.

The site summaries for each site are in **Annexure 2**.

Sites identified for long term potential at Belrose and Frenchs Forest have not been included in this DDP.

Table 1: Overview of the Strategic Assessment

Priority	Site	Inclusion in ALSEPP	Development Potential	Biodiversity Potential	Planning Pathway
Short term	Site 1 Morgan Road, Belrose	✓	✓		<ul style="list-style-type: none"> • Inclusion in ALSEPP • Planning proposal • Development application
Medium term	Site 2 Aquatic Drive, Frenchs Forest	✓	✓	✓	<ul style="list-style-type: none"> • Inclusion in ALSEPP • Further investigation • Planning proposal • Development application
	Site 4 Forest Way, Belrose	✓	✓		<ul style="list-style-type: none"> • Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 5 Corymbia Circuit, Oxford Falls	✓	✓	✓	<ul style="list-style-type: none"> • Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 6 Paxton Street, French Forest	✓	✓		<ul style="list-style-type: none"> • Inclusion in ALSEPP • Further investigation • Planning proposal
	Site 9 Ralston Avenue, Belrose	✓	✓		<ul style="list-style-type: none"> • Inclusion in ALSEPP • Further investigation • Planning proposal
Long term	Site 3 Corner Forest Way and Madang Road, Belrose			✓	<ul style="list-style-type: none"> • Further investigation • Planning proposal
	Site 7 Paxton Street, Poulton Parade and Weardon Road, Frenchs Forest		✓		<ul style="list-style-type: none"> • Further investigation • Planning proposal
	Site 8 Cromer/Oxford Falls			✓	<ul style="list-style-type: none"> • Further investigation • Planning proposal



Figure 12: View from the site at Lizard Rock
Source: MLALC

Why Focus on Lizard Rock First

The land audit process and assessment of the planning opportunities associated with each MLALC site has identified the Lizard Rock site as the short term priority as it has the most potential for development for innovative, culturally and environmentally sensitive development, and MLALC's best opportunity to generate an economic return that will benefit members and the broader community.

Under the ALR Act, potential land dealings such as this must demonstrate benefits to LALC members, be endorsed by the LALC Board, and subsequently be referred to the NSW Aboriginal Land Council (NSWALC) for approval. The Lizard Rock site has followed all requirements in the land dealings process and was granted approval by the NSWALC on 3 November 2004.

On 10 September 2019, the Department received a request from MLALC for a DDP to be prepared and the Aboriginal Land SEPP to include its land at Lizard Rock, Belrose.



Figure 13: Lizard Rock
Source: MLALC



Figure 14: View from Lizard Rock site
Source: MLALC



Figure 15: Rock carving at the Lizard Rock site
Source: MLALC

Objectives for Lizard Rock

Lizard Rock offers the opportunity to utilise MLALC land holdings in accordance with the ALR Act to:

“...improve, protect and foster the best interest of all Aboriginal persons within the Council’s area and other persons who are members of the Council.”

Specifically, Lizard Rock offers the opportunity to balance environmental characteristics with economic participation and cultural use of the land in order to:

- Achieve self-determination by utilising the developable land at the site to facilitate tangible economic, social and cultural prosperity for members and the Aboriginal community;
- Identify, conserve and enhance the existing heritage significance of the site to foster distinctive local places;
- Generate opportunities to promote local tourism by providing cultural education by way of information at significant locations and well-managed walking trails; and
- Create future built form outcomes that respect and respond to the natural environment and its unique characteristics.

The functions and sustainability of the MLALC rely heavily upon its financial management and business planning in line with the ALR Act and its CLBP. If realised, the Lizard Rock site would be a significant step towards the MLALC achieving economic self-sufficiency and securing its operational future.

The key long-term economic benefits would assist the provision of health and wellbeing facilities and programs, social housing as well as a homeownership scheme, funeral assistance, sporting, cultural and academic sponsorship and community events such as Day of Mourning and NIADOC among others.

The expansion of the MLALC’s land conservation, cultural education and community development resources and activities would result in major employment benefits by providing the opportunity to offer funded permanent full-time positions within MLALC.

The request for the Lizard Rock site to be included in the Aboriginal Land SEPP is supported for the following reasons:

- The Lizard Rock project enables the provision of new housing/subdivision lots that would be delivered in conjunction with the implementation of environmental and cultural conservation practices and maintenance of the site;
- The Lizard Rock project provides the opportunity for development that is consistent with the strategic directions in the North District Plan;
- Guided by the ALR Act, the site can facilitate the ongoing cultural use of the land by Aboriginal people as part of a development that balances the environmental and constraints and generates an economic return;
- The Lizard Rock project enables the opportunity for the implementation of the District Plan through the engagement with Aboriginal communities founded on self-determination and mutual respect to foster opportunities for economic participation, culturally appropriate social infrastructure and contemporary cultural expression.
- The Lizard Rock project enables the opportunity to plan for MLALC owned land while addressing the Metropolitan Rural Area (MRA) principles and maintaining the cultural significance of the site;
- The Lizard Rock enables the management and protection of the natural bushlands and creeks whilst preserving all natural space and culturally significant Aboriginal artefacts;
- The Lizard Rock site can increase diversity and supply to assist in reaching the North District and Northern Beaches LGA housing demand. The proposal would boost housing supply and diversity for the locality; and
- The strategic intent of the Lizard Rock site is to deliver residential development and community benefits including community facilities, walking tracks and educational programs/activities that promote Aboriginal cultural heritage around Lizard Rock. This project considers the future economic self-sufficiency of the MLALC, local Aboriginal community support, the strategic merit of the site and investigations into key opportunities and constraints of the site as well as the cultural and environmental benefits that will come from enhanced land management.

Lizard Rock

Site Description

Lizard Rock is located at Morgan Road, Belrose approximately 15km north of Sydney CBD and 6km north east of Chatswood and is located within the Northern Beaches LGA. The site comprises 22 separate allotments with a total area of approximately 71 hectares.

The key landholding proposed to be included in the Aboriginal Land SEPP and subsequent DDP includes Lots 89, 90, 91, 92, 93, 176, 177, 178, 189, 190, 191, 196, 197, 944, 945, 946, 947, 948, 953, 2600 and 2630 all in DP752038 and Lot 2 DP 1242330.

Future land, subject to Land Claim, has also been identified for inclusion in the project. This land comprises two additional parcels identified as Lots 89 and 2600 in DP 752038. MLALC does not own this land but has an interest in the determination of the Land Claims affecting Lots 89 and 2600 and proposes to close and purchase the unformed Crown roads under the Crown Lands process.

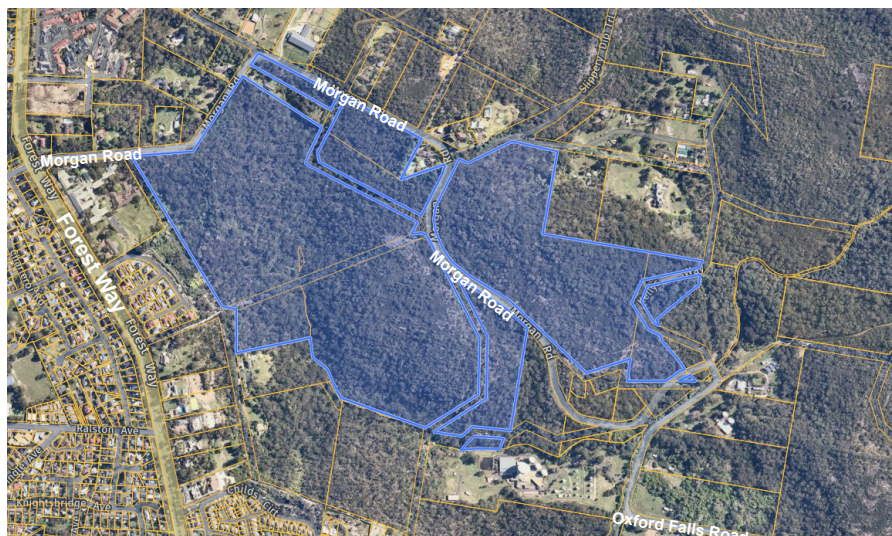


Figure 16: Subject site map

Source: Near Maps, overlay by the Department

Land use history

During the 1930s there has been a relatively long history of regular bushfires within the site that have served to modify the nature and density of the vegetation of the place over time. The site has been subject to land clearing, mostly related to market gardening and grazing. In the 1970s urbanisation, including larger semi-rural blocks became much more prevalent.

