



PLANNING PROPOSAL PP0002/14

To amend the Lot Size Map in the Pittwater Local
Environmental Plan (LEP) 2014

TABLE OF CONTENTS

PART 1: OBJECTIVES OR INTENDED OUTCOMES.....	3
PART 2: EXPLANATION OF PROVISIONS.....	4
PART 3: JUSTIFICATION.....	11
SECTION A NEED FOR THE PLANNING PROPOSAL.....	11
SECTION B RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.....	13
SECTION C ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.....	14
SECTION D STATE AND COMMONWEALTH INTERESTS	15
PART 4: MAPPING	16
PART 5: COMMUNITY CONSULTATION	17
PART 6: PROJECT TIMELINE	18
APPENDIX 1: CONSIDERATION OF SEPPS	19
APPENDIX 2: CONSIDERATION OF SECTION 117 DIRECTIONS	21
APPENDIX 3: PROPOSED LOT SIZE MAP	24

PART 1: OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the Lot Size Map in the Pittwater Local Environmental Plan (LEP) 2014 to:

- Ensure properties that have a split zone also have a split minimum lot size
- Ensure that properties that should have a minimum lot size are identified on the Lot Size Map
- Remove properties from the Lot Size Map where a minimum lot size is unnecessary
- Ensure the correct minimum lot size applies to properties identified on the Lot Size Map

Council's General Manager (Council's sub-delegate) seeks to exercise the LEP making powers delegated under Section 59 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) in regard to this Planning Proposal. Council's General Manager requests that a Written Authorisation to Exercise Delegation be issued in regard to this Planning Proposal

PART 2: EXPLANATION OF PROVISIONS

1	Amend the Lot Size Map for the following properties that have a split zone. These properties should have a split minimum lot size:																																																
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	464 BARRENJOEY ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
	17B THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
	17A THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
	192 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	190 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	188 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	186 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	184 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	182 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	180 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	178 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	176 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	168A BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	166 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	164 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	160 BARRENJOEY ROAD, NEWPORT	Part zoned E2 Environmental Conservation
	1187 BARRENJOEY ROAD, PALM BEACH	Part zoned SP2 Infrastructure
	9 WARATAH ROAD, PALM BEACH	Part zoned SP2 Infrastructure
	1185 BARRENJOEY ROAD, PALM BEACH	Part zoned SP2 Infrastructure
	1131 BARRENJOEY ROAD, PALM BEACH	Part zoned RE1 Public Recreation
	1129 BARRENJOEY ROAD, PALM BEACH	Part zoned RE1 Public Recreation
	1129 BARRENJOEY ROAD, PALM BEACH	Part zoned RE1 Public Recreation

703 BARRENJOEY ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
701 BARRENJOEY ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
1 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
2 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
3 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
4 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
5 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
6 BILGOLA TERRACE, BILGOLA BEACH	Part zoned SP2 Infrastructure
521 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
517 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
25A PLATEAU ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
509 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
507 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
2 BILGOLA AVENUE, BILGOLA BEACH	Part zoned SP2 Infrastructure
1 ELANORA ROAD, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
67 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
69 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
71 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
73 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
92 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
15 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
17 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
19 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
21 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
23 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
25 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
27 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
31 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
55 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
59 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
59 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
63 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
65 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
67 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
69 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
73 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
75 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation

77 MARINE PARADE, AVALON BEACH	Part zoned E2 Environmental Conservation
30 WALANA CRESCENT, MONA VALE	Part zoned SP2 Infrastructure
119 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
119 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
91 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
129 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
5 CHILTERN ROAD, INGLESIDE	Part zoned SP2 Infrastructure
165 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
167 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
15 WIRREANDA ROAD, INGLESIDE	Part zoned SP2 Infrastructure
17 WIRREANDA ROAD, INGLESIDE	Part zoned SP2 Infrastructure
178 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
176 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
172 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
166 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
164 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
80-82 MONA VALE ROAD, MONA VALE	Part zoned SP2 Infrastructure
2 OLD BARRENJOEY ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
1A THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
1B THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
3 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
7A THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
9 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
11 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
15 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
22 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
20 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
20 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
18 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
16 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
14 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
12 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
10 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
8 THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
32 THE STRAND, WHALE BEACH	Part zoned RE1 Public Recreation
237 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
237A WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
92 WAKEHURST PARKWAY, NORTH NARRABEEN	Part zoned SP2 Infrastructure
92 WAKEHURST PARKWAY, NORTH NARRABEEN	Part zoned SP2 Infrastructure
96 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
98 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
102 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
104 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
106 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure

3 WARATAH ROAD, PALM BEACH	Part zoned SP2 Infrastructure
251 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
249 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
247 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
245A WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
245 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
243B WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
243A WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
73 WHALE BEACH ROAD, AVALON BEACH	Part zoned E2 Environmental Conservation
69 WHALE BEACH ROAD, AVALON BEACH	Part zoned E2 Environmental Conservation
67 WHALE BEACH ROAD, AVALON BEACH	Part zoned E2 Environmental Conservation
65 WHALE BEACH ROAD, AVALON BEACH	Part zoned E2 Environmental Conservation
174 PRINCE ALFRED PARADE, NEWPORT	Part zoned E2 Environmental Conservation
176 PRINCE ALFRED PARADE, NEWPORT	Part zoned E2 Environmental Conservation
505 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
35A PLATEAU ROAD, AVALON BEACH	Part zoned SP2 Infrastructure
56 ATTUNGA ROAD, NEWPORT	Part zoned SP2 Infrastructure
58 ATTUNGA ROAD, NEWPORT	Part zoned SP2 Infrastructure
14A THE SERPENTINE, BILGOLA BEACH	Part zoned SP2 Infrastructure
20 MANOR ROAD, INGLESIDE	Part zoned SP2 Infrastructure
46 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
42-44 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
166 PRINCE ALFRED PARADE, NEWPORT	Part zoned E2 Environmental Conservation
170 PRINCE ALFRED PARADE, NEWPORT	Part zoned E2 Environmental Conservation
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
18-30 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
58 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
58 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
58 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127B MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127B MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127B MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127B MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
127B MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
1062 BARRENJOEY ROAD, PALM BEACH	Part zoned SP2 Infrastructure
54 INGLESIDE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
ACCESS STRIP	Part zoned SP2 Infrastructure
25B PLATEAU ROAD, AVALON BEACH	
1-21 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
1-21 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
1-21 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure

	1-21 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	1-21 LANE COVE ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	241 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
	241 WHALE BEACH ROAD, WHALE BEACH	Part zoned RE1 Public Recreation
	20 ADDISON ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	100 WAKEHURST PARKWAY, ELANORA HEIGHTS	Part zoned SP2 Infrastructure
	36-60 LAUREL ROAD WEST, INGLESIDE	Part zoned SP2 Infrastructure
	36-60 LAUREL ROAD WEST, INGLESIDE	Part zoned SP2 Infrastructure
	58-76 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	58-76 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	58-76 WARATAH ROAD, INGLESIDE	Part zoned SP2 Infrastructure
	51,52A,52B ATTUNGA ROAD, NEWPORT	Part zoned SP2 Infrastructure
	513-535 BARRENJOEY ROAD, BILGOLA BEACH	Part zoned SP2 Infrastructure
	34 LAUREL ROAD EAST, INGLESIDE	Part zoned SP2 Infrastructure
	34 WARATAH ROAD, INGLESIDE	Whole property
	127A,134,142-144,146,148 MONA VALE ROAD, INGLESIDE	Part zoned SP2 Infrastructure

