



10-12 Boondah Road, Warriewood

Planning Proposal

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Executive Summary

This Planning Proposal has been prepared on behalf of the owners of 10-12 Boondah Road, Warriewood ('the site') and seeks to rezone the site to permit the future construction of 40 three (3) storey multi dwelling housing dwellings and four dwellings in a manor house form for a total of 44 dwellings. The concept anticipates a dwelling yield of approximately 22 dwellings/ha commensurate with the broader densities achieved within the release area.

The concept design incorporates active open space opportunities to service the development and broader community. The proposal includes the zoning of an environmentally sensitive portion of the land as C2 Environmental Conservation that covers an area of the site that comprise riparian corridor.

The proposal is in response to Council's policy change relating to the means and need for the provision of active open space within Warriewood Valley whereby land within the southern buffer area is no longer targeted for potential voluntary acquisition for open space purposes. This policy change has been influenced by the lack of progress in securing land and that dwelling yields forecast have not been met. Therefore, forecast demand for open space has not eventuated as set out in the Draft Warriewood Valley Contributions Plan Amendment 16 revision 4.

The proposal is also in response to the recent announcement of the abandonment of the Ingleside Place Strategy that will exacerbate any shortfall of dwellings in the region.

The planning proposal is an opportunity to provide urban housing opportunities in a location that is well served by public transport, recreation facilities and retail services.

The site is located within the Northern Beaches local government area (LGA) and is within the Warriewood Valley urban release area.

The site is adjacent to the existing Warriewood Centre formerly known as Warriewood Square retail centre and the district active recreation area of Boondah Road.

The Planning Proposal is based upon a Masterplan for the land prepared by The Buchan Group which provides for the development of the land in a multi dwelling housing form which utilises a permitter road form to provide ecological and bushfire protection buffers to the adjacent wetlands. This road network approach incorporates options for visitor parking on street and additional permeability to the Warriewood Wetlands for pedestrian access from the east which is currently highly constrained.

The masterplan has been prepared informed by flood assessments, bushfire management assessment, and flora and fauna impacts, traffic assessment and preliminary site investigation contamination assessment.

The flood management considerations have addressed the PMF and all other relevant flood planning levels and the strategies to mitigate flood impacts through a cut and fill approach.

The concept has responded to the environmental attributes of the precinct in relation to riparian corridors, bushfire hazard planning and flora and fauna impacts. The development concept is predicated on no adverse flood impacts on and off the site. The concept design provides for flood evacuation routes, habitable ground floor levels and residential car parking to be at the required Flood Planning Level (FPL) of RL4.4 as identified by Council. Upper floor levels in the proposed dwellings begin at RL7.5, well above the Probable Maximum Flood (PMF) peak level of RL5.27m AHD derived from council's nominated 2013 flood model provided to the applicant and is a configuration that allows for "shelter in place" on the upper floors in the PMF event.

The concept design has also been informed by detailed flora and fauna investigations and bushfire hazard management advice. To support the outcomes of the flora and fauna investigations the site is the subject of a Biodiversity Certification Assessment Report that has been lodged with the Office of Environment and Heritage.

The site has been demonstrated to be suitable for residential development and the submission provides an analysis of the physical and strategic planning constraints and opportunities of the site.

This Planning Proposal seeks commencement of the statutory process to rezone the site to zone R3 Medium Density Residential and C2 Environmental Conservation. The planning proposal request has responded to and addressed the matters raised by Council in its correspondence of 22 July 2021 arising from preliminary discussions held with Council on the preparation of a Planning Proposal request.

Support for this Planning Proposal is based on the following circumstances and merits:

- Infill urban development opportunity

The redevelopment of the site represents an opportunity to provide housing opportunities in a location that is well located to access existing retail and commercial facilities. The concept demonstrates the opportunities to directly satisfy passive open space provision generated by the proposed 44 dwellings and to provide permeability to the wider Warriewood Valley to the Warriewood Wetlands from the east that could be further developed at development application stage.

The proposal includes the offer to provide four dwellings as affordable housing for a period of ten years with the housing contemplated to be managed during that time by registered community housing provider.

- Consistency with the adjoining development

The site is an extension to the adjoining residential development in the Warriewood Valley urban release area to the north. The concept enhances the open space network and retains and enhances creekline corridors and buffers to the Warriewood wetlands. The Planning Proposal represents an opportunity to deliver a compatible urban infill providing additional housing opportunities which will be well located to employment, services, education, recreation and transport facilities.

- Consistency with the planning framework

The Planning Proposal is consistent with the Greater Sydney Region Plan, the North District Plan, the Towards 2040 Local Strategic Planning Statement and the Northern Beaches Local Housing Strategy.

- Development constraints

The Planning Proposal is supported by an analysis of the opportunities and constraints of the site in particular the urban design, environmental, natural hazard and transport context of the site. The site is identified as bushfire prone land and subject to flooding. The concept has been designed having regard to these constraints. Similarly, the concept has had regard to environmental constraints and accommodates riparian corridors and buffers to environmentally sensitive lands and the site is subject to a Biodiversity Certification Assessment Report lodged with the Office of Environment and Heritage.

- Transport and Connectivity Improvements

The Planning Proposal has the potential to provide accommodation that is well located within a 10 minutes' walk to bus transit provided by the B-Line.

Introduction

Purpose of the Planning Proposal

This Planning Proposal has been prepared on behalf of the landowners, being Henroth Investments Pty Ltd (representing Cassius Investments Pty Ltd and Henry Fraser Pty Ltd).

The landholdings comprise lands known as 10-12 Boondah Road, Warriewood.

The Planning Proposal provides the justification for the rezoning of the land which is within the LGA of Northern Beaches Council.

This Planning Proposal seeks commencement of the statutory process to rezone the site from RU2 Rural landscape under PLEP 2014 to R3 Medium Density Residential and C2 Environmental Conservation under PLEP 2014.

The Planning Proposal applies to the land known as 10-12 Boondah Road Warriewood shown at Figure 1 below.

The site is located in the southern fringes of the Warriewood Valley urban release area within the Northern Beaches local government area (LGA).

The land is a pocket of currently zoned RU2 Rural Landscape land located adjacent to commercial development (Warriewood Centre) recreation land (Boondah sports fields) environmental protection lands (Warriewood wetlands), regional infrastructure (Warriewood Sewage Treatment Plant (STP)) and residential land (residential development on Macpherson Street and Boondah Road).



Figure 1: Site context and location – 10 and 12 Boondah Road within red border (Source: Metro Maps)

The holding has an area of approximately 2.072ha.

The Planning Proposal has been prepared in accordance with the Department of Planning, Industry and Environment’s (DPI&E) Local Environmental Plan Making Guidelines, dated December 2021.

