

Appendix I – Deferred Lands Background and Proposed Approach

Minor amendments made 28/05/2024.

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Executive Summary

The 'Deferred Lands' is an area of land in Oxford Falls Valley and Belrose North (OFV/BN) which is subject to planning controls under Warringah Local Environmental Plan 2000 (WLEP2000). The area was deferred from inclusion in Warringah Local Environmental Plan 2011 (WLEP2011) in December 2011 by the then Minister for Planning and Infrastructure in response to stakeholder concern regarding the adequacy of consultation during the preparation of WLEP2011.

WLEP2000 is a unique environmental planning instrument in that there are no land use "zones". Instead, the LEP identifies "localities", each with its own statement of desired future character.

In 2015, following a Strategic Review Report (prepared in partnership with the then NSW Department of Planning and Environment (the Department)), Warringah Council prepared a Planning Proposal to rezone the land and include it in WLEP2011. That Planning Proposal was subsequently withdrawn based on concerns from Council about the extent of additional work required by the Department that did not align with the agreed outcomes of the Strategic Review. It was instead agreed that the land use controls for the area be finalised following the completion of a range of studies and undertaking community consultation as part of the preparation of a comprehensive Northern Beaches LEP (NBLEP).

The proposed land use controls for the Deferred Lands have been based on:

- Review of strategic documentation – Greater Sydney Region Plan, North District Plan, Council's Local Strategic Planning Statement and Local Housing Strategy
- Review of current WLEP2000 controls for the Deferred Lands
- Review of previously withdrawn 2015 Planning Proposal for Deferred Lands
- Outcomes from, and submissions to, Council's LEP Discussion Paper and Conservation Zones Review
- Requirements to consolidate zones used in Pittwater, Manly and Warringah LEPs.

Key differences in the current Planning Proposal compared to previous proposals are:

- Individual lots of land are zoned mostly either C3 Environmental Management or RU4 Primary Production Small Lots creating a "patchwork quilt" type effect – mainly because the new zoning methodology reflects the current uses and existence (or not) of high environmental values on a lot-by-lot basis. This approach moves away from strategic planning for the 'desired future character' of the area, as set out in WLEP2000.
- Areas of land that do not contain high environmental values and land used for agricultural purposes have not been zoned for environmental conservation.
- Land that is not zoned for a C3 Environmental Management zone is mostly zoned RU4 Primary Production Small Lots, which permits a broader range of land uses.

- Some land uses currently permitted under Category 2 and Category 3 of the B2 and C8 localities under WLEP 2000 will be prohibited under the new LEP as detailed in Appendix B – Comparison of LEP Land Use Tables and Proposed Approach.
- “Split” zones are applied i.e. more than one zone is applied to a single property, where there is a clear boundary between land with high environmental value and other land uses on the property and where the lot meets the Conservation Zone Review methodology for a split zone.
- Additional parcels of land are proposed for an R5 Large Lot Residential zone on the eastern side of Forest Way and to the eastern edge of the Deferred Lands area, where the land does not support high environmental values and where the land predominantly reflects large lot residential characteristics.
- Landscaped Area controls in the R5 zone will increase from 50% of the site to 80% of the site consistent other R5 large lot areas in the Council area.
- The C4 Environmental Living zone (formerly known as E4) is no longer proposed to be used for certain land in proximity to Wakehurst Parkway and Oxford Falls Road, Oxford Falls – the majority of this land is now proposed to be zoned RU4 and to a lesser extent split zoned RU4/C3.
- Where approved seniors housing developments have been constructed to date, an R2 Low Density Residential zone has been applied, aligning the zoning with the approved and constructed use.
- There has been small increase in lots proposed for an SP2 Infrastructure Zone:
 - An SP2 ‘Water Supply System’ zone is proposed to cover 3 additional lots on the eastern side of Forest Way, Belrose.
 - An SP2 ‘Water Supply System’ zone is proposed for Lot 1 Wyatt Avenue, Belrose
 - An SP2 ‘Waste Resource Transfer Station and Extractive Industry’ split zone is proposed for 1334 Oxford Falls Road, Oxford Falls.
- Three Council owned lots including Wyatt Bike Park are proposed for RE1 Public Recreation Zone on the northern side of Wyatt Avenue, Belrose.
- A “sunset” clause will apply to development under the current LEP, meaning landowners would have a further two years after commencement of the new LEP to submit development applications under the current WLEP2000 planning controls.

Background

Introduction

The 'Deferred Lands' is an area of land in Oxford Falls Valley and Belrose North (OFV/BN) which is subject to planning controls under WLEP2000. The area was deferred from inclusion in WLEP2011 in December 2011 by the then Minister for Planning and Infrastructure in response to stakeholder concern regarding the adequacy of consultation during the preparation of WLEP2011.

WLEP2000 is a unique environmental planning instrument in that there are no land use "zones". Instead, the LEP identifies "localities", each with its own statement of desired future character.

Permitted development in each locality is divided into 3 categories, ranging from simple development for land uses that require minimal assessment (Category One land uses) to complex development that is subject to an environmental impact assessment and a public hearing (Category Three land uses). There is a very limited range of prohibited development.

Location and Context

The Deferred Lands covers approximately 1341.4 hectares of land in OFV/BN.

OFV/BN is located in the vicinity of Wakehurst Parkway and Forest Way. The land is bounded by Garigal National Park to the north and west and forms part of the Narrabeen Lagoon and Middle Harbour catchments. It adjoins predominantly low-density residential development to the south.

Most of the land within OFV/BN is characterised by large lots containing significant areas of native vegetation / bushland. Some allotments contain residential dwellings, outbuildings, educational establishments, rural and commercial uses. Many allotments have been cleared to varying degrees for rural and residential uses.

There are several large landowners in the OFV/BN, including the Metropolitan Local Aboriginal Land Council, Crown Land, infrastructure providers and various government departments.

As illustrated on the following map, the 'Deferred Lands' cover the following localities of WLEP2000:

- B2 – Oxford Falls Valley (land located to the eastern side of Forest Way) and
- C8 – Belrose North (land located to the western side of Forest Way).

For context, the WLEP2000 B2 and C8 'Desired Future Character' locality statements are outlined as follows:

Locality B2 – Oxford Falls Valley: Desired Future Character Statement

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

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

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

Locality C8 – Belrose North: Desired Future Character Statement

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

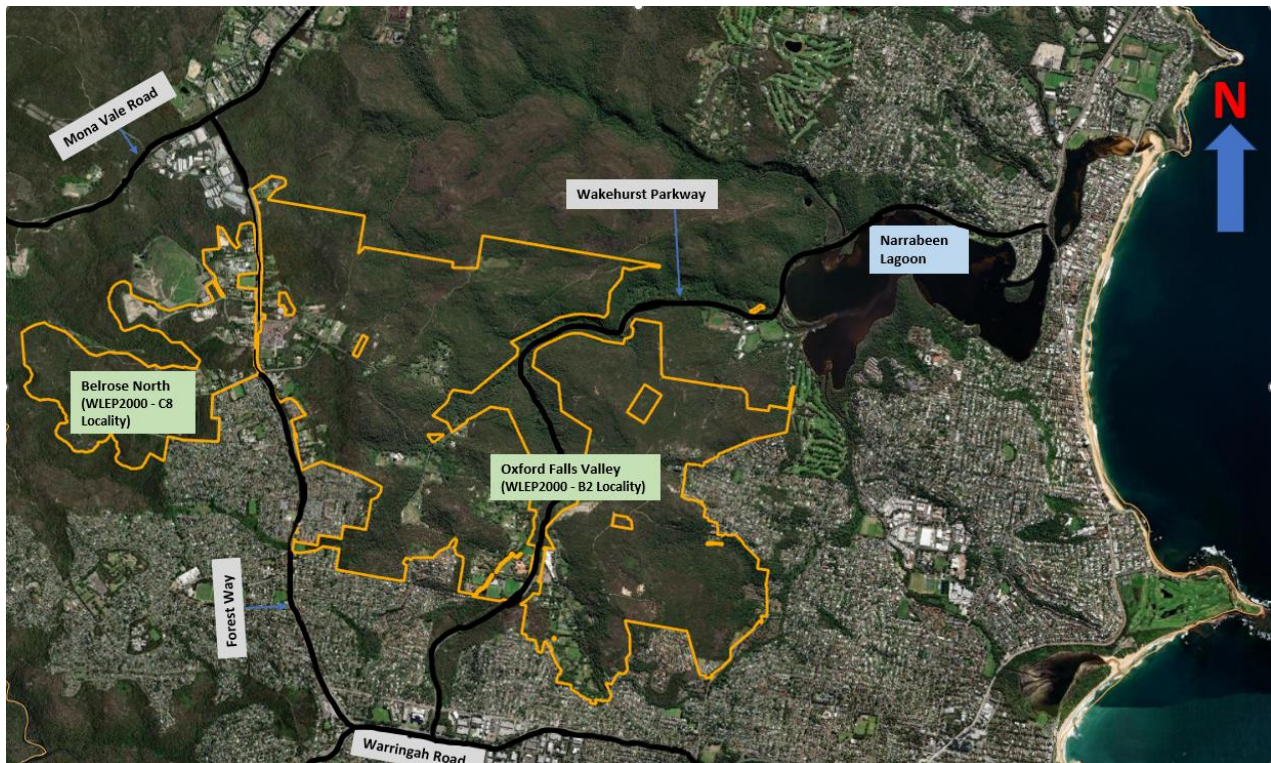
The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the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

