

27 April 2021

Mr Daniel Maurici
Senior Development Manager
Henroth Group
email: dan@henroth.com.au

Our Ref: 2021/282225

Dear Mr Maurici

**10 and 12 Boondah Road and 6 Jacksons Road Warriewood
Confirmation of matters regarding the concept masterplan**

I refer to your correspondence to Council dated 31 March 2021 and the subsequent meeting with Andrew Pigott and myself on 19 April 2021, in relation to a development proposal at the above-mentioned site.

I note your correspondence to Council included the following documents:

- Concept Masterplan
- Flood Storage Letter
- Bushfire Review
- Submission to Council's Local Housing Strategy

As discussed at our meeting Council staff undertook a review of the submitted material and provided the following feedback and these are provided for your consideration:

Current planning provisions

- The current zoning of the site is RU2 Rural Landscape under *Pittwater Local Environmental Plan (LEP) 2014*.
- The site has a minimum lot size of 1 hectare.
- The site has a maximum building height of 8.5 metres.
- The site is affected by Class 3 Acid Sulphate Soils.
- Clause 6.1 of Pittwater LEP 2014 applies to the site. The site is identified in the Urban Release Area Map and is in the area labelled on the map as "Southern Buffer Area". Clause 6.1 reads as follows:

6.1 Warriewood Valley Release Area

(1) The objectives of this clause are as follows—

- (a) to permit development in the Warriewood Valley Release Area in accordance with the *Warriewood Valley Strategic Review Report* and the *Warriewood Valley Strategic Review Addendum Report*,
- (b) to ensure that development in that area does not adversely impact on waterways and creek line corridors, protects existing native riparian vegetation and rehabilitates the creek line corridors.
- (c) (Repealed)

(2) This clause applies to the land in the Warriewood Valley Release Area.

- There are no heritage items on the site. The site adjoins a Local Heritage Item 2270516 (Warriewood Wetlands at Lot 100 DP 1127710, 14 Jacksons Road, Warriewood).
- The three lots comprising the site all contain significant biodiversity and wildlife connectivity value, including Threatened Ecological Communities (TEC) and Threatened Species and their habitats. In particular, the site contains two Endangered Ecological Communities (EEC), being a Bangalay Sand Forest EEC and a Swamp Oak Floodplain Forest EEC.
- The site is classified as flood-prone land during the 1% AEP (100 year) and the PMF flood events.
- The site is classified as Vegetation Category 1 and Vegetation Buffer on Council's Bushfire Prone Land Map.

Strategic Considerations

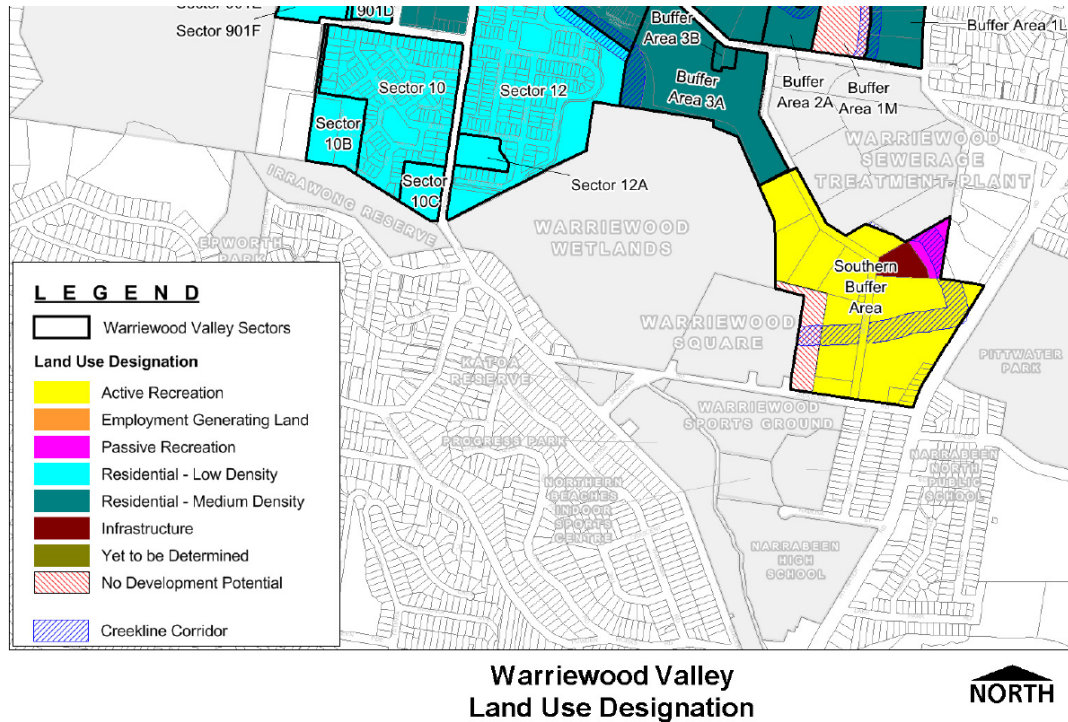
Council's Local Strategic Planning Statement (LSPS) is adopted and in place. Any planning proposal should have regard for the LSPS.