Background

The site was the subject of a previous Planning Proposal request which was the subject of a rezoning review in September 2020. The rezoning review did not support the previous planning proposal proceeding to Gateway significantly because the site was included in land identified for potential active open space in Council’s then strategic planning framework, notably the Warriewood Valley development contributions plan.

Since the Determination of the Rezoning Review on 8 September 2020 Council has revised its approach to and its assessment of the need for the acquisition of further land for open space as set out in the Draft Warriewood Valley Contributions Plan Amendment 16 revision 4. The approach is now to embellish existing open space assets to increase the available access to active open space facilities.

This is a fundamental policy revision relative to previous planning proposal both in the context of the land no longer being potentially targeted for open space purposes and the significant reduction in scale and intensity of the development contemplated. The application the subject of the September 2020 Rezoning Review proposed four (4) storey residential flat building development with an anticipated yield of 120 dwellings. The Planning Proposal the subject of this request contemplates a yield of 44 dwellings predominantly in a multi dwelling housing form with an option for the inclusion of a manor house form.

The proposal is also in response to the recent announcement of the abandonment of the Ingleside Place Strategy that will exacerbate any shortfall of dwellings in the region.

Statutory Framework

3.1 Pittwater Local Environmental Plan (PLEP) 2014

3.1.1 Zoning

The site is currently zoned RU2 Rural Landscape under the provisions of PLEP 2014 (refer to Figure 4 below).

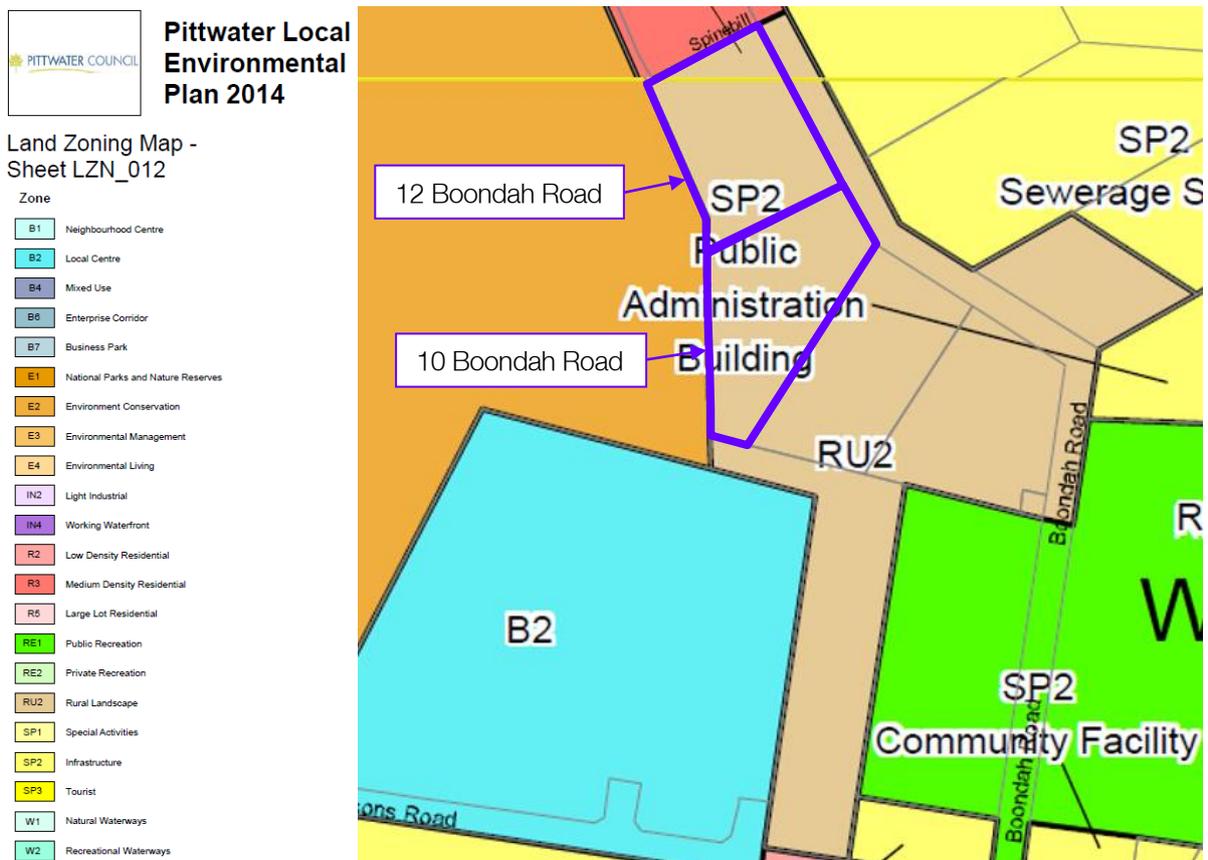


Figure 2: Extract from PLEP 2014 Land Zoning Map

It is evident from the zoning map at Figure 4 that the site is located immediately adjacent to a large area of Residential zoned land to the north, Business zoned land to the west (Warriewood Square) and Recreation zoned land to the east (Boondah sports fields).

3.1.2 Rural subdivision (Clause 4.2)

A minimum lot size of 1ha currently applies to the site under Clause 4.2 of PLEP 2014.

3.1.2 Height of Buildings (Clause 4.3)

The site is subject to a height of buildings development standard of 8.5m (refer to Figure 3).