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

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

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

Figure 1 - Deferred Lands = Aerial of Oxford Falls Valley and Belrose North outlined in orange.



Recent Planning History

Standard Instrument Warringah Local Environmental Plan 2011

A range of reforms were made in September 2005 to the *Environmental Planning and Assessment Act, 1979* (EP&A Act) including the gazettal of the New South Wales (NSW) Government's Standard Instrument (LEPs) Order 2006 which required that all NSW councils prepare new comprehensive LEPs in a "standard instrument" format.

WLEP2000 is a unique local planning instrument which used a 'place based' approach to land use planning rather than relying on traditional land use zones. The former Warringah LGA was divided into localities, each with its own desired future character statement and specific set of planning rules.

Previous Translation Methodology from WLEP2000 to Standard Instrument WLEP2011

In translating WLEP2000 into the standard instrument format, the former Warringah Council undertook the following process:

- Considered standard zone objectives against desired future character statements;
- Included additional local objectives that captured the intent of the desired future character statements;
- Identified Category One and Category Two land uses as (generally) being permitted (the land use changes are shown in Appendix B – Comparison of LEP Land Use Tables and Proposed Approach);
- Identified Category Three and prohibited land uses as being (generally) prohibited;
- Considered built form controls of WLEP2000 in terms of their outcomes;
- Identified provisions that replicated SEPP Seniors Housing and removed them from the LEP; and
- Considered environmental constraints mapping.

Following this process, Warringah Council proposed to zone five localities E3 Environmental Management (now C3 Environmental Management) in the Draft WLEP2011, namely:

- A7 Mona Vale Road North
- B2 Oxford Falls Valley
- B9 Mona Vale Road East
- C8 Belrose North
- C10 Mona Vale Road West

These localities were identified as being appropriate for environmental protection for the following reasons:

1. Desired Future Character

The desired future character statements for all five localities contained the following requirements:

- Present character will remain unchanged;
- Natural landscapes will be protected and enhanced;
- Housing density will be limited to 1 dwelling per 20 ha;
- Future development will be low intensity and low impact.

2. Categorisation of Land Uses

WLEP2000 categorised permitted land uses into three groups.

- Category One land uses are presumed consistent with the Desired Future Character statement for the locality.

- Category Two land uses may be consistent with the Desired Future Character statement for the locality.
- Category Three land uses are generally inconsistent with the Desired Future Character of the locality.

WLEP2000 applied different tests for development in the three categories. The test for Category Three land use applications was significantly more rigorous than that for Category One or Two land uses. It was based on an independent hearing and was largely based on impact of the development on the area and on the Desired Future Character of the locality.

Of the 5 localities proposed to be zoned C3 Environmental Management (formerly known as E3 Environmental Management), none included Category One land uses. This means that no land uses were considered to be consistent with the relevant desired future character statement and all development applications were to be assessed under the more rigorous requirements for Category Two and Three land uses. In addition, all five localities included the highest number of land uses under Category Three.

3. Built Form Controls

The translation process also recognised the housing density standard of 1 dwelling per 20 hectares that exclusively applied to the five localities. Other non-urban localities in Warringah LGA had a housing density standard of 1 dwelling per 2 hectares which recognised the lower level of environmental constraints in these localities.

Removal of State Environmental Planning Policies (SEPPs) in Warringah's LEP 2011

At the time of preparing WLEP2000, Council incorporated SEPPs into the LEP. The SEPPs then ceased to apply to Warringah because the relevant controls were included in the LEP.

Provisions from SEPP 5 Seniors Living were included in WLEP2000, and seniors housing was permitted on non-urban land, if the land adjoined land primarily used for urban purposes. Since WLEP2000 was made, controls relating to seniors housing in the (now) Housing SEPP (2021) have become more rigorous. The SEPP is specifically excluded from operation in the Deferred Lands and, more generally, is excluded from operation in Rural zones and Conservation zones. These more rigorous controls have not been updated in WLEP2000.

When making WLEP2011, Warringah Council did not incorporate SEPPs into its LEP. Therefore, provisions relating to seniors housing were removed. This approach was supported by the Department of Planning and Environment.

Special Purpose Zones and Schedule 1 (Additional Permitted Uses)

In preparing WLEP2011, Council restricted its use of the Special Purpose (SP) zones. Many land uses that had historically been zoned SP adopted the prevalent surrounding zone. In particular, this principle was applied to schools. Consequently, in the non-urban areas under WLEP2011, schools are

zoned RU4 Primary Production Small Lots. SEPP (Transport and Infrastructure) 2021 permits Educational Establishments in the RU4 zone.

The draft WLEP2011 was exhibited from 12 October to 30 December 2009. The Minister, Department and Council received several submissions regarding the proposed C3 Environmental Management zoning of land within OFV/BN.

In response to the submissions received, on 31 August 2011, the Minister announced that he intended to defer land covered by the B2 Oxford Falls Valley and C8 Belrose North localities from WLEP2011. On 9 December 2011, when WLEP2011 was made, both the B2 and C8 localities were deferred. Therefore, planning controls under WLEP2000 continue to apply to these areas.

Oxford Falls Valley and Belrose North Strategic Review and Planning Proposal

Following the land being deferred from WLEP2011 by the Minister, the Department and Council worked in partnership via the establishment of a joint project control group (PCG) to undertake Stage 1 of an OFV/BN Strategic Review process to inform the content of the OFV/BN Planning Proposal dated April 2015.

Stage 1 - To inform the content of the OFV/BN Planning Proposal dated April 2015 by determining how to transfer the planning controls under WLEP2000 into the best fit zones and land use controls under WLEP2011 and to engage the community in the process.

Stage 2 - Next Steps identified for the OFV/BN Strategic Review. Stage 2 of the Strategic Review Process fell outside the scope of the OFV/BN Planning Proposal, April 2015, and was to involve an investigation into the future urban development potential of land as recommended by the Planning Assessment Commission (PAC) in its 2009 report of the Review of four sites in Oxford Falls Valley for Urban Development.

