

SJB Planning



Planning Proposal

'Boondah Road Precinct'

6 Jacksons Road; and
3, 6, 8, 10 and 12
Boondah Road,
Warriewood

19 November 2013

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Executive Summary

This Planning Proposal has been prepared on behalf of the owners of 6 Jacksons Road; and 3, 6, 8, 10 and 12 Boondah Road, Warriewood ('the site) and seeks to rezone the site to permit mixed use retail and residential development. The site is to be known as the Boondah Precinct.

The site is located within the Pittwater 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 seeks to facilitate a rezoning of the subject land to permit development of the Boondah Precinct as a mixed use area that would be an effective extension of the Warriewood Centre complex. The precinct is targeted to provide a significant contribution to the growing demand for retail floor space identified in the SHOROC Employment Study to serve the needs of the Pittwater LGA.

The Planning Proposal is based upon a Masterplan for the Boondah Precinct prepared by GM Urban Design which provides for integration with the Warriewood Centre development and existing industrial/commercial precinct in Vuko Place. The Masterplan contemplates a reconfiguration of Boondah Road to remove the current division of the playing fields by the road way, which could facilitate the redevelopment of community facilities north of the creek line. The concept delivers the desirable attributes of:

- Improved efficiency of the utilisation of available active open space;
- Provision of additional retail floor space;
- Improved integration of the retail centre with the emerging locality; and
- Provision of linkages to the entertainment venues in Vuko Place achieving an identifiable centre for Warriewood.

The northern sections of the Masterplan area would accommodate residential development and act as a transition from the residential development in Macpherson Street and the northern sections of Boondah Road.

The conceptual Masterplan demonstrates that the landholdings of 6.2ha can accommodate and facilitate development ranging from two (2) up to seven (7) storeys in height. The development would accommodate approximately 33,000 – 35,000m² of residential gross floor area and 36,000 – 38,000m² gross floor area of retail and commercial space.

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 a no net loss of flood storage basis and provides for habitable floor levels and residential car parking to be above or protected from the identified Probable Maximum Flood (PMF) level of 4.5m AHD for the locality. Emergency flood evacuation would be via a raised Boondah Road to the north. Boondah Road is already required to be raised as a result of development consents on land to the north of the subject land. The carriageway would be raised for the remainder of its length to serve the proposed development.

The flood management strategy adopts Council's flood planning levels and does not propose or require any permanent opening of Narrabeen Lagoon.

The proposed reconfigured road layout has been designed to accommodate buses should future public transport routes be reconfigured to serve what will be an expansion and consolidation of the current Warriewood Centre retail complex. The approach to the planning of the area embodied in the Masterplan will lead to the establishment of the area as a focus for the Warriewood Valley and North Narrabeen localities providing a broad range of retail, recreation, employment and residential opportunities.

The site has been demonstrated to be suitable for mixed use 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 B4 Mixed Use.

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 additional retail, employment and housing opportunities in a location that is well located to augment and complement existing retail and commercial facilities. The concept demonstrates the opportunities available to reconfigure the existing open space areas immediately adjacent to the site to increase the provision of active open space that would no longer be bisected by a road.

- **Consistency with the adjoining development**

The site can form an extension to the adjoining Warriewood Centre retail complex and 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 retail, employment and 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 Metropolitan Plan for Sydney 2036, the North East Subregion Draft Subregional Strategy, the Pittwater Local Planning Strategy 2011 and the Warriewood Valley Planning Framework 2010, and the Warriewood Valley Strategic Review 2013.

- **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.

- **Transport and Connectivity Improvements**

The Planning Proposal has the potential to provide improved road safety in the vicinity of the active sports fields and could accommodate alternate public transport connecting the enhanced centre with surrounding existing and future development.

Recommendations

It is recommended that arising from the consideration of this Planning Proposal, Pittwater Council resolve to support the rezoning as detailed in this Planning Proposal and forward the Planning Proposal for a Gateway Determination to undertake the following:

- Amend the Land Zoning Map to show the site as zone B4 Mixed use in accordance with the configuration shown on the attached proposed Zoning Plan (refer to Attachment 1) with a clause to permit “*residential accommodation*” on sites A and C of the precinct.”

- Impose Building Heights ranging between 10m to 24m on the Height of Buildings Map in accordance with the configuration shown on the attached proposed Height of Buildings Plan (refer to Attachment 2);
- Delete the land from the Minimum Lot Size map; and
- Amend Clause 6.1 (4) of the Pittwater LEP 2013 to reflect the development potential of the land.

1.0 Introduction

This Planning Proposal has been prepared on behalf of the private landowners within the area known as the “Southern Buffer”. The landowners are:

- Henroth Investments Pty Ltd (representing Cassius Investments Pty Ltd, Henry Fraser Pty Ltd and Henlen Pty Ltd);
- Kamfam Pty Ltd;
- Ms Colleen Rooke; and
- Mrs Dragica Trbojevic.

The landholdings comprise lands known as:

- 6 Jacksons Road; and
- 3, 6, 8, 10 and 12 Boondah Road, Warriewood.

The Planning Proposal provides the justification for the rezoning of the land which is within the local government area (LGA) of Pittwater Council.

This Planning Proposal seeks commencement of the statutory process to rezone the site from 1(b) Non Urban “B” under Pittwater LEP 1993 (RU2 Rural landscape under Draft Pittwater LEP 2013) to B4 Mixed Use under the Draft Pittwater LEP 2013. It is envisaged that given the timing, the requested change in zoning would be undertaken as an amendment to the yet to be made Draft Pittwater LEP 2013.

It is envisioned that the redevelopment would establish a mixed use precinct of two (2) to seven (7) storey buildings to integrate with existing and proposed surrounding development.

The Planning Proposal has been prepared in accordance with the Department of Planning Guidelines *A Guide to Preparing Planning Proposals* dated October 2012 and *A Guide to Preparing Local Environmental Plans* dated April 2013.

The consideration of the proposed amendment to the Pittwater LEP 2013 could be undertaken as a standalone matter.

The Planning Proposal in the following chapters details the merits of the proposed rezoning and has been structured in the following manner:

- Section 2.0 provides a description of the site and its context, including identification of the land to which the proposed rezoning applies and existing development;
- Section 3.0 is the Planning Proposal and is provided consistent with the matters to be considered in the guide to preparing Planning Proposals;
- Section 4.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination and amendment of the Pittwater LEP 2013;
- Appendix 1 provides an assessment against the LEP Evaluation Criteria;
- Appendix 2 provides a consideration of the consistency of the Planning Proposal with State Environmental Planning Policies; and

- Appendix 3 provides a consideration of the consistency of the Planning Proposal with the Section 117 Directions.

The Proposal is supported by the following attachments:

- Attachment 1: Proposed amending Zoning Map
- Attachment 2: Proposed amending Height of Buildings Map
- Attachment 3: Urban Design Study
- Attachment 4: Flood Hazard Assessment
- Attachment 5: Environmental Constraints Analysis
- Attachment 6: Transport Assessment

2.0 Site Description and Context

2.1 Overview

This chapter describes the location of the site, existing development on the land, the current planning framework, and the relationship of the area to the applicable draft subregional strategy. This description of the site and its context should be read in conjunction with the detailed urban design analysis undertaken by GMU (refer to Attachment 3).

2.2 Site Locality

The area that is the subject of this Planning Proposal is shown in Figure 1.

