



Infrastructure and collaboration



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Priorities

Priority 9

Infrastructure delivered with employment and housing growth

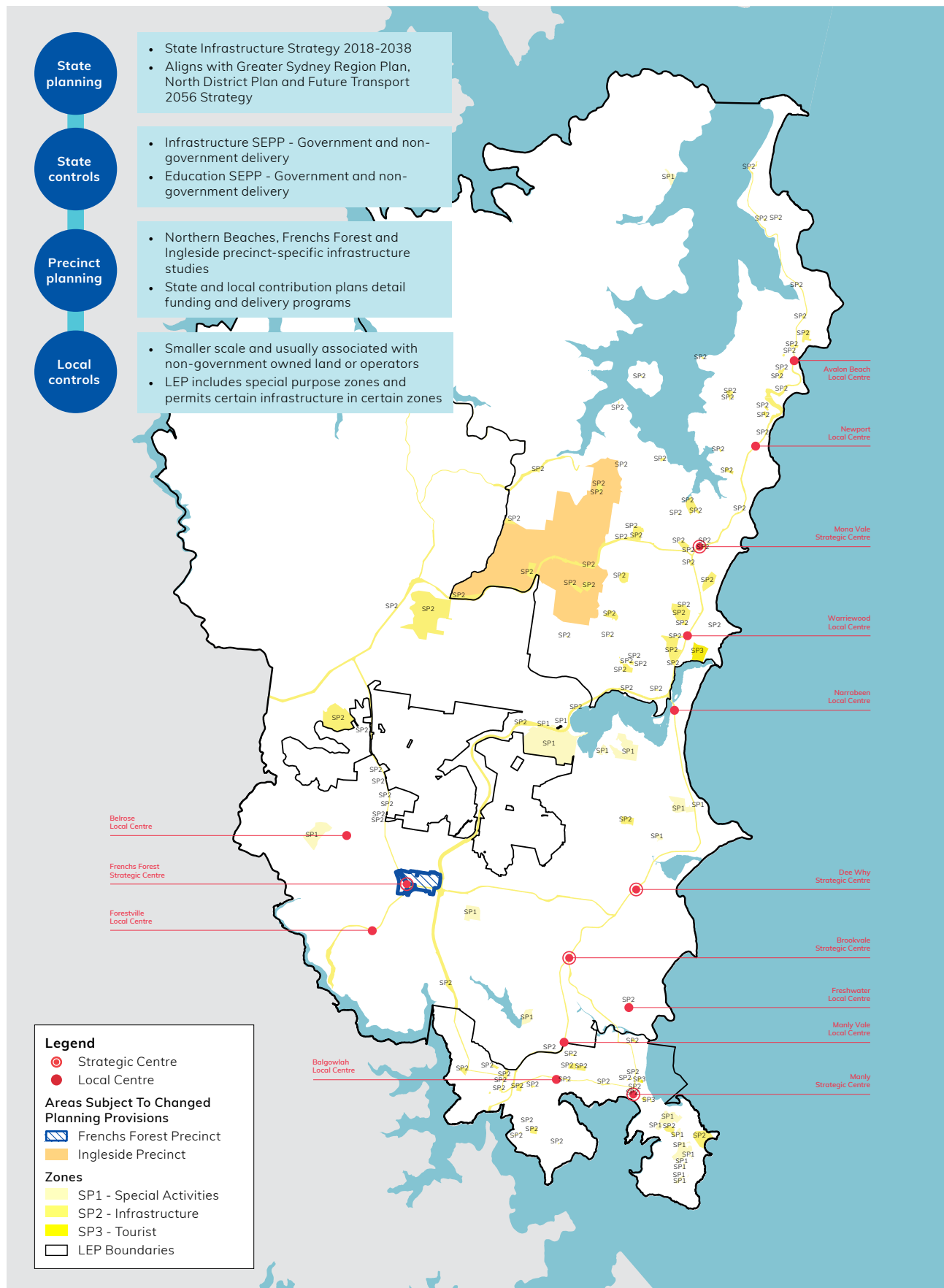
Setting the scene

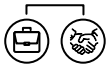
The current planning framework allows us to plan for infrastructure through:

- special purpose (SP) zones
- permitting certain infrastructure in other zones
- LEP provisions for essential services (under Manly and Pittwater LEPs)
- other DCP provisions.