Stage 1 – OFV/BN Strategic Review Process

The following process was undertaken to inform the content of the OFV/BN Planning Proposal, April 2015:

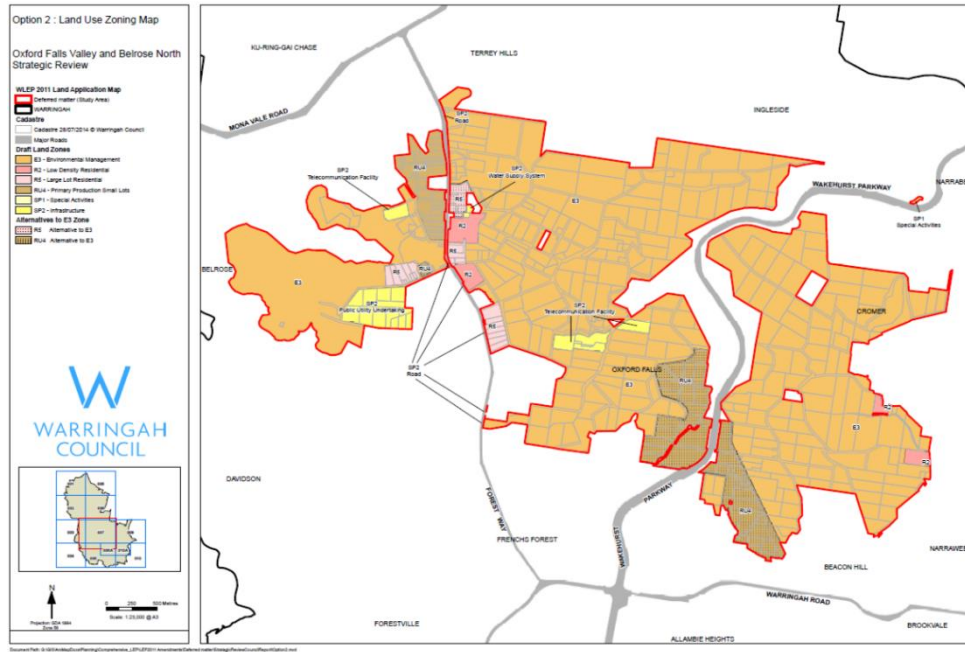
- On 5 June 2012, Council resolved to undertake Stage 1 of the OFV/BN Strategic Review in partnership with the Department to determine how best to transfer the Deferred Lands in OFV/BN into WLEP2011 and to report the results of Stage 1 back to Council.
- Initial stakeholder consultation including a community information evening and site visits of all private landholdings within the study area was undertaken. Stakeholder submissions were received throughout this process.
- A Draft OFV/BN Strategic Review Report was prepared that recommended how to transfer planning controls from WLEP2000 into WLEP2011. This report was publicly exhibited from 22 June until 30 August 2013. 125 submissions were received.
- A Submission Report was prepared on the Draft OFV/BN Strategic Review Report.

- The Draft OFV/BN Strategic Review Report and Submissions Report were provided to the Warringah Development Assessment Panel (WDAP) for an independent public meeting and opinion.
- A report was provided to Council on 26 August 2014 outlining five planning proposal options. Council resolved that the Department consider the report to Council and select one of the following five options to progress as a Planning Proposal.

Figure 2 – Strategic Review Option 1 Land Use Zoning Map

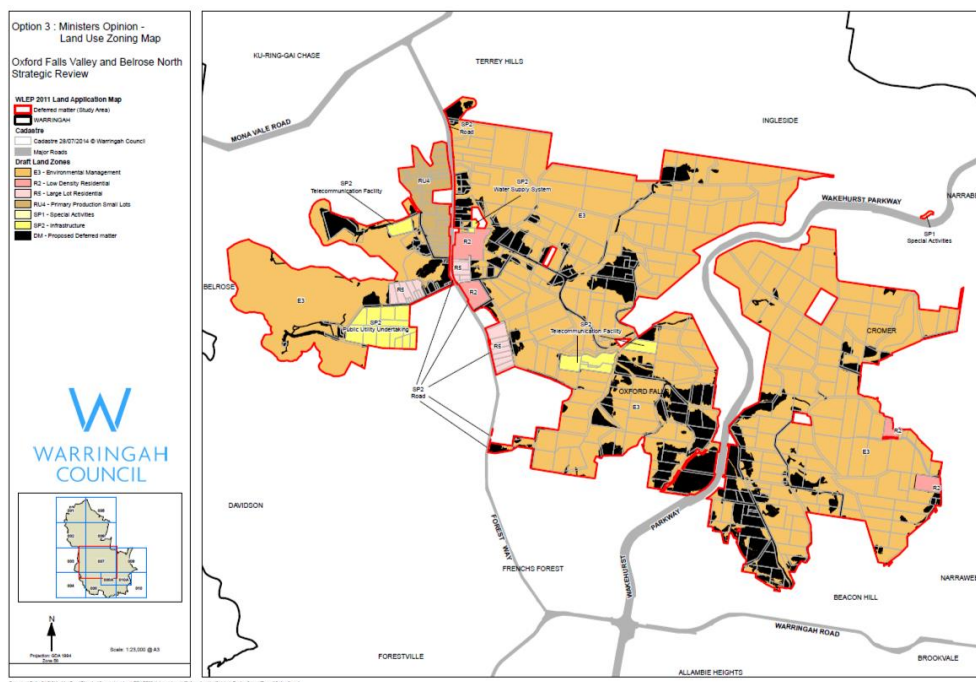
Option 2 – A compromise between Option 1 (above and the Ministers opinion (Option 3 below)) which included an area of RU4 zoned land on cleared land in the Oxford Falls Valley in addition to areas in Belrose North.

Figure 3 – Strategic Review Option 2 Land Use Zoning Map



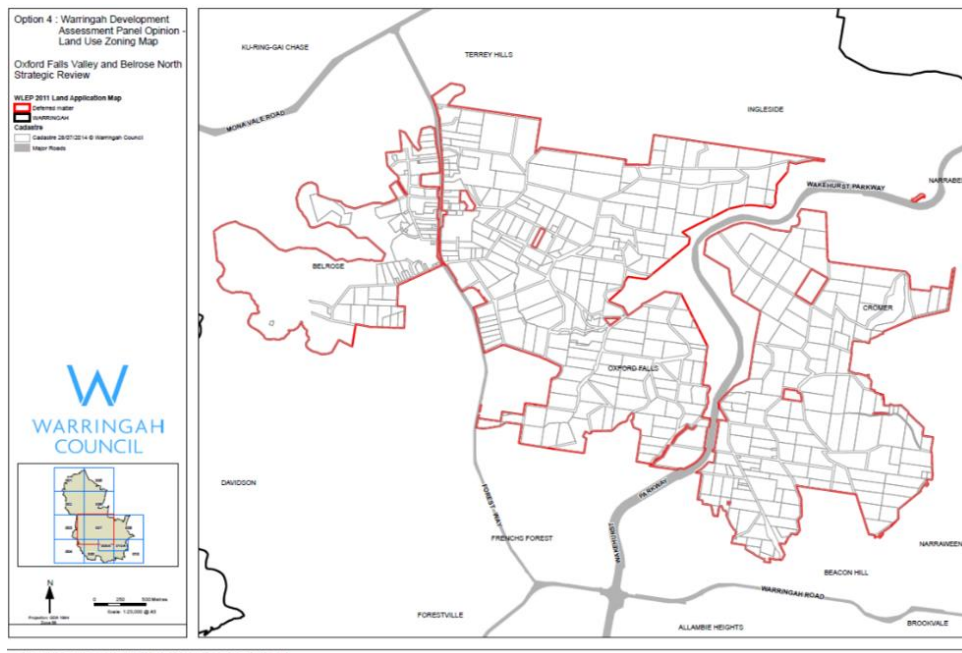
Option 3 – The Ministers opinion that any land zoned C3 (under Option 1) that contains ‘no-to moderate’ environmental constraint should remain deferred.