Maximum Building Height

B	4
C	5
G	7
H	8
I	8.5

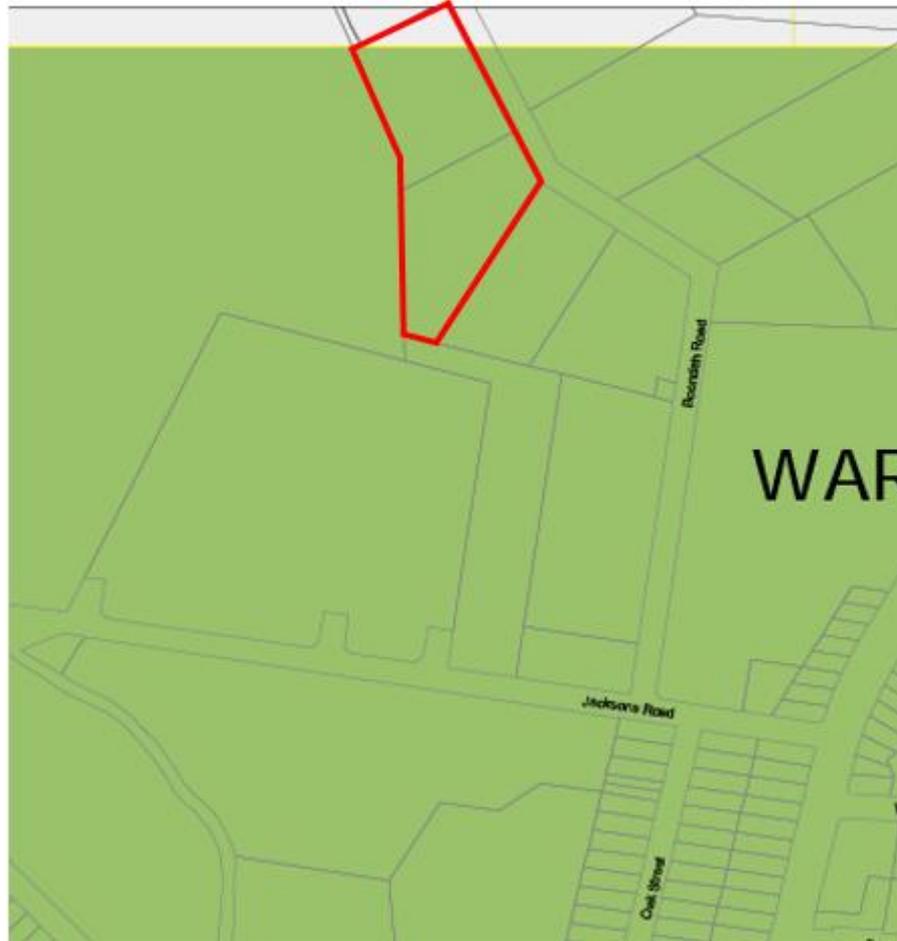


Figure 3: Extract from PLEP 2014 Height of Buildings Map – 10 and 12 Boondah Road within red bordered

3.1.3 Floor Space Ratio (Clause 4.4)

The site is not subject to a maximum FSR development standard.

3.1.4 Heritage Conservation (Clause 5.10)

The site is not identified as a heritage item nor is it located within a Heritage Conservation area. The site is adjacent to the Warriewood Wetlands which is identified as an item of local significance (Item 2270516)

3.1.5 Warriewood valley Release area (clause 6.1)

The land is identified as being within the Warriewood Valley Release Area and is identified as being part of the Southern Buffer Area.



Figure 5: Extract from PLEP 2014 Acid Sulfate Soils map – subject land bordered in red

3.1.5 Biodiversity (clause 7.6)

Parts of the rear of the site are mapped as having biodiversity values as shown on figure 6 below.



Figure 6: Extract from PLEP 2014 Biodiversity Map – 10 and 12 Boondah Road within red border

3.2 Pittwater DCP 21

3.2.1 *Warriewood Valley*

The existing Pittwater 21DCP contains provisions for development within the Warriewood Valley land release area that could readily be applied to the subject land with augmentation to reflect the masterplan layout prepared if this was deemed necessary.

The Planning Proposal

Overview

This section addresses the DPI&E publication *Local Environmental Plan Making Guideline (December 2021)*. This section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification of strategic and site specific merit.
- Maps;
- Community consultation; and
- Project timeline.

Part 1 – Objectives and intended outcomes

The objective of this Planning Proposal is to enable the redevelopment of the land for urban development comprising residential uses and responds to previous Rezoning Review where it was found that the redevelopment of the land in question potentially had site specific merit but the strategic merit was not satisfied due to a conflict with the potential need by Council to seek to secure land for open space purposes.

This conflict has been resolved with Council no longer targeting the land for acquisition for open space purposes. This position is derived from the proposed amendments to the Warriewood Valley Contribution Plan Amendment 16 revision 4 that identifies that there has been a shortfall in the forecast dwelling yield of some 251 dwellings and as a consequence the demand for open space originally anticipated has not been realised. This Planning Proposal provides an opportunity to deliver a small contribution to the shortfall to date.

The objectives of the proposal are to:

- Continue residential development adjoining existing residential development within the Warriewood Valley release area;
- Provide residential accommodation opportunities responding to identified demand;
- Optimise the utilisation of existing infrastructure; and
- Preclude from urban development those areas identified through the studies undertaken that are not suited for urban development.

The intended outcome of the Planning Proposal is to rezone the subject land to a R3 Medium Density Residential and C2 Environmental Conservation. It is intended that the Planning Proposal would form an amendment to PLEP 2014

A Masterplan for the site has been prepared by The Buchan Group which has been informed by ecological advice, stormwater and flood management advice, bushfire hazard management advice and traffic impact assessment.

The Planning Proposal and Masterplan would accommodate approximately 44 residential dwellings equating to a dwelling yield of approximately 22 dwellings per hectare well below the general target range within the Warriewood Valley Urban release area.

Part 2 – Explanations of provisions

The objective of this Planning Proposal is to amend PLEP 2014 to rezone the land to facilitate the development of part of the land for multi dwelling or dwelling houses. The Planning Proposal seeks to amend the current LEP provisions in the following manner:

- Amend the land zoning map to show the subject land as R3 Medium Density Residential and C2 Environmental Conservation;
- Amend the height of building map to impose height of 15.0m over the R3 zoned part of the site;
- Amend the minimum lot size map to remove the application of the minimum subdivision lot size provisions from the land
- Amend the Urban release area map to identify a Sector for 10-12 Boondah Road for the purposes of applying a dwelling yield range at clause 6.1(3) of the LEP; and
- Amend Clause 6.1(3) to impose a dwelling yield range for the site of 40-45 dwellings.

For clarity the proposed height of 15.0m has been nominated so as to ensure that the required site works to raise the building platforms above the flood planning level do not result in a contravention of the building height development standard when height is measured from ground level (existing).

There are no other provisions of the Pittwater LEP 2014 that are required to be amended.

It is anticipated that site specific DCP controls may be required for the area. These can be incorporated into the existing Pittwater 21 DCP and could be prepared, should the proposal obtain Gateway determination, based upon the masterplanning that has been prepared to support the proposal.

The Planning Proposal does not seek to amend the zoning of any public land.

Part 3 – Justification of strategic and site specific merit

This part of the Planning Proposal outlines the need for the proposed amendments to PLEP 2014, the relationship with the strategic planning framework, the environmental, social, and economic impacts of the proposed changes, and State and Commonwealth interests.

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No, the planning proposal is not the result of any local strategic planning statement (LSPS), strategic study or report undertaken by Northern Beaches Council.

