

## Strategic Planning Referral Response

<b>Application Number:</b>	DA2024/0944
<b>Proposed Development:</b>	Demolition works and construction of a plant nursery and landscape material supplies premises
<b>Date:</b>	25/10/2024
<b>To:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 3 DP 26902 , 12 Boondah Road WARRIEWOOD NSW 2102 Lot 4 DP 26902 , 10 Boondah Road WARRIEWOOD NSW 2102

### Officer comments

#### INTRODUCTION

DA2024/0944 seeks consent for the construction of a new plant nursery and landscaping material supplies premises, demolition works, tree removal, associated earthworks, landscaping, and environmental protection works. Further details of the proposal include:

- Construction of 52 car parking spaces
- Removal of 73 trees
- Installation of signage and a children's playground area
- A bioretention basin in the southern corner of the plant nursery
- Construction of a pedestrian path fire trail bordering the nursery and buffer zone.

SPP3 received this referral request on 3 September 2024.

This referral response has two main sections: The first will provide a strategic planning response to the application, and the second will be a Development Contributions response.

#### SUBJECT SITE

The subject site comprises two allotments, 10 & 12 Boondah Rd, Warriewood. Currently present on-site are several ancillary structures including shipping containers and boats.

The subject site is zoned RU2 *Rural Landscape* under Pittwater LEP 2014 and is within the Warriewood Urban Land Release Locality in accordance with Part 6.1 of the Pittwater LEP 2014. Specifically, the two lots comprise part of the "Southern Buffer" Sector of the Warriewood Valley Release area.

## ASSESSMENT OF APPLICATION

### Strategic Commentary

The RU2 *Rural Landscape* zoning permits with consent, both plant nurseries and landscaping material supplies.

As the subject land is in the Warriewood Valley Urban Land Release and so Part 6.1 of Pittwater LEP 2014 applies states:

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

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

The *Warriewood Valley Strategic Review Report* (The Strategic Review Report) and the *Warriewood Valley Strategic Review Addendum Report* (The Addendum Report) collectively, forms the strategic planning framework for the development of land in the Warriewood Valley Release Area.

Under the Strategic Review Report, determined the land use designations for the land in the release area based in the technical documents applicable at the time (being hydrology, urban design, strategic transport and economic feasibility). With regard to the subject site, the Hydrology Study identified:

- 12 Boondah Road as Categories B & D “land allowing for flood evacuation with minimum risk to life and no creation of flood entrapment or flood isolation”.
- 10 Boondah Road as Category F “Land below the PMF plus Climate Change” with a “Risk to life as a result of flood risk including unsafe flood evacuation”.

The Addendum Report, adopted in November 2014, having considered the updated *Narrabeen Lagoon Flood Study 2013* concluded the following:

- For 10 and 12 Boondah Road, recommended a ‘Recreation’ land use designation over these properties for the following reasons:
  - o The planning of the Release Area was premised on infrastructure and services being provided for the incoming residents, delivered as development occurs in the Release Area and that the broader Pittwater community will not fund the additional infrastructure and services required by the Release Area development.
  - o Further land is identified for purchase by Council to provide as recreation areas that meet the demand of incoming populations in accordance with the *Pittwater Public Space and Recreation Strategy*. Most of the Southern Buffer is identified as having potential for land use designation of active recreation.
  - o Previous applications have not been supported to the severe environmental challenges.

Summarily, the Addendum Report supplements and strengthens the positions of the Strategic Review Report. The Addendum Report reaffirms that unsuitability of the site for a development of the proposed nature and identifies its best use as a recreational area.

## Development Contributions Commentary

The Warriewood Valley Development Contributions Plan Amendment 16, Revision 4 2022 (the adopted Plan) applies to the subject property.

The adopted Plan, under Section 1.5 “Development to which this Plan applies” clearly states,

*“This Plan applies to all residential, commercial and industrial development that would result in a commensurate increase in demand for infrastructure and services of the type provided for by this Plan...*

*Where development is of a type not specifically stated in this Plan that will result in demand for local infrastructure and services, Council will determine an appropriate contribution rate based on the rates specified in this Plan.”*

*For commercial/industrial development, contribution rates are calculated on a square metre basis, utilising the total developable area of the site (total site area minus any creek line corridor land) as specified in Section 2.4 of the Plan. The survey provided by Total Surveying Solutions and dated 12 June 2024 shows the two lots being 1.01 hectares & 1.02 hectares for 12 & 10 Boondah Rd respectively. SEA is more specific, showing the site areas as 10,170m<sup>2</sup> & 10,270m<sup>2</sup> respectively. The site area figures from SEA are used in this assessment due to their specificity. As there is no creek line corridor on the subject site, the total quantum of the site 20,440m<sup>2</sup> will be calculated for the purpose of development contributions.*

Table 1 of the adopted Plan identifies the infrastructure elements generated by the subject development, being:

- Traffic and transport
- Multi-functional creek line corridors
- Pedestrian and cycleway network
- Administration & plan administration, and

are the same elements applying to “*Business Parks and Industrial Estates (outside of Ponderosa Parade)*”. Therefore, the contribution rate for “*Business Parks and Industrial Estates (outside of Ponderosa Parade)*” has been applied to this development and for FY2024/25, the advertised contribution rate is \$218/m<sup>2</sup>.

The adopted Plan includes details regarding the subject land previously being identified for potential sportsfields as a way to meet the anticipated active open space demands of Warriewood Valley. Section 6.2.3 of the adopted Plan provides Council with alternate options to consider how this demand could be met without purchasing 10 and 12 Boondah Road. It is worth noting the land has not been identified for a public purpose (active open space) under the PLEP and the adopted Contributions Plan.

If the DA is approved, a condition needs to be imposed requiring payment of total contribution of \$4,455,920.

## Recommendation

- A. The application, if supported in its current form is to include a condition as follows:

*Before the issue of a Construction Certificate, the applicant must pay a total development contribution to Council of \$4,455,920 in accordance with the Warriewood Valley Development Contributions Plan (as amended). The monetary contribution will be adjusted at the time of payment in accordance with the provisions of the Warriewood Valley Development Contributions Plan (as amended).*

*This contribution is based on the contribution rate of \$218/m<sup>2</sup> and the total developable area of the site (total site area minus any creek line corridor land) as being 20,440m<sup>2</sup>.*

*Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate.*

*The Applicant may negotiate with Council for the direct provision of other facilities and services, and/or the dedication of land (other than those already identified above) in lieu of the monetary contribution above (or any portion of that monetary contribution) through a Planning Agreement between Council and the Applicant in accordance the Warriewood Valley Development Contributions Plan (as amended) and Council's Planning Agreement Policy. The Planning Agreement between the Applicant and Council must be finalised, formally signed and in place prior to the payment of the monetary contribution.*

*A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.*

*Reason: To provide for contributions in accordance with the Contribution Plan that enables the provision of local infrastructure and services commensurate with the increased demand resulting from development in the Warriewood Valley Release Area.*

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

## Strategic Planning Conditions:

Nil.