In many cases, the rules for the approval and development of infrastructure are set down in SEPPs. For example, the Infrastructure SEPP and Education SEPP override local controls to enable the delivery of infrastructure deemed to be of State or regional significance.







Priority 9

Infrastructure delivered with employment and housing growth

Providing new and upgraded infrastructure such as public transport, schools and open space is essential to a more liveable, sustainable and productive Northern Beaches. The provision of infrastructure is often undertaken by or on behalf of public authorities and often involves Council working with State agencies at a strategic level to align planning for infrastructure with growth. Alignment across agencies is critical on large scale projects, such as the Beaches Link Tunnel, to smaller projects such as shared use of school sports fields.

Infrastructure controlled through the LEP and DCP is generally smaller in scale and/or associated with non-government owned land or operators.

Towards 2040 contains various principles and actions relating to infrastructure. We can address these in the new planning framework by:

- permitting a range of infrastructure and education facilities within various zones
- using special purpose (SP) zoning for infrastructure such as transport or waste facilities
- considering the right zoning for community facilities and social infrastructure
- considering approaches to encourage co-location of services and facilities, such as enabling multiple use of sites and identifying key sites to be retained and consolidated.

Infrastructure SEPP

The Infrastructure SEPP permits a range of infrastructure and works that must also be listed as either a permitted or prohibited land use within Council's LEP.

This includes infrastructure for transport, electricity, waste management, sewerage, water supply, health services, public services, recreation areas and works (see Appendix on website).

About the Infrastructure SEPP

The Infrastructure SEPP permits development in a range of circumstances, such as:

- without consent if undertaken by or on behalf of a public authority, requiring an environmental assessment to be undertaken by that authority (e.g., sewerage reticulation systems, water reticulation systems, flood mitigation works)
- with consent if undertaken by any person, requiring a development assessment to be undertaken by Council (e.g., electricity generating works or health services facilities)
- as exempt or complying development.

The Infrastructure SEPP also identifies land on which this infrastructure or works is suited, which may be:

- only within prescribed zones (e.g., sewerage systems and waste or resource management facilities are permitted in certain rural and industrial zones)
- on any land (e.g., sewerage reticulation systems, water reticulation systems, flood mitigation works).

The SEPP also provides for matters to be considered in the assessment of development, consultation and exclusions.

Visit legislation.nsw.gov.au to view the Infrastructure SEPP.

Our current LEPs permit some of this infrastructure and works in different zones. For example:

- Manly LEP permits:
 - » water recycling facilities in all residential zones, business zones, recreational zones, the SP3 zone, and the E2 zone
 - » water reticulation systems, water storage facilities, flood mitigation works and roads in all residential zones, business zones, recreational zones, the SP3 zone and environmental zones.
- Warringah LEP permits:
 - » sewerage and water supply systems in all business, industrial and infrastructure zones
 - » waste or resource management facilities in IN1
 - » hospitals and health consulting rooms within the R2, B2, B3, B4 and B7 zones
 - » medical centres within the B5 and B7 zones.
- Pittwater LEP permits:
 - » waste disposal facilities and water supply systems in the IN2 zone
 - » health consulting rooms in the R2, R3 and E3 zone
 - » emergency services facilities in the W2 zone
 - » roads in the RU2, R2, R3, B zones, IN2, SP zones, RE zone and E zones.

We do not wish to unnecessarily prohibit infrastructure that is permitted by the Infrastructure SEPP or that may emerge through advanced technologies. Our options are to:

- permit all infrastructure permitted under the Infrastructure SEPP within prescribed zones.
- if a type of infrastructure is permitted within a certain zone under an existing LEP, permit that infrastructure in all similar zones.
- prohibit all types of infrastructure, thus only enabling these uses to be developed either under the SEPP or where the infrastructure is ancillary to other development (similar to Pittwater LEP).

