

15 Jubilee Avenue, Warriewood

Planning Proposal Report

On behalf of Greenbush Pty Ltd

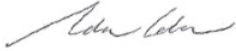
November 2016



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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Directors.

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1 Introduction

This report has been prepared by Mecone Pty Ltd (Mecone) on behalf of Blackmores Ltd (Blackmores) to support a Planning Proposal to Northern Beaches Council (Council) in relation to the site at 15 Jubilee Avenue, Warriewood. This planning proposal seeks to amend the Pittwater Local Environmental Plan 2014 (PLEP 2014), to rezone the site from its current IN2 – Light Industrial zoning to a B7 – Business Park zoning, as well as increasing the floor space ratio (FSR) standard from 1:1 to 1.5:1 and the height of building (HOB) standard from 11m to 15m.

Mecone have previously held discussions with Council relating to a proposed industrial facility on the site, on behalf of Blackmores. The new development is focussed on providing office and general support services for the Blackmores packaging and warehousing operation, which is located directly opposite the subject site at 20 Jubilee Avenue, Warriewood. Blackmores have identified a strategic need to continue to expand their campus to match increased business demand and forecasted employment growth.

Early discussions with Council have surrounded the lodgement of a development application (DA) for the expansion of the Blackmores Campus across to 15 Jubilee Avenue. However, uncertainty around land use permissibility has resulted in a planning proposal being deemed the most suitable next step. Following a rezoning of the site (or post gateway), a DA would be lodged to Council for the new facility.

This Planning Proposal Report has been prepared on behalf of the proponent, Blackmores, accompanied by the following project team.

Table 1. Project Team	
Item	Description
Urban Planning	Mecone
Architectural Design	WMK Architecture
Traffic Assessment	The Transport Planning Partnership
Contamination Assessment	SNC Lavalin
Economic Impact Assessment	AEC Group

2 The Site

2.1 Regional Context

The subject precinct is located in the Warriewood industrial precinct, within the Northern Beaches local government area (formerly the Pittwater local government area) in Sydney's north. The city's metropolitan plan, *A Plan for Growing Sydney*, identifies this as being within Sydney's North Subregion, which includes the pre-amalgamation local government areas (LGAs) of Hornsby, Hunters Hill, Ku-Ring-Gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby.

Figure 1 below shows the regional context of the site.

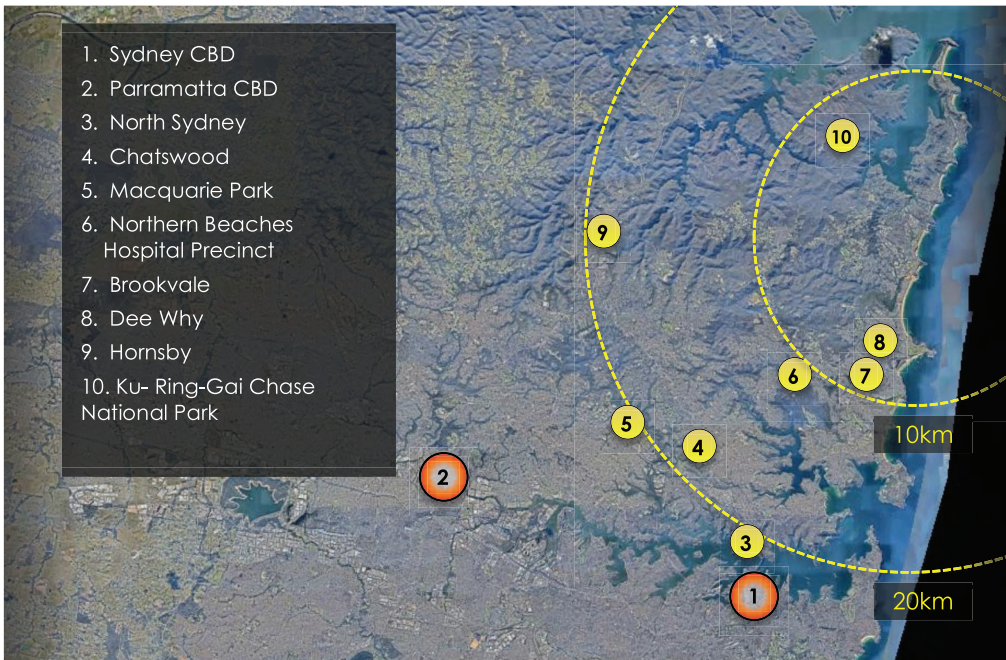


Figure 1 Regional context diagram
Source: Nearmap modified by Mecone

2.2 Local Context

The site is located within an industrial estate/business park in Warriewood NSW, known generally as the Warriewood Valley Release Area, which contains 27ha of industrial and commercial land. Nearby land uses are predominantly commercial and industrial however there are some nearby residential properties. The local area includes the nearby suburbs of Mona Vale, Newport, Elanora Heights and Ingleside. Natural features are a dominant feature of the local area, with the various Pacific Ocean beaches, Ku-Ring-Gai National Park, Garigal National Park, and Pittwater all within 2km of the subject site.

A local context diagram is shown in the below Figure 2.

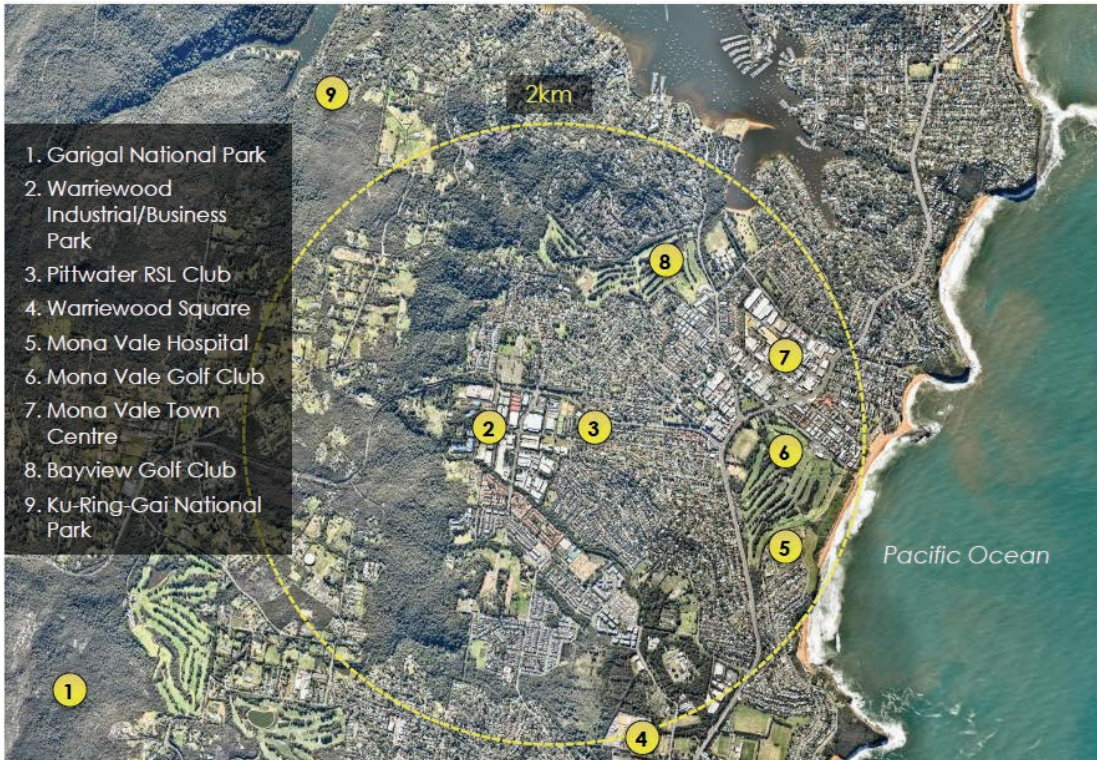


Figure 2 Local context diagram
 Source: Nearmap modified by Mecone

2.3 Site Description

The below Table provides the legal description, and a brief summary of the site and surrounding context.