There is also evidence of mining in the form of excavations into the valley sides at two locations together with associated tracks and a crossing over Snake Creek. By the 1950s, runoff from the developing road network and farmland together with the increase in regional rainfall around the 1970s increased erosion and land clearance changed the site and adjoining lands.

There are moderate incursions of weeds within the site and along the lower section of Snake Creek. Greater quantities of introduced weeds occur along the upper section of Snake Creek and along the interface with the adjoining properties that have frontage to Forest Way.

A range of informal walking trails, horse and bike riding tracks have been created within the site over time. There have been a number of incidents in relation to illegal trespassing and damage caused to the site's Aboriginal Cultural and Heritage. Tracks and damage caused by vehicles are particularly evident to the north east of Morgan Road. The MLALC have attempted over many years to restrict mountain bikes, motor bike trails as well as four-wheel drive vehicles from destroying the site's Aboriginal cultural heritage.



The site context

The site is currently “deferred land” meaning planning controls under the Warringah Local Environmental Plan (WLEP) 2000 continue to apply to the land which is the B2 Oxford Falls Locality. The site is surrounded by other land within the locality.

North of the site is Moon Rock, a state heritage listed item which was declared an Aboriginal Place in 2016. Moon Rock has about 50 engravings depicting Aboriginal astronomical knowledge. Also, to the north and north east of the site are several large residential land holdings. Snake Creek runs through the site and then forms the south-western boundary.

There are number of aged care facilities including Uniting Wesley Gardens and Wesley Gardens Aged Care facility both adjoining the site to the west. South and east of the site are predominately comprised of R2 Low Density Residential zones and a number of scattered RE1 Public Recreation Zones.

There are significant major industrial commercial centres within the LGA with Austlink business park situated less than 2km from the site. The business park contributes to employment generation. The new Northern Beaches Hospital is approximately 3km from the site and provides significant health services in the area.

Retail services are also available close by including Forestway Shopping Centre and Glenrose Shopping Centre both 3km from the site and anchored by major supermarkets.

There are close to 30 schools within a 5km radius of the site, including Frenchs Forest Primary School, Belrose Primary School and Kambora Primary School.

Garigal National Park is located north west of the site and is predominantly comprised of dispersed bushland which embraces the upper reaches of Middle Harbour and part of the catchment of Narrabeen Lake (**Figure 17**).

Potential future outcomes

Future built form outcomes on the site could include residential lots of varying sizes to deliver diversity in housing choice and affordability with access to internal roads and public open space.

The MLALC recognises the site’s capability to encourage outdoor public recreation while managing, protecting and promoting the site’s ecological and Aboriginal cultural significance. The MLALC plan to utilise the site as an educational centrepiece by creating a viewing platform with several public open spaces focusing on Aboriginal heritage and the provision of Aboriginal cultural awareness and an outdoor Cultural Community Centre in the vicinity of Lizard Rock to create an interpretive facility for cultural, educational, social and the provision of ecological information to the local community and visitors.

The Planning Proposal would need to address the natural environment and Aboriginal cultural heritage by taking an innovative approach to conserving and enhancing natural elements of the landscape and its visual character.

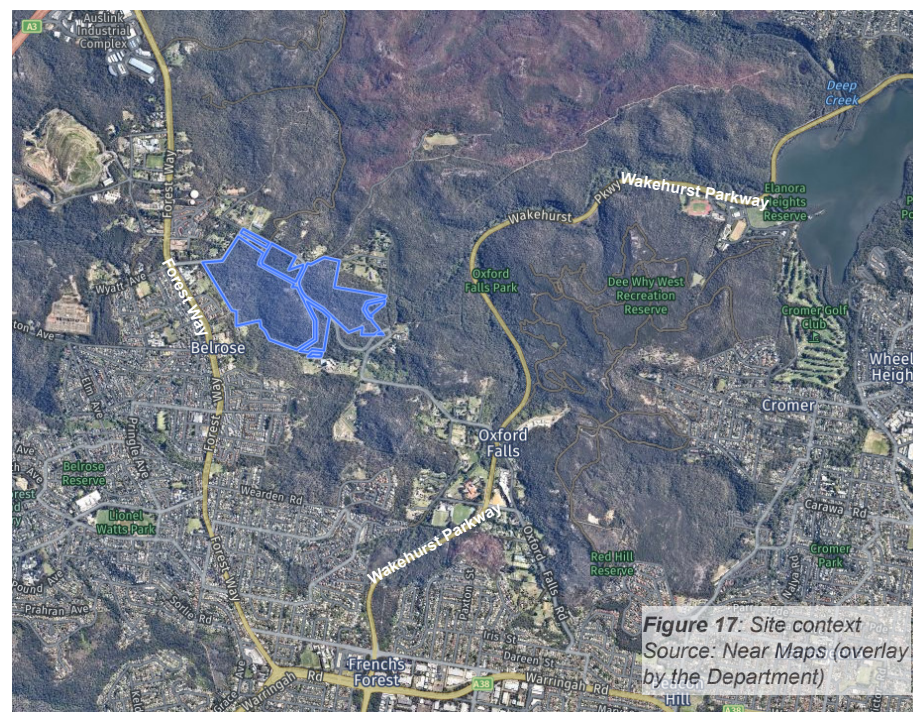


Figure 17: Site context
Source: Near Maps (overlay by the Department)

Design Principles

The following key design principles have been formulated by the MLALC to guide the future potential yield and built form outcomes on the site:

- Ensure development respects and responds to the natural environment and its unique characteristics
- Infuse the Northern Beaches vernacular in the plan, houses nestled within the landscape, retained trees in the public and private domain, leafy outlooks from all aspects
- Protect and celebrate significant cultural elements and collocate public open spaces within broader, contiguous green networks
- Retain and enhance key flora and fauna areas within larger green spaces and networks
- Utilise topographical changes as design cues to inform water sensitive urban design locations, street alignments and to reduce the need for cut and fill within lots
- Provide a range of lot sizes that enable rocky outcrops, existing trees and landscapes to be retained
- Ensure diversity of housing choice and affordability
- Contain the building heights below the tree canopy to protect scenic amenity and maintain local character
- Provide for local services adjoining the area of high amenity and cultural celebration
- Collocate public open spaces within broader, contiguous green networks
- Improve onsite and downstream water quality through integrated WSUD in the public and private domain and the expansion of drainage networks as linear parklands in exceedance of those areas classified as riparian corridors
- Respond to bushfire threat on/adjoining the site by inclusion of local and regional secondary bushfire egress paths
- Prioritise pedestrian and cycle connectivity to key recreation destinations within the plan

Potential development yield and design principles would be determined through the planning proposal process.



Figure 18: View over land at Lizard Rock
Source: MLALC

Environmental, economic and social considerations

The planning proposal for the site would need to ensure development respects and responds to the natural environment and its unique characteristics. The key objective of the planning proposal would be to achieve a balance between development, environment, economic, social and cultural conservation as well as maintenance of the site.

The planning proposal would need to address the following matters.

Bushfire

The proposal would need to include a Bushfire Assessment that shows the development footprint is suitable for residential development subject to the creation of appropriate Asset Protection Zones (APZs). Due to the topography of the site the proposal would need to meet the requirements of RFS Planning for Bushfire Protection and respond to the necessities of design for bushfire safety while retaining significant trees within the APZs of residential properties and in buffers between the site and surrounding landscape.

The planning proposal would also need to provide information on the degree of vegetation removal required for the development both on the site and APZ. This is to ensure certainty in the number and type of vegetation anticipated to be removed for the APZ requirements. The cumulative impact of bushfire in the area needs to be supported by NSW Rural Fire Service (RFS).

Water management

MLALC is aware of the important role water quality plays in the environmental health of the wetland systems of the lagoon. A majority of stormwater flowing from urban development can be generally left untreated as it flows from major roads and residential areas. As a result, this stormwater contains a variety of coarse and fine sediments together with pollutants and other nutrients that are generally untreated before they enter Narrabeen Lagoon.