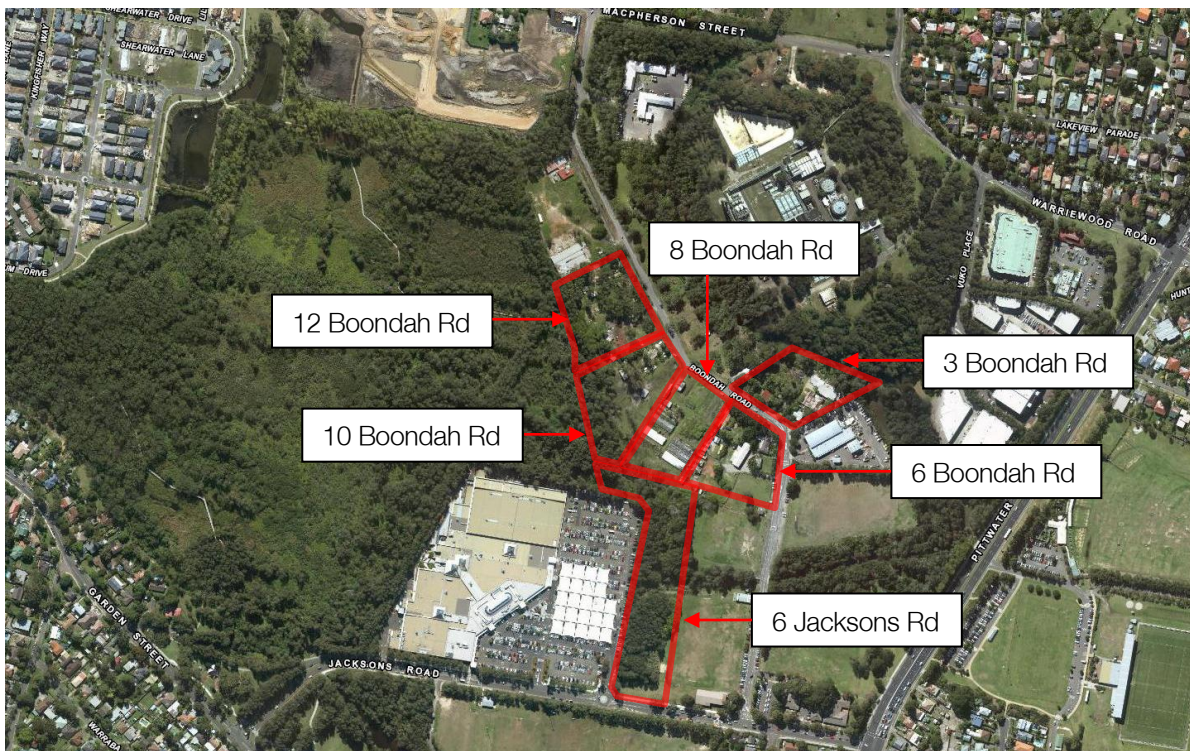


Figure 1: Locality plan (site outlined in red) (Source: Google Maps)

The site is located in the southern fringes of the Warriewood Valley urban release area within the Pittwater Local Government Area (LGA).

The land is a pocket of currently zoned non-urban land located in the vicinity of commercial development (Warriewood Centre) recreation land (Boondah sports fields) environmental protection lands (Warriewood wetlands), regional infrastructure (Warriewood STP) and residential land (residential development on Macpherson Street and Boondah Road)

2.3 Site Context

2.3.1 Outline

The context of the site is currently predominantly urban in character against a backdrop of the Warriewood wetlands to the west. Warriewood Valley has been undergoing change from a former intensive agricultural area to a predominantly residential locality. The Southern Buffer area has been delayed for redevelopment initially due to the desire to provide a buffer to the Warriewood STP. The STP has been upgraded to a level that the desired buffer is now able to be accommodated within the Sydney Water landholding and no longer relies upon limitation of land use on private land holdings.



Figure 2: North East Subregion Structure Plan (Source: North East Subregion Draft Subregional Strategy, p. B37)

The surrounding development will be a mix of urban, active recreation and passive recreation/environmental protection.

2.3.2 Warriewood Valley Urban Land Release

The Warriewood Valley urban release area has been progressing since the mid 1990's. Warriewood Valley and the yet to be released Ingleside, are significant contributors to the 4,600 extra dwellings required for the Pittwater LGA identified in the North East Subregion Draft Subregional Strategy.

A review of the undeveloped lands within Warriewood Valley known as the "Warriewood Valley Strategic Review" (WVSR) has recently been completed as a joint project between Council and the Department of Planning & Infrastructure (DP&I).

The review sought to:

- Identify appropriate development controls for the Warriewood Valley area;
- Investigate opportunities to create a new employment/retail/commercial area in the Southern Buffer; and
- Review and provide recommendations for dwelling numbers for undeveloped land in Warriewood Valley having regard to environmental constraints and the needs of the local and wider population.

The Strategic Review report recommended that the exhibited concept plan for a mixed use centre not proceed. The exhibited concept essentially contemplated development of publicly owned land at the corner of Jacksons Road and Pittwater Road.

The review recommends that future investigation by landowners, individually or collectively, must address the constraints and opportunities highlighted in the review.

Consistent with Council's preferred approach to rezoning in Warriewood Valley, all six (6) private landowners within the Southern Buffer are working collectively towards the preparation of this Planning Proposal.

This request for a Planning Proposal is consistent with the Strategic Review outcomes being supported by:

- An urban design analysis and Masterplan;
- Hydrological analysis;
- Traffic and transport analysis;
- Bushfire risk assessment; and
- Flora and fauna impact assessment.



Figure 3: Site context – subject sites indicated by red markers (Source: <http://maps.six.nsw.gov.au/>)

2.4 The Site

The land that is the subject of the Planning Proposal is located within the Pittwater Council LGA. The land is owned or controlled by Henroth Investments Pty Ltd, Kamfam Pty Ltd, Ms Colleen Rooke and Mrs Dragica Trbojevic, and comprises six (6) allotments of land with real property descriptions of:

Address	Real Property Description
3 Boondah Road	Lot 2 DP 552465
6 Boondah Road	Lot 2 DP 574339
8 Boondah Road	Lot 5 DP 26902
10 Boondah Road	Lot 4 DP 26902
12 Boondah Road	Lot 3 DP 26902
6 Jacksons Road	Lot 9 DP 806132

Table 1: Real property descriptions of the subject sites

Five (5) of the six (6) lots are to the west of Boondah Road, with a single lot being 3 Boondah Road, east of Boondah Road which adjoins Council’s works depot at 1 Boondah Road.

The lots are generally regular in shape individually and have a combined area of approximately 6.2ha.

The land has historically been used for intensive agricultural uses, but is now predominantly used for residential purposes and storage.

The eastern portions of the site are largely cleared, with regrowth vegetation located to the east adjoining the Warriewood wetlands, with the exception of 6 Jacksons Road which contains predominantly swamp oak forest trees.

3.0 Statutory Framework

3.1 Zoning

The site is currently zoned Non-Urban 1(b) under the provisions of the Pittwater LEP 1993 (refer to Figure 4 below).

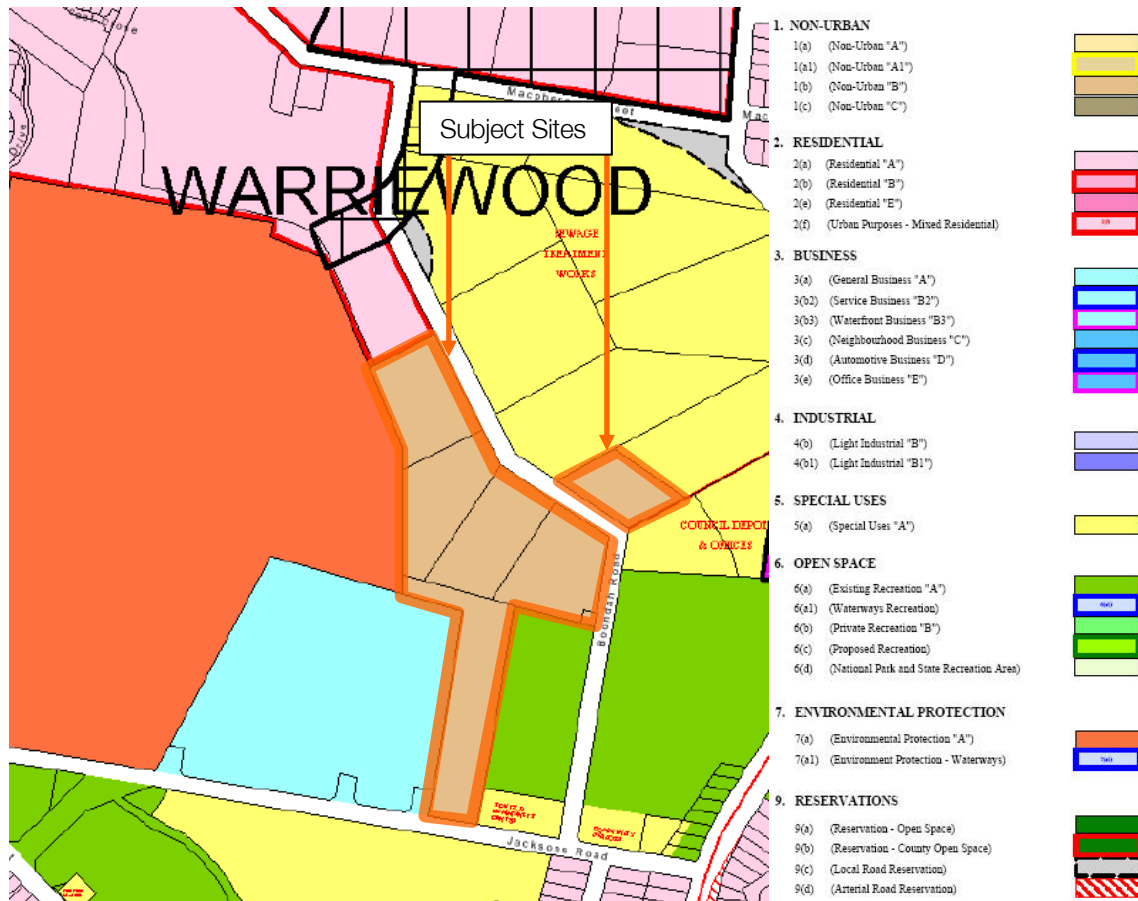


Figure 4: Zoning Extract from Pittwater LEP 1993

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 Centre) and Recreation zoned land to the east (Boondah sports fields).