Table 2. Site Description	
Item	Description
Legal Description:	Lot 202 DP 1019363
Total Area	4,560m ²
Site Description	The site is currently vacant, with some grass and limited vegetation.
Surrounding Context	The surrounding context of the site is predominantly industrial and commercial, comprising of campus style buildings on large lots of +4000m ² .

The site's surrounding development context is presented in the following figures.



Figure 3 Subject Site
Source: Mecone



Figure 4 Image of site looking southwest
Source: Mecone



Figure 5 Image of site looking southeast
Source: Mecone



Figure 6 Looking west along Jubilee Avenue
Source: Mecone



Figure 7 Nearby development at Jubilee/Ponderosa Parade
Source: Mecone



Figure 8 Entrance to Blackmores Campus opposite the subject site
Source: Mecone

3 Local Planning Framework

3.1 Pittwater Local Environmental Plan 2014

The relevant environmental planning instrument which applies to the land is the Pittwater Local Environmental Plan (PLEP) 2014. The key provisions applicable to the sites are outlined in Table 3 below and the following figures.

Table 3. Pittwater Local Environmental Plan 2014	
Item	Provisions
Zoning	IN2 – Light Industrial
Building Height	11m.
Floor Space Ratio	1:1
Acid Sulfate Soils	Class 5
Heritage	No heritage controls applicable to the site
Minimum Lot Size	2000m ²
Urban Release Area	Identified within the Warriewood Valley Release Area

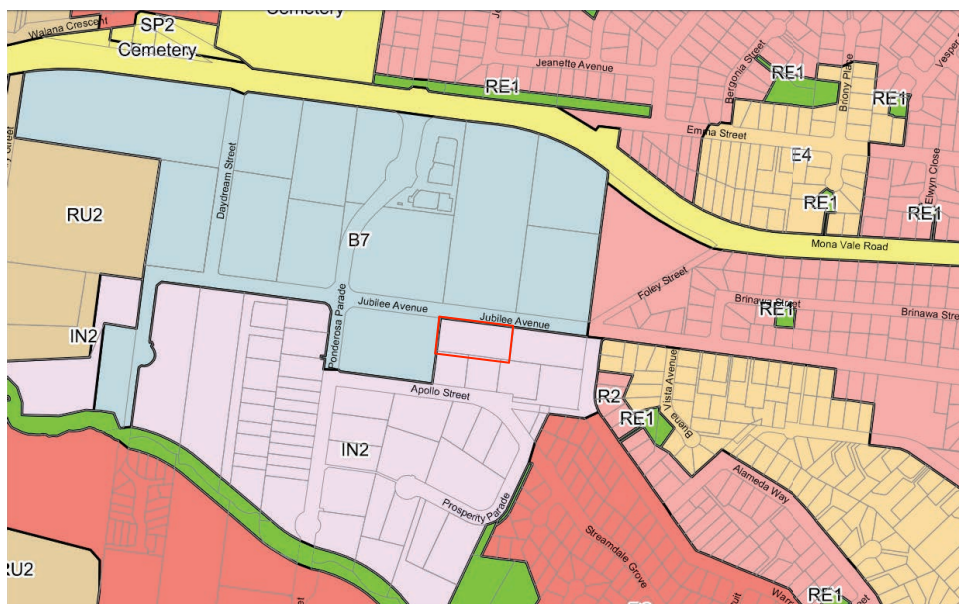


Figure 9 Zoning Map
Source: Pittwater Local Environmental Plan 2014

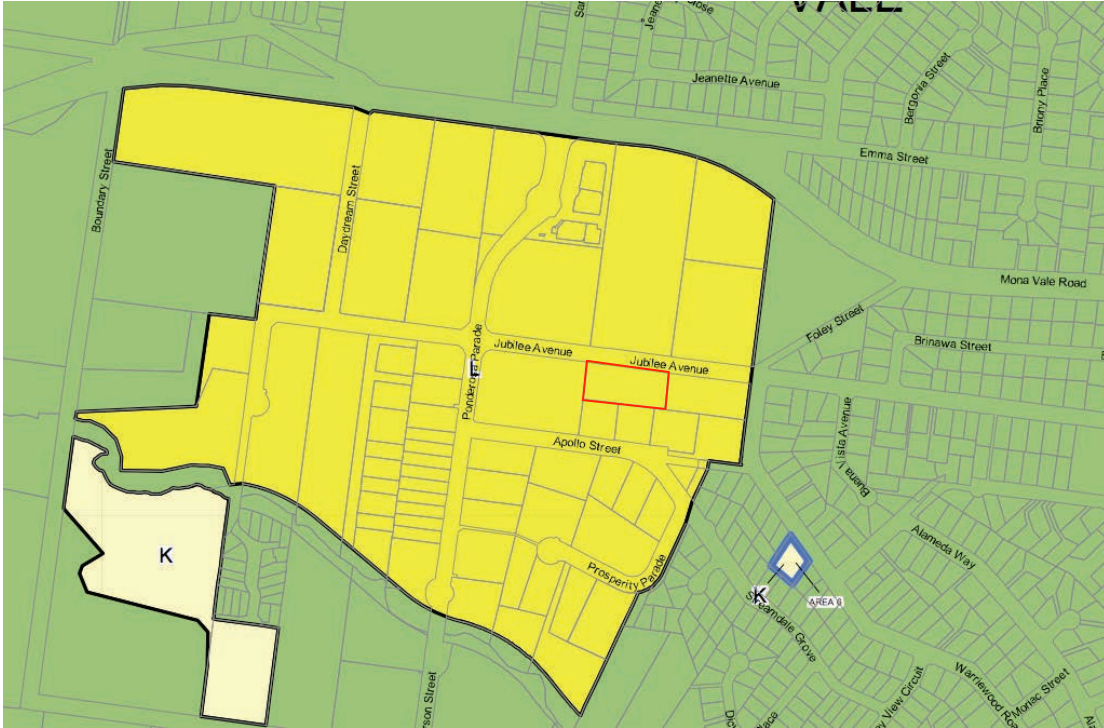


Figure 10 Height of Buildings Map
 Source: Pittwater Local Environmental Plan 2014