4	Amend the Lot Size Map to apply the correct minimum lot size to the following properties:	
	Property	Description
	87 ALEXANDRA CRESCENT, BAYVIEW	LSZ-Q
	75 ALEXANDRA CRESCENT, BAYVIEW	LSZ-Q
	10 BAROONA ROAD, CHURCH POINT	LSZ-Q
	12 ILYA AVENUE, BAYVIEW	LSZ-Q
	165 MCCARRS CREEK ROAD, CHURCH POINT	LSZ-Q
	163 MCCARRS CREEK ROAD, CHURCH POINT	LSZ-Q
	151 MCCARRS CREEK ROAD, CHURCH POINT	LSZ-Q
	149A MCCARRS CREEK ROAD, CHURCH POINT	LSZ-Q
	147 MCCARRS CREEK ROAD, CHURCH POINT	LSZ-Q
	6 TAMINGA STREET, BAYVIEW	LSZ-Q
	9 TAMINGA STREET, BAYVIEW	LSZ-Q
	10 TAMINGA STREET, BAYVIEW	LSZ-Q
	11 TAMINGA STREET, BAYVIEW	LSZ-Q
	12 TAMINGA STREET, BAYVIEW	LSZ-Q
	13 TAMINGA STREET, BAYVIEW	LSZ-Q

The proposed Lot Size Map (map sheets 007, 010, 011, 012, 013, 014, 015, 016, 017, 018, and 019) is at **Appendix 3**.

PART 3: JUSTIFICATION

Section A Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal stems from the preparation of the Pittwater LEP 2014 in line with the *Standard Instrument—Principal Local Environmental Plan* (Standard Instrument).

On 5 November 2007, Council resolved to commence the statutory process to prepare a new LEP for Pittwater in line with the Standard Instrument.

In August 2011, Council adopted the *Pittwater Local Planning Strategy*, which was prepared to establish an equitable, consistent and transparent policy framework for local level planning to guide land use planning and decision-making into the future.

The *Pittwater Local Planning Strategy* identified that Pittwater is on track to achieve set housing and employment targets (as identified in the relevant Metropolitan Strategy for Sydney at the time – *A City of Cities – A Plan for Sydney's Future* and the draft North East Subregional Strategy) without the need to increase housing or employment capacity in the Local Government Area (LGA). The *Pittwater Local Planning Strategy* provided the basis for preparing the Pittwater LEP 2014.

Having established that the planning regime in Pittwater was adequate to meet our targets, Council resolved to undertake a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993. In line with this, the Lot Size Map was intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

The draft Pittwater LEP was placed on public exhibition on two occasions – between 16 March and 10 May 2013, and between 2 and 29 November 2013. During the second public exhibition of the draft Pittwater LEP a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map. These were reported to Council on 20 December 2013 with a recommendation that the Lot Size Map be amended to rectify such omissions.

On 20 December 2013, Council resolved to adopt the draft Pittwater LEP, and all proposed amendments, and endorsed it being forwarded to the Department of Planning & Environment for finalisation.

During the process of finalising the Pittwater LEP 2014 the required amendments to the Lot Size Map (as identified during the second public exhibition and reported to Council on 20 December 2013) were not made.

A comprehensive review of the Lot Size Map (as in effect on 27 June 2014), was undertaken to ensure a robust Lot Size Map. Subsequently, further required amendments were identified and are proposed to be made to the Lot Size Map.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the best means of achieving the objectives outlined in this Planning Proposal.

The alternative would be to initiate a Section 73A (Expedited amendments of environmental planning instruments); however it is preferable to inform the community, particularly affected

land owners, of the changes proposed to the Lot Size Map. No public exhibition is required under Section 73A.

Section B Relationship to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal is considered to be consistent with the objectives or actions contained within the regional or sub-regional strategy.

As the *Pittwater Local Planning Strategy* identified that Pittwater is on track to achieve set housing and employment targets (as identified in the relevant Metropolitan Strategy for Sydney at the time – *A City of Cities – A Plan for Sydney's Future* and the draft North East Subregional Strategy) without the need to increase housing or employment capacity in the LGA, Council resolved to undertake a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993. In line with this, the Lot Size Map was intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

4. Is the planning proposal consistent with the council's local strategy or other local strategic plan?

The Planning Proposal is considered to be consistent with the *Pittwater Local Planning Strategy*.

As the *Pittwater Local Planning Strategy* identified that Pittwater is on track to achieve set housing and employment targets (as identified in the relevant Metropolitan Strategy for Sydney at the time – *A City of Cities – A Plan for Sydney's Future* and the draft North East Subregional Strategy) without the need to increase housing or employment capacity in the LGA, Council resolved to undertake a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993. In line with this, the Lot Size Map was intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered to be consistent with the relevant State Environmental Planning Policies (see **Appendix 1**).

6. Is the planning proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

The Planning Proposal is considered to be consistent with the applicable Ministerial Directions (see **Appendix 2**).

Section C Environmental, social and economic impact

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

As the Lot Size Map was intended to directly translate the subdivision controls as specified in the Pittwater LEP 1993, there will not be any change from the previous planning regime in relation to subdivision, and, subsequently, it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of amending the Lot Size Map.

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

As the Lot Size Map was intended to directly translate the subdivision controls as specified in the Pittwater LEP 1993, there will not be any change from the previous planning regime in relation to subdivision, and, subsequently, it is unlikely that other environmental effects will result from amending the Lot Size Map.

9. How has the planning proposal adequately addressed any social and economic effects?

As Council resolved to undertake a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993, all care was taken within the bounds of the Standard Instrument, to ensure that the new LEP for Pittwater provides for development outcomes (including social and economic outcomes) generally consistent with the previous Pittwater LEP 1993 where appropriate.

Notwithstanding this, the draft Pittwater LEP was placed on public exhibition on two occasions to gauge the views of the Pittwater community. Community Engagement Outcome Reports were prepared following each public exhibition to demonstrate how all submissions received were considered and subsequent amendments were made to the draft Pittwater LEP 2014 where appropriate.

With regard to the economic effects of the Planning Proposal, two properties were inadvertently given an increased development potential in the form of applying a minimum lot size that was smaller than that which applied under the previous Pittwater LEP 1993. As this was undertaken in error and it was always the intention to undertake a 'like for like' approach to preparing the new LEP for Pittwater, amending the minimum lot size for these properties to be consistent with the subdivision controls under the previous Pittwater LEP 1993 is considered to be fair and equitable.

Section D State and Commonwealth interests

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

No public infrastructure is required as a result of amending the Lot Size Map.

As Council resolved to undertake a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?

When the draft Pittwater LEP was placed on public exhibition on both occasions, letters were sent to relevant Commonwealth and State public authorities for comment. Any submissions received in relation to the Lot Size Map would have been considered and addressed in the Community Engagement Outcome Reports prepared following each public exhibition.

For the purpose of this Planning Proposal, no formal consultation has been undertaken to date. Once a Gateway Determination is issued, consultation with all required public authorities will be undertaken.

PART 4: MAPPING

The proposed Lot Size Map (map sheets 007, 010, 011, 012, 013, 014, 015, 016, 017, 018, and 019) is at **Appendix 3**.