Council's Local Housing Strategy is being reported to Council on 27 April 2021. Regard should be given for the priorities identified in this document and how they relate to any proposal on this site.

The Warriewood Valley Strategic Review Report and the Strategic Review Addendum Report are referenced in clause 6.1 of Pittwater LEP and should be considered as part of any future Planning Proposal application.

The Warriewood Valley Strategic Review Addendum Report 2018 (the 2018 report) aimed to identify a forward direction for those areas (including the Southern Buffer area and the subject sites) not rezoned following on from the 2012 report. The 2018 report, having been informed by the Narrabeen Lagoon Flood Study 2013, identified that floor levels for development would increase, classified the subject

site under Category F classification, which restricted the recommended land uses to sporting fields and recreational uses. For the subject sites, an extract of the Land Use designation recommended from the 2018 report recommended, is shown below:



Regard should also be given to the the Warriewood Valley Development Contributions Plan and the references in this document regarding the Southern Buffer Area including clause 6.2.3. It is noted that a review of the Warriewood Valley Development Contributions Plan is scheduled to be undertaken towards the end of 2021.

Site Specific Considerations

Concept Plan

As a quantum, 38 dwellings are likely to be consistent with the density of 32 dwellings per developable Hectare (the standard dwelling density afforded to residential sectors under the Warriewood Valley Strategic Review). The built form of the residential accommodation and access arrangements should be sited and designed to:

- avoid/minimise impacts to biodiversity as any redevelopment will result in a direct net loss of biodiversity. Potential impacts that will result from the proposed concept include:

- the clearing of native vegetation and endangered ecological communities, impacts to threatened species habitats,
 - impacts to ground water dependent ecosystems especially the adjacent Warriewood Wetlands
 - reduction in local wildlife connectivity;
- b) address the measures determined from a strategic bushfire study (required for any rezoning under the document titled 'Planning for Bushfire Protection 2019'), noting that the submitted Travers report is not a strategic bushfire study;
 - c) access to and from the site – the central access to be two-way and a roundabout at the Boondah Road intersection, while the northern and southern points limited to a left in/left out arrangement. The internal perimeter road is likely to be in the Asset Protection Zone for this development.
 - d) The section of Boondah Road immediately fronting the development site will need to be reconstructed and raised to the 1%AEP flood event, with suitable transition at the southern section (The Warriewood Valley Contributions Plan identifies the reconstruction of Boondah Road from the subject site to Jacksons Road intersection planned for construction to commence in 2023/24 however not being to the 1%AEP as it did not contemplate residential development occurring along this section of Boondah Road);
 - e) Need to demonstrate compliance with the provisions of Section C6 of P21 DCP. Particular regard should be given to the requirement for landscaping and impervious area requirements.
 - f) The siting of the netball courts and part of the carpark is currently mapped as wetland on the Coastal SEPP Wetlands and Proximity Layer. The netball courts in this location are not suitable and should be removed from any masterplan.