The Planning Proposal relates to land that has been part of the Warriewood Valley Urban Release area since its inception. The land is identified in the Warriewood Valley Strategic Review 2012 and Warriewood Valley Strategic Review Addendum Report 2014 as comprising land of development capability ranging from More capable through to least capable as shown on figure below

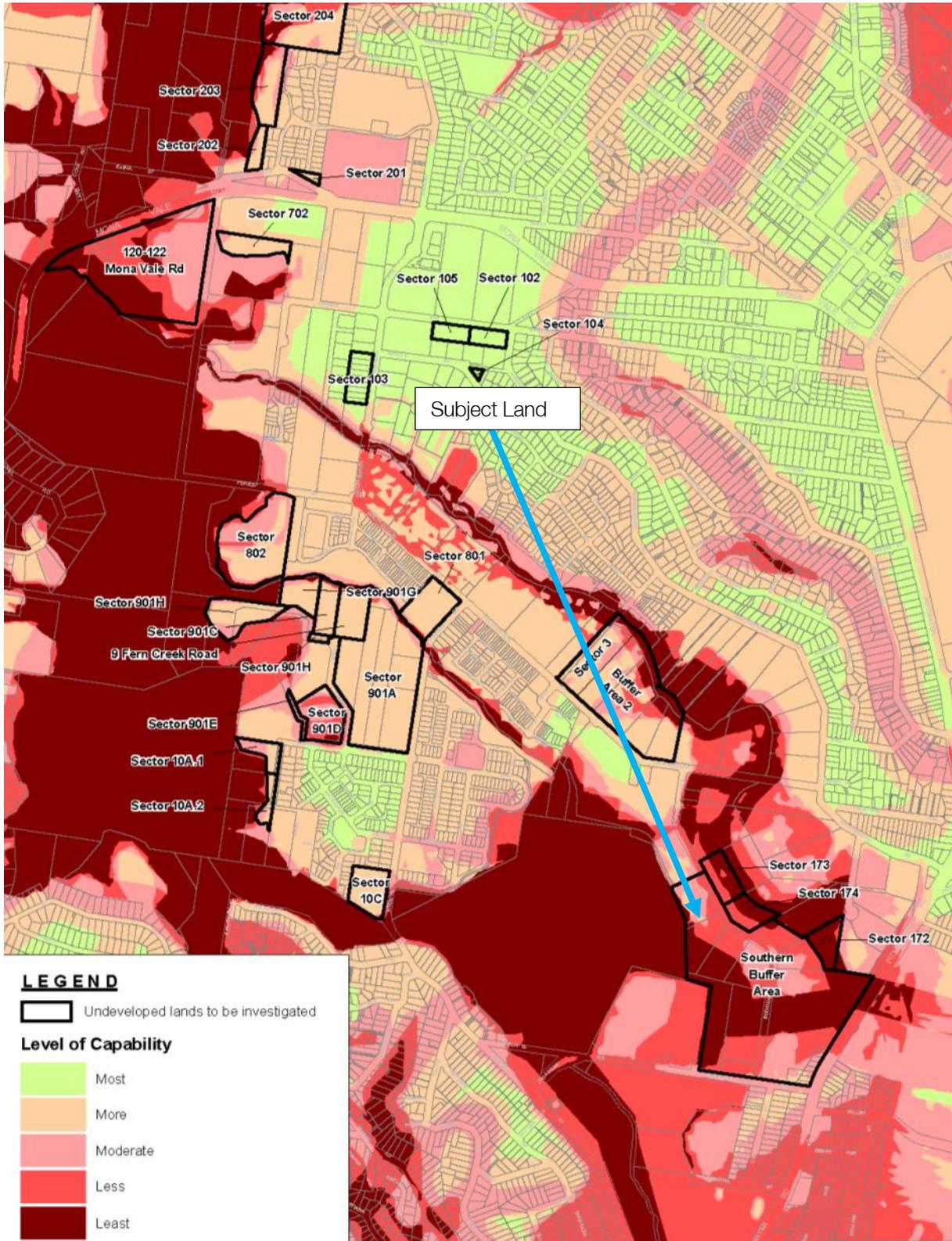


Figure 7: Composite Capability Map – Map 2 of Warriewood Valley Strategic Review Addendum Report 2014

The land proposed for urban purposes generally excludes the land identified as least developable. The development suitability of the land has been addressed through detailed site specific studies addressing, flood management, flora and fauna, bushfire hazard management, contamination and traffic impact assessment.

The Planning Proposal identifies an opportunity to respond to an identified shortfall of the provision of 275 dwellings from the forecast demand 3,700 dwellings through to 2036 identified in Council’s Local Housing Strategy (LHS) and the shortfall of 251 dwellings from the original forecasts of dwelling yield from the Warriewood Valley land release. The Planning Proposal also responds to the recent announcement of the abandonment of the Ingleside Place Strategy that will exacerbate any shortfall of dwellings in the region.

The proposal also includes the provision of four dwellings for a period of ten (10) years as affordable housing which is proposed in a manor house form to maximise opportunities for the provision of accessible single level housing to maximise the potential resident base opportunities for the affordable housing dwellings.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is currently zoned for rural purposes and the Planning Proposal is the only feasible approach to making the land available for residential purposes.

The land is located adjacent to land zoned for urban purposes, being residential and commercial and is a logical extension of these urban lands. The Planning Proposal is a logical infill development opportunity that does not face the infrastructure delivery constraints that pose challenges to the Ingleside and Frenchs Forest release areas. The dwelling yield of 40-45 dwellings is modest additional capacity but additional capacity none the less in a site with access to amenities, services and transport far superior to other future options in Ingleside and Frenchs Forest.

Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional strategy, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan 2018 (Region Plan) provides the overarching strategic framework for the planning of the greater Sydney metropolitan area. The Region Plan provides policy direction in the key areas of:

- Infrastructure and collaboration;
- Liveability;
- Productivity; and
- Sustainability.

Direction	Objective	Consistency
Infrastructure and Collaboration		
A city supported by infrastructure	<u>Objective 4:</u> <i>Infrastructure use is optimised</i>	The Planning Proposal seeks to develop serviced land that it that is within a walkable catchment to transport, services, and recreation facilities.
Liveability		
A city for people	<u>Objective 6:</u> <i>Services and infrastructure meet communities’ changing needs</i>	The Planning Proposal utilises existing infrastructure and services while also providing for additional public recreation facilities being an embellished local playground that will serve the needs of the incoming residential population as well as providing access and amenities to the broader community.