Figure 4 – Strategic Review Option 3 Land Use Zoning Map



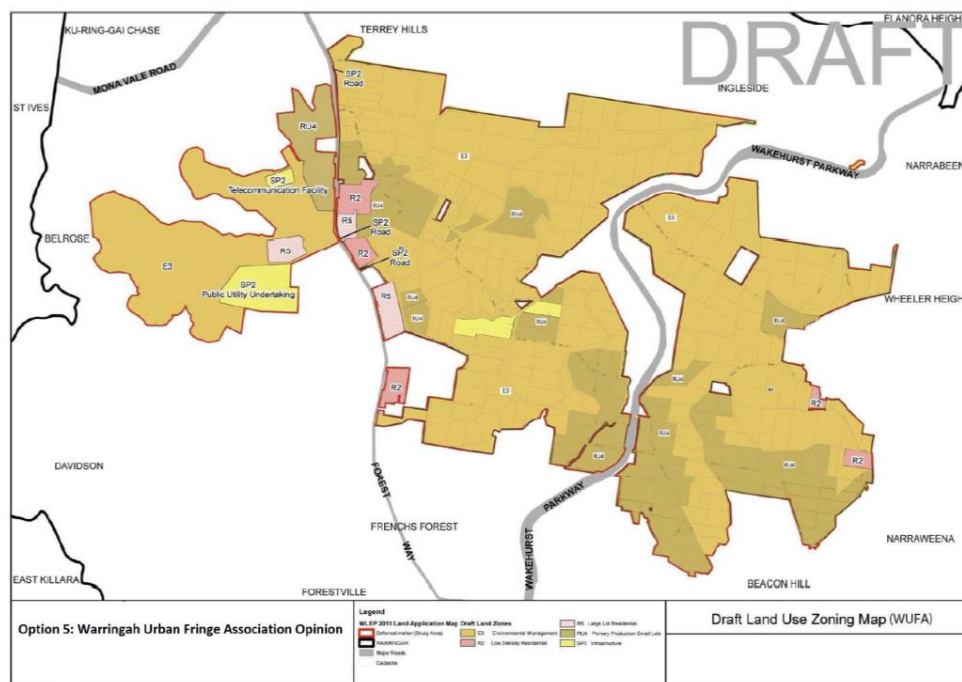
Option 4 – Warringah Development Assessment Panel (WDAP) recommendation that all land remain deferred pending Stage 2 of the Strategic Review.

Figure 5 – Strategic Review Option 4 Land Use Zoning Map



Option 5 – Warringah Urban Fringe Association (WUFA) recommendation to maintain all R2, R5, SP2 & RU4 zoned land as identified in Option 2, and zone large areas of land RU4 (proposed C3 under Option 1 and 2).

Figure 6 – Strategic Review Option 5 Land Use Zoning Map



- In January 2015, the Department responded with a direction that a Planning Proposal be submitted based on Option 2 (above), subject to replacing the proposed RU4 Primary Production Small Lot zoned land in proximity to Wakehurst Parkway with the E4 Environmental Living zone (now known as C4).
- The above-mentioned direction from the Department was reported to the Council on 24 February 2015 and the OFV/BN Planning Proposal was submitted to the Department in April 2015 in line with Council's resolution on 24 February 2015 and the Department's direction in January 2015.

OFV/BN Planning Proposal - Gateway Determination and Withdrawal

Throughout 2015, 2016, and 2017, multiple correspondence and discussions were had with the Minister, Department, Council and the Warringah Urban Fringe Association (WUFA) regarding the proposed way forward for the Planning Proposal without any agreement being reached.

In November 2017, the Department issued a Gateway Determination subject to the following conditions:

Council must complete Stage 2 review and review the environmental significance of proposed E4 zoned land before community consultation.

The Planning Proposal must be revised, prior to community consultation to:

- *be consistent with the North District Plan*
- *include a Schedule 1 Additional Permitted Uses for Oxford Falls Grammar School*
- *include a sunset provision for a set timeframe of 3 years to allow landowners to seek development approval for currently permitted uses*
- *require home-based childcare to be permissible with consent in environmental zones, and*
- *provide a new project timeline.*

Consultation is required with the following public authorities:

- *NSW Rural Fire Service*
- *NSW Aboriginal Land Council*
- *Office of Environment and Heritage*
- *Office of Environment and Heritage – NSW National Parks and Wildlife Service*
- *Sydney Water.*

Stage 2 will involve an investigation into the future urban development potential of four sites (Oxford Falls West, Red Hill, Lizard Rock and Cromer Golf Club), as recommended by the Planning Assessment Commission in 2009.

In March 2017, Council resolved to request the Minister for Planning to determine that the Planning Proposal should not proceed on grounds that the Gateway Determination requirements:

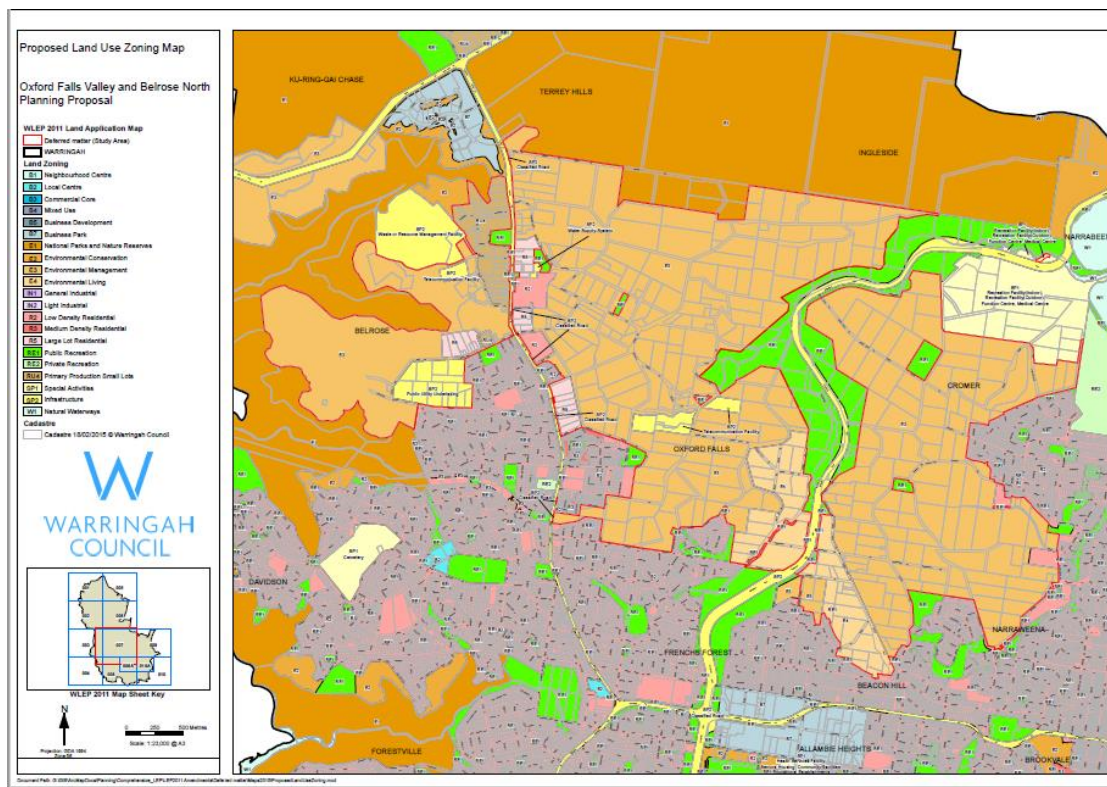
- represented a departure from the process, methodology and recommendations previously agreed to by the Department and adhered to by Council; and

- were not warranted having regard to Council's District Plan housing targets and would result in significant resource and financial costs for Council to meet.

In March 2018, the North District Plan commenced identifying the majority of Oxford Falls Valley as Metropolitan Rural Area (MRA) and stating that urban releases should not generally be approved in the MRA.

In May 2020, Council was notified that the OFV/BN Planning Proposal Gateway Determination had been amended, so that the Planning Proposal would not proceed. The notification letter also outlined the Department's support for Council's approach to the determination of land use controls for OFV/BN, following the completion of a range of studies identified by the new Northern Beaches Local Strategic Planning Statement (LSPS) *Towards 2040*, and undertaking community consultation, as part of the preparation of a comprehensive NBLEP.

Figure 7 - OFV/BN Planning Proposal, April 2015 - Zoning Map (Withdrawn)



Northern Beaches Local Strategic Planning Statement, Towards 2040

In March 2020, *Towards 2040*, Council's Local Strategic Planning Statement (LSPS) was adopted by Council containing priorities for protecting the Metropolitan Rural Area (MRA) from urban development (Priority 4) and locating new housing in existing urban areas (Priority 15).

Northern Beaches Local Housing Strategy

In December 2021, the Department of Planning approved Council's Local Housing Strategy which identifies strategies to meet the Department's housing targets for next 20 years within existing urban areas. No increased density of development was proposed in Oxford Falls Valley or Belrose North, consistent with the Greater Sydney Region Plan, North District Plan, and Council's LSPS.