PART 5: COMMUNITY CONSULTATION

The Planning Proposal is considered a 'low impact' proposal as the Lot Size Map was intended to directly translate the subdivision controls as specified in the Pittwater LEP 1993.

In keeping with '*A guide to preparing local environmental plans*' (Department of Planning & Infrastructure, 2012), the following is proposed:

- A 28-day public exhibition
- Notification in writing to all affected land owners, registered Pittwater community groups and chambers of commerce, and relevant public authorities and State agencies at the commencement of the public exhibition
- Notification in the Manly Daily at the commencement of the public exhibition
- Displays of the relevant documentation at Council's Customer Service Centres and libraries for the duration of the public exhibition
- Information about the amendments to the Lot Size Map on Council's website for the duration of the public exhibition

PART 6: PROJECT TIMELINE

Planning Proposal Milestone	Timeframe	Anticipated Completion Date
Date of Gateway determination	5 weeks from Council decision to forward Planning Proposal to Gateway	Week commencing 22 December 2014
Completion of required technical information	<i>Due to the nature of the Planning Proposal it is not anticipated that additional technical information will be required</i>	-
Government agency consultation	Formal consultation, as required by the Gateway Determination, will be undertaken concurrent to the public exhibition	February 2015 (not in January due to school holidays)
Public exhibition	28 days	February 2015
Consideration of submissions	2 weeks following the public exhibition	February-March 2015
Consideration of Planning Proposal post-exhibition and report to Council	4 weeks following the public exhibition	March-April 2015
Submission to Department of Planning & Environment	Following Council decision to finalise draft Pittwater LEP	March-April 2015
RPA to make plan (if delegated)	2 weeks from receipt of final draft Lot Size Map and/or final draft instrument	April-May 2015
Notification of LEP/LEP comes into force	1 week from RPA making the plan	May 2015

Appendix 1: Consideration of SEPPS

The following SEPP's are relevant to the Pittwater LGA. The table below identifies which of the relevant SEPPs apply to the Planning Proposal (or not) and, if applicable, whether the Planning Proposal is consistent with the provisions of the SEPP.

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent	Reason for inconsistency
SEPP No 1 – Development Standards	NO	-	-
SEPP No 14 – Coastal Wetlands	NO	-	-
SEPP No 21 – Caravan Parks	YES	Yes, though if not, it is noted that the SEPP will prevail	-
SEPP No 26 – Littoral Rainforests	NO	-	-
SEPP No 30 – Intensive Agriculture	NO	-	-
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	NO	-	-
SEPP No 33 – Hazardous and Offensive Development	NO	-	-
SEPP No 44 – Koala Habitat Protection	NO	-	-
SEPP No 50 – Canal Estate Development	NO	-	-
SEPP No 55 – Remediation of Land	NO	-	-
SEPP No 62 – Sustainable Aquaculture	NO	-	-
SEPP No 64 – Advertising and Signage	NO	-	-
SEPP No 65 – Design Quality of Residential Flat Development	NO	-	-
SEPP No 70 – Affordable Housing (Revised Schemes)	NO	-	-
SEPP 71 – Coastal Protection	NO	-	-
SEPP (Affordable Rental Housing) 2009	NO	-	-
SEPP (Building Sustainability Index: BASIX) 2004	NO	-	-
SEPP (Exempt and Complying Development Codes) 2008	NO	-	-

SEPP (Housing for Seniors or People with a Disability) 2004	NO	-	-
SEPP (Infrastructure) 2007	NO	-	-
SEPP (Major Development) 2005	NO	-	-
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NO	-	-
SEPP (Miscellaneous Consent Provisions) 2007	NO	-	-
SEPP (State and Regional Development) 2011	NO	-	-

If there are any inconsistencies with any applicable SEPP, it is noted that the SEPP will prevail to the extent of the inconsistency.

The following is a list of the deemed SEPPs (formerly Sydney Regional Environmental Plans) relevant to the Pittwater LGA. The table below identifies which of the relevant deemed SEPPs apply to the Planning Proposal (or not) and, if applicable, whether the Planning Proposal is consistent with the provisions of the deemed SEPP.

Title of deemed SEPP, being Sydney Regional Environmental Plan (SREP)	Applicable	Consistent	Reason for inconsistency
SREP No 20 – Hawkesbury-Nepean River (No 2 -1997)	NO	-	-

Appendix 2: Consideration of Section 117 Directions

1 Employment and Resources

	Direction	Applicable	Consistent
1.1	Business and Industrial Zones	YES	YES
1.2	Rural Zones	YES	YES
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

2 Environment and Heritage

	Direction	Applicable	Consistent
2.1	Environment Protection Zones	YES	YES
2.2	Coastal Protection	YES	YES
2.3	Heritage Conservation	YES	YES
2.4	Recreation Vehicle Areas	NO	N/A

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

3 Housing, Infrastructure and Urban Development

	Direction	Applicable	Consistent
3.1	Residential Zones	YES	YES
3.2	Caravan Parks and Manufactured Home Estates	YES	YES
3.3	Home Occupations	YES	YES
3.4	Integrating Land Use and Transport	YES	YES
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

4 Hazard and Risk

	Direction	Applicable	Consistent
4.1	Acid Sulphate Soils	YES	YES
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	YES
4.4	Planning For Bushfire Protection	YES	YES

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

5 Regional Planning

	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchment	NO	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	-	-
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008)	-	-
5.7	Central Coast (Revoked 18 June 2010)	-	-
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A
5.9	North West Rail Link Corridor Strategy	NO	N/A