Direction	Objective	Consistency
	<u>Objective 7:</u> <i>Communities are healthy, resilient and socially connected</i>	The Planning Proposal is well located for active connection to existing facilities and services. The Planning Proposal would also deliver additional passive open space and access through to the Warriewood Wetlands.
	<u>Objective 8:</u> <i>Greater Sydney's communities are culturally rich with</i>	The Planning Proposal proposes to augment the recreation facilities in the locality and provide a new linkage opportunity to the eastern boundary of the Warriewood wetlands via the greenlink as well as appropriately zoning the sensitive buffer area to the Warriewood Wetlands.
Housing the city	<u>Objective 10:</u> <i>Greater housing supply</i>	The Planning Proposal provides an opportunity to add to the housing stock in a low rise medium density form favoured by Council.
	<u>Objective 11:</u> <i>Housing is more diverse and affordable</i>	The Planning Proposal provides multi dwelling housing opportunities in a well serviced location adjacent to an existing centre.
A city of great places	<u>Objective 13:</u> <i>Environmental heritage is identified, conserved and enhanced</i>	The Planning Proposal has considered the environmental attributes of the locality. The concept provides for a managed edge to the Warriewood Wetlands and incorporation of the Narrabeen Creek riparian area into a C2 Environmental Conservation zone.
Productivity		
A well-connected city	<u>Objective 14:</u> <i>A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i>	The site is within a walkable catchment to the Warriewood Square local centre and transport in the B-Line bus routes.
Sustainability		
A city in its landscape	<u>Objective 27:</u> <i>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i>	The Planning proposal is supported by an ecological assessment which includes measures to manage and mitigate the potential ecological impacts of urban development of the land. The land is also subject to a Biodiversity Certification Assessment Report that has been lodged with the Office of Environment and Heritage.
	<u>Objective 30:</u> <i>Urban tree canopy cover is increased</i>	The future development of the land would accommodate tree canopy provision.
	<u>Objective 31:</u> <i>Public open space is accessible, protected and enhanced</i>	Public open space is proposed to be added to and access to the Warriewood Wetlands improved.

Table 1: Alignment of proposal with Greater Sydney Region Plan

North District Plan

Direction	Objective	Consistency
Infrastructure and Collaboration		
A city supported by infrastructure <i>Infrastructure supporting new developments</i>	<u>Planning Priority N1:</u> <i>Planning for a city supported by infrastructure</i>	The housing would be within 30 minutes of services, employment, and recreational facilities. The proposed housing utilises existing available infrastructure.
Liveability		
A city for people <i>Celebrating diversity and putting people at the heart of planning</i>	<u>Planning Priority N3:</u> <i>Providing services and social infrastructure to meet people's changing needs</i>	The proposal includes the provision of approximately 7,200m ² of the site as open space to serve the incoming population generated by the proposal. This land is in addition to private open space provision and includes access paths which also serves as bushfire management perimeters, embellished playground park and passive open space opportunities. This land area equates to the provision of 163m ² of open space opportunity per dwelling.
	<u>Planning Priority N4:</u> <i>Fostering healthy, creative, culturally rich and socially connected communities</i>	The location of the proposed housing is in a well connected locality supporting active transport modes and open space use. The site is highly walkable to retail services support services.
Housing the city <i>Giving people housing choices</i>	<u>Planning Priority N5:</u> <i>Providing housing supply, choice and affordability with access to jobs, services and public transport</i>	The proposal includes the provision of an affordable housing element and is well located within a 10 minute walkable catchment to a regional bus service.
A city of great places <i>Designing places for people</i>	<u>Planning Priority N6:</u> <i>Creating and renewing great places and local centres, and respecting the District's heritage</i>	The proposal provides additional residential accommodation within 10 minutes' walk of centres with city shaping public transport (the B-Line). Housing opportunities within a 10 minute walkable catchment of a centre support these centres and provide high amenity residential opportunities.
Productivity		
A well connected city <i>Developing a more accessible and walkable city</i>	<u>Planning Priority N12:</u> <i>Delivering integrated land use and transport planning and a 30-minute city</i>	The site is within a walkable catchment to services and public transport linkages, as well as cycle networks.
	<u>Planning Priority N14:</u> <i>Leveraging interregional transport connections</i>	The site is well located to the B-Line offering public transport connectivity.
Sustainability		

Direction	Objective	Consistency
A city in its landscape Valuing green spaces and landscape	<u>Planning Priority N16</u> <i>Protecting and enhancing bushland and biodiversity</i>	The proposal is supported by an ecological assessment and Biodiversity Certification Assessment Report lodged with the Office of Environment and Heritage. The masterplan concept provides a managed edge to the Warriewood Wetlands.
	<u>Planning Priority N18</u> <i>Better managing rural areas</i>	The site is not part of the metropolitan rural area.
	<u>Planning Priority N19</u> <i>Increasing urban tree canopy cover and delivering Green Grid connections</i>	Green connections are able to be accommodated on the creekline and within any future development of the land.

Table 2: Alignment of proposal with North District Plan

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Towards 2040 Local Strategic Planning Statement

The Northern Beaches Local Strategic Planning Statement (LSPS) Towards 2040 has been endorsed by the Greater Sydney Planning Commission. The plan seeks to guide land use planning for the Northern Beaches until 2040.

The plan seeks to manage and guide how the anticipated population growth of 39,000 additional residents will be housed, provided with jobs or access to jobs and provided with facilities and services.

The LSPS identifies Warriewood as a Local Centre with the plan setting a series of planning priorities aligned to broad directions. The relevant Priorities are addressed in the table below.

Direction	Priority	Consistency
Landscape		
	<u>Priority 2</u> <i>Protected and enhanced bushland</i>	The site is the subject of a biodiversity certification application which is supported by a Biodiversity Certification Assessment Report (BCAR) and Conservation Measures Implementation Plan. The assessment identifies requirements for offset requirement for Swamp Oak Forest, Bangalay Sand Forest and habitat loss for the Southern Myotis, Eastern Cave Bat and Eastern Pygmy Possum.
	<u>Priority 5</u> <i>Greener urban environments</i>	The masterplan demonstrates the availability of approximately 7,200m ² of open space landscape opportunities which would be further supplemented by street tree planting and planting opportunities within the development sites. These available opportunities will augment the urban canopy of the locality.
Efficiency		