The planning proposal would need to review the condition of creeks and waterways located within the site to establish creek hierarchy and corridor widths in accordance with the NSW NRAR Guidelines for Controlled Activities on Waterfront Land.



*Figure 19: Native vegetation at the site
Source: MLALC*

Vegetation

Regional mapping does not show any ecological endangered communities. The eucalypt species 'Angophora Crassifolia' is also located on the eastern parts of the site. It is known to have a limited distribution range in the location and have been mapped and identified for preservation in the development plan. Any future planning proposal will need to include a biodiversity assessment in accordance with the requirements of the *Biodiversity Conservation Act 2016*.

The planning proposal would have the opportunity to discuss the potential avoidance and minimisation of direct and indirect impacts the development would have on biodiversity and any threatened species and habitat on the site. Furthermore, the planning proposal has the opportunity to provide any conservation strategies and mitigation measures that could be adopted to avoid significant adverse effects on the threatened species and vegetation identified on the site.

Exotic weed species have been identified on the site and are carried down the natural watercourses resulting to a spread of exotic weeds on the site. The planning proposal would need to address the removal of weed species and ongoing management would have to improve land.

The planning proposal would need to explore the conservation of flora and fauna through the provision of green corridors and the retention where possible of identified canopy trees within development zones. The Planning Proposal should also identify roads and pathways that sensitively respond to the existing topography and achieve new plantings and maximum practical retention of significant trees throughout the site.

Aboriginal cultural heritage

An extensive Aboriginal Cultural Assessment was undertaken across the site and located existing rock engravings at Lizard Rock and nearby sites. The proposal would need to address the level of protection of Aboriginal heritage on the site through the incorporation of Aboriginal artefacts into a cultural centre and dedicated walking and cycling paths and public open space that focus on the Aboriginal heritage of the site as well as provide Aboriginal cultural awareness. The curtilage of Lizard Rock should be addressed as part of the planning proposal. The Aboriginal Cultural Heritage Assessment report and Planning Proposal to be referred to the Office of Environment and Heritage for review.



Figure 20: Rock carving at Lizard Rock
Source: MLALC

Urban design

The planning proposal will need to address the natural environment and Aboriginal cultural heritage by taking an innovative approach to conserving and enhancing natural elements of the landscape and its visual character. The planning of the site would need to address the design principles as well as the following:

- Maintaining the undeveloped character of visually and culturally significant ridge land with low intensity, low density development.
- Retaining the existing form and visual dominance of prominent ridges, rock shelves, Aboriginal cultural sites and minor escarpments and creek lines, free of any prominent buildings or infrastructure.
- Retaining natural features such as rock shelves and outcrops in and along the boundaries of private land holdings.

Ensuring urban design responds to the natural bushland subdivision, where housing and community facilities are appropriately integrated into the natural characteristics of the land on small and varied lots.

Economic considerations

The planning proposal would need to have regard to the economic use of the land through development would provide job creation to support the local economy.

The planning proposal needs to address employment opportunities in areas of construction, land conservation and management, cultural education and tourism operation and activities.

Social considerations

The proposal should explain the social opportunities the development would bring to MLALC and its community as well as residents in the Northern Beaches. The intent and aspirations of the cultural community centre provided in the vicinity of Lizard Rock would be detailed at the planning proposal stage.

In addition, the planning for the site must also explore:

- Water sensitive urban design measures to ensure improved water quality to Snake Creek and Narrabeen Lagoon and to manage stormwater;
- Nil increase in stormwater runoff to be achieved through retention and detention provided within individual housing lots;
- The protection of the creek corridor and riparian zone from development and ensuring the rehabilitation and management of the vegetation;
- Retaining and integrating into the open space the vegetation extending west to east and along Snake Creek and within and among development areas;
- Water quality in the catchment and provide recommendation to improve water quality within MLALC lands and upstream catchments; and
- Opportunities for Bio-filtration technology and Bio-retention systems for the site.

The Planning Proposal would need to be guided by the above mentioned as well as the flora and fauna assessment for the project

Traffic and transport considerations

The planning proposal will need to identify the specific traffic related requirements of the proposed development and options to resolve impacts relating to access to major and local road networks. The proposal should also identify the bus stops in proximity of the site, active transport connectivity and walking and cycling opportunities.

Given the proximity of the site to the new proposal for a new motorway known as the Western Harbour Tunnel and the Northern Beaches Link, the cumulative impacts of the development on the area needs to be considered by Transport for NSW.

Servicing and infrastructure

The planning proposal will need to include water and sewer servicing concepts and a stormwater management strategy.

Consultation with Sydney Water, Ausgrid and National Broadband Network (NBN) should occur prior to the lodgement of the planning proposal to confirm and ensure that services are available to the site and the impact of the high voltage lines through the site. State and local infrastructure contributions may be required for the proposal.

Work Program

Consultation

The DDP along with an Explanation of Intended Effects (EIE) would be publicly exhibited for 28 days as part of the SEPP Amendment consultation process. The consultation process would involve the community, relevant state agencies and Northern Beaches Council to ensure there is stakeholder awareness of the future development aspirations for MLALC owned land.

Work program of actions to progress these sites

The table below is a summary of the recommended actions and responsibilities for achieving the objectives for these sites

Objectives for Sites	Actions	Responsibility
<p>Achieve economic self-determination by utilising the developable land at the site to facilitate tangible economic, social and cultural prosperity for MLALC members and the Aboriginal community.</p> <p>Generate opportunities to promote local tourism by providing cultural education by way of information at significant locations and well-managed walking trails.</p> <p>Identify, conserve and enhance environmental heritage by applying adaptive re-use and interpreting heritage to foster distinctive local places.</p> <p>Manage and protect the natural bushland and creeks.</p> <p>Establish principles for future land use that respects and responds to the natural environment and its unique characteristics.</p>	Action 1: Draft Development Delivery Plan (DDP) in collaboration with MLALC	DPE and MLALC
	Action 2: Prepare DDP package for Minister to approve	DPE
	Action 3: SEPP Amendment process (28-day exhibition of amendment and DDP)	DPE
	Action 4: Consider submissions and finalise DDP and SEPP amendment	DPE
	Action 5: SEPP Amendment Gazetted	DPE
	Action 6: Planning Proposal lodgement	MLALC

We are here



Figure 20: MLALC local art
Source: MLALC

Appendices

Appendix 1 – MLALC Community Land and Business Plan

Appendix 2 – Strategic Assessment - findings and Recommendations

Appendix 1 – MLALC Community Land and Business Plan

DRAFT MLALC CLBP 2021-2025 Approved MLALC Board 18/11/21

Metro LALC's new CLBP focuses on five key goals. Four goals correspond to the subjects set out in section 83 of the *Aboriginal Land Rights Act 1983*, and the remaining goal relates to financing the CLBP.

1. To secure short to medium term financing for implementing the objectives and strategies in this CLBP;
2. To facilitate the healing and enhance the social wellbeing and participation of our community;
3. To promote, protect, and celebrate Aboriginal values, our culture and our heritage;
4. To ensure the prosperity of our community through the effective management of our land and other assets; and
5. To develop new businesses and grow our existing businesses while prudently managing our investments.

For each goal, we have identified objectives that detail our vision for achieving that goal, and strategies for achieving those objectives. Each objective have been assigned a priority corresponding to the expected timeframe for commencing the implementation of the strategy, as follows:

Priority level	Timeframe for commencing strategy
High	Immediate
Medium	1-2 years
Low	3-4 years

Each priority level has been assigned based on:

1. the urgency of need (as determined through consultation with our members);
2. the complexity and cost of the strategy (i.e. easier and cheaper "low hanging fruit" have been prioritised); and
3. projected availability of resourcing.

Strategies that involve continuing activities that Metro LALC already undertakes have been assigned high priority.