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

6 Local Plan Making

	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Provisions	NO	N/A

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

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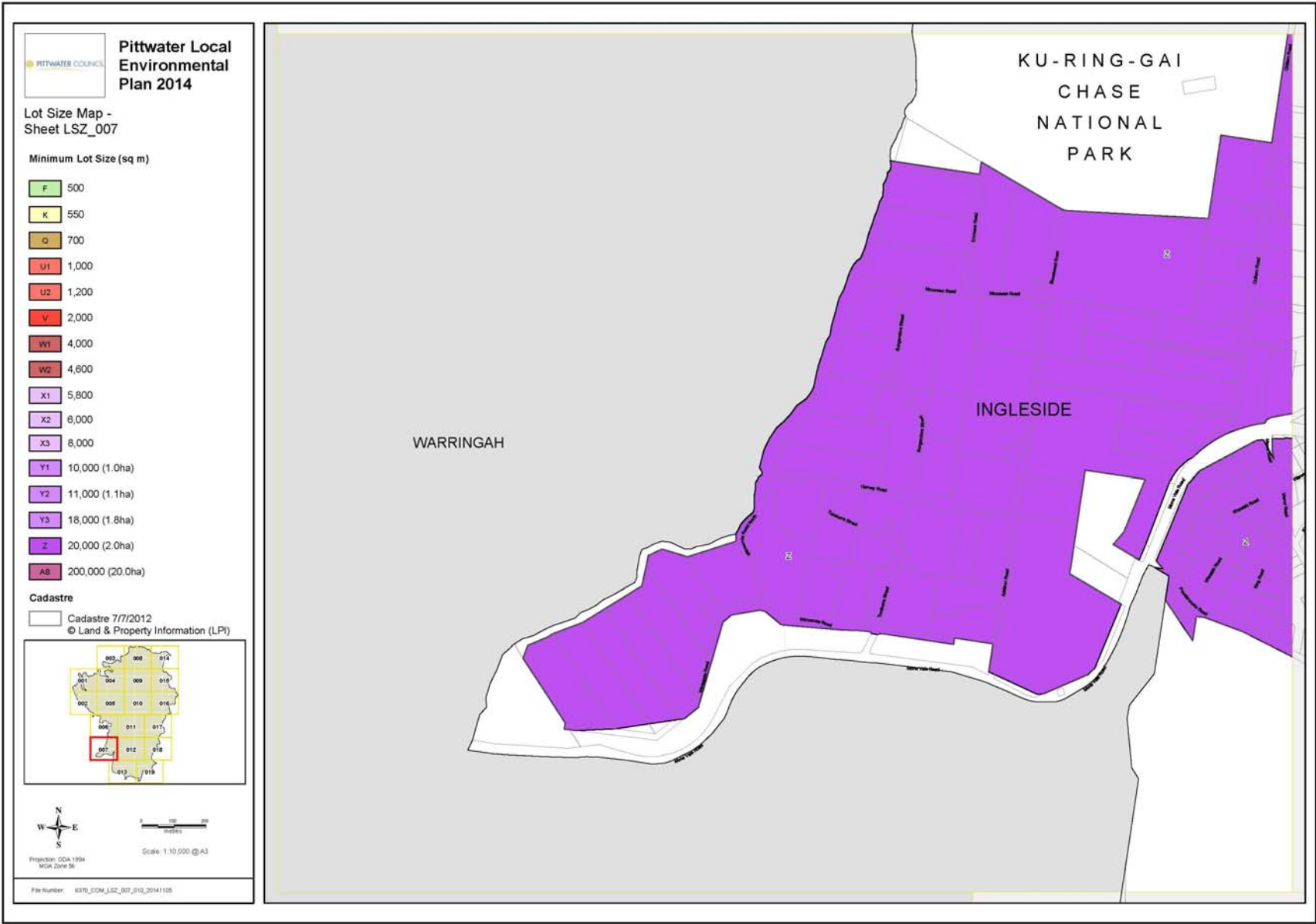
7 Metropolitan Planning

	Direction	Applicable	Consistent
7.1	Implementation of the Metropolitan Plan for Sydney 2036	YES	YES

As the approach to preparing the Pittwater LEP 2014 in line with the Standard Instrument was intended to be a 'like for like' approach to preparing the new LEP for Pittwater, or a translation of the previous LEP – the Pittwater LEP 1993 – the Lot Size Map was subsequently intended to translate the subdivision controls as specified in the Pittwater LEP 1993.

As a number of omissions (inconsistencies with the previous Pittwater LEP 1993) were identified on the Lot Size Map (as in effect on 27 June 2014), the Planning Proposal intends to rectify such omissions to ensure consistency with the previous Pittwater LEP 1993.

Appendix 3: Proposed Lot Size Map





Pittwater Local Environmental Plan 2014

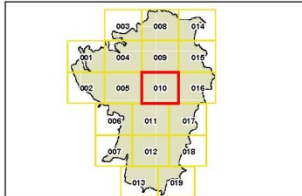
Lot Size Map - Sheet LSZ_010

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
W1	4,000
W2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