Direction	Priority	Consistency
	<u>Priority 7</u> <i>A low-carbon community, with high energy, water and waste efficiency</i>	<p>The location is well located to maximise active and public transport options which by minimising the reliance upon the private vehicle is a major carbon and energy use reduction outcome. The site is well able to be developed to contemporary energy, and water efficiency initiatives.</p>
Resilience		
	<u>Priority 8</u> <i>Adapted to the impacts of natural and urban hazards and climate change</i>	<p>The subject land is potentially impacted by bushfire hazard and flood impacts. The design has been informed by a bushfire hazard assessment which has enabled the concept design to incorporate appropriate asset protection zones and recommended management regimes for inner protection areas along with recommended building construction standards that would be implemented at development application and construction certificate stage.</p> <p>The Water Management Report has addressed flood hazards to establish flood planning levels for the site including considerations for climate change. The analysis includes the identification of flood evacuation route.</p>
Liveability		
	<u>Priority 12</u> <i>An inclusive, healthy, safe and socially connected community</i>	<p>The concept masterplan facilitates connectivity to existing open space and recreation assets as well as providing open space amenities on-site. The layout provides a safe low speed local neighbourhood which through active transport and pedestrian activity encourages and facilitates casual interaction and engagement of residents within the development as well as residents from the broader community accessing the site and the Warriewood Wetlands beyond.</p>
Housing		
	<u>Priority 15</u> Housing supply, choice and affordability in the right locations	<p>The proposal will further increase the supply of low rise medium density housing in a location that is extremely well located to transport, retail services and open space recreation opportunities. The housing is located in an area to which all relevant utility services are able to be provided.</p>
	<u>Priority 16</u> Access to quality social housing and affordable housing	<p>The proposal includes the provision of 4 of a potential 44 total dwellings as affordable housing to be managed by a community housing provider for a period of 10 years</p>

Table 3: Alignment of proposal with LSFS

Northern Beaches Local Housing Strategy

The Northern Beaches Housing Strategy (Housing Strategy) was endorsed by the Department of Planning Industry and Environment in December 2021. The Housing Strategy identified that even if the Ingleside and Frenchs Forest were able to be developed to the full capacity a dwelling target shortfall of 275 dwellings to 2040 was identified. With the abandonment of the Ingleside Place Strategy this shortfall in dwelling delivery for the LGA will increase. The Warriewood Valley locality is identified as being a low rise housing diversity area.

In endorsing the Housing Strategy, the Department identified that Council is required to identify further actions for housing target delivery and adopting of an affordable housing target. The Planning Proposal identifies a meaningful contribution to both the identified housing shortfall in a low rise medium density form and a contribution towards affordable housing provision.

The site being adjacent to an identified Local Centre and within a 10 minute walking catchment to the B Line is consistent with the areas identified in the Housing Strategy as influence areas as suitable for multi dwelling housing and terrace housing forms. This identification as well as the sites location adjacent to residential flat building development and within an identified urban release area underlies the sites suitability for medium density housing.

Q.5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The applicable State and Regional strategies have been considered in the response to Question 4 above.

Q.6. Is the planning proposal consistent with applicable SEPPs?

The consideration of these State Environmental Planning Policies and deems SEPPs has identified that the Planning Proposal does not conflict with any of these policies:

SEPP Title	Consistency	Comment
SEPP (Resilience and Hazards) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
SEPP (Transport and Infrastructure) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Proposal does not contradict or hinder the application of this SEPP.
SEPP (Housing) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
SEPP (Biodiversity and Conservation) 2021	Yes	The Proposal does not contradict or hinder the application of this SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (2002)	Yes	The Proposal does not contradict or hinder the application of this SEPP.

Table 4: Consistency of the Planning Proposal with applicable SEPPs

Q7. Is there any Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The Planning Proposal would be consistent with all relevant Directions as detailed below:

S9.1 Direction Title	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The proposal provides for an opportunity to in part addresses the shortfall of 275 dwellings identified in Council's housing strategy in delivering the dwelling yield for Northern Beaches identified in the North District plan. The proposal protects biodiversity values, places residential development in a well served locality and provides ample opportunity for maintenance and augmentation of the urban tree canopy.
1.2 Development of Aboriginal Land Council land	N/A	
1.3 Approval and Referral Requirements	Yes	
1.4 Site Specific Provisions	Yes	No site specific provision is proposed.
Focus area 1: Planning Systems – Place Based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and	N/A	

S9.1 Direction Title	Consistency	Comment
Infrastructure Implementation Plan		
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	
1.14 Implementation of Greater Macarthur 2040	N/A	
1.15 Implementation of the Pymont Peninsula Place Strategy	N/A	
1.16 North West Rail Link Corridor Strategy	N/A	
1.17 Implementation of the Bays West Place Strategy	N/A	
<i>Focus area 3: Biodiversity and Conservation</i>		
3.1 Conservation Zones	Yes	<p>The Planning Proposal requests proposes the application of a C2 Environment Conservation zone to a part of the site that has biodiversity values worthy of further protection.</p> <p>The proposed C2 zoned land adjoins a larger existing area of the Warriewood Wetlands that is already zoned C2 Environmental Conservation.</p> <p>The proposal does not diminish environmental protection, rather increases the level of protection.</p>
3.2 Heritage Conservation	Yes	No heritage protection requirements have been identified as necessary for the land.
3.3 Sydney Drinking Water Catchments	N/A	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	
3.5 Recreation Vehicle Areas	N/A	
<i>Focus area 4: Resilience and Hazards</i>		
4.1 Flooding	Yes	The planning Proposal request is supported by a flood study which includes recommendations on how the land could be developed addressing the flood hazard that applies to the land. The proposal would not facilitate development that:

S9.1 Direction Title	Consistency	Comment
		<ul style="list-style-type: none"> • Is in a floodway • Result in significant flood impacts to other properties • Propose to permit residential development in a high hazard area; and • The proposal and supporting documentation identifies appropriate flood risk management and evacuation strategies
4.2 Coastal Management	N/A	
4.3 Planning for Bushfire Protection	Yes	The Planning Proposal has had regard to Planning for Bushfire Protection 2019, the provisions of which have informed the masterplan layout. The masterplan layout demonstrates the ability for future development to accommodate Inner and Outer Asset Protection Areas and provides a perimeter road edge to the bushland to the west of the site. The bushfire management approach has been developed and is consistent with the Biodiversity Certification Assessment Report lodged with the Office of Environment and Heritage.
4.4 Remediation of Contaminated Land	Yes	The land has been the subject of a PSI which has identified potential contamination from historic land fill, dumping of car bodies and demolition of former site structures. The PSI recommends the preparation of a DSI and RAP which could be facilitated through the future DA process. The PSI identifies that the nature of the contamination is such that the site could be made suitable for residential development as proposed.
4.5 Acid Sulfate Soils	Yes	The land is already subject to ASS provisions which would continue to apply. As identified the site is proposed to be filled to manage potential flood risk. The filling of the land is a compatible approach to managing ASS as excavation and potential lowering of the water table is avoided. Regardless at future DA stage an ASS Management Plan would be required to be prepared.
4.6 Mine Subsidence and Unstable Land	N/A	
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The proposed residential accommodation is within a ready walkable catchment to the B Line public transport and retail and support facilities at the