Goal 1: To secure short to medium term financing for implementing the objectives and strategies in this CLBP

	Objective	Strategies	Priority
1	Implement sound financial stewardship and governance	<ul style="list-style-type: none">• Develop a financial plan in which the board, as part of the budgeting process, determines the ongoing financial requirements necessary to reasonably give effect to the strategies in this CLBP.• Because the principal source of funding in the early stages of the CLBP will be through asset sales (see objective 2), the financial plan will need to consider how the receipts from these sales can be quarantined in a manner that ensures that they are reserved for the implementation of the plan.• Metro LALC will continue to undertake financial reporting to its members and NSWALC.	High
2	Increase our cash reserve	<ul style="list-style-type: none">• Metro LALC acknowledges that both a steady income stream and a solid cash reserve will be required to implement the remaining goals in this CLBP. Goals 4 and 5 contain objectives related to expanding Metro LALC's land-based and business income streams. To achieve a sufficient cash reserve in the short term, Metro LALC will undertake a careful review of its landholdings to identify properties that do not have high long term strategic value, of which some may be sold.• The receipts from any sale of our land will be governed in accordance with the financial plan developed in objective 30	High

Goal 1: To secure short to medium term financing for implementing the objectives and strategies in this CLBP

3

Improve our capacity and capability

- Develop an organizational capability strategy to plan how Metro LALC will develop the human capability and capacity to implement the CLBP.
- In particular, this strategy should consider the potential creation of the following new roles:
 - Development Projects Co-ordinator (responsible for overseeing Goal 4 and 5);
 - Education and Employment Co-ordinator (responsible for implementing objectives 8 to 10);
 - Social Media and Communications Officer (responsible for communicating with members and maintaining Metro LALC's website and social media);
 - Social and Cultural Events Officer (responsible for implementing objectives 6 and 14).

Medium

Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

Objective

Strategies

Priority

Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

4	Build our understanding of our community's needs	<ul style="list-style-type: none"> • Undertake periodic surveys and host forums and workshops for members and other Aboriginal people in our area to understand their needs in relation to housing, employment, health, connection, and other matters. • Use the findings of these surveys to inform how the strategies in this CLBP are designed and implemented. 	High
5	Assist members to obtain decent and affordable housing	<ul style="list-style-type: none"> • Continue to operate our social housing program. 	High
		<ul style="list-style-type: none"> • Ensure our social housing policies encourage tenants to seek and maintain employment. 	High
		<ul style="list-style-type: none"> • Continue to assist members to access housing services where this cannot be provided by Metro LALC. 	High
		<ul style="list-style-type: none"> • Investigate options for home ownership schemes for our members and: <ul style="list-style-type: none"> ○ build relationships with capability partners, e.g. developers, banks and other financiers; ○ develop a business case; and ○ implement a pilot program. 	Medium

Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

	<ul style="list-style-type: none"> Investigate options to upgrade and improve the infrastructure in our housing portfolio where appropriate. 	Medium
	<ul style="list-style-type: none"> Investigate options for the construction of new homes, either as part of a home ownership scheme or as social housing for members. 	Low
	<ul style="list-style-type: none"> Offer seminars to members and other Aboriginal people in our area to understand strategies for achieving home ownership and for overcoming poverty and homelessness. 	Medium
6 Continue to facilitate the healing of our community	<ul style="list-style-type: none"> Ensure that cultural and social activities organised by Metro LALC have a focus on healing and wellbeing. Continue Metro LALC's involvement in activism, truth-telling and reconciliation work, such as: <ul style="list-style-type: none"> hosting Day of Mourning events; and supporting and participating in political movements for the benefit of Aboriginal peoples. Partner with other Indigenous organisations to jointly facilitate events and activities with a focus on healing and wellbeing. 	High
7 Attract new members and improve	<ul style="list-style-type: none"> Ensure all members have access to information about Metro LALC meetings and events. 	High

Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

participation of current members

- Provide assistance to members to attend and participate in Metro LALC meetings and events.
- Document and advertise the benefits of membership through our social media channels.
- Continue to improve and update our website.
- Build leadership and other capabilities of our members through training and mentoring programs (see objectives X and X).
- Encourage existing members to become more involved in Metro LALC's activities through participation in events and members meetings, volunteering, and seeking election to the Metro LALC Board.

8

Support our young Aboriginal people

- Continue to develop pathways for preventing our young people from disengaging or becoming involved in at risk behaviours, such as mentoring programs and running camps, workshops, and programs for young Aboriginal people, including at Metro LALC's offices and Camp Wollemi.
- In the first 12 months of this plan, Metro LALC will:
 - Facilitate MLALC youth meeting establish MLALC youth council
 - Undertake survey of MLALC youth on their needs, wants and aims.

High

- Host seminars for parents on how they can support their children's learning.

Medium

Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

	<ul style="list-style-type: none"> Establish a fund to assist families with school and training-related costs such as uniforms, supplies, equipment for extra-curricular activities and excursions. 	Medium
	<ul style="list-style-type: none"> Investigate establishing an Aboriginal-owned and run preschool. 	Low
	<ul style="list-style-type: none"> Provide a forum for Metro LALC youth to speak to the Board about youth issues. 	
9 Employment	<ul style="list-style-type: none"> Work with Metro LALC's capacity partners (e.g. development and joint venture partners, see objective 22) to create jobs for Metro LALC members and other Aboriginal people. Prioritise Aboriginal organisations in Metro LALC's procurement. Assist members to start businesses and utilise Federal and State Government procurement opportunities. Set up a fund to assist jobseekers with job-related costs such as tools, clothing, equipment, etc. 	
10 Education and training	<ul style="list-style-type: none"> Develop a scholarship fund to support primary, secondary, and tertiary students and work with other scholarship providers to identify suitable candidates. Partner with TAFE and other skills-training providers to establish school-based traineeships and training programs. 	


Goal 2: To facilitate the healing and enhance the social wellbeing and participation of our community

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|-----------|--|--|------|
| | | <ul style="list-style-type: none"> • Provide opportunities for internships, work experience, and traineeships within Metro LALC businesses. | |
| 11 | Improve the physical health of Aboriginal people in our area | <ul style="list-style-type: none"> • Maintain and strengthen the relationships that Metro LALC has built with community health authorities, such as the Aboriginal Medical Service, Sydney Local Health District, and NSW Health. Discuss how Metro LALC can assist these and other organisations to achieve improved health outcomes in our community, including by offering the use of Metro LALC's facilities and social media presence. • Ensure the provision of accurate health information to our community. • Promote and host cultural/social activities centred around exercise, e.g. Elders' Olympics. | High |
| 12 | Assist our ageing members to access culturally-appropriate care services | <ul style="list-style-type: none"> • Partner with government and non-government aged care providers in Metro LALC's area to assist them to deliver culturally-appropriate aged care to Aboriginal people. • Investigate the possibility of Metro LALC developing an aged care facility for members and other Aboriginal people. | |
| 13 | Support inmates and released prisoners in their rehabilitation | <ul style="list-style-type: none"> • Investigate options for partnering with organisations like the Aboriginal Legal Service, Corrective Services, and Probation and Parole organisations to support inmates and released prisoners in their rehabilitation. • Support the families of inmates and released prisoners. | |

Goal 3: To promote, protect, and celebrate Aboriginal values, our culture and our heritage

	OBJECTIVE	STRATEGIES	PRIORITY
14	Promote and develop Aboriginal values and Aboriginal cultural knowledge in our community and facilitate our members to grow in their Aboriginality	<ul style="list-style-type: none">• Continue to bring our community together by hosting community events to teach our people our history and culture and to improve connections within our community.• Establish and run regular cultural and social events, e.g.:<ul style="list-style-type: none">○ bringing back Saturday Family Day Outings;○ bringing back Movie Days;○ Annual Cultural Gatherings;○ Others? E.g. Cultural activities including camps at Camp Wollemi & Waratah Park, and excursions to cultural sites• Develop a communications strategy to engage with members and other Aboriginal people in our area, including by:<ol style="list-style-type: none">1. maintaining Metro LALC's social media accounts;2. maintaining our website;3. providing a forum for members to raise issues, including a forum for members to raise issues anonymously;4. undertaking member surveys and surveys of Aboriginal and Torres Strait Islander people living in our area; and5. keeping members up-to-date on Metro LALC's meetings, policies and events, as well as other relevant news.	