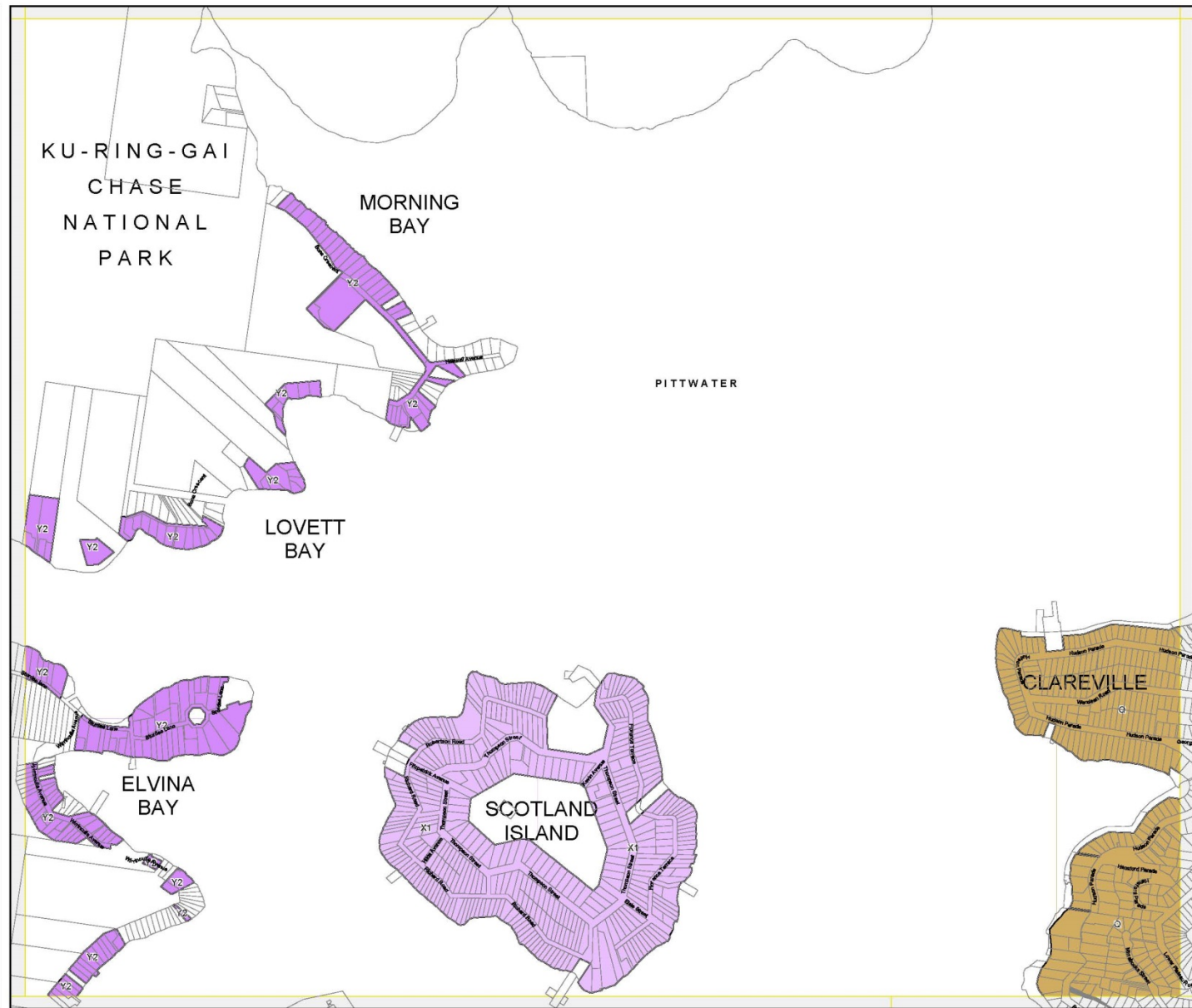
Cadastre

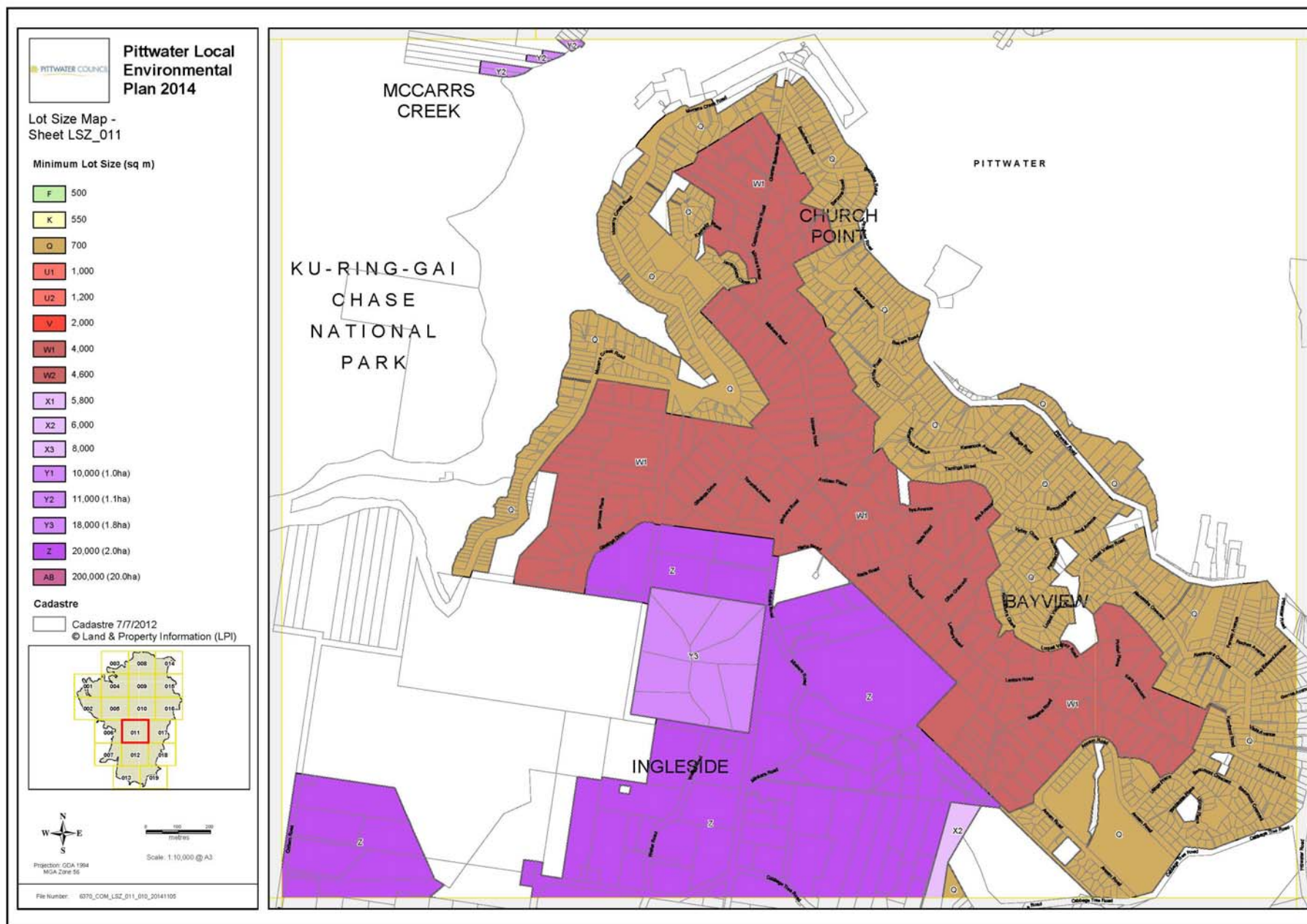
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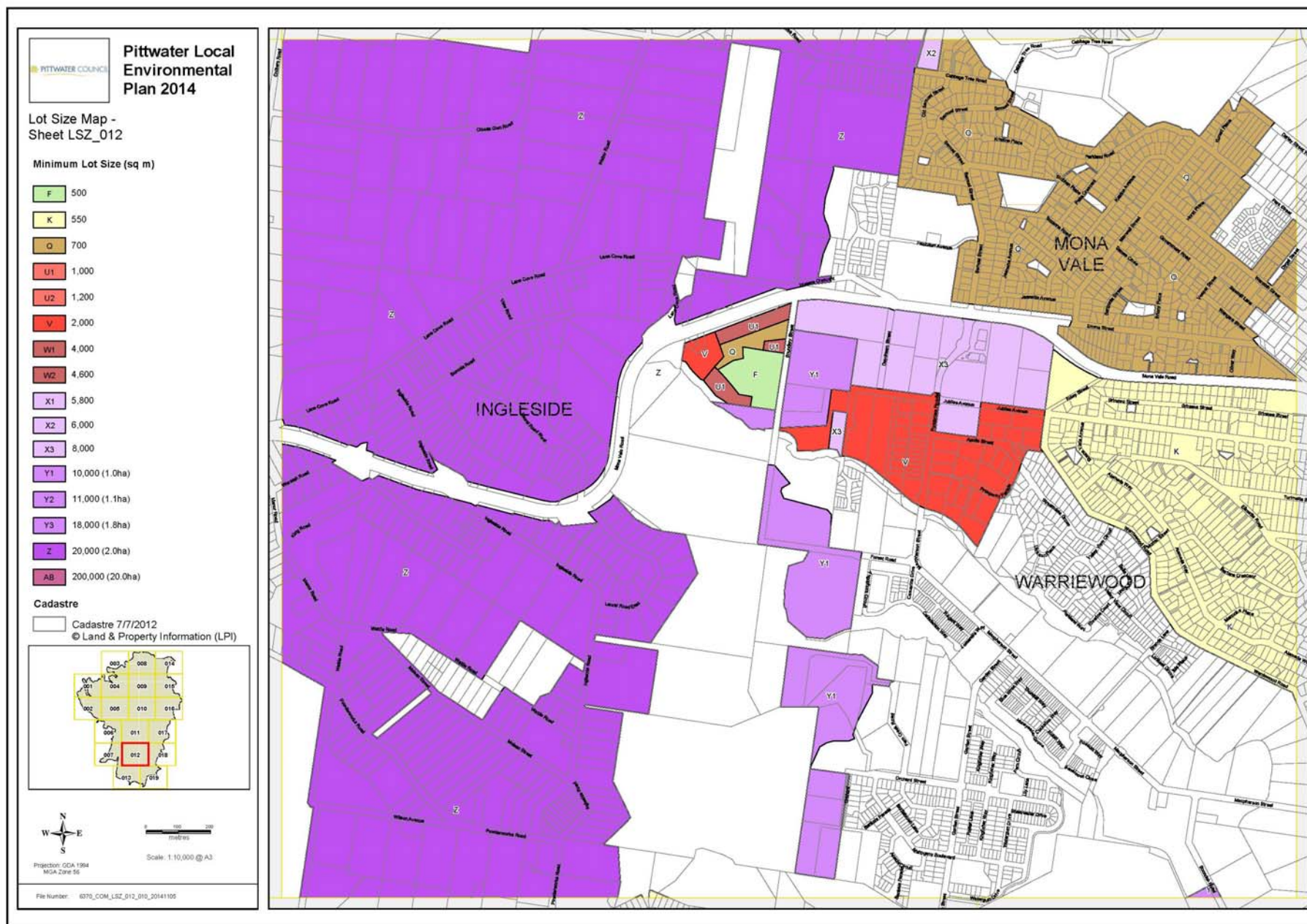


