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**Sent:** 23/09/2016 9:48:27 AM  
**Subject:** Planning Proposal - PP0002/16 - Council's Letter Requesting Additional Information  
**Attachments:** PP0002-16 - Add info request - 9,11,12,13 Fern Creek Rd, Warriewood.pdf;  
PP0002-16 - Add info request - 9,11,12,13 Fern Creek Rd, Warriewood.pdf;

#ECMBODY  
#QAP Default  
#SILENT  
#NOREG

Regards,

**Sylvania Mok**

(Available all weekdays except Wednesdays)

Planner – Land Release  
Northern Beaches Council – North | PO Box 882 Mona Vale NSW 1660  
T: 9970 1214  
Email: [sylvania.mok@northernbeaches.nsw.gov.au](mailto:sylvania.mok@northernbeaches.nsw.gov.au)



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**From:** Sylvania Mok  
**Sent:** Tuesday, 20 September 2016 6:35 PM  
**To:** 'Jillian@glnplanning.com.au'  
**Cc:** Liza Cordoba  
**Subject:** Planning Proposal - PP0002/16 - Council's Letter Requesting Additional Information

Hi Jillian,

Attached is Council's letter requesting additional information. Please feel free to ring me to discuss content and to arrange a meeting as indicated in Council's letter.

Hardcopy has also been posted.

Regards,

**Sylvania Mok**

(Available all weekdays except Wednesdays)

Planner – Land Release  
Northern Beaches Council – North | PO Box 882 Mona Vale NSW 1660

**T: 9970 1214**

**Email: [sylvania.mok@northernbeaches.nsw.gov.au](mailto:sylvania.mok@northernbeaches.nsw.gov.au)**



Sylvania Mok, Land Release Planner (Mona Vale)  
Phone 9970 1214 (Mondays, Tuesdays, Thursdays and Fridays)

20 September 2016

Ms J Sneyd  
GLN Planning Pty Ltd  
GPO Box 5013  
Sydney NSW 2001

Email: [Jillian@glnplanning.com.au](mailto:Jillian@glnplanning.com.au)

Dear Ms Sneyd

**RE: Planning Proposal Application PP0002/16**

I refer to your application and confirm that Council has engaged a planning consultant to undertake the assessment of this application. Additionally, Procure Group has been engaged to undertake a probity oversight on the assessment of this application.

Council's consultant has completed their preliminary assessment including the consideration of submissions received at the non-statutory consultation phase, to which a number of matters have been identified that require your further consideration, namely:

- 1). More detailed information is necessary to address the broader principles of this Planning Proposal, in terms of:

(a) *Objectives or intended outcome:*

This planning proposal does not clearly define the objectives or intended outcomes of the rezoning. In this section the applicant has stated that the objective is 'the creation of the southern portion of the planned Central Local Park'. The planning proposal introduces further objectives later in the report (p12) including the 'delivery of infrastructure to enable the unlocking of development opportunities for the northern half of Sector 9'.

If these objectives are part of the planning proposal they need to be included up front or if the objectives are outcomes of the main objective of 'creating the Central Local Park' then this needs to be more clearly articulated.

(b) *Proposed Amendments:*

This Planning Proposal is being assessed on the amendments proposed by the applicant, therefore all amendments required to facilitate the planning proposal must be listed in Part 1 (p1) and Table 2 (p3).

The proposed amendments must include an assessment and recommendation for any reclassification and/or classification proposed under the provisions of the *Local Government Act 1993*. The Planning Proposal is currently silent on the reclassification issue. In the event that the applicant does not consider a reclassification of land is warranted, then supporting information should be submitted addressing why a reclassification is not necessary. For example, documentary evidence adequately demonstrating how Council land (9 Fern Creek Road) was formally classified as 'Operational Land' in accordance with the Local Government Act and specifically adhered with section 34 of that Act.

(c) *Strategic justification for the Planning Proposal:*

The compelling need for this Planning Proposal has not been clearly argued.

A brief history of the site has been provided however the strategic justification for the proposal would benefit from a more detailed history that demonstrates Council's long term planning for the Warriewood Valley Release Area and more specifically the Central Local Park, the decision to rezone the site R3 medium density, the recreational planning provisions in Warriewood Valley Release Area and the decision by Council to not allocate a dwelling yield to the site.