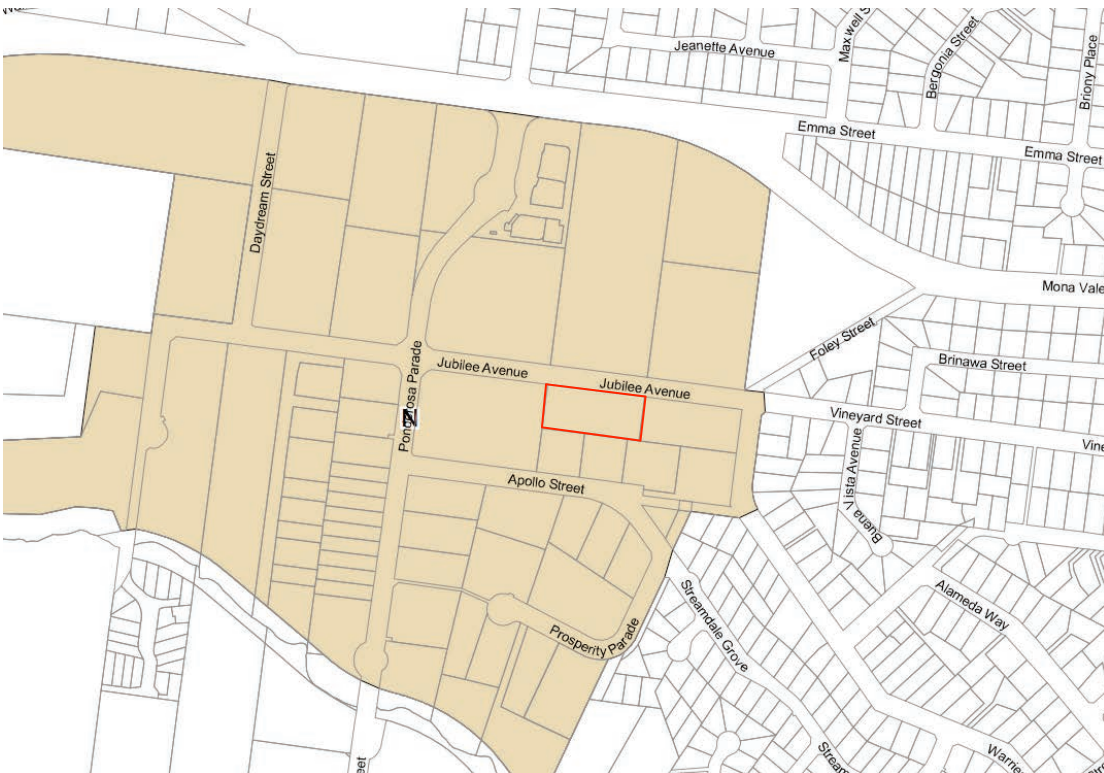


Figure 11 Floor Space Ratio Map
 Source: Pittwater Local Environmental Plan 2014

4 Background to Planning Proposal

4.1 Blackmores Campus and Proposed Expansion

Blackmores is a leading Australian natural health company that employs more than 800 staff internationally, with its head facility located directly opposite the subject site, at 20 Jubilee Avenue, Warriewood. This is known as the "Blackmores Campus", and was officially opened in 2009 although the organisation has been operating on Sydney's Northern Beaches since the 1970's. The campus, which covers more than 25,000m², employs more than 441 employees and ships more than 4,800 orders to retail customers every week. Of 441 employees, 252 (78%) live on the Northern Beaches and approximately 60% are linked to Production and Warehouse operations.

Current staff numbers are expected to grow significantly above 500 in the 2016/2017 financial year. Various options have been considered in terms of catering for the additional work space, including consideration of expanding the existing site or investigating other properties, including other localities across Sydney. However, the most desirable option is for the construction of a new building at 15 Jubilee Avenue. Two concept proposals have been prepared by WMK Architecture, held at Appendix 2 and Appendix 3. The 1:1 scheme generally includes:

- A 3 storey building (plus basement levels) with 3580m² of office and meeting space;
- A maximum height of 11m above ground; and
- Parking for 160 vehicles over 2 basement car park levels.

The preferred option is an alternate scheme to accommodate additional workspaces and future proof the development to accommodate expected business growth, with a 1.5:1 FSR. In summary, this proposal includes:

- A 4 storey building (plus basement levels) with 5400m² of office and meeting space;
- A maximum height of 15m above ground; and
- Parking for 200 vehicles over 3 basement car park levels.

A concept sketch and massing diagram of the proposal is shown in the below Figure 12 and Figure 13. Further block massing diagrams are provided at Appendix 7 and Appendix 8 as requested by Council.

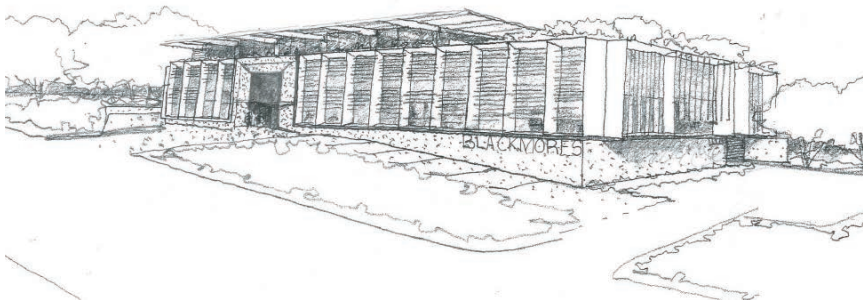


Figure 12 Concept sketch perspective of proposed development
Source: WMK

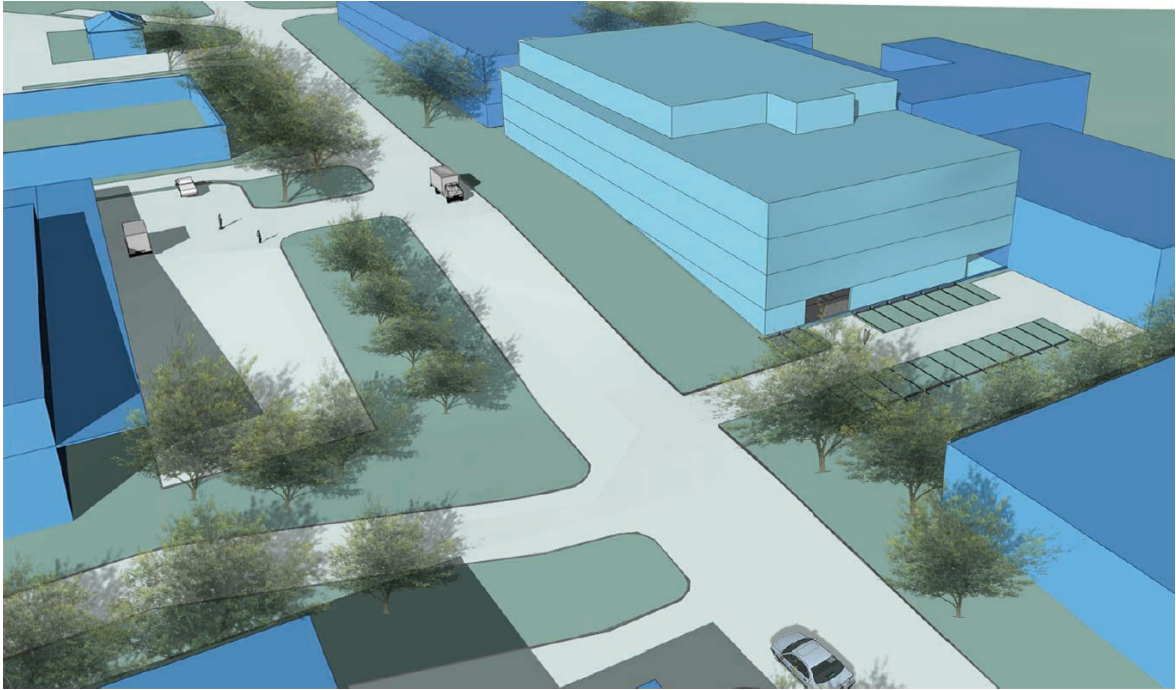


Figure 13 Massing Diagram of Proposal
Source: WMK

The proposed development at 15 Jubilee Avenue at a FSR of 1:1 would cater for the current expansion needs of the company, whilst a scheme designed to 1.5:1, would essentially future proof additional growth as part of overall Blackmores Campus operations. This is appropriate given the significant growth that Blackmores have experienced to date, and is forecast to experience moving forward and provides certainty in business planning for their shareholders and the community. This is important, as without certainty on future business growth, Blackmores would potentially require acquisition of new sites, and/or relocation out of the Warriewood Valley Employment Area entirely. Given there are limited opportunities for purchase or expand onto adjoining sites, the development of 15 Jubilee Avenue is the most appealing and provides the most certainty.