S9.1 Direction Title		Consistency	Comment
			adjacent Warriewood Square. The proposal is consistent with this Direction
5.2	Reserving Land for Public Purposes	N/A	
5.3	Development Near Regulated Airports and Defence Airfields	N/A	
5.4	Shooting Ranges	N/A	
Focus area 6: Housing			
6.1	Residential Zones	Yes	<p>The proposal is consistent with the Direction as:</p> <ul style="list-style-type: none"> • The proposal is for a small infill residential development within an existing urban release area • The proposal utilises existing utility and transport infrastructure as well as augmenting open space provision with the inclusion of 7,200m of land as accessible open space area • The proposal increases the potential supply of medium density housing in a form that is in high demand and potentially partly addresses a shortfall in Council delivering its housing targets.
6.2	Caravan Parks and Manufactured Home Estates	N/A	
Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	N/A	
7.2	Reduction in non-hosted short term rental accommodation period	N/A	
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	N/A	
Focus area 9: Primary Production			
9.1	Rural Zones	No	The Planning Proposal request is inconsistent with the Direction in that it proposes to rezone Rural land to Residential. The inconsistency is justified by the location of the land within a designated land release

S9.1 Direction Title	Consistency	Comment
		area and is not resulting in the loss of productive rural land.
9.2 Rural Lands	N/A	
9.3 Oyster Aquaculture	N/A	
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	

Table 5: Consistency of the Planning Proposal with s9.1 Ministerial Directions

Section C – environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The land the subject of the Planning Proposal is the subject of a Biodiversity Certification Assessment application. The biodiversity assessment has considered relative to the site, six (6) threatened faun species comprising:

- Grey-headed Flying-fox (*Pteropus poliocephalus*),
- Southern Myotis (*Myotis macropus*),
- Little Bent-winged Bat (*Miniopterus australis*),
- Large Bent-winged Bat (*Miniopterus orianae oceanensis*),
- Eastern Cave Bat (*Vespadelus troughtoni*) and
- Powerful Owl (*Ninox strenua*)

No migratory bird species and no threatened flora species were identified as requiring assessment.

The assessment has considered two (2) Threatened Ecological Communities as being within the proposed development footprint comprising:

- Swamp Oak Floodplain Forest (SOFF) and
- Bangalay Sand Forest of the Sydney Basin (BSF)

The Biodiversity Certification process manages the potential impact with the application including a Conservation Measures Implementation Plan and concept Vegetation Management Plan to be implemented in the event the development of the site is able to proceed.

It is further noted that the masterplan developed has been guided by the ecological constraints of the land and the bushfire management requirements so as to ensure that the ecological management of the land is not undermined by any bushfire planning requirements. In this regard the perimeter road network included in the concept layout provides a managed edges to the ecological values of the land to the west of the road and provides for a defendable perimeter for future development to the east of the proposed road layout.

Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The site is potentially impacted by:

- Flood hazard
- Bushfire Hazard
- Contamination; and the application
- Acid Sulfate soils

Flood Hazard

The proposal is supported by Water Management Report which includes a flood study for the site. The site is identified as sitting within a Low and Medium Flood Risk Precinct under the provisions of Pittwater 21 DCP. The flood study identifies that compliance is achieved for the proposed development concept for the developable portion of the site for the 50% and 20% AEP events. The flood study identifies that in the 1% AEP event a minor afflux of 25mm will occur which is 5mm above the accepted level increase. The 25mm level increase occurs in a non-residential area and no dwellings would be affected. Options to reduce the afflux to acceptable levels have been demonstrated such as pipes and culverts under the raised Boondah Road embankment and could be further investigated at the detailed development application design phase.

The flood study also identifies that the PMF event analysis demonstrates that there could be an increase in velocity above 10%. The velocity increase are within discrete areas and away from potential residential dwellings in the proposed flood storage cut areas. It is further identified that the velocity remains within the 0-0.5m/s range which is generally able to be accommodated by all material types.

The flood study demonstrates that with the implementation of the design approach to provide filled building platform areas and the Evacuation Plan the proposed residential development can proceed without undue risk to life and property from flood hazard and without causing undue risk to other land holdings.

Bushfire Hazard

A Bushfire Strategic Study has been undertaken for the preparation of the site masterplan to support the planning proposal. The assessment confirms that the development could be subject to bushfire threat from the forest communities to the west within the Warriewood Wetlands, from the Coastal Swamp Forest to the south and potential ember and radiant heat attack associated with the Coastal Swamp Forest along the creek line corridor east of Boondah Road.

The assessment provides for a combination of bushfire measures which have been incorporated in to the masterplan layout comprising:

- APZs in accordance with the acceptable solutions outlined within PBP 2019;
- Provision of access in accordance with the performance requirements outlined in PBP 2019;
- Water, electricity and gas supply in compliance with the acceptable solutions outlined in PBP 2019;
- Future dwelling construction in compliance with the appropriate construction sections of AS3959-2018, and PBP 2019

The strategic assessment has further identified that there is sufficient infrastructure capacity to support the expansion of residential development and that the increased demand on services is well within the available capacity to service potential demand.

Contamination

The site has been the subject of a Preliminary Site Investigation (PSI) with limited sampling.

The analysis has considered the sites historic use for market garden and orcharding activities as well as legacy landfilling and waste such as car bodies, soil stockpiles and hazardous building materials from current and former structures on the site.

The PSI identifies a number of recommendations broadly involving:

- Clearing of the site of overgrowth and abandoned vehicles and refuse to a facility able to legally accept the waste;
- A hazardous building materials inspection be undertaken

- Further investigations into the nature of the legacy landfills at the adjacent Boondah Reserve is recommended. If putrescible waste was disposed in these locations a preliminary landfill gas assessment may be recommended as part of the detailed contamination assessment
- Undertaking of a Detailed Site Investigation (DSI), including intrusive acid sulfate soil assessment, asbestos and supplementary waste classification; and
- Preparation of Remediation Action Plan to address the outcomes of the DSI

These could all readily be undertaken should urban development of the land become permissible and as part of any Development Application process.

Subject to the implementation of the recommendations at part 12 of the PSI the assessment concludes the site can be made suitable for future residential development.

Acid Sulfate Soils

The site is mapped as being Class 3 Acid Sulfate Soils with a minor intrusion of Class 2 Acid Sulfate Soils. Clause 7.1 of the Pittwater LEP establishes requirements to be met prior to the grant of Development Consent relative to the management of risks associated with the potential acid sulfate soil hazard.

In Class 2 land any work below the natural ground surface and which the water table is likely to be lowered requires the preparation of an Acid Sulfate Soils management plan. For Class 3 land an Acid Sulfate Soils management plan is required for development more than 1.0m below the natural ground level and which is likely to lower the water table by 1.0m.