Goal 3: To promote, protect, and celebrate Aboriginal values, our culture and our heritage

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|  | <ul style="list-style-type: none">• Provide family education and skills classes to members, including speakers on history, community development, family relationships, etc.• Continue to support members in cultural practices. |
| <p>15 Improve the understanding of Aboriginal values in the broader community</p> | <ul style="list-style-type: none">• Continue to offer cultural services such as Welcomes to and Acknowledgements of Country and Smoking Ceremonies, and finalise the Metro LALC Cultural Services Policy.• Develop a list of capable and willing volunteers to speak with authority on Aboriginal culture and values in our area.• Continue, and or Establish a business, offering:<ul style="list-style-type: none">○ educational programs to the public on topics such as Aboriginal culture and history in Metro LALC's area;○ assessments of and tools to build cross-cultural capacity in other businesses and organisations.• Invite non-Indigenous people and groups to participate in community events and activities.• Develop relationships with local, State and National media organisations to assist Metro LALC to communicate with the wider community.• Develop and maintain partnerships with key non-Indigenous organisations in Metro LALC's area including local councils, education and training organisations, major sporting and arts bodies, civic organisations and other NGOs. Establish working parties with these groups. |

Goal 3: To promote, protect, and celebrate Aboriginal values, our culture and our heritage

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| | <ul style="list-style-type: none">• Document our relationships and partnerships with media, governments, and other organisations to promote these where they are successful.• Engage with stakeholders to create or upgrade signage to identify Metro LALC and Traditional Owner boundaries as appropriate. |
| 16 Maintain, protect and regenerate significant land and sites within Metro LALC's area | <ul style="list-style-type: none">• Undertake regular site visits to ensure all Aboriginal sites in our area are protected and conserved.• Develop a cultural heritage site overlay to identify sites in Metro LALC's area.• Publish information on the importance of Aboriginal sites and landscapes within our area.• Develop and implement a cultural burn policy in collaboration with the NSW Fire Service for land in Metro LALC's area.• Run community 'Caring for Country' working bee and excursion days to educate and engage our members. |
| 17 Improve the protection of Aboriginal cultural heritage | <ul style="list-style-type: none">• Advocate for law reform which better protects Aboriginal culture and heritage, including Aboriginal sites, objects, and landscapes.• Coordinate with NSWALC, the Network and other Aboriginal organisations to seek better protections for Aboriginal culture and heritage.• Where appropriate, seek the return of Aboriginal objects and artefacts to Aboriginal ownership. |

Goal 3: To promote, protect, and celebrate Aboriginal values, our culture and our heritage

18 Develop Metro LALC's Aboriginal Cultural Heritage Unit

- Continue to develop Metro LALC's Aboriginal Cultural Heritage Unit.
- Employ heritage officers to identify, record, monitor and advise on Aboriginal cultural heritage within Metro LALC's area.
- Use Metro LALC's website and social media to promote its Aboriginal cultural heritage service.



Goal 4: To ensure the prosperity of our community through the effective management of our land and other assets

	OBJECTIVE	STRATEGIES	PRIORITY
19	Assess and review current landholdings and land under claim and develop a strategic plan for Metro LALC's land	<ul style="list-style-type: none"> • Undertake a systematic strategic review of Metro LALC's landholdings to identify potential sites for development and prioritise detailed site investigations and feasibility studies for these sites. Where appropriate, undertake these reviews in consultation with governments and other stakeholders to ensure an alignment of State, regional and strategic planning goals. • Develop a strategic plan for all of Metro LALC's land that identifies priority sites for development and sites for conservation. 	
20	Manage risk associated with land development	<ul style="list-style-type: none"> • Establish and use special purpose vehicles for carrying out Metro LALC's developments. 	
21	Acquire strategic land through land claims, Aboriginal land agreements, transfer, purchase and lease	<ul style="list-style-type: none"> • Review land claims to identify claims for priority determination and refer these to Crown Lands. • Continue to make land claims. • Identify Crown land which is strategically valuable to Metro LALC and seek the transfer of this land under an Aboriginal land agreement or other agreement. • Continue to engage in the land negotiation process. 	

Goal 4: To ensure the prosperity of our community through the effective management of our land and other assets

22

Progress and deliver Metro LALC's priority development projects

- Seek to acquire culturally-significant land and sites to preserve.
 - Seek to acquire residential properties being divested by housing providers, e.g. the Aboriginal Housing Office.
-
- Undertake detailed site investigations and feasibility studies for all medium and high priority development sites in the Northern Beaches LGA as identified in Gyde Consulting's strategic assessment of Metro LALC's Northern Beaches landholdings. These sites are:
 - Morgan Road, Belrose
 - Ralston Avenue, Belrose
 - Aquatic Drive, Frenchs Forest
 - Corner Forest Way and Madang Road, Belrose
 - Forest Way, Belrose
 - Corymbia Circuit, Oxford Falls
 - Paxton Street, Frenchs Forest
 - Any other sites?
 - Pursue other priority projects identified in the strategic land assessment endorsed by our members.
 - Seek capability partners to develop our land, and maintain relationships with existing capability partners.

Goal 4: To ensure the prosperity of our community through the effective management of our land and other assets

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| <p>23 Streamline and improve the planning pathway for Metro LALC's development projects</p> | <ul style="list-style-type: none">• Continue to work with the NSW Department of Planning, Industry and Environment (DPIE) to develop one or more Development Delivery Plans (DDP) for Metro LALC's priority development sites and add these parcels to the State Environmental Planning Policy (Aboriginal Land).• Investigate further options for improving the development pathway for our development projects, including advocating for legislative change to planning, biodiversity and other laws where required.• Partner with LALCs, NSWALC and other Aboriginal and non-Aboriginal organisations to seek positive changes to the planning pathways and controls which apply to Aboriginal owned and controlled land. |
| <p>24 Properly manage existing holdings</p> | <ul style="list-style-type: none">• Continue to manage leased properties (George Street and Elizabeth Street in the CBD) which bring in rental income for Metro LALC.• Maintain a database of landholdings and land under claim.• Maintain a database of studies and research undertaken in relation to our land.• Establish a system for alerts on any proposed changes to planning controls. Where changes are proposed, engage with DPIE and local councils to defend any attempts to reduce the value of our land and identify Metro LALC's preferred changes.• Develop and implement a plan for management of Metro LALC's vacant and vegetated land (e.g. anti-dumping, hazard reduction, pest control, etc). |

Goal 4: To ensure the prosperity of our community through the effective management of our land and other assets

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| <p>25 Develop other income streams from land and other assets</p> | <ul style="list-style-type: none">• Develop and implement a long-term maintenance plan for our housing portfolio.• Analyse our portfolio of land and other assets to identify possible income streams (e.g. tourism).• Promote and develop Camp Wollemi as tourist and large group accommodation.• Develop a business case where we identify potential income streams.• Obtain expert advice and undertake appropriate due diligence on all business and land ventures, including early engagement with NSWALC and other approval authorities.• Identify and prioritise opportunities for businesses owned by our members and other Aboriginal people to operate on our land. |
|--|--|

Goal 5: To develop new businesses and grow our existing businesses while prudently managing our investments

	OBJECTIVE	STRATEGIES	PRIORITY
26	Develop businesses and income streams from our land and other assets	<ul style="list-style-type: none">• See objective 22.• Where lands/properties are held and managed commercially, ensure that they are managed professionally and provide market returns.• Seek to leverage the knowledge and expertise of our members and community to develop and implement new business ideas.	
27	Maintain and expand cultural heritage business	<ul style="list-style-type: none">• See objective X.• Engage with governments and developers to provide cultural heritage services in Metro LALC's area.• Investigate options for developing a cultural heritage tourism business.	
28	Maintain Welcome to Country and smoking ceremony business	<ul style="list-style-type: none">• See objective X.	