The economic impacts of an FSR of 1.5:1 are discussed further within the supplementary economic and traffic reports which accompany this application (discussed further in Section 5 of this report). This is certainly an exciting opportunity to secure the longevity of Blackmores within the Northern Beaches and assist them in achieving business growth and significant increases in employment numbers.

4.1.1 Preliminary meeting with Council

Council was approached in April 2016 regarding the concept development, and the potential lodgement of a DA on the site. As the proposed development would be linked to the Blackmores Campus at 20 Jubilee Avenue, it was envisaged that the application could comply with the land use table under the IN2 – Light Industrial zone, essentially as industry which supports the ongoing operations of the facility at 20 Jubilee Avenue, Warriewood.

Following a review Council considered that there was risk associated with the lodgement of a development application, and alternatively suggested that Blackmores lodge a

Planning Proposal to rezone the subject land. We agree with this approach, as it provides the greatest degree of certainty to Council and Blackmores. In light of this feedback, a development application has been postponed until a planning proposal to rezone the land has progressed.

5 Supporting Analysis

5.1 Economic Impact Assessment

The AEC Group has prepared an Economic Impact Assessment to support this Planning Proposal Report (see Appendix 4). The site is noted as being located within the Warriewood Valley Release Area, a precinct in which the manufacturing industry makes up 50% of employment numbers. The highest proportion of manufacturing jobs are within 'Basic Chemical and Chemical Product Manufacturing' (13%), arising from Blackmores and other pharmaceutical companies being located within the Precinct.

AEC have identified that there is likely to be strong growth from a number of key industries in the Warriewood Valley Employment Precinct to 2036, with growth of 49% in Education and Training, 49% in Health Care and Social Assistance, 38% in Wholesale Trade, and 36% in Accommodation and Food Services.

A review of the two development options has been undertaken with respect to the potential economic activity supported by the subject site. A comparison of the potential economic activity supported by the subject site for the two options is shown below in Table 4.

Table 4. Potential Economic Activity at 15 Jubilee Avenue		
Activity	Option 1 (1:1)	Option 2 (1.5:1)
Economic output	\$237.2 million (including \$92.5 million directly injected into the economy)	\$342.2 million (including \$133.6 million directly injected into the economy)
Contribution to GRP	\$128.7 million (including \$48.5 million in direct impacts)	\$185.8 million (including \$70.1 million in direct impacts)
Wages and salaries	\$68.4 million (including \$24.1 million paid to labour as a result of direct impacts)	\$100.0 million (including \$36.1 million paid to labour as a result of direct impacts)
FTE employment	908 positions (including 286 direct FTE jobs)	1,312 positions (including 416 direct FTE jobs)

5.1.1 Section 117 Direction: Business and Industrial Zones

Section 117(2) of the Environmental Planning and Assessment Act 1979 provides directions to planning authorities regarding planning proposals. AEC has addressed *Section 1.1 Business and Industrial Zones* as outlined in the table below.

Table 5. Consistency with Section 117(2) Objectives		
No.	Objective	Rezoning Scenario
1	Encourage employment growth in suitable locations	<p>The Site is currently unimproved. If the Site was redevelopment under the existing controls, it is estimated that the Site could accommodate 66 jobs.</p> <p>The Proposal (Option 1) envisages development of the Site to accommodate: office/meeting floorspace (4,014sqm), cafe (135sqm), library (180sqm) and wellness centre (225sqm). This floorspace combined could accommodate 286 direct jobs on Site.</p> <p>The Proposal (Option 1) complies with this objective.</p> <p>The Proposal (Option 2) envisages development of the Site to accommodate: office/meeting floorspace (5,796sqm), cafe (360sqm), library (270sqm) and wellness centre (270sqm). This floorspace combined could accommodate 416 direct jobs on Site.</p> <p>The Proposal (Option 2) complies with this objective.</p> <p>Both Option 1 and 2 present a unique opportunity to intensify employment numbers within the Warriewood, which is located within an existing well-located business precinct.</p>
2	Protect employment land in business and industrial zones	<p>The planning amendment sought would lead to an increase in the quantum of land zoned for employment generating land uses in the Pittwater LGA. The total number of jobs generated on the Site is estimated at 286-416 jobs, representing an intensification of land use, compared to 66 jobs that could be accommodated in the IN2 base case.</p> <p>The Proposal Case complies with this Objective.</p>

Table 5. Consistency with Section 117(2) Objectives

3	Support the viability of identified strategic centres	<p>The Proposal (both Option 1 and Option 2) would consolidate new jobs and investment in Pittwater in accordance with A <i>Plan for Growing Sydney</i>. In particular the Proposal (both Option 1 and Option 2) is in line with Goal 1 “a competitive economy with world class-services and transport”. One of the key directions/actions of this goal is Direction 1.9: Support priority economic sectors. The Plan states that the growth of priority industries (i.e. professional services etc.) has to be supported by planning for their land use needs. Benefits can flow from the emergence of industry clusters in cost-effective locations.</p> <p>The Proposal (both Option 1 and Option 2) would increase the quantum of retail expenditure generated by workers and provide a net positive addition to the pool of expenditure available to be captured by local businesses.</p> <p>For these reasons, the Proposal (both Option 1 and Option 2) would fulfill this Objective.</p>
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The Section 117 Directions also set out five requirements for planning authorities to consider when preparing a planning proposal affecting land within business and industrial areas, which have been considered by AEC as outlined in the table below.

Table 6. Planning Authority Considerations (117 Directions Section 1.1)

Consideration	Achieved?	Explanation
Give effect to the objectives of this direction	Yes	Table 5 has established that the objectives of the direction would be achieved via the Proposal (both Option 1 and Option 2).
Retain the areas and locations of existing business and industrial zones	Yes	The Proposal (both Option 1 and Option 2) would increase the quantum of land used for employment uses in Pittwater LGA, and as identified in this EIA, the proposed uses on the Site would respond to the changing employment and floorspace requirements of industry. In order for development to occur in the Precinct, contemporary office-type floorspace that meets with changing requirements of the pharmaceutical and vitamin supplement industry is needed.

Table 6. Planning Authority Considerations (117 Directions Section 1.1)

<p>Not reduce the total potential floor space area for employment uses and related public services in business zones</p>	<p>Yes</p>	<p>The Proposal (Option 1) envisages development of the Site to accommodate: office/meeting floorspace (4,014sqm), cafe (135sqm), library (180sqm) and wellness centre (225sqm). This floorspace combined could accommodate 286 direct jobs on Site. The Proposal (Option 1) complies with this objective.</p> <p>The Proposal (Option 2) envisages development of the Site to accommodate: of office/meeting floorspace (5,796sqm), cafe (360sqm), library (270sqm) and wellness centre (270sqm). This floorspace combined could accommodate 416 direct jobs on Site.</p> <p>The Proposal (both Option 1 and Option 2) would result in a greater intensification of employment uses on the Site and cater for the emerging business trends in the area.</p>
<p>Not reduce the total potential floor space area for industrial uses in industrial zones</p>	<p>No</p>	<p>The Site is currently unimproved. If the Site was redevelopment under the existing controls, it is estimated that the Site could accommodate 66 jobs.</p> <p>The Proposal (Option 1) envisages development of the Site to accommodate: of office/meeting floorspace (4,014sqm), cafe (135sqm), library (180sqm) and wellness centre (225sqm). This floorspace combined could accommodate 286 direct jobs on Site.</p> <p>The Proposal (Option 2) envisages development of the Site to accommodate: of office/meeting floorspace (5,796sqm), cafe (360sqm), library (270sqm) and wellness centre (270sqm). This floorspace combined could accommodate 416 direct jobs on Site.</p> <p>It should also be noted that the rezoning sought is from IN2 to B7 Business Park. The B7 Business Park zone does accommodate some industrial uses as well as business uses. Therefore there is the opportunity for light industrial uses to operate from the site under a B7 zoning, although there is a clear and growing demand for higher order business park operations, which provide for significantly higher employment numbers.</p>
<p>Ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning</p>	<p>Yes</p>	<p>As established in this EIA, the Proposal (both Option 1 and Option 2) is consistent with State and local government objectives to support jobs, economic development, efficient and effective use of land in suitable locations. It complies with this condition.</p>