Conservation Zones Review

The purpose of the Conservation Zones Review was to develop an evidence-base and a methodology for the consistent application of Conservation Zones to land with identified environmental values across the Local Government Area (LGA).

It involved undertaking several studies to identify environmental values, public exhibition of the outcomes of those studies, Council's proposed methodology for Conservation Zones, and the mapped outcomes of that methodology for individual properties. These were reported to Council on 23 August 2022.

It also involved extensive consultation with the Department of Planning before and after the public exhibition period (which occurred from 2 September 2022 to 2 December 2022). A summary of submissions received from residents in the Deferred Lands and Council's response to submissions is provided under the 'Key Considerations for Deferred Lands' heading below.

This Conservation Zones Review consultation and consideration of submissions resulted in significant changes to the draft methodology. Specifically, removing several criteria from consideration, including hazards like bushfire and flooding, biodiversity corridors, urban tree canopy, ridgelines and escarpments, and transition areas between national parks / high conservation value areas and urban areas.

The outcomes from the revised methodology were that many properties that had originally been proposed for a Conservation Zone were no longer included. For the Deferred Lands, this was less the case, as many properties included significant areas of "core habitat" and "threatened ecological communities" which continue to trigger a C3 zone.

Comparing the proposed zoning outcomes of the final Conservation Zones Review mapping with the withdrawn 2015 OFV/BN Planning Proposal, significant differences can be identified:

- Individual lots of land are zoned mostly either C3 or RU4 creating a "patchwork quilt" type effect – mainly because the new zoning methodology reflects the current uses and existence (or not) of high environmental values on a lot-by-lot basis. This approach moves away from strategic planning for the 'desired future character' of the area, as set out in WLEP2000.
- An increase in "Split" zones has been applied i.e. more than one zone is applied to a single property, where there is a clear boundary between land with high environmental value and other land uses on the property.

- The C4 Environmental Living zone (formerly known as E4) is no longer proposed to be used for certain land in proximity to Wakehurst Parkway and Oxford Falls Road, Oxford Falls. Most of this land is now proposed to be zoned RU4 and to a lesser extent split zoned RU4/C3. In the proposed new NBLEP, the C4 zone is only proposed to be used for urban area conservation zones and not for non-urban areas such as the Deferred Lands. The proposed use of the RU4 zone better recognises current uses and that the land does not contain high environmental values.
- The proposed zoning of much of the land adjoining Forest Way is consistent with the zoning proposed under the withdrawn 2015 OFV/BN Planning Proposal – mainly because these areas do not have high environmental values and because no significant objections were raised to those aspects of the 2015 Planning Proposal by the community or the NSW Department of Planning.
- Additional parcels of land are suggested for an R5 Large Lot Residential zone adjoining the eastern side of Forest Way, as well as specific parcels of land to the eastern side of the Deferred Lands area. These land parcels are identified as lacking significant environmental value and primarily display attributes aligned with large lot residential development.
- Where approved seniors housing developments have been constructed, an R2 Low Density Residential zone has been applied, aligning with the approved and constructed use.
- The SP2 'Water Supply System' zoned land located on the eastern side of Forest Way, Belrose is proposed to cover 3 additional lots.
- A split SP2 'Waste or Resource Transfer Station and Extractive Industries' / C3 zone is proposed at 1334 Oxford Falls Road, Oxford Falls to reflect the use of this lot.
- Lots located to the northern side of Wyatt Avenue, Belrose North:
 - John Colet School is proposed for an R5 Zone, where it was previously proposed for an RU4 zone. Refer to discussion headed 'Educational Establishments' below for zoning of school sites.
 - Three lots are proposed for an RE1 Public Recreation zone instead of the previously proposed C3 zone.
 - One lot is proposed for an SP2 'Water Supply System' zone to reflect its current use.

Full details of the Conservation Zones Review and its outcomes is provided at Appendix H and detailed mapping is available at Appendix C.

Proposed Zones and Land Use Provisions

The Standard Instrument Order 2006 sets out 35 standard zones for councils to use when preparing their Standard Instrument LEPs. A range of zones were considered for the Deferred Lands which are summarised below, and the following zones are proposed for Deferred Lands:

- C3 (Environmental Management)
- RU4 (Primary Production Small Lots)
- R2 (Low Density Residential)
- R5 (Large Lot Residential)
- SP1 (Special Activities)
- SP2 (Infrastructure)
- RE1 (Public Recreation).

Please refer to this Planning Proposals:

- Appendix B – Comparison of LEP Land Use Tables and Proposed Approach for Deferred Lands
- Appendix C – To view the proposed zoning map covering the Deferred Lands
- Appendix F – LEP written instrument to view objectives of each zone identified below.

Environmental Conservation Zones

C3 Environmental Management Zone

A large portion of the Deferred Lands is proposed for a C3 Zone based on outcomes of the Northern Beaches Conservation Zones Review. Refer to the Conservation Zones Review section of this Planning Proposal for the methodology and approach taken to determine C3 Zoning across the Northern Beaches LGA, including the Deferred Lands.

Under WLEP2000, an extensive range of land uses are permitted, some of which reflect inconsistency with the desired future character of the area.

This review found that the WLEP2000 B2 or C8 Localities did not include any Category One land uses. This means that no land uses were considered to be consistent with the relevant desired future character statements and all development applications were assessed under the more rigorous requirements for Category Two and three land uses.

Regarding WLEP2000 B2 and C8 Locality Category Two land uses, the requirement to consolidate the Pittwater, Manly and Warringah LEPs into one Northern Beaches Standard Instrument LEP has resulted in several Category Two land uses including dwelling houses, bed and breakfast accommodation and home industries being identified as consistent with the C3 zone objectives and therefore permitted with consent. Other Category Two land uses such as correctional facilities, truck depots and waste disposal facilities have been identified as inconsistent with the C3 zone objectives and are therefore proposed to be prohibited within the C3 zone.

In general, Category Three land uses under current controls, such as industries, bulky goods, vehicle repair stations and warehouses are considered inconsistent with the desired future character of the area. While landowners could lodge a development application for Category Three land uses under WLEP2000, the rigorous planning assessment and public hearing makes it difficult to obtain development approval. Consequently, most Category Three land uses are proposed to be prohibited under the draft NBLEP for the C3 Zone including industries, multi dwelling housing, residential flat buildings and seniors housing as they are incompatible with the surrounding natural environment and do not meet the objectives of the C3 zone.

The proposed C3 zone under the NB LEP does not permit agricultural uses given the conservation value of the land. The Conservation Zones Review involved a detailed review of current land uses in the Deferred Lands. Land that contains high biodiversity value or is used for agricultural purposes was excluded from the application of a C3 zone. That land is proposed to be zoned RU4 which permits a range of agricultural uses.

It is proposed that the new NBLEP permit landowners to apply for development consent under the current WLEP2000 planning rules for a period of 2 years after the commencement of the new LEP. Existing agricultural uses will also benefit from existing use right provisions of the Planning legislation which permit the continuance of a legally established use.

Rural Zones

RU4 Primary Production Small Lots Zone

The Planning Proposal recommends certain deferred land not identified for a conservation zone via the Northern Beaches Conservation Zones Review be zoned rural or an alternative appropriate zone.

An RU4 zone and 'Additional Permitted Uses' are proposed to apply to certain land on the western side of Forest Way located between Linden Avenue and Forest Way, Belrose. This is proposed taking into consideration the land's geographical location, existing and desired future character, the level of environmental and infrastructure constraints and to capture most of the land uses that currently operate on the land under WLEP2000.

An RU4 zone is proposed for land in proximity to Oxford Falls Road, Oxford Falls which was previously recommended for an RU4 zone by Council and then a C4 Environmental Living Zone by the NSW Department of Planning that was included in the OFV/BN PP (Withdrawn). A conservation zone can no longer be supported based on the findings of the Conservation Zone Review. As such, an RU4 zone is recommended as the land aligns with the RU4 zone objectives and supports land uses that currently operate on this land.