A minimum lot size of 1 hectare currently applies to the site under clause 12 of Pittwater LEP 1993.

4.0 The Planning Proposal

4.1 Overview

In accordance with *A guide to preparing Planning Proposals* (NSW Department of Planning October 2012) a Planning Proposal is to be comprised of six (6) parts:

- Part 1 – A statement of the objectives or intended Outcomes of the proposed LEP;
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 – The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 – Mapping;
- Part 5 – Details of the community consultation that is to be undertaken on the Planning Proposal; and
- Part 6 – Project timeline.

This section addresses and responds to the matters for consideration detailed within the guide.

4.2 Objectives and Intended Outcomes

The objective of this Planning Proposal is to enable the redevelopment of the land for a range of urban development comprising a mix of retail, commercial and residential uses.

A Masterplan for the site has been prepared by GM Urban Design and Architecture (refer to Attachment 3).

The objectives of the proposal are to:

- Establish a focal centre for Warriewood Valley in conjunction with the current and future expanded Warriewood Centre;
- Provide employment and residential opportunities responding to identified demand;
- Provide opportunities for reconfiguration of Council's active open space assets through the provision of an alternate access connection to Jacksons Road; and
- Optimise the utilisation of existing infrastructure.

The intended outcome of the Planning Proposal is to rezone the subject land to a B4 Mixed Use zone with a provision enabling "*Residential Accommodation*" on the northern sites (A & C) as identified in the GMU Masterplan. It is intended that the Planning Proposal would form an amendment to the Pittwater Comprehensive LEP 2013 once finalised and notified.

The Planning Proposal and Masterplan would accommodate approximately 33,000 – 35,000m² of residential gross floor area and 36,000 – 38,000m² gross floor area of retail and commercial space.

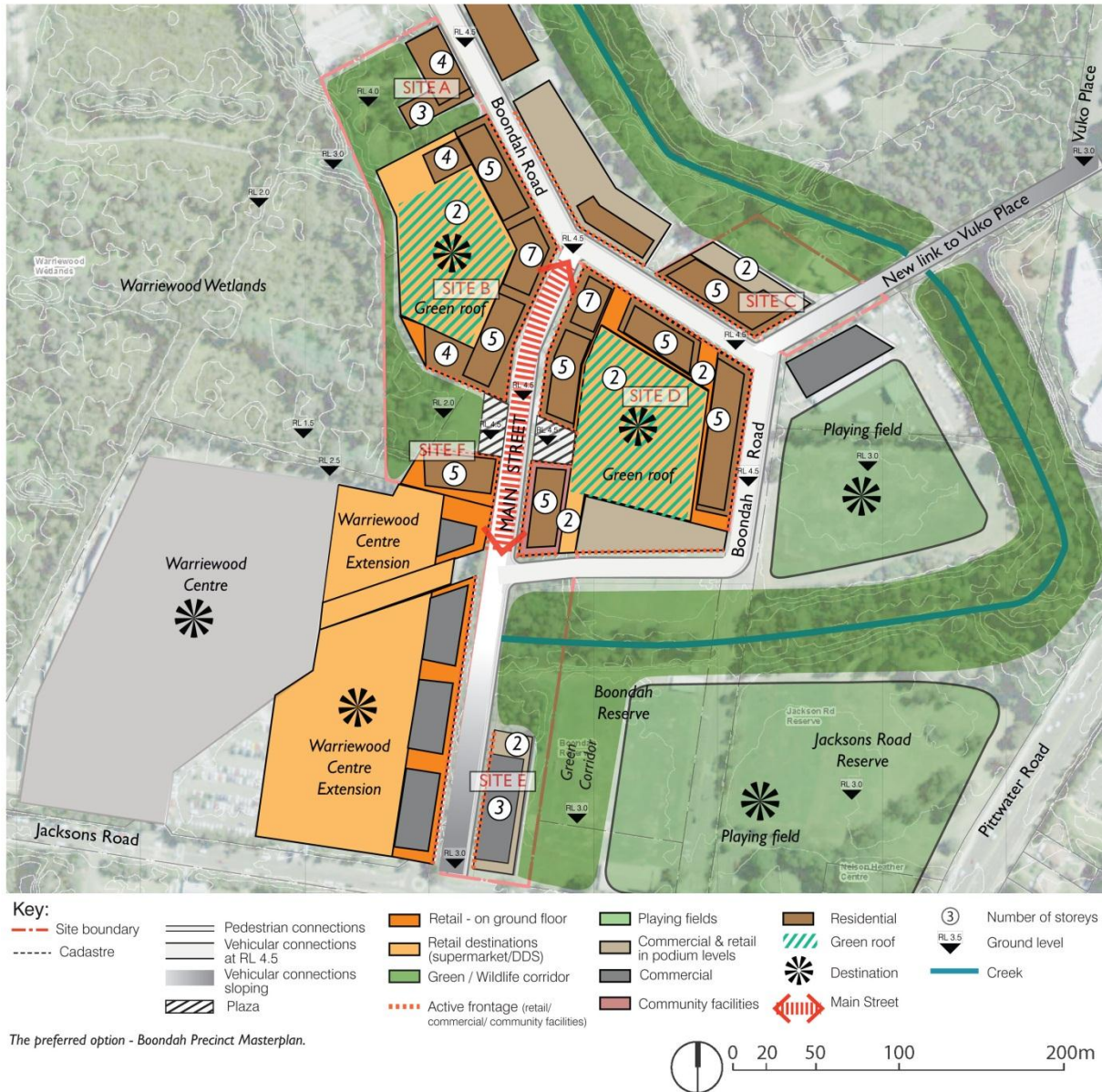


Figure 5: Indicative Masterplan for the site prepared by GM Urban Design and Architecture

4.3 Explanation of Provisions

The requested amendments to the future Pittwater LEP made under the Standard Instrument proposes to implement a suite of controls that would facilitate urban development of the subject land. It is proposed that the land be zoned B4 Mixed Use to facilitate the establishment of a mixed use precinct. The Masterplan developed for the Boondah Precinct establishes a mixed use retail, residential and recreation destination in the lower Warriewood Valley.

The Masterplan envisages creating a link with the existing Warriewood Centre and a possible future expansion, and the existing facilities in Vuko Place and the active sporting fields in Boondah Road.

Building height controls will control the form and scale of proposed development. The Masterplan graduates building height down to the site periphery. Heights proposed are predominantly 12-18m (3-5 storeys) with a small central area of 24m capable of accommodating a seven (7) storey building.

The amended controls include the following:

- Amend the land zoning map to show the subject land as B4 Mixed Use (refer Attachment 1);
- Amend the height of building map to impose height ranging from 10.0m to 24.0m over the site (Attachment 2); and
- Include a provision that permits “residential accommodation” (i.e. ground floor residential uses) on sites A and C.

There are no other provisions 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 Pittwater DCP and could be prepared, should the proposal obtain Gateway determination.

The Planning Proposal does not seek to amend the zoning of any public land. It would however provide options for Council to pursue to reconfigure its assets to better utilise its available land holdings.

4.4 Justification

This section addresses the need for the rezoning, identifies the background studies undertaken, why the Planning Proposal is the best approach and what the community benefits will be.

4.4.1 Section A – Need for the Planning Proposal

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

The subject land has been part of the broader Warriewood Valley land release since its inception. Of particular relevance are:

- The Warriewood Valley Planning Framework 2010;
- The SHOROC Employment Lands Study and Addendum;
- The Pittwater Local Planning Strategy; and
- The Warriewood Valley Strategic Review.

These documents are addressed below.

Warriewood Planning Framework

The land subject of this Planning Proposal request is located within Sectors 15 and B under the Planning Framework (refer to Figure 6 overleaf).

Under the Planning Framework, Sectors 15 and B are identified as potential employment generating land. The framework also identifies that the land is subject to potential flooding and sea level rise due to climate change.

The objective of the framework is to provide a basis against which to assess and consider the preparation of detailed Planning Proposals to pursue urban development of land in the release area.