Proposed approach



We will consult with the Department of Planning, Industry and Environment to rationalise permitted land uses between the Infrastructure SEPP and the new LEP. See Appendix (on website) which compares the Infrastructure SEPP and our current LEPs and a proposed approach to discuss with the Department.



We propose permitting certain emergency facilities, environmental protection works and flood mitigation works in all zones with consent to facilitate resilience. This will mean we can assess the impacts of any works not undertaken by or on behalf of a public authority.



For health services facilities permitted under the Infrastructure SEPP in the RU4, R1, R2, and R3 zones, we may look to restrict their locations to manage potential amenity impacts such as traffic, noise and privacy.

Education SEPP

The Education SEPP permits a range of infrastructure and works including schools, educational establishments (universities and TAFE) and early education and child care facilities (i.e. centre-based, school-based and home-based child care). It permits development in a range of circumstances:

- Certain developments may be carried out without consent by both government and non-government schools, including a range of uses to encourage co-location and flexibility.
- Centre-based child care facilities require a development application to Council, and must be designed to meet with the physical environment requirements of the National Quality Framework, as outlined in the Department of Planning, Industry and Environment's Child Care Planning Guideline.
- Larger developments associated with schools (above \$20m) and tertiary institutions (above \$30m) are referred to the Minister for Planning and Public Spaces as the consent authority and may not have to comply to LEP standards including heights or floor space ratios (FSRs).

The Education SEPP clarifies that matters in LEPs or DCPs do not apply to certain forms of development. However, Council's LEP must list these facilities as either permitted or prohibited land uses within each zone.

The Education SEPP does not list any prescribed zones for early education and child care facilities. For educational establishments, we have several options to address the permissibility within each zone:

- permit educational establishments where they are already permitted under the SEPP (RU2, RU4, R1, R2, R3, R5, B1, B2, B3, B4, B5, B6, B7, SP1, SP2 and E4)
- if an educational establishment is permitted within a certain zone under an existing LEP, permit that infrastructure in all similar zones in the new LEP
- prohibit educational establishments within all land use tables and thus rely entirely on the SEPP.

Find out more

Visit legislation.nsw.gov.au to view the Education SEPP.

Proposed approach



For educational establishments, we will consult with the Department of Planning, Industry and Environment to rationalise permitted land uses between the Education SEPP and the new LEP. For early education and child care facilities, we will look to permit these facilities in various zones on a case by case basis. Decisions will also be influenced by the strategic bush fire risk assessment. We will not adopt additional controls in the new LEP or DCP for development identified in the Education SEPP.

SP zones and associated infrastructure

SP zones allow us to distinguish special activities or infrastructure that is important to the community, such as schools zoned as 'education establishments' rather than zoned with surrounding lands that are likely to be residential.

The Standard Instrument provides three special purpose zones:

- **SP1 Special Activities** applies to land uses or sites with special characteristics that are not accommodated in other zones, such as a major scientific research facility or international sporting establishment.
- **SP2 Infrastructure** provides for major infrastructure or land highly unlikely to be used for a different purpose in the future, for example cemeteries and major sewage treatment plants. It may also be suitable for transport, social infrastructure or utility infrastructure.
- **SP3 Tourist** is explained in Priority 29.

SP1 and SP2 zones

For the SP1 and SP2 zone, the primary use or 'special purpose' is identified or 'annotated' on the LEP zoning map. In some cases, these special purposes, such as cemeteries, may not be permitted in any other zone. In addition to those 'annotated' uses the SP1 and SP2 land use tables also permit 'any development that is ordinarily incidental or ancillary to development for that purpose'.

Under the current framework, Pittwater LEP allows building identification signs and business identification signs in both the SP1 and SP2 zone.