An RU4 zone is also recommended for certain areas of Deferred Land located within the 'Metropolitan Rural Area' (MRA), if not recommended for a Conservation Zone, in line with the strategic directions for the MRA as outlined in the Regional Plan and Council's LSPS.

A two-year sunset clause in the LEP would permit landowners to apply for development consent under the current planning rules for a period of 2 years after the commencement of the new LEP. Current legally established land uses that are not permitted in the RU4 zone or otherwise permitted as an additional permitted use, can be maintained under the existing use provisions of the Planning legislation.

Residential Zones

R2 Low Density Residential Zone

The R2 Low Density Residential zone is the lowest density urban residential zone which aims to provide for the housing needs of the community within a low-density residential environment. The zone is generally restricted to services that meet the day-to-day needs of residents.

The draft NB LEP applies the R2 Low Density Residential zone to large parts of the LGA and permits uses such as secondary dwellings, dual occupancy, dwelling houses and group homes.

Within the Deferred Lands, the R2 zone is recommended to apply to existing seniors housing developments and developments on certain land on Forest Way that are consistent with the objectives of this zoning.

R5 Large Lot Residential Zone

The R5 Large Lot Residential zone is intended to cater for development that provides for residential housing in a rural setting and is generally located at the interface of environmentally sensitive land along one boundary and urban land along the other. The zone permits a limited range of uses including dwelling houses, dual occupancies, horticulture and community facilities.

Out of the 4 LEP's to merge into the new NBLEP, only Pittwater LEP currently has an R5 Large Lot Residential zone.

The withdrawn OFV/BN Planning Proposal recommended a new R5 Zone for WLEP2011, to cover several parcels of deferred land along the eastern side of Forest Way and to the northern side of Wyatt Avenue, Belrose. Few objections were previously raised to the recommended R5 zone in these locations.

This Planning Proposal recommends maintaining the majority of the R5 zone recommendations of the withdrawn OFB/BN Planning Proposal, with several lots now proposed for a new split zone R5/C3 based on outcomes of the Conservation Zone Review. Several additional parcels of land are also recommended for an R5 zone that adjoin the eastern side of Forest Way, as well as specific parcels of land to the eastern side of the Deferred Lands area. These land parcels are identified as lacking significant environmental value and primarily display attributes aligned with large lot residential development.

Special Purpose Zones

SP1 Special Activities and SP2 Infrastructure

One site is recommended for SP1 zoning, and several sites are recommended for SP2 Zoning.

No objections were previously raised to zoning parcels of land SP1 and SP2 under the OFV/BN PP (Withdrawn) to reflect their special activity and infrastructure land uses. It is recommended that this zoning be carried into the new NB LEP, with the addition of:

- Increasing the SP2 'Water Supply System' zoned land located on the eastern side of Forest Way, Belrose to cover 3 additional lots.
- A new split SP2 'Waste or Resource Transfer Station and Extractive Industries' / C3 zone is proposed at 1334 Oxford Falls Road, Oxford Falls to reflect the use of this lot.

Recreation Zones

RE1 Public Recreation

For recreation zone recommendations within the Deferred Lands and Northern Beaches wide, refer to the Northern Beaches Conservation Zone Review.

Proposed Split Zones - RU4/C3 and R5/C3 etc

For an explanation of split zones proposed for certain parcels of deferred land, refer to the Northern Beaches Conservation Zone Review.

Additional Permitted Uses (APU's)

The following APU's are proposed for the Deferred Lands. The associated APU Map can be viewed at Appendix C of this Planning Proposal.

Affected land	Proposed Zone	Additional Permitted Use/s
This clause applies to certain RU4 zoned land to the western side of Forest Way, Belrose, shown as "Area 11" on the Additional Permitted Uses Map.	RU4	Development for the purposes of garden centres, hotel or motel accommodation, places of public worship, recreation facilities (indoor), recreation facilities (outdoor), registered clubs and restaurants or cafes is permitted with consent.

Affected land	Proposed Zone	Additional Permitted Use/s
This clause applies to land at Warringah Gravel and Stone Supplies - Challenger Drive, Belrose, that is covered by Lease RE 412 592 issued by the Department of Lands, shown as "Area 10 " on the Additional Permitted Uses Map.	RU4	Development for the purposes of extractive industries, recreation facilities (indoor), recreation facilities (outdoor), processing and recycling facility (for construction and demolition waste) and heavy industry (for concrete batching plant) is permitted with consent.
This clause applies to the RU4 zoned portion of land at 50 Meatworks Avenue, Oxford Falls, being SP 104335, shown as "Area 56" on the Additional Permitted Uses Map.	RU4	Development for the purposes of industries is permitted with consent.
This clause applies to RU4 zoned land at Wakehurst Parkway, Oxford Falls, being Lot 1, DP 863123 and Lot 101, DP 719870, shown as "Area 55" on the Additional Permitted Uses Map.	RU4	Development for the purpose of places of public worship is permitted with consent.
This clause applies to land at Oxford Falls Road, Frenchs Forest, being Lot 1110, DP 752038, shown as "Area 34" on the Additional Permitted Uses Map.	RU4	Development for the purpose of recreation facilities is permitted with consent.

Key Considerations for Deferred Lands

Key matters raised in earlier community consultation about the proposed integration of the Deferred Lands into a Standard Instrument LEP are considered below:

Housing for Seniors and People with a Disability

Under the current WLEP2000, B2 and C8 localities landowners can apply for seniors housing if the land adjoins urban land, although the development has to meet stringent planning controls which makes it difficult to obtain planning approval.

The Housing SEPP (2021) currently prohibits seniors housing in the C3, R5 and RU4 zones. Council intends to adopt this position for these zones in the NBLEP. A sunset clause in the LEP would permit landowners to apply for development consent under the current WLEP2000 planning rules for a period of 2 years after the commencement of the new LEP. Existing seniors housing developments will be zoned R2 to reflect the current and ongoing use of the land and maintains the permissibility of that use under the Housing SEPP.

Boarding Houses

Boarding Houses are currently permitted under WLEP2000 in the Deferred Lands, subject to stringent planning controls, making it difficult to obtain planning approval.

The Housing SEPP (2021) does not mandate particular zones for boarding houses. Councils can therefore establish their own rules as to the appropriate location / zones for boarding houses.

It is proposed that boarding houses be permitted in the R1, R3 residential zones and in the E1 and MU1 commercial and mixed-use zones, and within the R2 zone within 400 metres of identified local centres. Only land with existing seniors housing developments are proposed to be zoned R2 within the Deferred Lands. No part of the Deferred Lands is proposed to be zoned R1, R3, E1 or MU1.

A sunset clause in the LEP would permit landowners to apply for development consent under the current planning rules for a period of 2 years after the commencement of the new LEP. Approved boarding houses will benefit from existing use provisions of the Planning legislation which permit the continuance of a legally established use.

Medium Density Residential Zoning

Some submitters requested an R3 Medium Density Residential zoning for their land. An R3 zone is for land comprising of medium density accommodation. A variety of residential uses have been mandated in the zone to encourage housing choice and diversity. The R3 Medium Density Residential zone is generally applied in locations close to or within centres with a diverse range of established services and infrastructure.

The Northern Beaches Local Housing Strategy informs the location of R3 Medium Density Residential Zones in the draft NB LEP. The R3 zone is not recommended for the Deferred Lands.

Secondary Dwellings / Granny Flats

The current WLEP2000, B2 and C8 localities 'Housing Density' requirements permit one granny flat per allotment.

Under the Standard Instrument LEP a granny flat is defined as a secondary dwelling.

Secondary dwellings are permissible under the SEPP (Housing) 2021 on land zoned R5 and R2. However, secondary dwellings are not permissible via the SEPP (Housing) 2021 or the draft NBLEP on land zoned RU4 and C3.

A sunset clause in the LEP would permit landowners to apply for development consent under the current WLEP2000 planning rules for a period of 2 years after the commencement of the new LEP. Existing granny flats will benefit from existing use provisions of the Planning legislation which permit the continuance of a legally established use.