Figure 4 – Warriewood Valley Planning Framework 2010 map

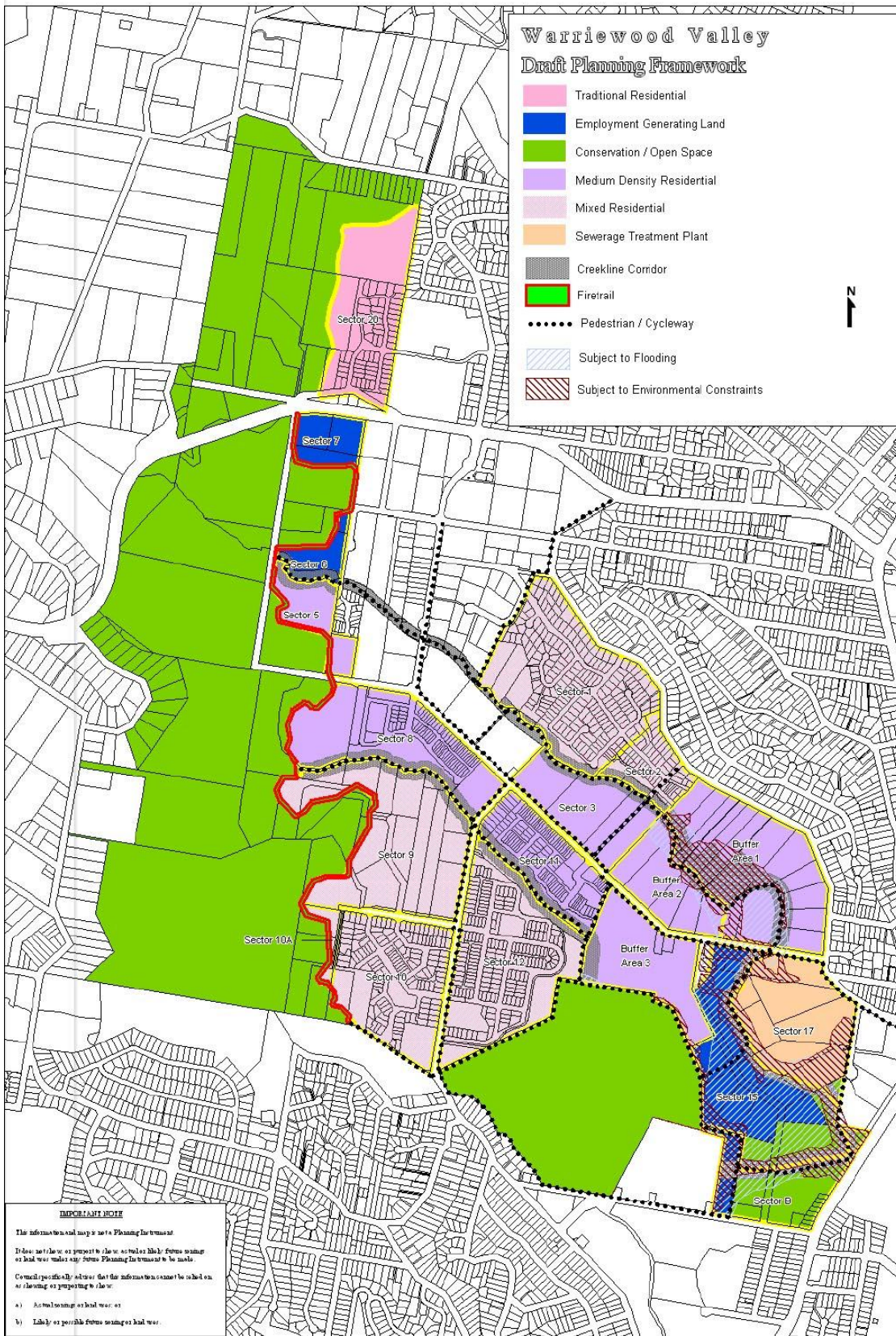


Figure 6: Planning Framework Map extract (Source: Warriewood Valley Planning Framework 2010 p.60)

SHOROC Employment Lands Study and Addendum

The SHOROC Employment Lands Study (ELS) was commissioned in response to the draft Subregional Strategies applying to the member Councils to test the employment targets identified for the region.

The SHOROC (ELS) and Addendum identified a projected required increase in retail floor space of 106,708m², to facilitate the accommodation of 3,771 employment positions.

The report confirms that for Pittwater to contribute to the generation of local employment opportunities will require action to identify and zone appropriate land to accommodate employment generating uses.

Pittwater Local Planning Strategy

The Pittwater Local Planning Strategy (LPS) was prepared by Council to guide land use planning decisions, particularly as a foundation for a Comprehensive Pittwater Local Environmental Plan (LEP) and Development Control Plan (DCP).

Of relevance to the subject site is Section 7.0 Economy and Employment and the discussion on the strategies to address employment targets for the Pittwater Area. The strategy addressed the strengths and weaknesses of a number of locations to consider to accommodate increased retail floor space.

The only option recommended for further investigation was the creation of a new centre in the Southern Buffer adjoining Warriewood Centre.

This Planning Proposal has embraced this analysis and has demonstrated the feasibility of the establishment of a new centre which integrates with, and anticipates, expansion of the existing Warriewood Centre to create a genuine town centre. As indicated in the Strategy, the Planning Proposal is supported by preliminary investigations to demonstrate how the constraints applying to the site can be addressed.

Warriewood Valley Strategic Review

The Department of Planning & Infrastructure (DP&I) and Pittwater Council have recently completed and endorsed the Warriewood Valley Strategic Review into the planning framework within Warriewood Valley. The review sought to explore opportunities for increased development potential within undeveloped sectors of the release area. The review examined dwelling densities, height controls, transport network capacity and infrastructure capacity, and demands within the valley and surrounding areas.

Specifically, the review explored development opportunities for the Southern Buffer and the potential for a mixed use centre to be developed. The review was supported by specialised studies comprising:

- Hydrology Study;
- Urban Design Study;
- Transport Study; and
- Economic Feasibility Study.

Recommendation 1.6 of the review relating to the Southern Buffer area included:

It is recommended that the exhibited Concept Plan for a mixed use centre not proceed.

Future planning investigation by landowners, either working individually or as a group, must address the constraints and opportunities highlighted by this review, including the impact of any proposed development on the environmental (sic) other centres, recreational lands and community expectations.

This request for a Planning Proposal has addressed the broader strategic framework and is supported by:

- Urban Design Study and Masterplan prepared by GMU;
- Hydrology assessment prepared by Brown Consulting;
- Traffic assessment prepared by GTA; and
- Ecological constraints analysis prepared by Travers Consulting.

Urban Design

The urban design and supporting masterplan identifies the outcomes of the concept as achieving:

- A centre that strengthens the area's identity and 'sense of place';
- A mixed use development that creates a true centre with active edges and residential and commercial development above retail uses;
- The use of Warriewood Wetlands as an integral part of the centre with enhanced recreational, walking and nature-watching opportunities;
- Enhanced access and services to surrounding residential areas;
- Improved permeability with a new road connection from the subject site to Jacksons Road;
- Pedestrian and vehicular links to the Vuko Place Commercial Precinct;
- Relocation of part of Boondah Road to allow connection of the playing fields;
- A raised development that meets the new requirements of the flood level zone (PMF): retail parking on grade, transition treatments to adjoining areas and a raised public domain;
- Opportunity to expand and link with Warriewood Centre;
- Creation of new vistas available from both the north and south approaches to anchor views to a new town centre; and
- A new employment and retail hub well connected to the broader catchment.

Ecological Constraints Analysis

The ecological constraints analysis has considered potential flora and fauna and bushfire constraints.

The analysis has found that no endangered flora populations occur within a 10km radius of the site and there are no known endangered flora populations.

In relation to fauna, two (2) threatened fauna species were recorded in the surveys undertaken – the Eastern bent wing bat and the Grey headed flying fox. Other fauna species were identified as having the potential to utilise the area on a seasonal or periodic basis. These would be matters of detailed consideration in future development applications, and not identified as matters that would preclude proceeding with a Planning Proposal.

Potential endangered populations considered included the Koala population and the Squirrel Glider population of the Barrenjoey Peninsula.

It was concluded that the site does not contribute any habitat of importance for the Squirrel Glider population.

In regards to the Koala population, Swamp Mahogany trees are present in the study area which are a potential feed source. It is, however, considered unlikely that the area is utilised by any remaining Koala population in the LGA.

It is, however, recommended that any Swamp Mahogany trees be retained due to their potential feed source value for Koalas, but also for migratory species such as the Swift Parrot.

Bushfire constraints have been mapped having regard to riparian corridor width and setbacks required by the Planning for Bushfire Guidelines. These buffers and setbacks have been incorporated into the Masterplan that has been prepared for the Boondah Precinct in support of this Planning Proposal request.

Flood Management Study

The conceptual Masterplan accommodates a raised centre to accommodate sensitive land uses above predicted flood levels and the water conveyance capacity of the riparian corridors. This has been achieved in a form that maintains active street edges and integration of public domain areas integrating with the surrounding sports fields and Warriewood Wetlands.

The Flood Management Study has adopted the flood planning levels identified by flood studies undertaken by Council for the locality. The flood management study has identified a strategy to accommodate development that:

- Maintains cut and fill balance to avoid loss of flood storage;
- Provision of suspended slab construction to accommodate permeable building footprints to accommodate flood flows; and
- Maintaining the 5 year ARI floodway to maintain existing flood conveyance capacity.

Emergency Response planning has been addressed through the adoption of 100 year ARI plus climate change levels and the PMF level.