Projection: GDA 1994
MGA Zone 56

File Number: 6370_CDM_LSZ_010_20141105









Pittwater Local Environmental Plan 2014

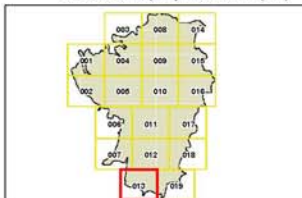
Lot Size Map - Sheet LSZ_013

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
V1	4,000
V2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastre

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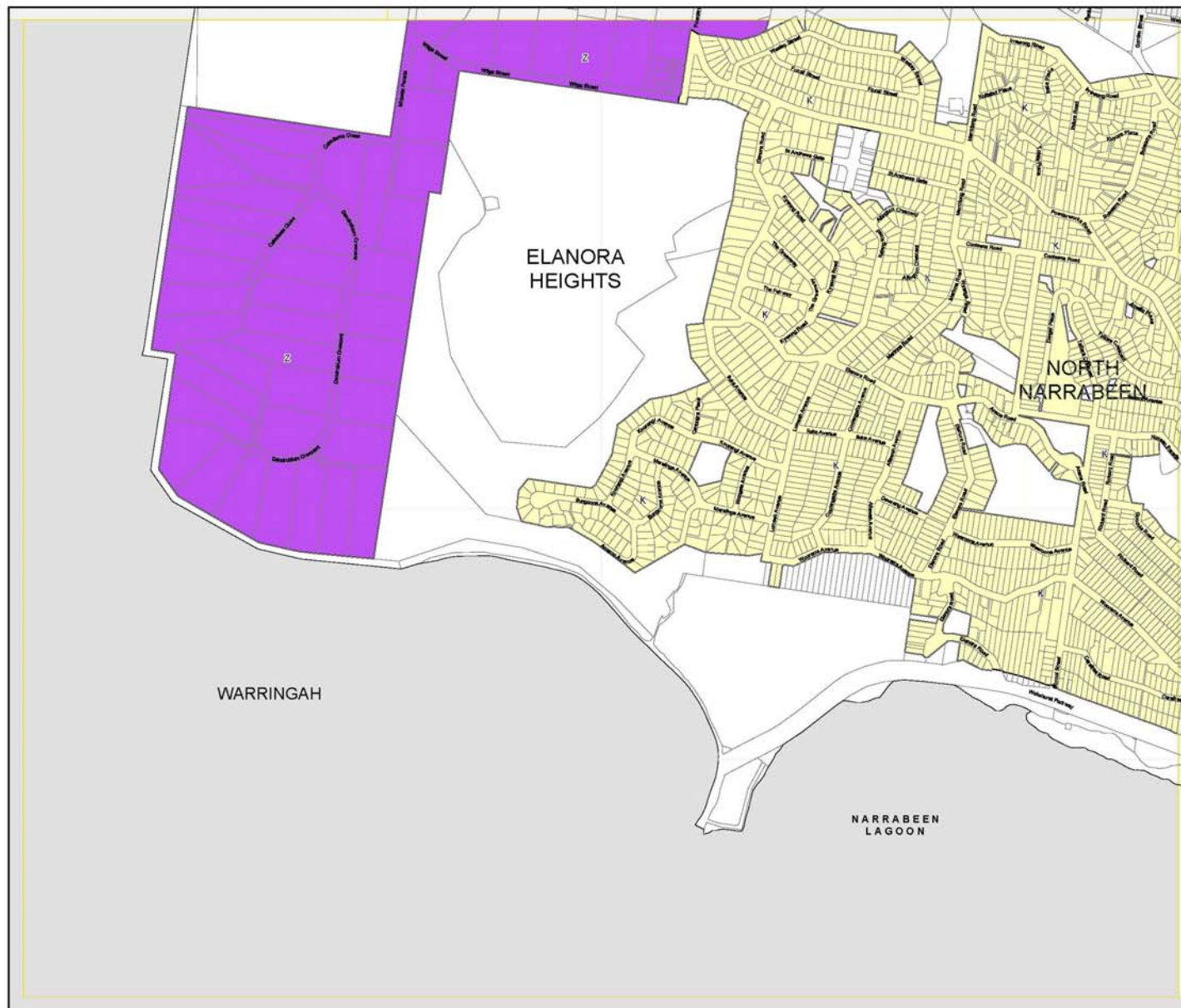


Projection: GDA 1984
MGA Zone 55



Scale: 1:10,000 @ A3

File Number: 6370_COM_LSZ_013_010_20141105





Pittwater Local Environmental Plan 2014

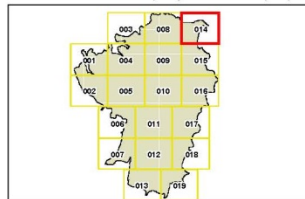
Lot Size Map - Sheet LSZ_014

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
W1	4,000
W2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastre

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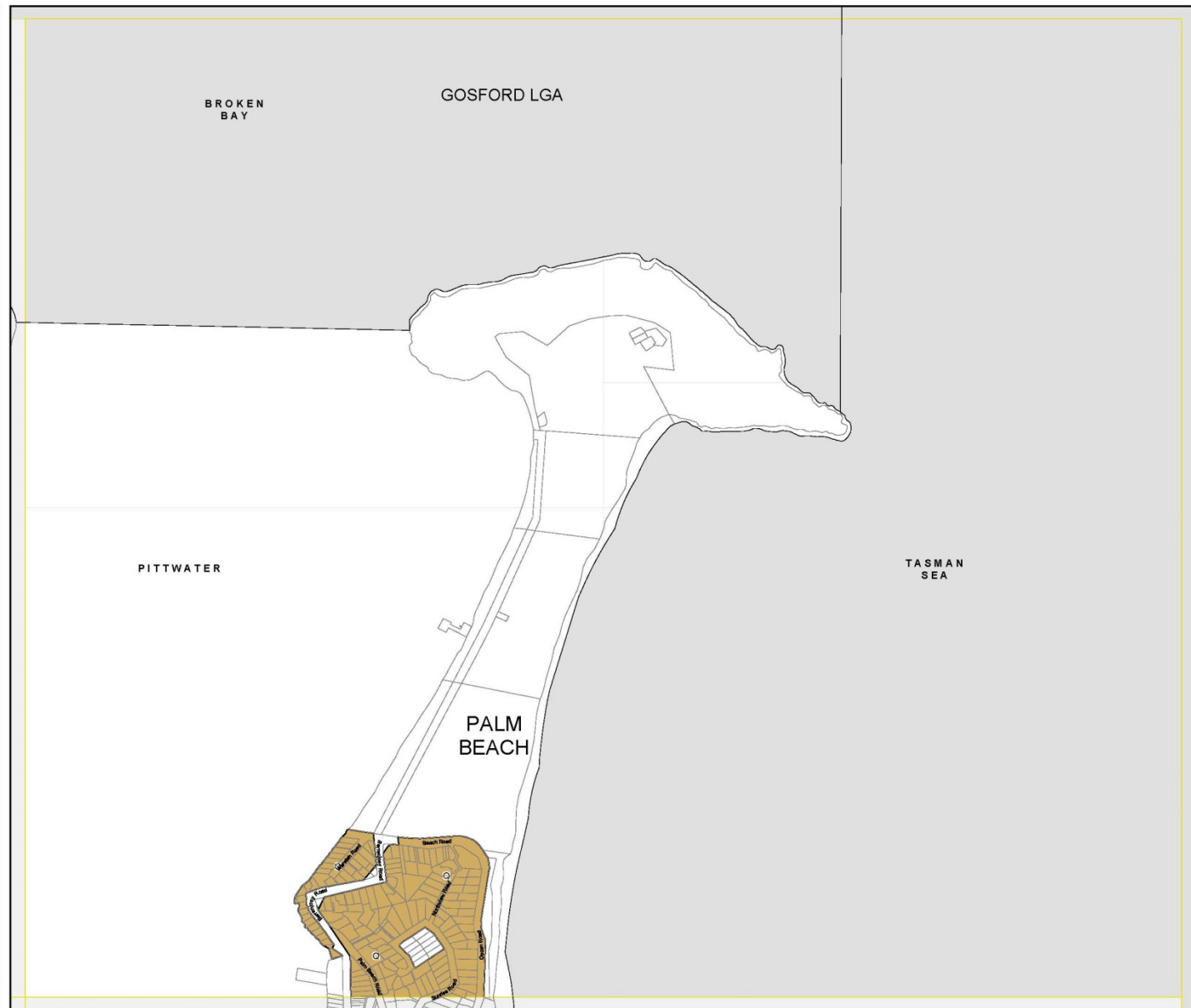