5.2 Contamination Assessment

A Phase 1 Environmental Site Assessment has been undertaken by SNC Lavalin to support this planning proposal and consider the impacts of a rezoning to a B7 – Business Park zoning (see Appendix 6). The objectives of the assessment were:

- To identify past or current activities that may have contaminated the subject site;
- To identify Areas of Concern (AOC) and Contaminants of Potential Concern (COPC) that maybe associated with past or current activities;
- To provide a determination of whether the change in zoning from IN2 Light Industrial to B7 Business Park creates a significant risk of harm to human health and or the environment; and
- To determine the necessity for a Phase 2 ESA to inform earthworks requirements associated with the Blackmores Campus Extension development.

SNC Lavalin have determined that a proposed change of zoning from IN2 Light Industrial to a B7 Business Park zoning would not change the risk profile associated with the site, and concluded:

- The subject site is suitable for rezoning to B7 Business Park in accordance with Clause 6 of SEPP 55; and
- A Phase 2 ESA is not required to inform the rezoning application.

5.3 Traffic Impact Assessment

A Traffic Impact Assessment has been prepared by The Transport Planning Partnership (TPPP) to support this planning proposal (see Appendix 5). This has given consideration to the predominant office usage as envisioned upon the site, as well as other permissible land uses within the B7 – Business Park zoning with high traffic generating potential.

With the site currently vacant, any development of the site will increase the traffic demands to the road network. The Warriewood Valley Roads Master Plan and the associated Section 94 Plan have anticipated and planned for addition traffic flows in this area; as such TPPP have investigated the impacts of a proposed rezoning to B7. TPPP note there could be potential variations arising from either zoning, due to the varied land uses which are permissible in each zone and utilising the RMS Traffic Generation Rates for these landuses. These are:

- A potential for 23 – 410 vehicles per hour in the existing IN2 zoning; and
- A potential for 42 – 91 vehicles per hour in the proposed B7 zoning.

The traffic impact assessment of the most likely future use of the site, being an office building, has been considered under both a 1:1 FSR scenario and a 1.5:1 FSR scenario. The potential peak hour traffic generation is shown in the below Table 7, utilising the RMS guidelines of 2.0 vehicle trips per peak hour per 100m² GFA.

Table 7. Potential Peak Hour Traffic Generation

	FSR 1:1	FSR 1.5:1
GFA (m ²)	4,555m ²	6,833m ²
RMS Traffic Generation Rate (vehicles/hour/100m ²)	2.0	2.0
Traffic Generation (vehicles/hour)	91	137

A SIDRA analysis of the nearby Ponderosa Parade/Jubilee Avenue intersection shows that this intersection will continue to operate satisfactorily as a single lane roundabout with good levels of service and spare intersection capacity with the site developed for office purposes at 1.5:1.

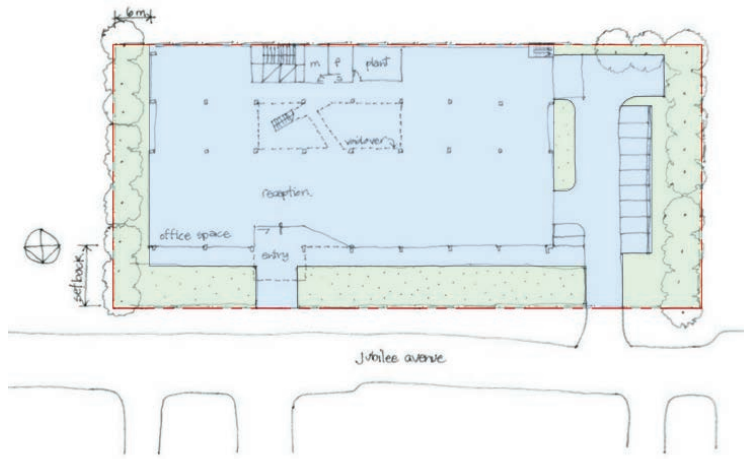
Vehicular access and car parking provisions have also been assessed by TTPP confirming that the site can adequately provide for safe access and car parking to Council's prescribed rates.

The traffic analysis demonstrates that development under a B7 Zoning would not adversely affect the existing operation of the surrounding road network, nor restrict the implementation of future infrastructure provision as envisaged by the Warriewood Valley Roads Master Plan and the associated Section 94 Plan.

5.4 Flooding

Water modelling undertaken for the Warriewood Valley has assumed a maximum impervious area of 75% across the site. For the purposes of water cycle management, Council has advised that the proposed development must demonstrate that the site storage requirement (SSR) of 75% will be maintained.

WMK have calculated the hardstand area of the proposed development (at 1.5:1) to be 3,274m² (71.87%) and the landscaped area to be 1,281m² (28.12%). This is above the minimum of 25% required and accordingly no Water Management Report has been prepared to accompany this Planning Proposal.



	TOTAL SITE AREA:	4,555 m ²
	HARDSTAND AREA:	3,274 m ² (71.87%)
	LANDSCAPE AREA:	1,281 m ² (28.12%)

Figure 14 Proposed Site Coverage
Source: WMK

6 Planning Proposal Overview

Section 55(2) of the *Environmental Planning and Assessment Act 1979* outlines the required contents of a planning proposal. The Department of Planning and Environment has produced "A Guide to Preparing Planning Proposals" (October 2012) which breaks these requirements into six parts. These parts are addressed in the next chapters as follows:

- Part 1 – A statement of the objectives and intended outcomes;
- Part 2 – An explanation of the provisions to be included in the proposed instrument;
- Part 3 – Justification of the objectives, outcomes and the process for implementation;
- Part 4 – Maps to identify the modifications required to the proposed instrument and the area to which it applies;
- Part 5 – Details of the community consultation to be undertaken; and
- Part 6 – Draft timeline for the planning proposal.

Part 1: Objectives and Intended Outcomes

The intended outcomes of this planning proposal relate to the future development of the site for industrial and commercial purposes, specifically for the expansion of the Blackmores Campus which currently operates at 20 Jubilee Avenue, Warriewood.

The current land use controls under the existing IN2 zoning do not provide sufficient flexibility to provide ongoing certainty regarding the expansion of the Blackmores Campus onto the site. To avoid any doubt around the issue of permissibility, a planning proposal is the considered the most appropriate way forward.

It is intended that a DA would be lodged for the site either post gateway determination or following the making of the amended Pittwater LEP. Draft concept architectural drawings are held at Appendix 2 and Appendix 3 (for the two schemes).

Part 2: Explanation of Provisions

The planning proposal seeks to achieve the intended outcomes outlined in 'Part 1: Objectives and Intended Outcomes' by proposing amendments to the PLEP 2014. Specifically, amendments would need to be made to the site's land use zoning and FSR.

A B7 – Business Park zoning is considered the most appropriate land use zone for the site to achieve the intended outcomes. This zone is already established in the area and applicable to the sites immediately north and west. It is therefore not out of character with the existing built form and land uses, and permits a range of similar land uses to the IN2 – Light Industrial zoning which makes up the remainder of the Warriewood employment area. It is also a sympathetic land use zoning, considering the close proximity of residential properties to the east of the site.