Goal 5: To develop new businesses and grow our existing businesses while prudently managing our investments

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|-----------|--|---|
| 29 | Manage the risks of our businesses | <ul style="list-style-type: none">• Where appropriate, operate new business enterprises through separate entities to manage the risks to Metro LALC and its other assets and to provide flexibility to the new business.• Ensure members are kept informed of the operations of our businesses. |
| 30 | Maintain a prudent investment strategy | <ul style="list-style-type: none">• Consider and (if appropriate based on independent professional advice) use the range of potential investments available under the ALRA and the Regulation including:<ul style="list-style-type: none">◦ Australian and international equities;◦ term deposits;◦ Government-backed securities;◦ real property and property trusts; and◦ other investments that Metro LALC determines are in the best interests of it and Aboriginal people in its area.• Ensure all investments comply with the ALRA.• Note: nothing in this Plan requires Metro LALC to allocate assets to a particular investment. |
| 31 | Take advantage of Indigenous procurement targets | <ul style="list-style-type: none">• Take advantage of Federal and State Government procurement targets where possible.• Seek to develop businesses in joint venture with capability partners. |

Goal 5: To develop new businesses and grow our existing businesses while prudently managing our investments

- Seek to partner with other Indigenous businesses on joint projects where possible.
- Assist members and their businesses to take advantage of procurement opportunities.



4. FINDINGS AND RECOMMENDATIONS

4.1. Morgan Road, Belrose

Priority Level: Short term potential

Recommended planning pathway:

1. **Inclusion in the AL SEPP and preparation of a DDP**
2. **Planning proposal**
3. **Development application**

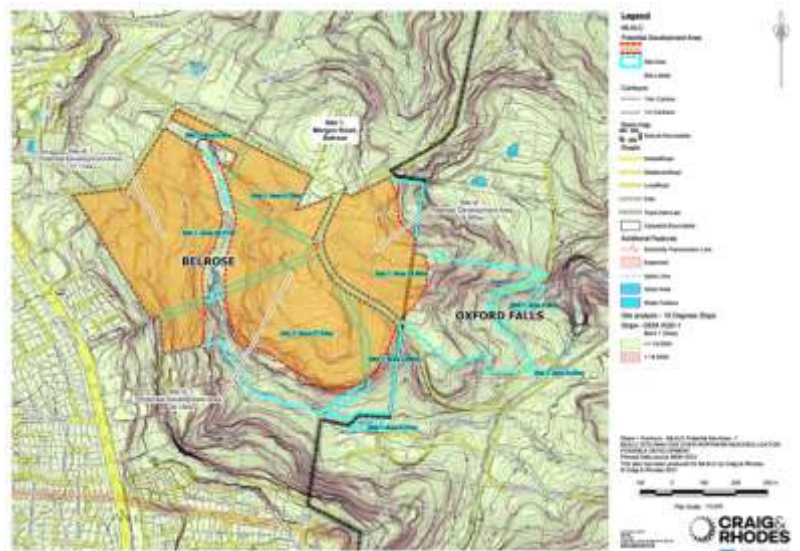


Figure 3: Potential development footprint Site 1

The analysis undertaken in this strategic review indicates the Morgan Road site has development potential in the short term.

A wide variety of potential land uses have been identified for this site, including low density residential, community and cultural facilities, neighbourhood shops, active and passive open space and recreation and environment conservation.

This recommendation is based on the following:

- The site has endorsement for land dealing under the ALR Act
- Strategic location in relation to employment, health and educational facilities
- Extensive flora, fauna and bushfire analysis undertaken to-date which indicates site-specific merit
- The heavily disturbed nature of the site, including weed infestation and vandalism due to the lack of passive surveillance
- The immediate need to generate economic means to protect and preserve a privately owned site on the Aboriginal Heritage Information Management Systems (AHIMS) register.

For further detail refer to Site 1: Morgan Road, Belrose in the Appendices.

Priority Level: Medium term potential

1. ***Inclusion in the AL SEPP and preparation of a DDP***
2. ***Further detailed investigations***
3. ***Planning proposal***
4. ***Development application***



Figure 4: Potential development footprint Site 2

Potential land uses for this site include active and/or passive recreation, including community/public facilities within an environmental landscape setting, and employment uses. The proposed uses will require a planning proposal to permit such uses and could result in potential rezoning to RE2 Private Recreation or B7 Business Park and E3 Environmental Management.

- The site is located opposite Forestridge Business Park and Aurora Business Centre and is supported by existing transport infrastructure and utilities
- There are no significant road upgrades required to support development on the site
- There is no known flooding, drainage, salinity, acid sulphate soils or land contamination issues
- The site is not currently approved for Land Dealings by the MLALC Board and its members.

- Potential impact on native vegetation
- Future treatment of the easement located on the eastern portion of the site
- Aboriginal cultural significance due to proximity of known sites.

For further detail refer to Site 2: Aquatic Drive, Frenchs Forest in the Appendices.

4.3. Corner Forest Way and Madang Road, Belrose

Priority Level: Long term potential**Recommended planning pathway:**

1. **Further detailed investigations**
2. **Planning proposal**

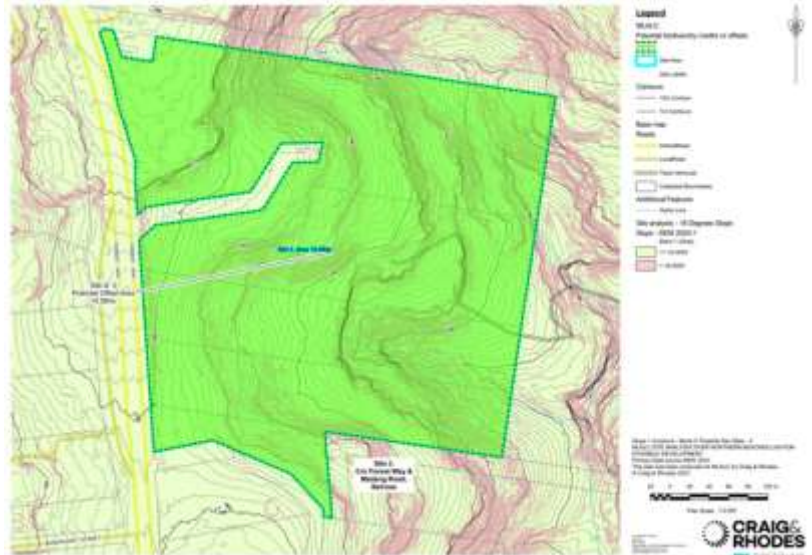


Figure 5: Potential conservation footprint Site 3

The high level analysis indicates opportunity for the site to be used for biodiversity credits or offsets in the longer term. The site has potential to be zoned for environmental conservation.

This recommendation is based on the following:

- The site has been identified as a potential conservation / biodiversity offset area
- The site is highly constrained by ecology and consistent steep slopes $>18^\circ$
- The site is not currently approved for Land Dealings by the MLALC Board / members
- The site is currently a Deferred Matter pursuant to WLEP 2011.

Further investigations are required in relation to:

- Aboriginal cultural significance due to proximity of known sites.

For further detail refer to Site 3: Corner Forest Way and Madang Road, Belrose in the Appendices.

Priority Level: Medium term potential

1. ***Inclusion in the AL SEPP and preparation of a DDP***
2. ***Further detailed investigations***
3. ***Planning proposal***
4. ***Development application***

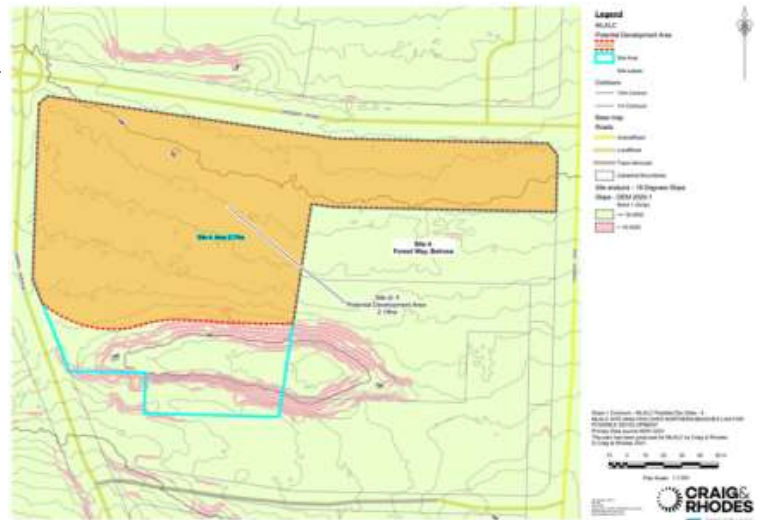


Figure 6: Potential development footprint Site 4

The site has potential to be zoned for employment or industrial land uses.