It is observed from the masterplan that preparatory site works would involve filling of the land so as to provide a development platform above the identified flood planning level. Given the existing ground level is to be raised it is unlikely that adverse impacts from acid sulfate soils would arise. Regardless it is a matter that would be required to be addressed in detail at Development Application stage but a preliminary consideration identifies that this is unlikely to be an impediment to residential development.

Q10. Has the planning proposal adequately addressed any social and economic effects?

Affordable Housing

The application proposes the provision of four (4) dwellings as affordable rental housing to be managed by a registered community housing provider for a period of ten (10) years. This represents just under 10% of the anticipated dwelling yield demonstrated as being feasible in the masterplan prepared in support of the planning proposal. The four affordable housing dwellings are proposed in a manor home or two storey residential flat building typology to maximise the potential for single level residential accommodation to maximise the flexibility of potential occupants

Traffic and Transport

The Planning Proposal Request is supported by a Traffic Impact Assessment considering the impact of the potential traffic generation of the proposed 44 dwellings on the land. The assessment has considered the impact of the proposed additional dwellings upon the local network performance as well as the suitability of the proposed internal road network and connectivity to the existing public road network.

The assessment of impact of the additional traffic generation in the AM and PM peak hours identifies that intersection performance would remain consistent with the desired performance range from their hierarchy status in the Warriewood Valley Roads Masterplan.

The assessment confirms the suitability of the proposed internal road network for a Heavy Rigid Vehicle confirming its capacity to be serviced by waste vehicles and emergency vehicles such as fire tenders.

The central access road providing two way access into and out of the development would be assisted with the provision of a roundabout at the Boondah Road intersection of this proposed new road and which could be delivered via a future Development Application should the land be rezoned.

Open space

The proposal includes the provision of approximately 7,200m² of the site as open space. This open space is available to serve the incoming population generated by the proposal and would be accessible to the broader community and facilitate linkages through to the Warriewood Wetlands.

This level of open space provision for 44 dwellings equates to 163m² of open space opportunity per dwelling, well in excess of the open space planning provision for the remainder of the Warriewood Valley and is in addition to private open space opportunities provided to each individual dwelling. The concept include the provision of an embellished neighbourhood style playground to the south of the residential development accessible by a pedestrian through link and which acts as a gateway to the open space to the west of the site and the area of managed ecological community adjacent to the Warriewood Wetlands proposed to be zoned C2 Environmental Conservation.

Section D – Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the planning proposal?

The site is within an existing urban release and augmentation of necessary utility infrastructure is possible to support future residential development of the land.

Section E – State and Commonwealth Interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Agency views will be confirmed through the preliminary engagement phase of the consideration of the Planning Proposal request noting that the land is subject to a Biodiversity Certification application.

Further the yield of 44 dwellings does not trigger initial referral and engagement with TfNSW but regardless the application is supported by a traffic impact assessment.

Similarly the masterplan has been developed and fully informed by bushfire hazard management advice to ensure that the layout in a future Development Application would be suitable to receive the necessary Bush Fire Safety Authority.

Part 4 – Maps

This Planning Proposal recommends changes to the following maps:

- HOB_019 – Height of Buildings map to apply a maximum 15.0m height of buildings development standard to the land
- LSZ_019 – Minimum Lot size map to remove the application of the minimum subdivision lot size development standard from the land
- LZN_019 – Land Zoning Map to zone the land part R3 Medium Density Residential and Part C2 Environmental Conservation
- URA_019 – Urban Release Area map to identify the land as a sector to facilitate the identification of a dwelling yield at clause 6.1(3) of the PLEP 2014

The draft land zoning map is provided at Appendix 1.

Part 5 – Community Consultation

Part 1 of Schedule of the EP&A Act 1979 requires the relevant planning authority to consult with the community in accordance with the Gateway Determination.

Accordingly, public consultation will be undertaken in accordance with the requirements of the Gateway Determination, the publication Local Environmental Plan Making Guideline, and Practice Note PN16-001, and Council’s community engagement framework, including its Communications and Engagement Strategy.

It is expected that community consultation will be pursued consistent with standard practice of:

- Notification of surrounding land owners;
- Public notification in local newspaper/s;
- Notification on Council’s website; and
- Availability at Council’s customer service centre.

Should further consultation be required, this can be managed through the Gateway Process.

Consultation with public authorities will also be undertaken in accordance with the requirements of the Gateway Determination.

Part 6 – Project Timeline

Key steps in the plan making process are outlined in the project timeline, as shown in Table 4 below. The timeframes would be established by Council.

Milestone	Timeframe
Council’s sponsor of the Planning Proposal	
Submission to NSW Planning and Environment	
Gateway Determination issued	
Public exhibition (28 days) and public authority consultation	
Consideration of submissions	
Reporting of the Planning Proposal to Council	
Submission to NSW Planning and Environment	
Publication of LEP amendment	

Table 6: Indicative Project Timeline

Conclusion and Recommendations

This Planning Proposal for 10-12 Boondah Road has responded to the matters raised in previous considerations for Planning Proposal requests.

The land is no longer targeted for acquisition for open space and so is identified for potential residential development. The planning proposal has responded to the matters raised in Council's correspondence of 27 April 2021 and 22 July 2021 arising from preliminary discussions for the preparation of a draft Masterplan in support of a Planning Proposal.

The dwelling density of 22 dwellings per hectare is well below the target range for the Release area but delivers a housing typology consistent with development within Warriewood Valley and puts in place mechanisms to protect those parts of the site of biodiversity value.

The concept masterplan has been informed by detailed flooding, biodiversity and bushfire hazard management advice to provide the necessary balance between development opportunity and protection from known potential hazards.

The proposed masterplan layout makes a significant contribution towards the provision of passive open space and an embellished neighbourhood park play area. The concept includes the provision of four dwellings as affordable rental housing for a period of four years in addition to the open space opportunities.

The Planning Proposal request to rezone the land to R3 Medium Density Housing and C2 Environmental Conservation would facilitate the delivery of 40-45 dwellings on the land in a site that is extremely well located to support residential development and to provide walkable access to public transport provision and access to retail and recreation services and facilities.

The Planning Proposal request ensures that the potential of the site is best realised to maximise the benefit of the sites proximity to public transport, employment, education, and urban services.



Attachments

Attachment 1: Draft land zoning map

- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B7 Business Park
 - E National Parks and Nature Reserves
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - IN2 Light Industrial
 - IN4 Working Waterfront
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RL1 Rural Landscape
 - RL2 Forestry
 - RP1 Primary Production Small Lots
 - RP2 Transition
 - SP1 Special Activities
 - SP2 Infrastructure
 - SP3 Tourist
 - WT1 Natural Waterways
 - DM1 Deferred matter