(d) *Responding to the question "Is the planning proposal the best means of achieving the outcomes, or is there a better way?"*

If the applicant decides that an objective of the planning proposal is 'delivery of infrastructure to enable the unlocking of development opportunities for the northern half of Sector 9' then discussion is needed as to whether there are alternative means to unlocking the development opportunity through, for example, alternative road provision.

(e) *Environmental, social and economic impacts:*

A planning proposal is usually accompanied by a number of studies to support its objectives. These studies may include:

- |   |   |
|---|---|
| <input type="checkbox"/> Aboriginal heritage  | <input type="checkbox"/> Hydrology and flooding |
| <input type="checkbox"/> Bushfire prone land  | <input type="checkbox"/> Land contamination     |
| <input type="checkbox"/> Geotechnical hazards | <input type="checkbox"/> Traffic                |

This planning proposal relies heavily on previous studies undertaken as part of the *Warriewood Valley Strategic Review* report and the *Warriewood Valley Strategic Review Addendum* report. As a minimum, the planning proposal should extract the findings for these studies specific to the subject land and identify any gaps in study data.

Any environmental, social or economic impact not covered sufficiently by previous studies will require a report to be prepared and accompany the planning proposal.

(f) *Dwelling density allocations:*

Justification needs to be provided for the increase in dwellings resulting from this Planning Proposal in particular, is there any implications for Council's Section 94 planning and does it exceed the cap of 2544 dwellings stipulated by Roads and Maritime Services (RMS) in their submission on the *Warriewood Valley Strategic Review Addendum* report exhibition.

2). Justification in support for the proposed rezoning that addresses the Department of Planning's *Guidance for merged councils on planning functions* (May 2016), in particular page 20 of that Guide where it reads as follows –

*"Until elected councils are in place the Department won't be authorising council delegations unless the planning proposal is for:*

- *Minor mapping alterations, errors or anomalies;*
- *Changes to heritage sites already supported by Office of Environment and Heritage;*
- *Rezoning consistent with an endorsed strategy of the (pre-merger) council; or*
- *Other matters of local significance as identified by the Department of Planning and Environment."*

- 3). Additional matters identified in a Detailed Table (appended to this letter), outlining the areas requiring further attention within the planning proposal either through the provision of more information or amending factual inadequacies.

Given the range of matters requiring further addressment before the assessment of this application can be finalised, a meeting with Council and its planning consultant can be arranged with your client and yourself to discuss the content of this letter. In this regard, please contact Sylvania Mok on 9970 1214 to arrange the meeting.

Regards



Liza Cordoba

**PRINCIPAL OFFICER LAND RELEASE**

Attachment – Detailed Table for your further consideration

## Table of issues for review – PP002/2016

Document or Issue	Matter	Description	Comment
Planning Proposal	Increase in 3-5 dwellings resulting from the planning proposal (PP)	<ul style="list-style-type: none"> <li>- No justification within the PP</li> <li>- Does it exceed the 2544 cap that RMS stipulated when responding to the WV Addendum exhibition?</li> <li>- Section 94 implications – need to address</li> </ul>	<p>The 3 – 5 dwelling increase is based on the increase in Sectors 901C and 901G and 9 Fern Creek from 28 dwellings or less than 23 dwellings under existing PLEP 2014 to 33 dwellings to less than 26 dwellings.</p> <p>And the reducing Sector 901A from 192 dwellings or less than 156 dwellings to not more than 190 dwellings or less than 156 (is 156 correct?)</p>
	Is the objective solely to 'enable the creation of the southern portion of the planned Central Local Park'	<p>Or are there further objectives of:</p> <ul style="list-style-type: none"> <li>- unlocking development opportunities for the northern half of Sector 9</li> <li>- stormwater infrastructure</li> <li>- the capacity to underground overhead power lines</li> </ul>	Need to decide on an exact description of what the PP will achieve
	Within Background	<p>Need to provide more background on the history of the application. More specifically:</p> <ul style="list-style-type: none"> <li>- history of site including purchase</li> <li>- decision to zone R3</li> <li>- why no dwelling yield allocated at the time</li> <li>- s.94 history</li> </ul>	
	9 Fern Creek	Incorrect DP on Page 2 (and then throughout document)	Amend in planning proposal report
	Page 3 Table Proposed Amendments – Pittwater 2014	<ul style="list-style-type: none"> <li>- Proposed Amendment 3</li> <li>- Add to Table 901A 'Not more than 190 or less than 156'</li> </ul>	Removing 901G dwelling yield