- Site is in close proximity to existing industrial/employment uses and residential uses
- Existing infrastructure capacity to serve the site
- Large part of the site not subject to ecological constraint
- No known flooding, drainage, salinity, acid sulphate soils or land contamination issues
- Road infrastructure and public transport access already in place
- No registered items of Aboriginal culture and heritage items within or proximate to the site
- The site is not currently approved for Land Dealings
- The site is currently a Deferred Matter pursuant to WLEP 2011.

- Potential for Eastern Pygmy Possum habitat.

For further detail refer to Site 4: Forest Way, Belrose in the Appendices.

4.6. Paxton Street, Frenchs Forest

Priority Level: Medium term potential

Recommended planning pathway:

1. **Inclusion in the AL SEPP and preparation of a DDP**
2. **Further investigation required**
 - A portion of the site is currently zoned for residential uses. A Development Application for residential component of this site will depend on further bushfire investigations to confirm the land area suited for residential development within the R2 zone.
3. **Development application**

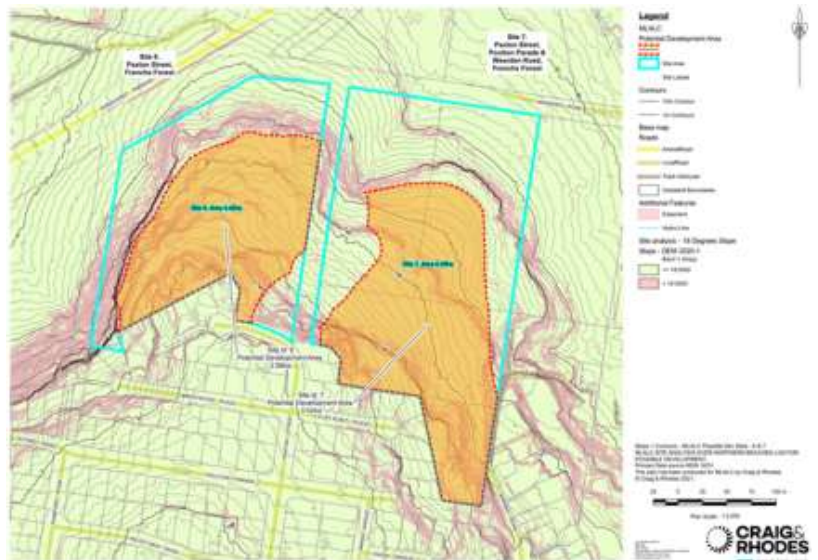


Figure 8: Potential development footprint Site 6 (on left)

The high level analysis indicates opportunity for limited low density residential infill development within the existing R2 zoned portion of the site in the short term.

Potential expansion of residential uses in part of the existing E3 zone may be appropriate in the medium term.

Opportunities have been identified based on the following:

- Currently zoned E3 Environmental Management; R2 Low Density Residential; and RE1 Public Recreation pursuant to the WLEP 2011
- Existing principal development controls within the R2 zone permit low density infill development opportunities
- Immediately adjacent to R2 Low Density Residential zones and established vehicle access via residential road
- Given the established network of streets surrounding the site, relatively small site area, as well as the multiple access routes to nearby major roads, it is unlikely any major enhancements to the road network will be required to facilitate the development of the site
- All reticulated services (NBN, water, sewer, electricity, gas and NBN) are available along Paxton Street immediately south of the site
- Proximate to existing social infrastructure, including schools, recreation centres, shopping centres and Hospital/medical facilities (within 1-2km)
- No threatened flora species previously recorded
- No riparian issues occur on site
- No known flooding, drainage, salinity, acid sulphate soils or land contamination issues
- No registered items of Aboriginal culture and heritage items within or proximate to the site
- The site is not currently approved for Land Dealings by the MLALC Board / members.

Further investigations are required in relation to:

- Extension and augmentation of reticulated services
- Ecological constraints and Asset Protection Zone (APZ) requirements due to the site's size, configuration and steep slopes will require further detailed analysis

-
- Further investigation of slopes constraints recommended to determine potential for crown fire development, soil stability and practicality of APZ maintenance
 - Identified bushfire egress constraints due to limited access opportunities
 - Biodiversity values on site as clearing of native vegetation 0.5 ha and greater will trigger the Biodiversity Offset Scheme (BOS)
 - Acquisition of land zoned for public recreation by Council.

For further detail refer to Site 6: Paxton Street, Frenchs Forest in the Appendices.

4.7. Paxton Street, Poulton Parade and Weardon Road, Frenchs Forest

Priority Level: Long term potential**Recommended planning pathway:**

1. **Further investigation**
2. **Planning proposal**

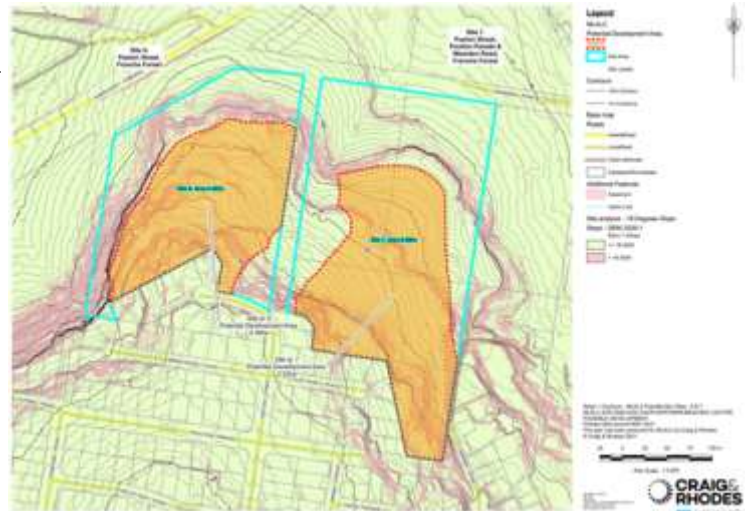


Figure 9: Potential development footprint Site 7 (on right)

The high-level analysis indicates opportunity for potential low density residential uses in the long term and/or passive and active recreation, i.e., bushwalking trails. The site has potential to be rezoned for residential and recreation uses.

This recommendation is based on the following:

- The site is immediately adjacent to R2 Low Density zoned Residential land and benefits from established road access
- All reticulated services (NBN, water, sewer, electricity, gas and NBN) are available along Poulton Parade, Cliff Point Place, Barnes Road and Weardon Road that adjoin the site
- The site is in close proximity to existing social infrastructure, including schools, recreation centres, shopping centres and Hospital/medical facilities and open space
- Bushfire risk can be reduced and mitigated with appropriate asset protection zones
- No records of previously recorded threatened species occur on site
- There are no riparian lands on site
- No registered items of Aboriginal culture and heritage items within or proximate to the site.
- Currently a Deferred Matter pursuant to WLEP 2011
- The site is not currently approved for Land Dealings.

Further investigations are required in relation to:

- Extension and possible augmentation of reticulated services
- Potential habitat for Eastern Pygmy Possum, Powerful Owl, Grey-headed Flying-fox and Large Bent-winged Bat given previous recordings on adjacent lands
- Biodiversity values as clearing of native vegetation 0.5 ha and greater will trigger the BOS
- Potential presence of Coastal Upland Swamp (EEC) in south-west portion of site.

For further detail refer to Site 7: Paxton Street, Poulton Parade and Weardon Road, Frenchs Forest in the Appendices.