The habitable floor levels will be above the PMF allowing shelter in place options if desired. Evacuation would be to the north via an upgraded and raised Boondah Road.

Transport Assessment

The Transport Assessment has considered:

- The impact of the modified road network;
- The traffic generation of the Masterplan;
- Impacts upon public transport;
- Car parking requirement and provision; and
- Road infrastructure upgrades.

The assessment has concluded that the proposal is generally consistent with previous traffic planning for the locality, that generated car parking demand could be accommodated on site and that the modified road network could be constructed to be consistent with the Warriewood Valley Roads Masterplan. The concept also reduces the extent of potential upgrades to the Pittwater and Jacksons Road intersection treatment.

Aboriginal Heritage

The site has been subject to significant disturbance through agricultural use and land filling and is considered unlikely to contain any Aboriginal heritage value. An Aboriginal heritage study could be undertaken post Gateway Determination and prior to exhibition if identified as necessary.

European Heritage

There are no items of European heritage significance on the site. No further heritage assessment is considered to be required in this instance.

Noise

The site is not in close proximity to the Pittwater Road carriageway and the road noise source.

It is considered that potential noise mitigation would be a matter appropriately dealt with at development application stage should the Planning Proposal proceed. The subject lands are substantially set back from the Pittwater Road corridor and are to be unaffected by road noise from the existing road corridor.

Odour

The Warriewood STP has been a source of potential adverse odour impact. Ameliorative measures have been implemented to the plant to avoid any restriction on residential occupation of the subject land.

Summary

The analysis undertaken identifies that the primary physical constraints of flood management, flora and fauna and bushfire risk can be addressed and accommodated.

Moreover, the Planning Proposal and Masterplan identifies significant beneficial outcomes in the establishment of a focal centre for the surrounding urban area. The proposal demonstrates a capacity for integration with an expanded Warriewood Centre and the creation of a more traditional 'high street' rather than a fully enclosed centre.

The Masterplan for the Boondah Precinct proposes the development of a mixed use centre. The concept proposes a centre raised above predicted flood levels. The proposed floor levels are located above retail parking generally provided at existing ground level. The Masterplan provides for active retail frontages to the new streets provided above the PMF level. The Masterplan envisages the establishment of a more traditional high street style retail precinct integrated with the surrounding areas and providing a town square oriented towards the Warriewood Wetlands. Above the retail levels, it is proposed that residential housing be provided, along with residential car parking above predicted flood levels.

The Masterplan identifies opportunities to close part of Boondah Road to allow for a reconfiguration of the active open space without the area being separated by a road carriageway.

This also potentially improves the amenity and safety of the active open space through the removal of through traffic.

Consideration of a rezoning of the land, informed by these and future investigations, will facilitate the pursuit of a comprehensive infill urban development for the area.

The Planning Proposal process is the most appropriate means to apply planning controls to the subject land. The Planning Proposal process would deliver revised planning controls for the site while also responding to the broader strategic issues of the Metropolitan Plan and the North East Subregion Draft Subregional Strategy.

The preliminary analysis identifies that there is development potential of the site and that strategies and approaches are available to pursue to respond to and address the environmental constraints.

Is the Planning Proposal the best way of achieving the objectives or intended outcomes?

The Planning Proposal is considered the best option as it will allow the redevelopment of the site in a manner that is compatible with the surrounding urban land uses. It is also the recommended way forward identified in the WWSR.

The Draft Pittwater LEP 2013, being Council's standard instrument LEP, has been exhibited and submissions are being considered. This LEP is a comprehensive LEP, but involved a translation of the existing controls i.e. it did not look at zoning or control changes.

The site is currently zoned Non-Urban 1(b) under Pittwater LEP 1993 which has limited urban development potential. Given surrounding lands have been zoned to include a number of residential precincts and is within an identified release area, the proposal seeks an urban rezoning. The Planning Proposal is considered to be the best method of achieving renewal of land use at the site – consistent with the changing context of the locality and the Planning Framework applying to the site.

A site specific LEP rezoning is preferred as it allows a detailed response to the site as opposed to a more broad brush approach of a comprehensive LEP. A site specific rezoning will enable a more detailed analysis of the site considerations and the delivery of appropriate controls and mechanisms to deliver development of this central location.

4.4.2 Section B – Relationship to Strategic Planning Framework

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)?

Metropolitan Plan for Sydney 2036

On 16 December 2010, the NSW Government launched the Metropolitan Plan for Sydney 2036 to shape the future growth of Australia's major global city. The Metropolitan Plan incorporates the Metropolitan Transport Plan and follows a scheduled five (5) year update of the 2005 Metropolitan Strategy. The Plan outlines State Government policy for the future development and growth of the Sydney Region for the next 25 years.

It is noted that Council is required to have regard to the Metropolitan Plan when preparing and making a LEP. Specifically, in accordance with Direction 7 (Metropolitan Planning) made by the Minister for Planning under Section 117 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*, the Council is to prepare a LEP that is consistent with "*the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010*".

The site is essentially an infill location and will augment the existing Warriewood Centre. The proposal includes a substantial contribution to the identified future demand for retail lands identified by Council.

The proposal provides additional housing and employment opportunities consistent with Action D1.2 and E2.2 of the Plan which states: "*Reflect new subregional housing targets in Subregional Strategies and Local Environmental Plans and monitor their achievement*" and "*ensure adequate supply of retail, office space and business parks*".

The North East Subregion Draft Subregional Strategy identifies a target of 4,600 additional dwellings for the Pittwater Council area. The Metropolitan Development Program (MDP) is the Government key program for tracking and managing housing supply. The site is identified on the MDP, and the requested Planning Proposal is not in conflict with the MDP, and is immediately adjoining significant areas identified as urban land release. The proposed rezoning provides for a contribution to this required housing growth and employment land capacity without altering existing residential areas or impacting upon existing employment lands.

The proposed Masterplan would facilitate the conversion and re-categorisation of Warriewood Centre into a Town Centre which is consistent with:

- Action B1.1 – Plan for centres to grow and change over time; and
- Action B1.2 – Establish appropriate mechanisms in Subregional Strategies to provide sufficient capacity for commercial development in centres, taking into account identified demand.

The Masterplan could foster a true destination for the Valley and provide a focus for the extensive network of pedestrian cycle ways that feed towards this location. These networks reinforce the location as a well-connected destination for retail, recreation and employment opportunities.

The Masterplan contemplating the creation of a mixed use precinct will contribute towards the subregional housing targets within the North Eastern Subregional Draft Subregional Strategy.

The Masterplan and requested Planning Proposal would contribute towards the employment target of 6,000 additional jobs for Pittwater, and 4,600 new homes.

North East Subregion Draft Subregional Strategy

The Metropolitan Strategy divides Sydney into subregions and the Department of Planning and Infrastructure has maintained the subregional strategies in draft form. The subject site is located within the North East Subregion.

The Subregional Strategies are designed to assist Councils with the preparation of their LEPs. The Draft Subregional Strategy was released for exhibition in July 2007 and is still in draft.

The key directions and targets identified in the North East Subregion Draft Subregional Strategy of relevance to the precinct include:

- ***NE C1.2.1 – Apply Sustainability Criteria for New Urban Development***
An assessment of the proposal against the Sustainability Criteria is provided in Appendix 4.
- ***NE C1.3.1 – Councils to plan for sufficient zoned land to accommodate their government area housing targets through their Principal LEPs***
The Draft Subregional Strategy identifies an additional 4,600 dwellings between 2004 and 2031. A significant contribution to this target is the Warriewood Valley Urban Release Area. The rezoning of the site could contribute to the achievement of these dwelling targets without the loss of existing dwelling stock.
- ***NE C2.1.3–North East Councils to ensure the location of new dwellings improves the subregions performance against the target for the State Plan Priority E5 “jobs closer to home”***
The action requires that Councils ensure that 80% of new housing is located within 30 minutes by public transport of a Strategic Centre. The site will achieve this being a mixed use centre adjacent to the public transport corridor along Pittwater Road.
The Planning Proposal would facilitate the existing Warriewood Centre Precinct emerging as a Town Centre with a local focus.
- ***NE C2.3.2 – North East Councils to provide for an appropriate range of residential zonings to cater for changing housing needs.***
The proposal seeks rezoning to B4 Mixed Use which would facilitate changing housing needs on the site consistent with these directions under the North East Subregion Draft Subregional Strategy.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Council adopted the Pittwater Local Planning Strategy – Towards 2031, in August 2011.

The planning strategy was prepared to guide future planning decisions for Pittwater in the context of the overarching strategic planning framework.

The strategy outlines the desired approach to accommodating residential expansion and retail and employment growth.

Importantly for this Planning Proposal, the Southern Buffer area is identified as the area supported for further investigation for the establishment of a new centre to accommodate the necessary additional retail floor space (section 7.13 Retail). The Masterplan prepared for the land, unlike the concept rejected by the WWSR, does not rely upon cut and fill of adjacent lands. Further, it enhances opportunities to improve the amenity of the active sports fields. The Masterplan for the Boondah Precinct will create a focal centre for Warriewood Valley.