Flood

- a) The flood storage assessment is based off estimated flood levels which are incorrect. Contemporary flood advice for the site must be obtained from Council and this information used in the assessment of flood risk for the site.
- b) A detailed Water Management Report that complies with the requirements of the Warriewood Valley Water Management

Specification must be provided in any subsequent proposal. This Water Management Report should include:

- flood modelling of the proposed development scenario to demonstrate that the proposed development has no adverse impacts on flooding for neighbouring properties in a range of design events, up to and including the 1% AEP event and Probable Maximum Flood event.
- an appropriate assessment of flood risk to life and determines an appropriate flood emergency response strategy that ensures the safety of the occupants up to the Probable Maximum Flood level.

Biodiversity

The subject lots contains significant biodiversity value, including Threatened Ecological Communities (TEC), records of threatened species, wildlife connectivity and threatened species habitats. Warriewood Wetlands immediately abuts these lots.

- a) The masterplan is likely to trigger entry into the Biodiversity Offsets Scheme (BOS).

The predicted offset obligations required by the BOS (TECs and threatened species) may not be available on the Northern Beaches, and entry into the BOS should be avoided as this will result in net loss of biodiversity within the Northern Beaches LGA.

Early engagement by Henroth with the Department is also recommended to ascertain if a Biodiversity Certification application for this site would be considered.

- b) As the application needs to demonstrate impacts from flooding, an assessment of likely impacts on threatened species and areas of significant vegetation, riparian corridor and Warriewood Wetland and wetland buffers needs to be submitted, to demonstrate suitability of the site for future residential development.

Bushfire

The report submitted is not a strategic bushfire study for the purposes of a planning proposal, and to demonstrate suitability of the site for future residential development. This is required under the document titled 'Planning for Bushfire Protection 2019' and will be required to be submitted with any formal Planning Proposal.

Requirements for additional population

Any rezoning will need to demonstrate the provision of infrastructure to support the new additional population and have regard for what that would mean to the planned infrastructure delivery in Warriewood Valley.

In terms of planned quantum of open space provision, this rezoning will generate the need for an additional active open space area (it has proved difficult to find suitable land in /adjacent Warriewood Valley in terms of the size and dimensions suitable for sports fields) and potentially, traffic and transport improvements.

The traffic modelling undertaken for the Warriewood Valley Strategic Review, and considered by the former Roads and Maritime Services, did not include residential development in this part of the release area (otherwise known as the Southern Buffer area).

As this site is in the Southern Buffer, you should seek confirmation from RMS if traffic modelling is required for the Pittwater Road/Warriewood Road and Pittwater Road/Mona Vale Road intersections for any formal application (See TRIM PW4221866 – related Doc).

Other planned infrastructure (under the Warriewood Valley Contributions Plan) may not require augmentation, such as the creek line corridor land, and potentially the pedestrian and cyclist link or community facility floorspace (but needs to be confirmed when a formal planning proposal application is lodged with Council.

Potential Planning Agreement Offer

Council is open to discussions about the future of 6 Jacksons Road. However, the location of the netball/basketball courts, associated parking and amenities block is unsuitable as it is isolated and clear separation to the new courts on opposite side of Boondah Road. Concerns include:

- a) impact on threatened species as this area mapped as wetland on the Coastal SEPP Wetlands and Proximity Layer,
- b) its location away from Boondah Road in terms of CPTED,
- c) potential conflicts with residential amenity in terms of noise, vehicular access, lighting, and
- d) potential impacts from hazards and the management of buffer and Asset Protection Zone on that part of the land.

Affordable Housing

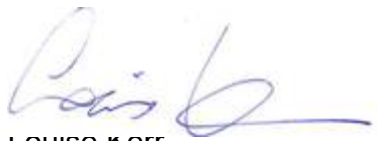
The proposal will need to demonstrate how the 10% affordable rental target can be achieved as part of the Planning Proposal application. This is in accordance with Council's adopted Affordable Housing Policy (28 August 2018). See weblink <https://www.northernbeaches.nsw.gov.au/planning-and-development/planning-future/planning-growth/housing>

Should you wish to proceed with the Planning Proposal for the subject sites, I would encourage you to:

- (1) seek a formal pre-lodgement meeting with Council in regard to any future Planning Proposal application.
- (2) seek a separate meeting to discuss any Offer to Enter into a Planning Agreement.

I trust this information will be of some assistance to you. Should you require any further information or assistance in this matter, please contact my office on 8495 6415.

Yours faithfully



Louise Kerr
Director Planning and Place