Educational Establishments

Several existing schools are located on land within the Deferred Lands that is proposed to be zoned RU4 and R5 under the draft NBLEP.

The proposed RU4 and R5 zones under the draft NBLEP prohibit education establishments, however the SEPP (Transport and Infrastructure) 2021 (TISEPP), Chapter 3 – *Educational establishments and child care facilities* permits educational establishments within these zones. Educational establishments would be prohibited on C3 zoned land.

Places of Public Worship

It is proposed to prohibit 'Places of Public Worship' in the C3, RU4 and R5 zones consistent with the current permissible uses within each zone in other LEPs. An Additional Permitted Use (APU) for 'Places of Public Worship' is proposed for the C3 Church, Oxford Falls and for an area of land located to the western side of Forest Way, Belrose so as to keep the permissibility of the current use on the land.

Belrose Uniting Church is proposed to be zoned R2. The R2 zone permits 'Places of Public Worship' with consent.

Grazing of Livestock, Horse Agistment, Bee Keeping, Farm Buildings in the C3 Zone

The proposed C3 zone under the NBLEP does not permit agricultural uses given the conservation value of the land. The Conservation Zones Review involved a detailed review of current land uses in the Deferred Lands. Land that does not meet high environmental value thresholds or that is used for agricultural purposes was excluded from the application of a C3 zone. That land is proposed to be zoned RU4 which permits a range of agricultural uses.

A sunset clause in the LEP would permit landowners to apply for development consent under the current WLEP2000 planning rules for a period of 2 years after the commencement of the new LEP. Existing agricultural uses will benefit from existing use provisions of the Planning legislation which permit the continuance of a legally established use.

Maintaining Existing Right to Build a Dwelling

Concern has previously been raised regarding the removal of existing rights to build a dwelling. It is not the intent of the new NBLEP to remove an existing right to build a residential dwelling.

To that end, certain housing density controls contained within WLEP2000 and WLEP2011 will be amalgamated via a draft Clause '6.X - Erection of dwelling houses within and in proximity to Oxford Falls Valley, Belrose North and off Mona Vale Road' and linked to a mapped area titled "Erection of Dwelling Houses Map'. The draft Clause 6.X can be viewed at Appendix F – Draft Northern Beaches LEP of this Planning Proposal.

Lot Size Provisions / Housing Density

Lot size / housing density provisions are proposed as follows:

- R2 zoned land - 600sqm minimum allotment size similar to other R2 zoned land in close proximity.
- R5 zoned land - 2-hectare minimum allotment size similar to other R5 zoned land in the LGA and to maintain existing lot sizes in the area.
- RU4 and C3 zoned land - 20-hectare minimum allotment size, maintaining the existing housing density provisions of WLEP2000.

Height of Buildings

It is proposed that the 8.5m maximum building height provisions for the Deferred Lands under WLEP2000 be maintained.

Application of SEPP (Exempt and Complying Development Codes) 2008

The SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP) sets out requirements for exempt development (i.e. minor development that does not require any form of approval if certain standards are met) and complying development (i.e. development that can be approved by an accredited certifier subject to compliance with the standards outlined in the SEPP).

Clause 1.6(1A) of the SEPP (Exempt and Complying Development Codes) 2008 (the Codes SEPP) provides that *“Land identified as “Deferred matter” on the Land Application Map within the meaning of Warringah Local Environmental Plan 2011 is, for the purposes of this Policy, taken to be in Zone E3 (now C3) Environmental Management.”*

Currently, some exempt development is permitted on C3 zoned land (subject to other provisions within the Codes SEPP), however complying development is not permitted. Rezoning certain land to C3 under the NBLEP would result in no change to the current permissibility for complying development.

Given the proposed C3 zoned areas are identified as core habitat and bushfire prone land, it is considered inappropriate for complying development rules to apply. This is consistent with other parts of the Council area, including Scotland Island and “offshore” communities. Complying development is also prohibited in large areas zoned C4 in the Pittwater area.

Areas proposed to be zoned RU4, R2 and R5 in the Deferred Lands will permit exempt and complying development under the Codes SEPP, subject to meeting provisions within the policy.

As a result of the proposed zoning in the NBLEP, more land will be subject to complying development rules under the Codes SEPP than is currently the case due to certain land proposed to be zoned RU4, R2 and R5.

Heritage Conservation

Heritage items identified under the current WLEP 2000 will be retained and transferred to the new NB LEP.

Protection of Bushland

The environmental value of bushland within the Deferred Lands has been considered as part of extensive research, technical studies and mapping undertaken for the Conservation Zones Review, including the Deferred Lands Biodiversity Assessment. A large portion of the Deferred Lands is proposed for a C3 Environmental Management Zone based on outcomes of the Conservation Zones Review.

It is noted that some submissions to the Conservation Zones Review requested that certain privately owned land within the Deferred Lands be zoned C2 Environmental Conservation instead of C3 Environmental Management. Please refer to the Conservation Zone Review at Appendix H that provides justification for the proposed C1, C2 and C3 zones.

Protection of Water Quality of Narrabeen Lagoon and Middle Harbour

Watercourse, Wetlands, Riparian Lands and Estuary Studies have informed the approach to zoning of Deferred Lands via the Conservation Zones Review. In this regard, please refer to Appendix H – Conservation Zone Review of this Planning Proposal.

Access for Public Recreation - Bushwalking and Mountain Bike Riding

Concerns were previously raised that the proposed zoning for the Deferred Lands will impact access for passive recreation such as bushwalking and mountain bike riding.

It is a matter for private landowners to permit public access to their land and ensure appropriate land use development approvals are in place (which is not an issue that can be addressed through this Planning Proposal), however, with regard to passive recreation, 'Recreation Areas' are proposed to be permitted with consent in the C3, RU4, R2, R5 and RE1 zones that are used in the Deferred Lands.

Aboriginal Lands SEPP

Six sites in the Northern Beaches LGA are identified in Chapter 3 of *State Environmental Planning Policy (Planning Systems) 2021* – previously known as the Aboriginal Lands SEPP – and subject to the Northern Beaches Aboriginal Land Development Delivery Plan (DDP). The SEPP was introduced to provide greater support to Aboriginal Land Councils via the NSW planning system to achieve their aspirations and realise community benefits under the *Aboriginal Land Rights Act 1983*.

Many of these sites are located within the Deferred Lands, including Patyegarang (Lizard Rock). Appendix G to this Planning Proposal provides an overview of these sites, detailing the planning opportunity identified in the DDP and proposed zoning under the NBLEP.

Sunset Clause

A "sunset" clause is proposed to apply to development under the current LEP, meaning landowners would have a further two years after commencement of the new LEP to submit development applications under the current WLEP2000 planning controls.

Conservation Zones Review – Deferred Lands Submissions

A summary of key submission issues raised by residents of the Deferred Lands to the Conservation Zones Review and Council's response, is provided below:

	Submission Issue	Response
1	Zoning large parts of the Deferred Lands a Conservation zone will remove a range of currently permitted uses, contrary to the direction of the former Minister for Planning (letter dated November 2015) and reducing land value.	Rezoning part of the Deferred Lands to C3 will reduce the range of Category Two and Category Three permissible land uses WLEP 2000. This is considered appropriate where the land is identified as having high biodiversity value (core habitat) or other environmental criteria which have been approved by the Department of Planning and Infrastructure. An analysis of development consents for the Deferred Lands in the last 10 years indicates that only a limited range of uses have been sought and/or approved, mainly relating to residential dwelling house development. Dwelling houses would remain a permitted land use under the C3 zone. Council proposes a sunset clause which permits current uses to remain permitted for a further 2 years after the new LEP commences – consistent with the Department's approach in implementing the 2023 Employment Zones reforms.
2	There has been a lack of direct consultation with community groups like the Warringah Urban Fringe Association (WUFA) over proposed zoning of the Deferred Lands.	WUFA has been consulted with other key community groups as part of the Conservation Zones Review process. Detailed submissions have been received from WUFA and WUFA members which were considered in the preparation of the amended Conservation Zones methodology. Further opportunities for community group briefings will occur during the Planning Proposal exhibition process (anticipated to be held in 2025).
3	Conservation zoning will prohibit exempt and complying development, increasing costs and time for development.	Refer to above heading 'Application of SEPP (Exempt and Complying Development Codes) 2008'.
4	The Department of Planning has advised that Hazards should not be used as a criterion for Conservation zones.	Council's revised Conservation Zones Review methodology removes hazards as a criteria consistent with advice from the Department of Planning.
5	The biodiversity value of land should not be based on Council's studies but using the State Government "Biodiversity Values Map". Only land identified on that map should be zoned C3.	The Department of Planning developed the Biodiversity Values Map under Part 7 of the <i>Biodiversity Conservation Act 2016</i> (BC Act) for a specific purpose – as a trigger into the Biodiversity Offsets Scheme (BOS) under that legislation. The Department has advised that the Biodiversity Values Map is not designed to be an