Proposed approach

We propose retaining the existing SP1 and SP2 zoned sites, with their special purpose named or 'annotated' on the corresponding LEP map (see Tables 12 and 13). Generally, the below criteria describes how the two zones are distinguished from one another, resulting in only minor changes to their existing application:

- SP1 – not accommodated on other zones and/or sites with a unique combination of land use activities, including:
 - » major recreation/health facilities
 - » research stations
 - » defence facilities
- SP2 – land highly unlikely to be reused, a single infrastructure use, major state infrastructure or strategic sites such as:
 - » hospitals, universities, TAFEs
 - » cemeteries
 - » road infrastructure including car parks, local roads, classified roads
 - » essential infrastructure such as electricity supply, public utilities, sewerage systems, telecommunication systems, waste or resource management, water supply
 - » social infrastructure including
 - » educational establishments and child care centres
 - » youth centres
 - » health services facilities,
 - » place of public worship
 - » public administration buildings and emergency services facilities.



As already noted, we will consult with the Department of Planning, Industry and Environment in terms of land uses permitted in the Infrastructure SEPP and the Education SEPP.



We are considering permitting additional uses to promote co-location and social infrastructure provision that is compatible with the existing special purpose. These could include community facilities, recreation areas, recreation facilities, environmental facility or ancillary uses.

See Priority 9 for inconsistent permissible uses for roads and environmental protection works. See Priority 17 for inconsistent permissible uses for signage.



Are there any other community or social infrastructure uses that could benefit from being distinguished within the special purposes zones?

Table12

Current and proposed application of SP1 zones

SP1: Special Activities	P	W	M	Proposed approach
Cemetery		Belrose		Change to SP2 zone as land unlikely to be reused.
Recreation facility (indoor), recreation facility (outdoor), function centre, medical centre		Sydney Academy of Sport and Recreation		Retain as SP1.
Research station		Water Research Lab, Manly Vale		
Health services facility, seniors housing community facilities, educational establishments		Arranounbai School		
Seniors housing and health services facility		RSL Anzac Village Collaroy Plateau		
Seniors housing and function centre		'Collaroy Centre' Salvation Army		
Health services facility	Sargood on Collaroy	Mona Vale Hospital	Bear Cottage	
Defence		Army Reserve		
Educational establishments		Cromer High	St Patrick's Estate	See discussion.
Management plan North Head School of Artillery			North Head	Retain as SP1.
Eco-tourist facility, camping ground and function centre	Currawong			

Table13
Current and proposed application of SP2 zones

SP2: Special Activities	P	W	M	Proposed approach
Car park	Mona Vale and Avalon Beach			Retain as SP2. See discussion.
Cemetery	Mona Vale and Church Point		Balgowlah	Retain as SP2.
Child care centres			various	
Classified road	various		various	
Community facility	various	RSL Anzac Village Collaroy Plateau		
Educational establishment	various	Arranounbai School	various	See discussion.
Electricity supply	various		various	Retain as SP2.
Emergency services facility	various		various	
Health services facility	various		various	
Local road	Warriewood			
Place of public worship			various	
Public administration building	Boondah Road		Manly Town Hall	
Public utility undertaking	various			
Sewerage system			North Head	
Telecommunications facility				Retain as SP2.
Waste or resource management facility		Kimbriki and Belrose		
Water supply system	Warriewood			
Youth centre and youth centre			Kangaroo St Manly	

Educational establishments including schools

Zoning educational establishments including schools as a special use supports their growth and future demands and identifies their specific use within a local context. They are typically located strategically on sites within planned service catchments.

Table14

Zoning of schools - all zones and Standard Instrument LEPs

Land use	Zone SP1	Zone SP2	Zones RU2 & RU4	Zones R2 & R3	Zones B2 & B4
Educational establishments	2	21	7	43	7

Current approaches vary:

- Warringah LEP generally zones schools according to the zone of adjoining land use, predominantly residential. An exception is Cromer High School which was zoned SP1, adjoining an Industrial Zone.
- Manly and Pittwater LEPs zone land for schools as special purpose.

Proposed approach



We propose to zone all educational establishments as SP2 to ensure these facilities are identified in the zoning framework. This includes public and private schools and sites such as Brookvale TAFE (already zoned SP2).

The proposed zoning approach will only affect existing educational establishments. As already noted, future educational establishments will be subject to the Education SEPP.