An increase to the FSR standard is also sought as part of this planning proposal, which would allow for a maximum FSR of **1.5:1** on the site. Further, an increase to the HOB standard is sought to allow for a maximum building height of 15m above ground.

The abovementioned changes require only changes to the mapping associated with the PLEP 2014. No changes to existing clauses or the insertion of new clauses are required. Draft rezoning maps have been prepared and accompany this report at Appendix 1.

Part 3: Justification

Section A – Need for the Proposal

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

The planning proposal has arisen as a result of an identified need for additional employment space to support the continued operation and expansion of the Blackmores Campus, currently situated at 20 Jubilee Avenue, Warriewood.

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

The planning proposal is required to facilitate the objectives and outcomes, as the site must be rezoned in order to permit the intended development. The site does currently not permit commercial development.

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

NSW State Plan

NSW 2021 is a 10 year plan to make NSW number one, based on strategies to rebuild the economy, return quality services, renovate infrastructure, strengthen local government and communities and restore accountability to government. The plan sets a number of goals, targets and actions to achieve the NSW 2021. The proposal is not inconsistent with the 32 goals outlined within NSW 2021, in particular aligning with Goal 1 as outlined the below Table 8.

Table 8. NSW State Plan 2021

Goal	Relevant Target(s)	Relevant Action(s)	Consistency
Goal 1: Improve the performance of the NSW Economy	Grow employment by an average of 1.25% per year to 2020.	Target the creation of 100,000 new jobs through our Jobs Action Plan. Through a payroll tax rebate we are lowering the tax burden for businesses, helping to stimulate an additional 100,000 jobs in NSW, including 40,000 in regional NSW Work more effectively with Local and Commonwealth Government agencies to overcome impediments to industry growth across NSW	The proposal will facilitate jobs (including retention existing Blackmores) growth in the Northern Beaches LGA.

A Plan for Growing Sydney

Under the city's metropolitan planning document, *A Plan for Growing Sydney*, 4 key goals and 22 directions are outlined as part of a framework for strengthening the global competitiveness of Sydney and delivering strong investment and jobs growth in Western Sydney.

This planning proposal aligns particularly with *Goal 1: A competitive economy with world-class services and transport*. The rezoning proposal supports *Direction 1.9: Support Priority economic sectors* and the associated below actions:

- Action 1.9.1: Support the Growth of Priority Industries with Appropriate Planning Controls; and
- Action 1.9.2: Support key industrial precincts with appropriate planning controls.

Draft North District Plan

The Draft North District Plan has been prepared by the Greater Sydney Commission to propose a 20 year vision for the 'North District' of Sydney. The Draft District Plan interweaves the four primary goals of *A Plan for Growing Sydney* by describing priorities and actions for the North District in terms of:

- A productive city
- A liveable city
- A sustainable city

Economic opportunities in the North District include significant planned and committed investment in public infrastructure, growing employment areas, and natural and cultural assets. This Planning Proposal is generally consistent with the Draft District Plan and promotes jobs growth in local centres.

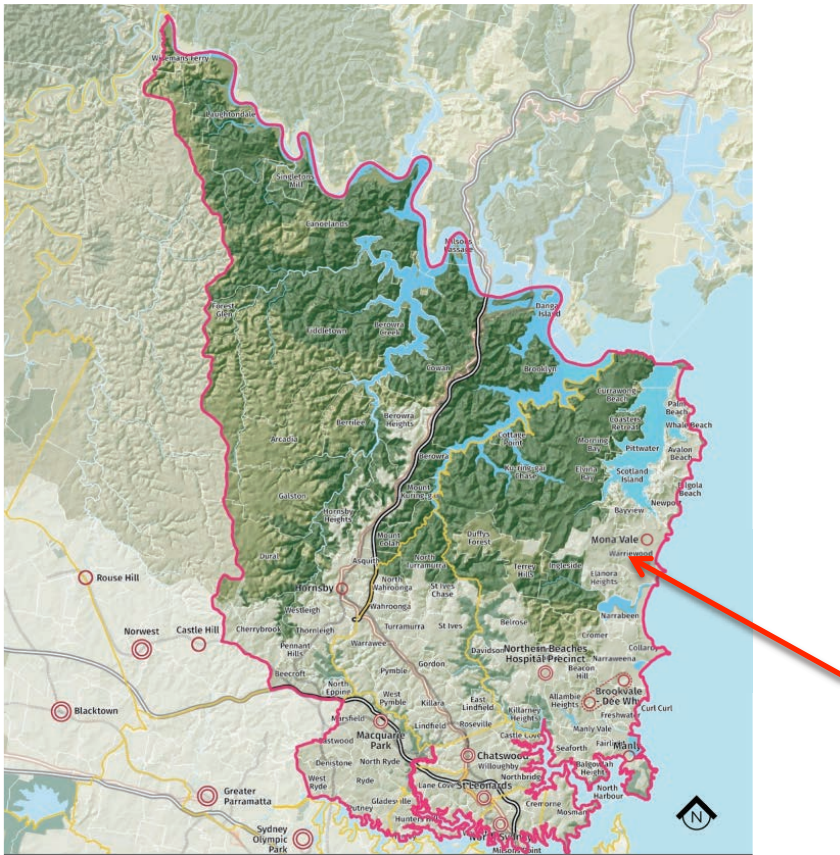


Figure 15 Site's location in Sydney's North District
 Source: Greater Sydney Commission

Northern Beaches Regional Action Plan

The Northern Beaches Regional Action Plan outlined the following priorities and actions for the region:

- Priority 1: Improve access to healthcare;
- Priority 2: Better transport access to the Northern Beaches;
- Priority 3: Encourage the development of more affordable housing options and improve local amenity;
- Priority 4: Improve support services for young people and the ageing;
- Priority 5: Protect the natural environment; and
- Priority 6: Boost the local economy

The planning proposal is considered to be generally consistent or not inconsistent with the Regional Action Plan, particularly with the boost to the local economy that would result from the site's rezoning and the expansion of the Blackmores Campus.

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

Warriewood Valley Strategic Review 2012 and Addendum 2014

In response to the approval of the Major Project Application at 14-18 Boondah Road, Pittwater Council and the then NSW Department of Planning and Infrastructure undertook a review of undeveloped land in the Warriewood Valley, with the aim of establishing which land may be suitable for increased development. The result was the publication of the Warriewood Valley Strategic Review Report 2012, and the Addendum Report released in 2014.

Step 1 of this investigation was a review of land parcels, with only those sectors as "Designated Residential Sectors" identified for further investigation. As the subject site did not meet this criteria, further investigation was not warranted. The 2014 Addendum Report was undertaken to discuss the remaining sectors that were not identified in the 2012 study. This includes the subject site at 15 Jubilee Avenue, Warriewood.

The 2014 Addendum Report investigated a number of environmental affectations across the Valley, including but not limited to bushfire, flooding, acid sulphate soils, and biodiversity. Sites were then sorted into "Land Capability classifications" which assigned sites a classification between 1 (most level of capability) and 5 (least level of capability). As shown in the below figure, the site (which is referred to as "Sector 105") is shown as having "Most" level of capability



Figure 16 Composite Capability Map
Source: Warriewood Valley Strategic Review Addendum Report

Recommendations from the study relevant to the site include:

- Employment Generating land use designation recommended;
- No change proposed from the existing Pittwater LEP 2014 provisions; and

- Landowners encouraged to investigate opportunities for amalgamation.