0 100 200
metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:10,000 @ A3

File Number: 6370_CDM_LSZ_014_010_20141105





Pittwater Local Environmental Plan 2014

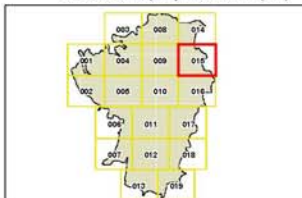
Lot Size Map - Sheet LSZ_015

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
V1	4,000
V2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastre

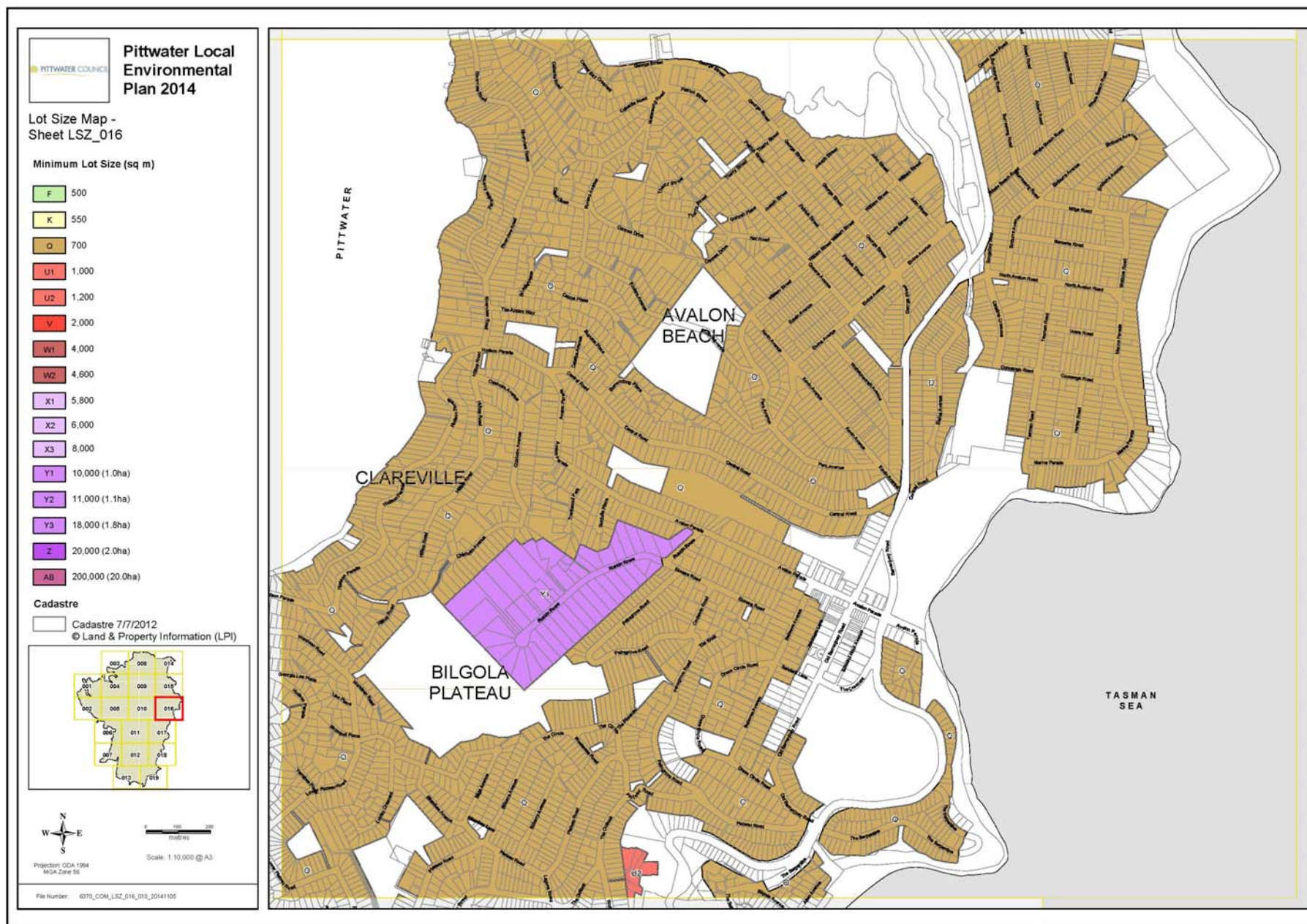
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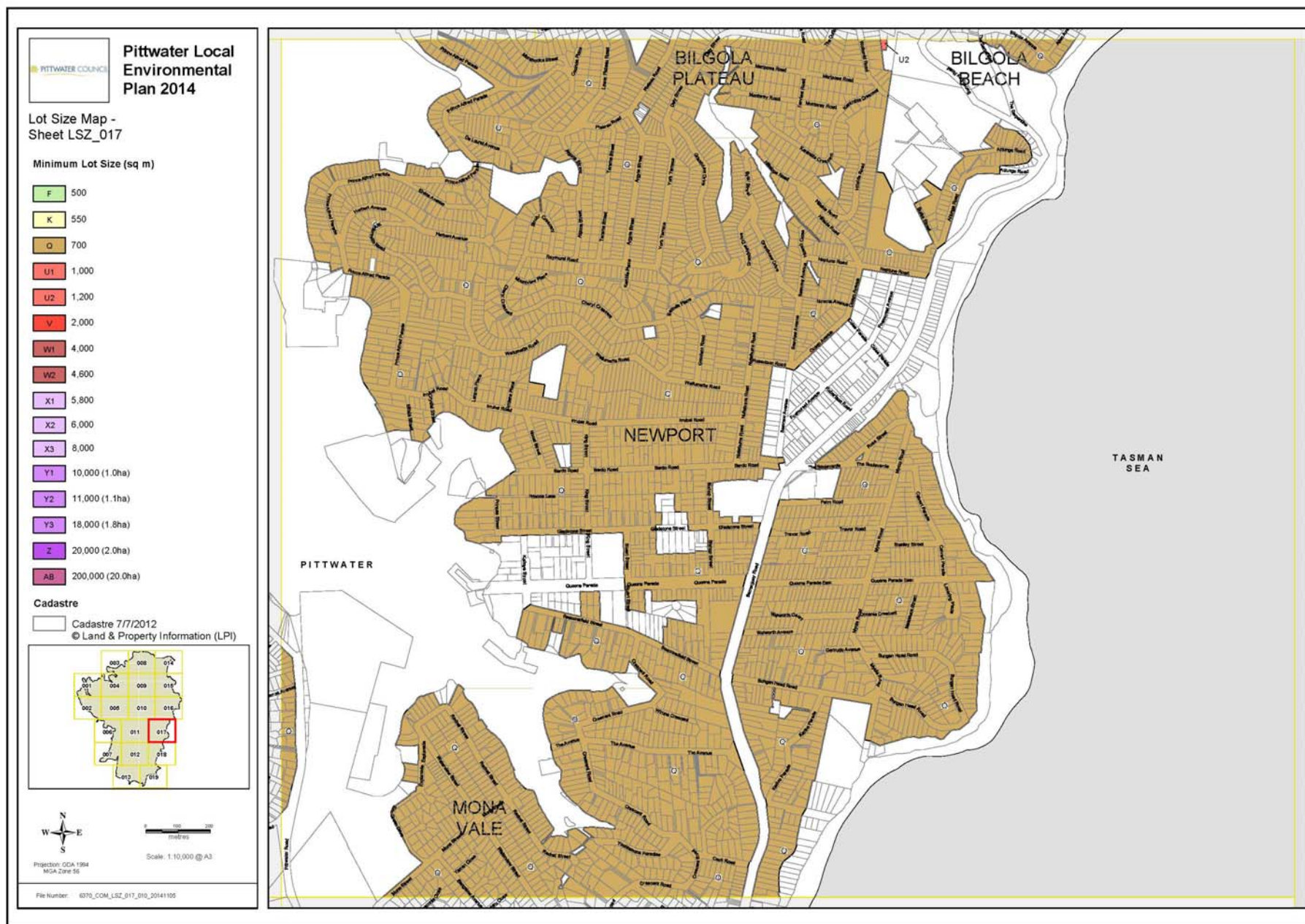