The rezoning of the site as proposed will provide additional housing and retail floor space opportunities in a site that has good access to public transport and community facilities and recreation areas, and is consistent with the Sustainability Criteria for new urban development.

Is the planning proposal consistent with applicable state environmental planning policies?

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at Appendix 2 to this report.

The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal would not conflict with any of these Policies.

Is the planning proposal consistent with applicable Ministerial Directions (S117 Directions)?

The s117 directions applicable to the Planning Proposal have been addressed at Appendix 3 of this report.

The Planning Proposal would be consistent with all relevant Directions.

Connecting NSW: The Transport Blueprint

The priorities and targets for The Transport Blueprint include:

- Increased reliance upon public transport for trips to work;
- Improved efficiency of the road network; and
- Increased reliance upon walking and cycling.

The site will be an employment centre and is on a public transport route with direct access to further centres. It is also within walking distance to community facilities and recreation areas. The provision of additional dwellings and retail space in this well serviced location is consistent with the Blueprint targets.

4.4.3 Section C – Environmental, Social and Economic Impact

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?

The request for a Planning Proposal is supported by an ecological constraints analysis. This analysis has been based upon field work and research of various registers. The assessment indicates that development would not have a detrimental impact upon critical habitat or threatened species population. The assessment does recommend target surveys for Koalas and Swift Parrot to satisfy the *Threatened Species Conservation Act 1995* and the *Environmental Protection and Biodiversity Conservation Act 1999*.

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

The site is subject to flood inundation. The concept is supported by a flood management study providing an overview on the ability to manage flood impacts, retain flood conveyance and provide flood evacuation routes.

The Masterplan developed for the site has also had regard for Bushfire Hazard and includes appropriate setbacks and Asset Protection Zones (APZ) from potential sources of hazard (Warriewood Wetlands and creek line corridors).

The site has not been the subject of environmental site assessment in regards to potential contamination, however it is acknowledged that the area may have been subject to fill that has the potential for contamination. Such Areas of Environmental Concern (AEC's) will require further investigation and potentially remediation. However, it is unlikely that filling would prevent the area covered by the Planning Proposal request from being made suitable for mixed retail and residential use and occupation without risk to human health.

In this regard, there are no hazards that cannot be addressed that would preclude consideration of a rezoning as proposed.

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

Social Effects

The Planning Proposal will provide an opportunity for the redevelopment of the site for land uses and activities commensurate with the surrounding locality. The Proposal would allow the redevelopment of the site to accommodate approximately 33,000 – 35,000m² of residential gross floor area and 36,000 – 38,000m² gross floor area of retail and commercial space.

The proposed increase in residential density for the land and subsequent increased residential population will place additional demand on social services and open space. However the immediate locality will be well serviced with open space, especially given the proximity to the district open space facilities in Boondah Road, North Narrabeen Reserve, Narrabeen Public School and Warriewood Wetlands.

The concept also provides opportunities for Council to reconfigure the Boondah Road sports fields with the proposed alternate road link. The alternate road link could remove the need for the sports fields to be divided by a road providing a greater area of open space with improved safety and amenity.

The scheme will facilitate the provision of employment opportunities in a well located and serviced area, and the creation of a central destination to service the surrounding residential areas.

The potential for additional dwellings is not significant and unlikely to place unreasonable burden on community facilities earmarked to be constructed in the surrounding urban release areas, which could be augmented through Council's normal collection of section 94 Contributions.

The provision of greater housing choice and diversity is considered a benefit to the community, particularly one which is in relatively close proximity to services and facilities. A Social Impact Statement will be prepared should the Proposal obtain Gateway determination.

The above sections of this Planning Proposal demonstrate that the proposed rezoning accords with the relevant strategic planning framework and is likely to result in a net community benefit.

Economic Effects

The rezoning to allow for a combination of residential and employment development at the site will result in positive economic effects. The Planning Proposal will potentially result in short and long term employment opportunities related to construction and retail/commercial that can be expected with the residential development upon rezoning. The concept is consistent with the Pittwater Strategic Framework and responds to the identified need to provide additional retail lands.

Additionally, the rezoning will provide increased housing supply and diversity in a location with good access to nearby service. The economic impact of the proposal would be the subject of a full assessment should the proposal achieve Gateway determination.

4.4.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The site is located within the Warriewood Valley Urban Release Area and has access to all relevant utilities and access to public transport infrastructure. The rezoning and subsequent redevelopment of the site would be based upon sound principles for infill development utilising and supporting existing community investment in infrastructure and services with necessary augmentation undertaken as required.

The Planning Proposal has the potential to utilise and support the facilities due to be delivered in the neighbouring release areas, and the Planning Proposal would not place unacceptable demands on existing public infrastructure.

Any additional community infrastructure generated by the redevelopment of the site would be covered by the s94 developer contributions relevant to the site.

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

This section will be completed following consultation with any State and Commonwealth Public Authorities identified in the Gateway Determination.

4.5 Mapping

The mapping will require revisions to the:

- Land Zoning map,
- Height of Building map; and
- Lot Size map.

The suggested amendments are contained in the draft maps prepared and included at Attachments 1 and 2. The lot size map will require removal of any colour key from applying to the subject land.

4.6 Community Consultation

The area has been subject to extensive consultation through the recent reviews for the WWSR, DLEP and Planning Framework. It is therefore considered that the standard public exhibition of the Planning Proposal for 28 days be supported by:

- A public notice in local newspapers;
- A notice on the Pittwater Council website; and
- Written notification to surrounding landowners and community groups.

This exhibition post Gateway Determination is anticipated to be appropriate in this instance.

4.7 Project Timeline

The project timeline will largely be guided by the Planning Authority. The landowners are however committed to proceeding with the Planning Proposal and completing required studies that may arise from a Gateway Determination.

5.0 Conclusions and Recommendations

This Planning Proposal for 6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road, Warriewood, seeks to rezone the site to establish a mixed use precinct to augment the existing Warriewood Centre.

The site is located within the Southern Buffer of the Warriewood Urban Release Area which is well advanced.

In this respect, the character and landscape of this locality is undergoing a significant transformation. The redevelopment of the Warriewood Valley area has been proceeding in an orderly manner for primarily residential purposes with large scale residential subdivision and dwelling construction. The release and development of the area is delivering significant benefits and opportunities, with the construction of key infrastructure and creation of residential communities. The requested Planning Proposal would establish a focal centre for Warriewood Valley and augment and reconfigure the existing retail and recreation facilities in the area. The Planning proposal as requested would support the existing and future residential population of the area while also delivering the identified need for further retail capacity. The location of retail employment lands in the lower reaches of Warriewood Valley will provide potential employment opportunities and services in a location with good transport connectivity and capacity for increased connectivity to be pursued.

The proposal will facilitate, in conjunction with the existing Warriewood Centre, a mixed use focal point for the area, and providing employment and retail services in a manner that can facilitate the reduction in travel distances to employment and retail services.

In this context, the current Non-Urban 1(b) zone is overly restrictive and will retain relatively isolated. Non-urban lots adjacent to the site is in close proximity to public transport opportunities, employment opportunities, has access to recreation facilities, education services and social and retail services associated with surround urban development in the neighbouring release areas.

A rezoning of the site to facilitate mixed retail/residential uses has the potential to utilise the land in an appropriate manner that could integrate with the surrounding release areas. The site will be well serviced and accessible to all necessary services and infrastructure to support its redevelopment for mixed use purposes. It also has the potential to deliver improved site connectivity and focus.

It is recommended that arising from the consideration of this Planning Proposal that Pittwater Council resolve to support the intention of the Planning Proposal and prepare a Draft LEP to amend the Draft Pittwater Local Environmental Plan 20913 in the following way:

- Amend the Land Zoning Map to show the site as zone B4 Mixed use in accordance with the configuration shown on the attached proposed Zoning Plan (refer to Attachment 1) with a clause to permit "*residential accommodation*" on sites A and C of the precinct."
- Impose Building Heights ranging between 10m to 24m on the Height of Buildings Map in accordance with the configuration shown on the attached proposed Height of Buildings Plan (refer to Attachment 2);
- Delete the land from the Minimum Lot Size map; and
- Amend Clause 6.1 (4) of the Pittwater LEP 2013 to reflect the development potential of the land.

6.0 Appendices

6.1 Appendix 1: Assessment against LEP Evaluation Criteria

There are eight (8) criteria identified by the Department of Planning and Infrastructure to be addressed for spot rezoning LEP proposals. These evaluation criteria are considered below:

Criteria 1

Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?

As identified in the section 4.4.2, the proposal is compatible with the strategic direction of the Metropolitan Plan for Sydney 2036 and the North East Subregion Draft Subregional Strategy.