The planning proposal is consistent with the findings and recommendations of the Addendum Report. The zoning (and intended development) will provide for an employment generating land use which is able to be developed immediately, acting as an extension of the existing Blackmores Campus. Further, the increase in FSR and Height intensifies employment generating uses at the site, but is not inconsistent with the findings of the Addendum Report.

The study also recommends landowners investigating amalgamation with the neighbouring property to the east, due to *“the major constraint to development...[being] lot size limitations and fragmented ownership”*. However, the land size of 4,500m² is not considered by the landowners to be a constraint on the development of the site. As this is a recommendation for landowners to consider, the planning proposal is not inconsistent with this finding.

The Addendum Report makes reference to a net dwelling increase of 17 dwellings in the Release Area, which can be accommodated alongside an amendment to the Section 94 Plan. Similarly, the associated impacts of this planning proposal on infrastructure (namely the road network) have been discussed earlier within this report and have been shown to be minor. As such, the planning proposal is not inconsistent with the Warriewood Valley Strategic Review Addendum Report in this regard.

The changes arising from the proposed changes in FSR and Height are largely built form considerations, which were not considered in depth under the Addendum Study. Nevertheless, the development is considered to be compatible with the surrounding built form, despite the more intensive height and FSR standards.

Pittwater 2025: Our Community Strategic Plan

Included as part of Council's community strategic plan are a number of key strategies and guiding principles, following engagement with the community. Objectives within the Economic Development Strategy of the Pittwater LGA include promoting and encouraging local employment opportunities, supporting new and existing businesses, and to create expanded opportunities for business through planning initiatives.

Objectives surrounding the Land Use and Development Strategy include creating employment opportunities and to effectively respond to State and regional planning initiatives.

The planning proposal is considered to align strongly with the abovementioned aspects of *Pittwater 2025: Our Community Strategic Plan*, and is not contradictory to the other objectives and strategies that it outlines.



Figure 17 Pittwater 2025: Our Community Strategic Plan
Source: Pittwater Council

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

Table 9. State Environmental Planning Policies		
SEPP	Consistent	Comments
SEPP No. 1- Development Standards	Not applicable.	SEPP 1 does not apply to the PLEP 2014.
SEPP No. 14 – Coastal Wetlands	Not applicable.	
SEPP No. 15 – Rural Landsharing Communities	Not applicable.	
SEPP No. 19 – Bushland in Urban Areas	Not applicable.	
SEPP No 21 – Caravan Parks	Not applicable.	
SEPP No. 26 – Littoral Rainforests	Not applicable.	
SEPP No. 29 – Western Sydney Recreation Area	Not applicable.	
SEPP No. 30 – Intensive Agriculture	Not applicable.	
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Consistent.	The land is situated within a well performing business park/industrial area and is not considered appropriate for multi-unit housing redevelopment.
SEPP No. 33 – Hazardous and Offensive Development	Not applicable.	The planning proposal will not allow hazardous or offensive development.
SEPP No. 36 – Manufactured Home Estates	Not applicable.	
SEPP No. 39 – Spit Island Bird Habitat	Not applicable.	
SEPP No. 44 – Koala Habitat Protection	Consistent.	The planning proposal would not permit the removal of any koala habitat.
SEPP No. 47 – Moore Park Showground	Not applicable.	
SEPP no. 50 – Canal Estate Development	Not applicable.	

Table 9. State Environmental Planning Policies

SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.	
SEPP No. 55 – Remediation of Land	Consistent.	<p>Under Clause 6 of SEPP 55, in preparing an environmental planning instrument, the consent authority must:</p> <ul style="list-style-type: none"> -Consider whether land is contaminated; -Be satisfied that, if the land is contaminated, the land is suitable in its contaminated state for the purposes of which it will be rezoned; and -If the land requires remediation, be satisfied that the land will be remediated before it is used for that purpose. <p>As discussed at Section 5.2, the proposed rezoning to B7 meets the requirements of Clause 6 of SEPP 55.</p>
SEPP No. 59 – Central Western Sydney Regional Open Space and Residential	Not applicable.	
SEPP No. 62 – Sustainable Aquaculture	Not applicable.	
SEPP No. 64 – Advertising and Signage	Not applicable.	Signage is a matter for consideration in individual DAs.
SEPP No. 65 – Design Quality of Residential Flat Development	Not applicable.	Residential flat building development will not be permitted as a result of the planning proposal.
SEPP No. 70 – Affordable Housing (Revised Schemes)	Not applicable.	No residential accommodation is permitted upon the site currently or in the future.
SEPP No. 71 – Coastal Protection	Not applicable.	
SEPP (Affordable Rental Housing) 2009	Consistent.	This proposal does not inhibit any operations of this SEPP.

Table 9. State Environmental Planning Policies

SEPP (Building Sustainability Index: BASIX) 2004	Not applicable.	BASIX does not apply to commercial/industrial properties.
SEPP (Exempt and Complying Development Codes) 2008	Consistent.	This proposal does not inhibit the operation of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable.	
SEPP (Infrastructure) 2007	Consistent.	
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable.	
SEPP (Kurnell Peninsula) 1989	Not applicable.	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.	
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.	
SEPP (Penrith Lakes Scheme) 1989	Not applicable.	
SEPP (Rural Lands) 2008	Not applicable.	
SEPP (State and Regional Development) 2011	Not applicable.	
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.	
SEPP (Sydney Region Growth Centres) 2006	Not applicable.	
SEPP (Three Ports) 2013	Not applicable.	
SEPP (Urban Renewal) 2010	Not applicable.	
SEPP (Western Sydney Employment Area) 2009	Not applicable.	
SEPP (Western Sydney Parklands) 2009	Not applicable.	
Greater Metropolitan REP No. 2 – Georges River Catchment	Not applicable.	

Table 9. State Environmental Planning Policies

SREP No. 8 – Central Coast Plateau Areas	Not applicable.	
SREP No. 9 – Extractive Industry (No 2 – 1995)	Not applicable.	
SREP No. 16 – Walsh Bay	Not applicable.	
SREP No. 18 – Public Transport Corridors	Not applicable.	
SREPP No. 19 – Rouse Hill Development Area	Not applicable.	
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	Not applicable.	
SREP No. 24 – Homebush Bay Area	Not applicable.	
SREP No. 26 – City West	Not applicable.	
SREP No. 30 – St Marys	Not applicable.	
SREP No. 33 – Cooks Cove	Not applicable.	
SREP (Sydney Harbour Catchment) 2005	Not applicable.	

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

The planning proposal is consistent with all relevant S.117 Directions or is justified in consideration of their objectives. The assessment of these is outlined in Table 10 below.

Table 10. Section 117 Ministerial Directions			
Number	Direction	Consistent	Comments
1 Employment and Resources			
1.1	Business and Industrial Zones	Consistent	As discussed in Section 5.1.
1.2	Rural Zones	Not Applicable	The site is not identified within a Rural Zone.
1.3	Mining, Petroleum Production and Extractive Industries	Not Applicable	The planning proposal has no impact on mining, petroleum production or extractive industries.
1.4	Oyster Aquaculture	Not Applicable	The site is not identified as a priority oyster aquaculture area.
1.5	Rural Lands	Not applicable	
2 Environment and Heritage			
2.1	Environmental Protection Zones	Not applicable	The land is not identified as being on Environmentally Significant Land
2.2	Coastal Protection	Not Applicable	The site is not identified as a coastal zone.
2.3	Heritage Conservation	Consistent	None of the heritage provisions within PLEP 2014 will be amended as a result of this planning proposal.
2.4	Recreation Vehicle Areas	Not Applicable	The planning proposal does not enable the land to be developed for the purpose of a recreational vehicle area.
3 Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Not Applicable	The current and proposed zones do not permit residential development.
3.2	Caravan Parks and Manufactured Home Estates	Not Applicable	
3.3	Home Occupations	Not Applicable	
3.4	Integrating Land Use and Transport	Consistent	The site is within walking distance to public transport and retail activities.