4.8. Cromer/Oxford Falls

Priority Level: Long term potential**Recommended planning pathway:**

1. **Further investigation**
2. **Planning proposal**

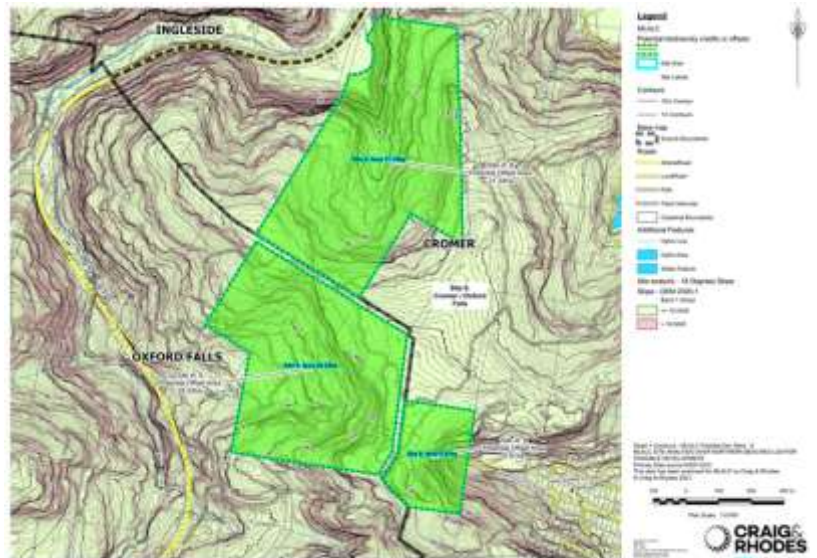


Figure 10: Potential conservation footprint Site 8

Given the significant ecological, bushfire and topographical issues associated with the site, there is merit in retaining the site for biodiversity credit purposes.

The site has potential to be zoned for environmental conservation.

This recommendation is based on the following:

- Notable bushfire constraints, consistent steep slopes $>18^\circ$ and lack of access opportunities
- Coastal Upland Swamp EEC has been mapped near the south-west corner of the study area, and Swamp Sclerophyll Forest along the northern boundary in association with Middle Creek
- Potential for the site to contain Aboriginal cultural significance as heritage item close to vicinity of site on privately owned land known as "Cromer Heights Rock Engravings and Shelter Site"
- No bus stops or bus routes are currently in the vicinity of the site making it relatively inaccessible by public transport
- Currently a Deferred Matter pursuant to WLEP 2011
- The site is not currently approved for Land Dealings.

For further detail refer to Site 8: Cromer/Oxford Falls in the Appendices.

4.9. Ralston Ave, Belrose

Priority Level: Medium term potential

Recommended planning pathway:

1. **Inclusion in the AL SEPP and preparation of a DDP**
2. **Planning proposal**
3. **Development application**

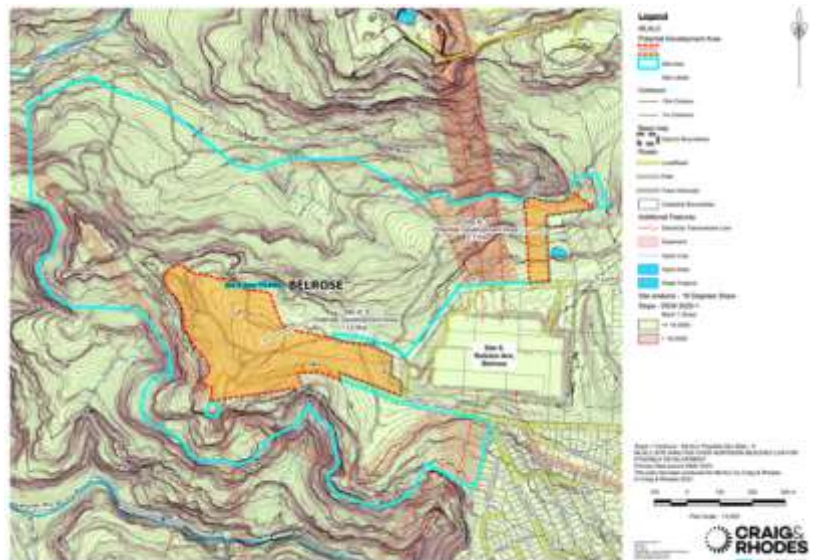


Figure 11: Potential development footprint Site 9

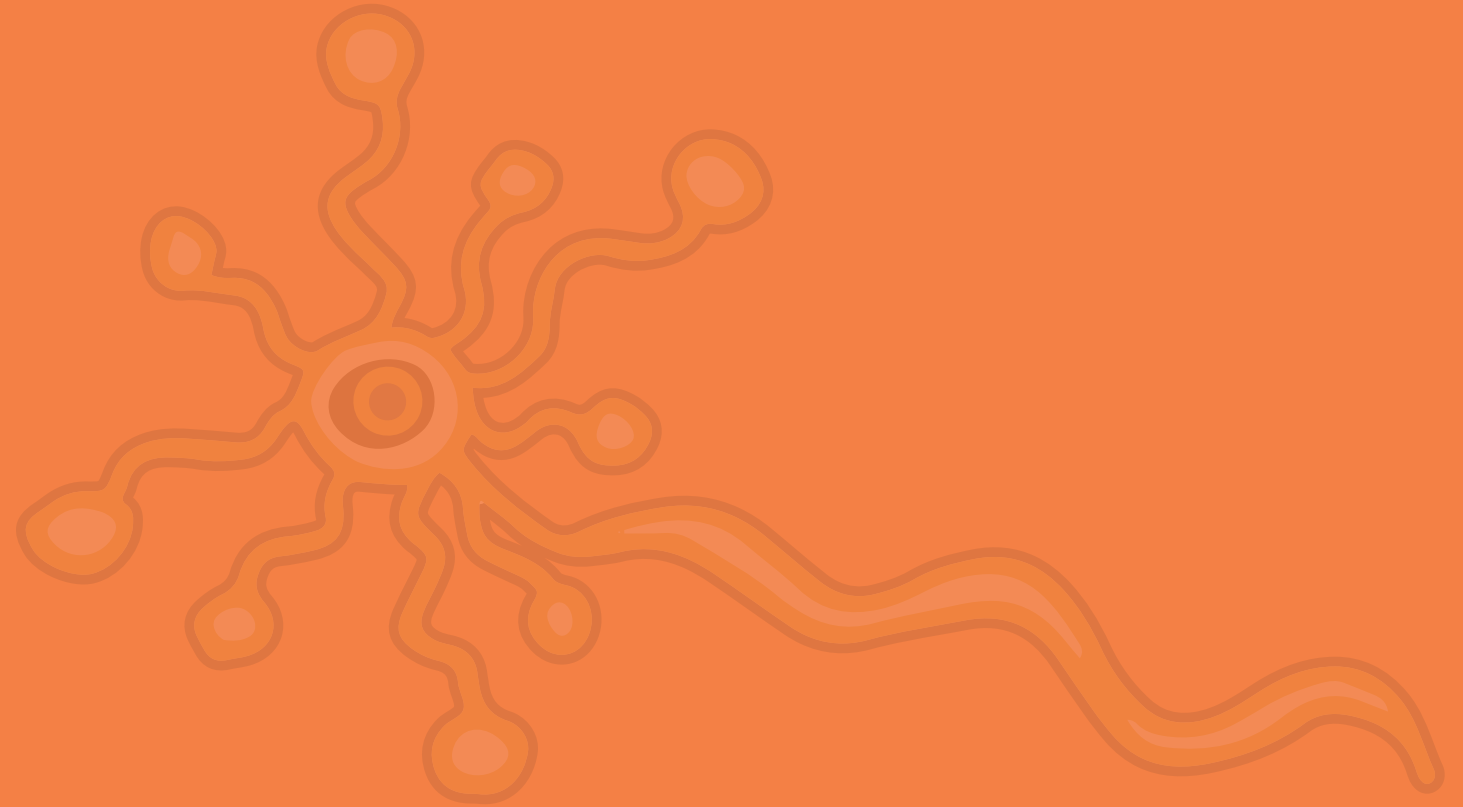
The high-level analysis indicates the site is suitable for employment, recreation and urban services (such as warehousing and/or data centres) in conjunction with environmental conservation.

Low scale residential development potential is identified within and adjacent to the site's existing R2 zoned land located at the southeast corner of the site.

This recommendation is based on the following:

- Currently approved for Land Dealings
- Majority of land is a Deferred Matter pursuant to WLEP 2011
- A minor portion of the site (southeast) is zoned R2 Low Density Residential
- Extensive environmental mapping and analysis of the site has been undertaken
- Bushfire evacuation issues raised as a concern in the context of a previous planning proposal for residential land uses.

For further detail refer to Site 9: Ralston Avenue, Belrose in the Appendices.



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