The site is immediately adjacent to Warriewood Centre and the Pittwater Road bus corridor. The redevelopment of the land will deliver utilities, retail, commercial, residential and community in a well serviced location.

Criteria 2

Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s117) Directions?

An assessment of the Planning Proposal against the State and Regional Policies and the Section 117 Directions is contained in Appendices 2 and 3.

The Planning Proposal would not result in any significant conflict with any relevant State Environmental Planning Policies.

In terms of the s117 Directions, the proposal is consistent with the relevant directions. As identified in Appendix 3, the Planning Proposal proposes to rezone non-urban 1(b) zoned land to B4 Mixed Use.

Criteria 3

Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?

No, the site is not located within a global or regional city, strategic centre or corridor. However, the site is located within the Warriewood Valley Urban Release Area and therefore will significantly benefit from, and contribute to, the delivery of infrastructure and services associated with that redevelopment.

In this respect, the Planning Proposal would provide new employment and housing opportunities in a location that could take advantage of these significant beneficial attributes.

Criteria 4

Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?

Yes. This Planning Proposal seeks to rezone the land used to permit retail and commercial as part of a mixed use development. The Proposal, therefore, will contribute to employment opportunities for the Pittwater Road.

Criteria 5

Will the LEP be compatible/complementary with surrounding land uses?

Yes. As identified in the Planning Proposal, the site is on the southern edge of the Warriewood Valley Urban Land Release which is being redeveloped for predominantly residential development. The site adjoins Warriewood Centre, and will, in conjunction with this facility, emerge as a Town Centre precinct.

In conjunction with the mixed use precinct, the Masterplan identifies synergies and opportunities for the reconfiguration of existing active open space areas to increase their efficiency and capacity to accommodate active open space facilities.

Appropriate buffers are also accommodated to the neighbouring Warriewood wetlands to augment and retain this area as an environmental asset.

In this respect, the proposal is considered to be complementary and compatible with surrounding land uses.

Criteria 6

Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?

As identified, the site will be bordered by urban release area development, which have been the subject of recent rezonings. The proposal is consistent with the Planning Framework prepared and adopted for the area.

It is unlikely that the LEP will create a precedent or change the expectations of the adjoining landowners.

Criteria 7

Will the LEP deal with a deferred matter in an existing LEP?

The Planning Proposal does not deal with a deferred matter in an existing LEP and is not applicable in this instance.

Criteria 8

Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

The site is bordered by urban release areas or land currently undergoing redevelopment for urban development. The site is within the area subject to the recent Warriewood Valley Strategic Review, which has invited Planning Proposals from landowners within the Southern Buffer.

The cumulative impact of this request is not considered to undermine the broader planning of the area or undermine the management of the planning functions of Council.

6.2 Appendix 2: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	Yes	This SEPP will not apply to the Draft Pittwater LEP 2013.
4. Development Without Consent and Miscellaneous Exempt and Complying Development	Yes	This SEPP will not apply to the Draft Pittwater LEP 2013.
6. Number of Storeys in a Building	Yes	This SEPP will not apply to the Draft Pittwater LEP 2013.
14. Coastal Wetlands	N/A	
15. Rural Land-sharing Communities	N/A	
19. Bushland in Urban Areas	Yes	The proposal is unlikely to have adverse impacts upon urban bushland.
21. Caravan Parks	N/A	
22. Shops and Commercial Premises	N/A	
26. Littoral Rainforests	N/A	
29. Western Sydney Recreation Area	N/A	
30. Intensive Agriculture	N/A	The provisions of this SEPP relate to cattle feed lot proposals.
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	This SEPP only applies to existing urban land.
33. Hazardous and Offensive Development	N/A	
36. Manufactured Home Estates	N/A	
39. Spit Island Bird Habitat	N/A	
41. Casino Entertainment Complex	N/A	
44. Koala Habitat Protection	Yes	The potential impacts upon the Koala population has been considered and addressed in the Planning Proposal.
47. Moore Park Showground	N/A	
50. Canal Estate Development	N/A	

SEPP Title	Consistency	Comment
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
55. Remediation of Land	Yes	The lands have been used for potentially contaminating uses i.e. agriculture with filling. However, it is unlikely that the site is unable to be made suitable for the proposed development. The site will be the subject of a Contamination Assessment post Gateway and prior to the exhibition.
59. Central Western Sydney Economic and Employment Area	N/A	
60. Exempt and Complying Development	N/A	
62. Sustainable Aquaculture	N/A	
64. Advertising and Signage	N/A	
65. Design Quality of Residential Flat Development	Yes	The Masterplan has had regards to the principles of SEPP 65.
70. Affordable Housing (Revised Schemes)	N/A	
71. Coastal Protection	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	This SEPP is relevant to specific development that would become permitted under the Planning Proposal and would need to comply with these provisions.
SEPP (Sydney Region Growth Centres) 2006	N/A	
SEPP (Infrastructure) 2007	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.

SEPP Title	Consistency	Comment
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	Yes	This SEPP may apply to the forms of development that will become permissible under the Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Rural Lands) 2008	N/A	This SEPP does not apply to the Pittwater LGA.
SEPP (Western Sydney Parklands) 2009	N/A	
SEPP (Affordable Rental Housing) 2009	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
Sydney Regional Environmental Plan (Sydney Harbour Catchment)	N/A	
SREP20 Hawkesbury-Nepean River	N/A	

Table 2: Consistency with State Environmental Planning Policies

6.3 Appendix 3: S117 Directions

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	Yes	The proposed B4 Mixed Use zone is consistent with the employment lands study undertaken by Council. The Proposal seeks to augment an existing centre and accommodate identified demand for employment lands within the Pittwater LGA.
1.2 Rural Zones	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	N/A	
1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	
2.0 Environment and Heritage		
2.1 Environment Protection Zones	Yes	The Planning Proposal does not propose the removal of or introduction of any Environmental Protection zones. There are no site features that warrant consideration of the application of these zones.
2.2 Coastal Protection	N/A	
2.3 Heritage Conservation	Yes	There are no known matters of Aboriginal heritage significance required to be considered for the site. Notwithstanding this, an Aboriginal archaeological study would be prepared if required should the Proposal obtain Gateway Approval. There are no heritage items located on the site.
2.4 Recreation Vehicle Areas	N/A	
3.0 Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	The proposed B4 Mixed Use zone would permit residential development on the land commensurate with the zoning and development of immediately adjacent land. The site is considered to be consistent with

S117 Direction Title	Consistency	Comment
		<p>the Direction as the rezoning would:</p> <ul style="list-style-type: none"> • Encourage and facilitate a variety of housing to satisfy future needs. • Would make efficient use of existing public transport infrastructure and utility services. • The provision of infill residential development on what will be a well serviced and located site.
3.2 Caravan Parks and Manufactured Home Estates	NA	
3.3 Home Occupations	Yes	The zones proposed in the Planning Proposal will permit home occupations to be carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport this Ministerial Direction	Yes	<p>The Planning Proposal is considered to be consistent with this Direction through:</p> <ul style="list-style-type: none"> • The Proposal will provide housing in a location that will be well serviced by public transport; • The Proposal will establish an effective town centre location; • The provision of housing in a location that is 800m to 1km from an existing centre that contains retail, commercial and community facilities; • The site enjoys pedestrian and cycleway connections through the site; • The Proposal will facilitate further pedestrian and cycleway connections through the site; • Providing an opportunity for residential development that improves opportunities for travel by means other than by car; and • Supports the efficient and viable operation of public transport services.
3.5 Development Near Licensed Aerodromes	N/A	
3.6 Shooting Ranges	NA	

S117 Direction Title	Consistency	Comment
4.0 Hazard and Risk		
4.1 Acid Sulphate Soils	Yes	The area is subject to potential acid sulfate soils. These potential issues could be addressed post Gateway Determination.
4.2 Mine Subsidence and Unstable Land	NA	
4.3 Flood Prone Land	Yes	The Planning Proposal will be consistent with this Ministerial Direction. The site is subject to flooding, however the Proposal demonstrates strategies to mitigate these impacts. Further detailed assessment would be undertaken post Gateway Determination.
4.4 Planning for Bushfire Protection	Yes	<p>The site is identified as being bushfire prone on the Council's Bushfire Prone Lands Map.</p> <p>The Proposal is supported by a bushfire hazard assessment.</p> <p>In this respect, the site is considered suitable for the proposed zonings with respect to the provisions of Planning For Bush Fire Protection.</p>
5.0 Regional Planning		
5.1 Implementation of Regional Strategies	N/A	
5.2 Sydney Drinking Water Catchments	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	
5.6 Sydney to Canberra Corridor	N/A	
5.7 Central Coast	N/A	
5.6 Second Sydney Airport: Badgerys Creek	N/A	