	Submission Issue	Response
		exhaustive map of all biodiversity values that may be present at a particular location and Councils may choose to zone land under their LEP where they consider that land has important biodiversity values for their area, even though it does not meet the criteria for inclusion on the Biodiversity Values Map.
6	Council's watercourse, wetlands and riparian lands study should not be used for zoning purposes because it is not sufficiently accurate.	The mapping of watercourses, wetlands and riparian lands is sufficiently accurate as a basis for land zoning and the Department of Planning has supported its use. Since the public exhibition, Council has undertaken a detailed review of the mapping including on-site inspections to confirm its accuracy. In addition, Council, at its meeting on 23 August 2022 resolved to undertake an independent review, including a site inspection, where there remains a dispute about rezoning of land under the Review. This would include inspections of land where a dispute exists concerning the location or existence of a watercourse or wetland. These reviews will be undertaken during the Planning Proposal process and prior to the finalisation of any zoning/rezoning decisions, to ensure any new submissions about this issue are captured and addressed.
7	Schools and churches should not be zoned SP2 – special purposes infrastructure but zoned similarly to adjoining land.	This is a broader issue for the LGA that was consulted on as part of the LEP Discussion Paper process. The final position adopted by Council in the Planning Proposal is that schools and churches would generally be zoned consistent with the zoning of adjoining land unless an SP2 zone already applies to the land. 'Places of public worship' are identified on certain land as an Additional Permitted Use (APU) where the proposed zoning does not permit the use generally i.e. zone RU4. Refer to discussion on APUs earlier in this Appendix.
8	The "Metropolitan Rural Area" identified in the North District Plan should not be extended as proposed by Council based on the Conservation Zones Review.	Part of the Deferred Lands area is in the Metropolitan Rural Area (MRA) as identified in the State's North District Plan. That Plan states that "Urban development in the MRA will be considered only in the urban investigation areas identified in <i>A Metropolis of Three Cities</i> " (Greater Sydney Region Plan). Deferred Land is not identified as an urban investigation area. Council could potentially make submissions to the Department of Planning about the boundaries of the MRA as part of any review of the North District Plan.

	Submission Issue	Response
9	Any “downzoning” of land should be subject to acquisition requirements.	The rezoning of land for public purposes would potentially trigger requirements for acquisition under the LEP and <i>Land Acquisition (Just Terms Compensation) Act 1991</i> however this is not the case where land is zoned C3 for private purposes.
10	Any downzoning of land should not occur without an independent site visit/ evaluation report being completed.	At Council’s meeting on 23 August 2022 Council resolved to undertake an independent review, including a site inspection, where there remains a dispute about rezoning of land under the Review. These independent reviews will be undertaken during the Planning Proposal process and prior to the finalisation of any zoning/rezoning decisions, to ensure any new submissions about this issue are captured and addressed.
11	Land identified for future urban release in the Warringah Non-urban Lands Study (2000) should be zoned R2 – Low Density Residential	This study was not adopted by Council. It is not current and has been superseded by more recent strategic land use planning work at the district level (North District Plan) and local level (the Local Strategic Planning Statement; Local Housing Strategy and the draft Conservation Zone Review). All these strategies recommend against future urban development in the area.
12	Land with an approved Boarding House should be zoned R3 – Medium Density Residential.	Development Consents are valid for 5 years. Where a use has commenced in accordance with a development consent it would benefit from the existing use provisions under the planning legislation should a zoning change occur to prohibit that use. A “spot” rezoning of land permitting a broader range of uses than the current approved use is not appropriate. A sunset clause, as referred to above, would also provide landowners with the opportunity to pursue applications for a broader range of uses for a further 2 years. Also please refer to headings ‘Boarding Houses’ and ‘Medium Density Residential Zoning’ above.
13	An additional permitted uses layer is required where any current permitted uses are prohibited.	Council is proposing “Additional Permitted Uses” or APUs in some areas where there is a clear difference in character or the range of current uses is different, but the widespread use of APUs is not considered warranted given the narrow range of uses that have been approved in the last 10 years and the importance of protecting high biodiversity value land. In addition, the zoning of land that does not contain high biodiversity value as RU4 has reduced the need for APUs in many cases. A sunset clause, as referred to above, would also enable landowners to pursue applications for a broader range of

	Submission Issue	Response
		uses for a further 2 years under currently WLEP2000 planning controls.
14	A 5-year sunset clause should be applied where current permitted uses are prohibited to allow residents to apply for consent for those uses for a period after the commencement of the new Plan.	As discussed above, Council proposes a sunset clause which permits current uses to remain permitted for a further 2 years after the new LEP commences – consistent with the Department’s approach in implementing the recent Employment zones reforms and noting the narrow range of uses that have been approved in the last 10 years in the area. Development Consents are valid for 5 years.
15	Land that was proposed as a R2 or R5 zone under Council’s previously withdrawn Planning Proposal for the land should continue to be zoned that way.	Council has reviewed the outcomes from Conservation Zones Review against the proposed zoning for land contained in the withdrawn 2015 “Strategic Review” Planning Proposal. In many cases the proposed zonings contained in the previous Planning Proposal have been retained where they are not inconsistent with the recommendations of the Conservation Zones Review.
16	Minimum allotment sizes for subdivision should reflect the new zoning of land.	Refer to heading ‘Lot Size Provisions / Housing Density’ above that responds to this submission issue.
18	Concern that the criteria for the C3 zoning of land has not been met in some cases and therefore the land should not be zoned for conservation.	Refer to Conservation Zones Review – Appendix H of this Planning Proposal. Council, at its meeting on 23 August 2022, resolved to undertake an independent review, including a site inspection, where there remains a dispute about rezoning of land under the Conservation Zones Review. These reviews will be undertaken during the Planning Proposal process and prior to the finalisation of any zoning/rezoning decisions, to ensure any new submissions about this issue are captured and addressed.
17	Submissions in support of proposed Rural Zone for their land.	Noted.
18	Submissions requesting stronger environmental protection including C2 zoning and split C2/C3 zoning on account of high biodiversity / environmental / heritage values in Oxford Falls and Belrose North, including requests for C2 zoning on privately owned land.	Refer to the Conservation Zones Review – Appendix H of this Planning Proposal regarding the methodology for zoning land C2 and C3.
19	Requests for rezoning of land to R2 Low Density and R3 Medium Density Residential.	In December 2021, the Department of Planning approved Council’s Local Housing Strategy which identifies strategies to meet the Department’s housing targets for

	Submission Issue	Response
		next 20 years within existing urban areas. No increased density of development was proposed in Oxford Falls Valley or Belrose North, consistent with the Greater Sydney Region Plan, North District Plan, and Council's LSPS.
20	One submission requested that land proposed to be zoned RU4 that is located immediately West of Forest Way, North of Wyatt Avenue and South of Belrose Supa Centre be instead zoned R2 and R3. It is suggested that this would be consistent with surrounding zones with no negative impact on existing land use, environment and wildlife and is on a major road corridor that is 5 minutes from the Northern Beaches Hospital and planned Frenchs Forest Town Centre.	In December 2021, the Department of Planning approved Council's Local Housing Strategy which identifies strategies to meet the Department's housing targets for next 20 years within existing urban areas. No increased density of development was proposed in Oxford Falls Valley or Belrose North, consistent with the Greater Sydney Region Plan, North District Plan, and Council's LSPS.