Document or Issue	Matter	Description	Comment
	Add an amendment to table	Amendments to Urban Release Area Map – Sheet URA_012 – Amend boundary	
	Add an amendment to table	Reclassify part of Lot 5 DP 736961	
	Add an amendment to table	Amend Land Reclassification (Part Lots) Map	The PP is silent on the reclassification issue. This needs to be addressed in the report
	Add an amendment to table	- Amend Table(s) for reclassification in Schedule 4	Applicant to determine which part(s) of Schedule 4 apply  Schedule 4 Part 2 releases Council's interest and allows sale of the lot
	P4 para 3	Is relying on the opportunities and constraints analysis and updated flooding and bushfire then there needs to be more discussion to specific sites (in Section C No 7)	Planning Proposals require a number of environmental studies.  If the PP is relying on the WV Strategic Review Report and/or Addendum report environmental studies, then there needs to be more discussion  The following studies are not covered within the WV Strategic Review Report and/or Addendum report: - Land Contamination; - Aboriginal Heritage; and - Traffic.
	P5 – Is the PP the best means of achieving the objectives or intended outcomes, or is there a better way?	More discussion on the alternatives to the land locked issue and access if the proponent is arguing that this an objective.	
	P7 Section B	- The current Metropolitan Strategy is A <i>Plan for Growing Sydney</i>	

Document or Issue	Matter	Description	Comment
		- This section needs amending	
	Page 8-9	More specific information from the WV Addendum Report targeted at the 4 subject properties	If the PP is relying on this report then more detailed discussion is required
	Page 9 – dwelling yield history	More specific info behind the history of Council not allocating a dwelling yield to 9 Fern Creek	
	Page 9 – Table 3 heading incorrect	Raised in a submission.	
	Page 9 – Table 3	<ul style="list-style-type: none"> <li>- Are the developable areas listed in Table 3 correct in terms of actual size?</li> <li>- Taken from MOU?</li> </ul>	
	Page 9 Para 2 typo 'should read '901A' not '901G'		
	p.11 No 5 Consistency with SEPPs Attachment 1	In a number of cases a SEPP has been classified 'consistent' with no commentary on how it is consistent.	
		SEPP 55 – require a preliminary contamination report	There is a need for a preliminary land contamination report
		SREP 20 – expand to discuss why it is consistent	Need justification as to why it is consistent
	p.11 s.117 Directions	In a number of cases a s.117 Direction has been classified 'consistent' with no commentary on how it is consistent.	
		2.3 Heritage Conservation – this Direction is applicable. Consistent? not consistent? need to discuss	No discussion either way as to consistency
		4.1 Acid Sulphate Soil – even without a change to the mapping discuss what Class and any implications	
		7.1 Implementation of the Metro Plan	No longer relevant. Legislated under <i>Environmental Planning and Assessment Act 1979</i> Clause 53A and Direction 5.10



Document or Issue	Matter	Description	Comment
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	p.11 – <i>Largely an administrative amendment</i>	Disagree and should be amended accordingly	
	p. 12 No 8 Environmental effects	Specific discussion on the part lots to be rezoned using information from the mapping layers	
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	P.12 Again, need to decide on what the main objective of the planning proposal	New objectives introduced late in the report	
	p. 13 No 9 – second last para irrelevant	Strategic land management program – question relevance	
	P13 no 10 last para 'the PP does not provide for any increase in potential dwellings beyond that anticipated by the Strategic Review Report'. 'the development of CLP and specifically the southern portion has been anticipated in the adopted and revised s.94 CP'	<ul style="list-style-type: none"> <li>- Dwelling increase of between 3-5 dwellings</li> <li>- Therefore, this is an incorrect statement</li> <li>- S.94 CP plan discussion</li> </ul>	
	Mapping p14 – 17 – need to include the survey plan to show measurements.	<ul style="list-style-type: none"> <li>- Include the survey report within the PP</li> <li>- (History behind the WV Resident group's involvement in the design process and therefore whether they gave tacit approval to the concept)</li> </ul>	I understand that the survey will have no statutory weight but may remove concerns regarding the size of the proposed open space

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