S117 Direction Title	Consistency	Comment
6.0 Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The Planning Proposal is consistent with this Ministerial Direction.
7.0 Metropolitan Plan Making		
7.1 Implementation of the Metropolitan Strategy	Yes	The Planning Proposal is consistent with the relevant actions from the North East Subregion Draft Subregional Strategy

Table 3: Consistency with S117 Directions

6.4 Appendix 4: Sustainability Criteria for New Urban Development

Table G2 Threshold Sustainability Criteria for Listing of site on MDP	Measurable Explanation of Criteria	Comment
<p>1 Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.</p>	<ul style="list-style-type: none"> • Development is consistent with any relevant residential development strategy, subregional strategy, regional infrastructure plan and Metropolitan Strategy. • The provision of infrastructure (utilities, transport, open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure contribution. • Preparedness to enter into development agreement. 	<p>The site is within the Warriewood Valley Urban Release Area. The location of the site delivers benefits to the site as utilities, transport and open space are in close vicinity of the site.</p>
<p>2 Access Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provide.</p>	<ul style="list-style-type: none"> • Accessibility of the area by public transport and appropriate road access in terms of: <ul style="list-style-type: none"> – Location/land use; to existing networks and related activity centres. – Network: the areas potential to be serviced by economically efficient public transport services. – Catchment: the area's ability to contain, or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals. • No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network. 	<p>The site will be connected in terms of public transport with the public bus services along the Pittwater Road site. Bus services will provide public transport to Warringah Mall and the Sydney CBD.</p> <p>The Masterplan has been designed to accommodate future bus routes if required.</p>
<p>3 Housing Diversity Provide a range of housing choices to ensure a broad population can be housed.</p>	<ul style="list-style-type: none"> • Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing. 	<p>The Proposal will deliver the opportunity for a range of housing choices to be provided on the site.</p>

Table G2 Threshold Sustainability Criteria for Listing of site on MDP

Measurable Explanation of Criteria

Comment

4 Employment Lands

Provide regional/local employment opportunities to support Sydney’s role in the global economy.

- Maintain or improve the existing level of subregional employment self-containment.
- Meets subregional employment capacity targets:
 - Employment related land is provided in appropriately zoned areas.

The Planning Proposal specifically seeks to provide local and regional employment opportunities.

5 Avoidance of Risk

Land use conflicts, and

- Available safe evacuation route
- Land on the majority of the site is not bushfire prone and the risk to human health and life, avoided.

- Available safe evacuation route (Flood and Bushfire).
- No residential development within 1:100 floodplain.
- Avoidance of physically constrained land: high slope; highly erodible.
- Avoidance of land use conflicts with adjacent, existing or future land use and rural activities as planned under regional strategy.

The Masterplan has been designed to accommodate appropriate APZ and flood risk mitigation strategies.

6 Natural Resources

Natural resource limits not exceeded/environmental footprint minimised.

- Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows.
- Demonstrates most efficient/suitable use of land.
- Avoids identified significant agricultural land.
- Avoids impacts on productive resource lands; extractive industries, coal, gas and other mining, and quarrying.
- Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; requires demonstration of efficient and sustainable supply solution.

Appropriate infrastructure, utilities, services and energy resources will be available to the site.

7 Environmental Protection

Protect and enhance biodiversity, air quality, heritage, and waterway health.

- Consistent with Government approved Regional Conservation Plan (if available).
- Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as

The site is not affected by a Regional Conservation Plan.

Significant vegetation will be retained where appropriate.

A Water Cycle Management Plan will

Table G2 Threshold Sustainability Criteria for Listing of site on MDP	Measurable Explanation of Criteria	Comment
	<p>mapped and agreed by DEC and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats.</p> <ul style="list-style-type: none"> • Maintain or improve existing environmental condition for air quality. • Maintain or improve existing environmental condition for water quality and quantity. • Consistent with community water quality objectives for recreational water use and river health (DEC and CMA). • Consistent with catchment and stormwater management planning (CMA and local council). • Protects areas of Aboriginal cultural heritage value (as agreed by DEC). 	<p>be prepared should the Proposal obtain initial Gateway Approval.</p> <p>Air quality is unlikely to be affected by the proposed development.</p> <p>Water quality will be maintained through the implementation of the appropriate WSUD measures.</p> <p>There are no known areas of aboriginal significance</p>
<p>8 Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible.</p>	<ul style="list-style-type: none"> • Available and accessible services. • Do adequate services exist? • Are they at capacity or is some available? • Has Government planned and budgeted to further service provision? • Developer funding for required service upgrade/access is available. 	<p>The site is in close proximity to the Warriewood Centre centre, and is proposed to deliver retail and commercial facilities.</p> <p>The site is also in close proximity to the local and district open space facilities.</p> <p>Public transport services exist to the east along Pittwater Road.</p> <p>Developer funding is available by s94.</p>

Table 4: Assessment against Table G2 Sustainability Criteria for New Land Release



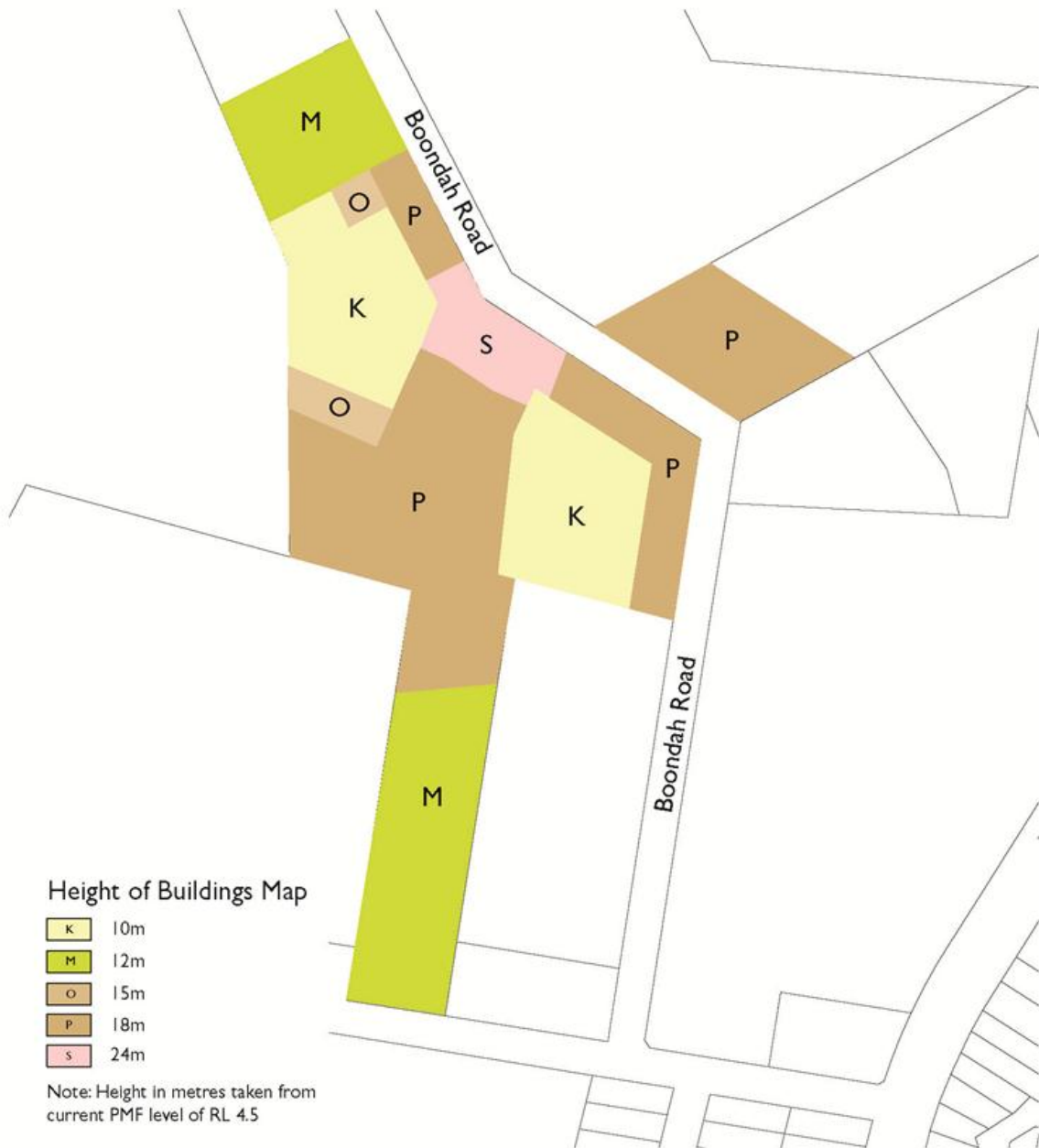
Attachments

Attachment 1: Proposed Zoning Plan



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Attachment 2: Proposed Height of Building Map



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Attachment 3: Urban Design Study

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Attachment 4: Flood Assessment

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Attachment 5: Environmental Constraints Analysis

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Attachment 6: Transport Assessment

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