Projection: GDA 1984
MGA Zone 55

File Number: 6370_COM_LSZ_015_010_20141105









Pittwater Local Environmental Plan 2014

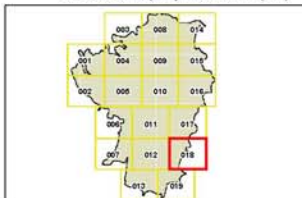
Lot Size Map - Sheet LSZ_018

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
VV1	4,000
VV2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastral

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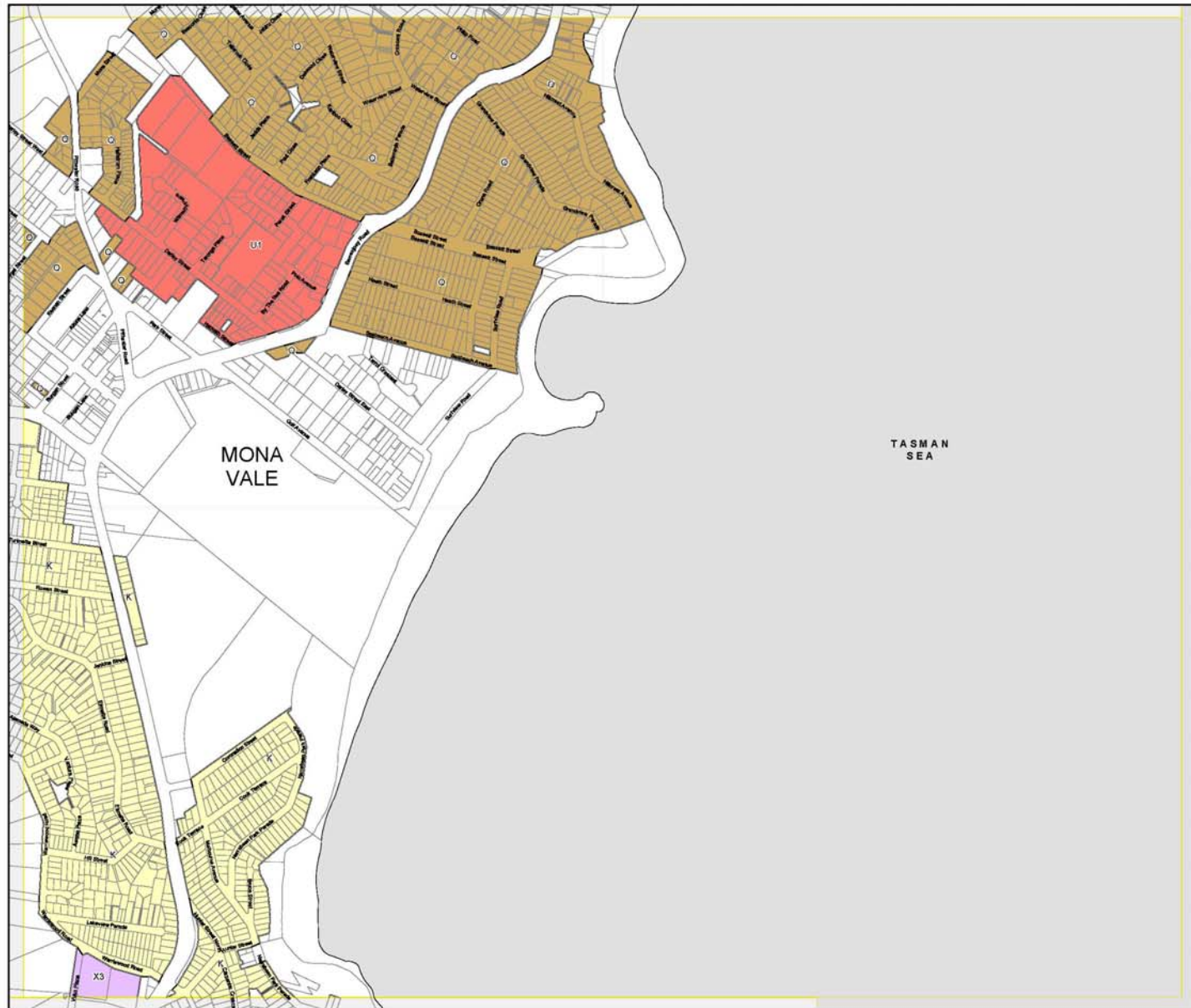


Projection: GDA 1984
MGA Zone 55



Scale: 1:10,000 @ A3

File Number: 6370_COM_LSZ_018_010_20141105





Pittwater Local Environmental Plan 2014

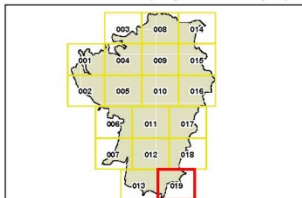
Lot Size Map - Sheet LSZ_019

Minimum Lot Size (sq m)

F	500
K	550
Q	700
U1	1,000
U2	1,200
V	2,000
W1	4,000
W2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

Cadastre

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0 100 200
metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:10,000 @ A3

File Number: 6370_CDM_LSZ_019_010_20141105