Table 10. Section 117 Ministerial Directions

Number	Direction	Consistent	Comments
3.5	Development Near Licensed Aerodromes	Not Applicable	
3.6	Shooting Ranges	Not Applicable	

4 Hazard and Risk

4.1	Acid Sulphate Soils	Consistent	The PLEP 2014 contains acid sulphate soils provisions and identifies the site as "Class 5". This planning proposal does not seek to amend these provisions.
4.2	Mine Subsidence and Unstable Land	Not Applicable	
4.3	Flood Prone Land	Consistent	The site has been identified in studies prepared by Pittwater Council as being partly flood prone. The PLEP 2014 contains flood planning provisions which will continue to be applicable to the subject site.
4.4	Planning for Bushfire Protection	Not Applicable	The site is not identified as bushfire prone land.

5 Regional Planning

5.1	Implementation of Regional Strategies	Not Applicable	The site is not located within land where one of the relevant Regional Strategies apply.
5.2	Sydney Drinking Water Catchments	Not Applicable	
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable	
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable	
5.5	Development in the vicinity of Ettalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not Applicable	

Table 10. Section 117 Ministerial Directions

Number	Direction	Consistent	Comments
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See Amended Directions 5.1)	Not Applicable	
5.7	Central Coast (Revoked 10 July 2008. See amended Directions 5.1)	Not Applicable	
5.8	Second Sydney Airport: Badgerys Creek	Not Applicable	
5.9	North West Rail Link Corridor Strategy	Not Applicable	
5.10	Regional Plans	Consistent	The planning proposal is consistent with and supports the objectives of the Northern Beaches Regional Action Plan as discussed within this report.

6 Local Plan Making

6.1	Approval and Referral Requirements	Consistent	The proposal does not propose to amend or include additional consultation, referral or concurrence provisions, nor identifies any development as designated development.
6.2	Reserving Land for Public Purposes	Consistent	The proposal does not contain any land that has been reserved for a public purpose, and no requests have been made to reserve such land.
6.3	Site Specific Provisions	Consistent	The planning proposal does not propose any unnecessarily restrictive site-specific planning controls.

7 Metropolitan Planning

7.1	Implementation of A Plan for Growing Sydney	Consistent	This planning proposal has been shown to be generally consistent with <i>A Plan for Growing Sydney</i> .
7.2	Implementation of the Greater Macarthur Land Release Investigation	Not applicable	

Section C – Environment, Social, and Economic Impact

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

The planning proposal relates to a site which is currently largely cleared and is permitted to be developed. The planning proposal will there have no adverse impact on any critical habitat, threatened species, populations or ecological communities.

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

The key environmental effects to consider as part of this rezoning proposal are potential contamination concerns given the site is currently undeveloped.

Potential for contamination has been discussed in Section 5.2 of this Planning Proposal Report and is outlined within SNC Lavalin's report at Appendix 6. This has shown that the proposed rezoning would not change the risk profile associated with the site, and further investigations can be undertaken prior to the lodgement of a development application.

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

The potential economic impacts have been discussed in length in Section 5.1 of this Planning Proposal Report, supported by AEC's Economic Impact Assessment (see **Appendix 4**). This has concluded that the proposal will facilitate an intensification of employment uses in the precinct, ensuring that it will continue to contribute meaningfully to the Pittwater and Northern Beaches economy.

Any social impacts are likely to be positive, resulting from the increased employment opportunities available to Pittwater and Northern Beaches residents.

Section D – State and Commonwealth Interests

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

The subject site is well serviced by existing public infrastructure and is within a built up area. As such there is considered to be adequate public infrastructure to support the planning proposal.

TTPP have undertaken an assessment of the surrounding road network within their traffic report held at Appendix 5 (summarised at Section 5.3 of this report). This has shown that the rezoning of the site to B7, and a subsequent office redevelopment, will not seriously not trigger any upgrades to the road network which will continue to operate at an acceptable level and.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the views of relevant State and Commonwealth public authorities have not been sought. This will occur following Gateway Determination.

Part 4: Mapping

The following PLEP 2014 maps would need to be updated as result of the planning proposal:

- Land Zoning Map
- Floor Space Ratio Map

These have been prepared for the lodgement of this planning proposal and held at Appendix 1.

Part 5: Community Consultation

Community consultation would take place following a Gateway determination made by the Department of Planning and Environment, in accordance with Section 56 and 57 of the *Environmental Planning & Assessment Act 1979*. It is anticipated that public exhibition would include:

- Notification upon the Northern Beaches Council's website;
- Advertisement in local newspapers that are circulated within the local government area;
- Notification in writing to adjoining landowners and neighbours, as well as any other relevant stakeholders; and
- A four week exhibition period.

Part 6: Project Timeline

This project timeline has been provided to assist with monitoring the progress of the planning proposal through the plan making process, and to assist with resourcing and reduce potential delays.

Table 11. Project timeline		
Milestone	Date	Comments
Anticipated commencement date (date of Gateway determination)	January 2016	
Anticipated timeframe for the completion of required technical information	Completed prior to lodgement	Updates to be made if necessary.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	March – April April	Other relevant agencies to be consulted as necessary or required by the gateway determination
Commencement and completion dates for public exhibition period	March – April 2017	
Dates for public hearing (if required)	Within exhibition period	
Timeframe for consideration of submissions	April – May 2017	
Timeframe for consideration of a proposal post exhibition	May 2017	
Date of submission to the Department to finalise the LEP	July 2017	
Anticipated date RPA will make the plan (if delegated)	August – September 2017	As per the Department of Planning's <i>Guidance for merged Councils on planning functions</i> , it is not expected that Council will be granted delegation to make the plan and this will be handled by the Department. As per Section 3.5 of <i>Guidance for merged Councils on planning functions</i> , the planning proposal can still nevertheless be received and assessed.
Anticipated date RPA will forward to the department for notification	As above	

7

Conclusion

This planning proposal pertains to the land at 15 Jubilee Avenue, Warriewood, which is proposed to be rezoned to B7- Business Park, to facilitate the expansion of the Blackmores Campus. This Planning Proposal Report has been prepared in accordance with:

- Section 55 of the Environmental Planning and Assessment Act 1979, (the Act);
- NSW Department of Planning and Infrastructure A Guide to Preparing Planning Proposals; and
- Relevant s.117 Directions.

This report provides a full justification of the proposal in line with the Department of Planning and Environment's template for gateway determinations. The justification demonstrates that the proposal:

- Is consistent with the NSW State Plan, A Plan for Growing Sydney and the Northern Beaches Regional Action Plan;
- Is consistent with Council's *Pittwater 2025: Our Community Strategic Plan*;
- Is consistent with relevant S.117C directions and SEPPs;
- Promotes employment growth within the Northern Beaches local government area; and
- Will have a positive economic impact in the area.

It is therefore recommended that Council provide support for the planning proposal and forward to the NSW Department of Planning & Environment for gateway determination.

Appendix 1 – LEP Maps

Appendix 2 – Concept Architectural Drawings (1:1 Scheme)

Appendix 3 – Concept Architectural Drawings (1.5:1 Scheme)

Appendix 4 – Economic Impact Assessment

Appendix 5 – Traffic Impact Assessment

Appendix 6 – Contamination Assessment

Appendix 7 – Massing Diagram (1:1)

Appendix 8 – Massing Diagram (1.5:1)



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