



northern  
beaches  
council

**Places for People**  
Strategic Reference Group

# AGENDA

## **PLACES FOR PEOPLE STRATEGIC REFERENCE GROUP**

Notice is hereby given that a meeting of the Places for People Strategic Reference Group will be held Online via Teams on

**THURSDAY 5 AUGUST 2021**

Beginning at 6:00pm for the purpose of considering matters included in this agenda.

## Committee Members

Cr Ian White (Chair)	Councillor
Mayor Michael Regan	Councillor
Cr Candy Bingham	Councillor
Cr Stuart Sprott	Councillor
Caroline Ghatt	Play for all Australia
Stephen Pearse	Community Representative – Pittwater Ward
Jim Koopman	Community Representative – Pittwater Ward
Sita Mason	Youth Representative
Mark Lowe	Community Representative – Pittwater Ward
Merinda Rose	Community Representative – Pittwater Ward
Les Irwig	Community Representative – Frenchs Forest Ward
Miranda Korzy	Community Representative – Pittwater Ward
Maryann Novakovic	Community Representative – Manly Ward
Suzanne Cairns	Manly Dogs
Richard Michell	Manly, Warringah and Pittwater Historical Society
Kelvin Milsom	Northern Beaches Junior AFL Association, Manly Warringah Pittwater Sporting Union

## Council Officer Contacts

Andrew Pigott	Executive Manager Strategic & Place Planning
Steven Lawler	Executive Manager Parks & Recreation
Ximena Von Oven	Governance Officer

## Quorum

A majority of members including the Chair or one of the elected Councillors.

**Agenda for Places for People  
Strategic Reference Group Meeting  
to be held on Thursday 5 August 2021  
Online via Teams  
Commencing at 6:00pm**

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**NEXT MEETING Thursday 4 November 2021**

## 1.0 ACKNOWLEDGEMENT OF COUNTRY

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As a sign of respect, Northern Beaches Council acknowledges the traditional custodians of these lands on which we gather and pays respect to Elders past and present.

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## 2.0 APOLOGIES

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All members are expected to attend the meetings or otherwise tender their apologies to the Chair and Governance at [councilmeetings@northernbeaches.nsw.gov.au](mailto:councilmeetings@northernbeaches.nsw.gov.au).

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## 3.0 DISCLOSURES OF INTEREST

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Members should disclose any "pecuniary" or "non-pecuniary" interests in matters included in the agenda. The [Northern Beaches Council Code of Conduct](#) (the Code) provides guidance on managing conflicts of interests.

A **pecuniary interest** is defined in Section 4 of the Code as:

*A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.*

A **non-pecuniary conflict of interest** is defined in Section 5 of the Code as:

*A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.*

If you required further information or guidance about disclosing an interest please contact Governance at [councilmeetings@northernbeaches.nsw.gov.au](mailto:councilmeetings@northernbeaches.nsw.gov.au).

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## 4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### 4.1 MINUTES OF PLACES FOR PEOPLE STRATEGIC REFERENCE GROUP MEETING HELD 6 MAY 2021

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#### RECOMMENDATION

That the Minutes of the Places for People Strategic Reference Group meeting held 6 May 2021, copies of which were previously circulated to all Members, be confirmed as a true and correct record of the proceedings of that meeting.

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## 6.0 AGENDA ITEMS

<b>ITEM 6.1</b>	<b>INGLESIDE PRECINCT UPDATE</b>
<b>REPORTING OFFICER</b>	<b>MANAGER STRATEGIC AND PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2020/577796</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">Submission to DPIE</a></b>

### ISSUE

On 25 May 2021, the Department of Planning, Industry and Environment (DPIE) commenced public exhibition of the draft Ingleside Place Strategy and associated technical reports and invited formal submissions through the NSW Planning Portal. The exhibition period has now closed.

This report provides an update to the Places for People SRG in relation to Council's submission.

### BACKGROUND

Ingleside was first identified by the Government as a potential future release area in the 1960s. Since this time planning for Ingleside has been contested with debate including issues such as servicing, environmental impact, heritage, hazards, feasibility and accessibility remaining to this day.

The current round of planning for Ingleside commenced in 2013 when the then Pittwater Council agreed to participate in the planning for the Ingleside precinct led by the NSW Government. This work culminated in a draft Ingleside Land Use and Infrastructure Implementation Plan being publicly exhibited in December 2016. This plan included development on both the north and south of Mona Vale Road for up to 3,400 dwellings with associated supporting infrastructure, amenities and areas of environmental conservation.

In 2018, in responding to community submissions regarding bushfire safety and evacuation, as well as the draft Planning for Bushfire Protection 2018 policy released by the NSW Rural Fire Service, a Bushfire Risk Assessment report was completed. This report identified the potential for the Ingleside Precinct to be exposed to extreme to catastrophic bushfire risk including concerns associated with the ability to evacuate the precinct safely in a bushfire event.

In 2019, the Planning Minister announced that the 2016 work would not progress. A Bushfire Evacuation Study was prepared and the findings and recommendations of this work along with further consideration of bushfire risk, evacuation capacity, environmental and servicing requirements informed the revised planning approach for Ingleside.

In 2020 DPIE confirmed that Ingleside would be a State led Precinct project. Following the completion of additional studies, the revised approach includes a significantly reduced development footprint and yield.

At the meeting held on 27 July 2021, Council considered the exhibited public exhibition of the draft Ingleside Place Strategy and associated technical reports and resolved as follows.

That Council:

1. Reject the draft Ingleside Place Strategy in its current form and support the Submission to the NSW Department of Planning, Industry and Environment outlining Council's concerns in relation to the draft Ingleside Place Strategy.
2. Note the significant concerns of continued bushfire risk, lack of traffic and transport planning, the significant cost to our ratepayers to provide the most basic of infrastructure,

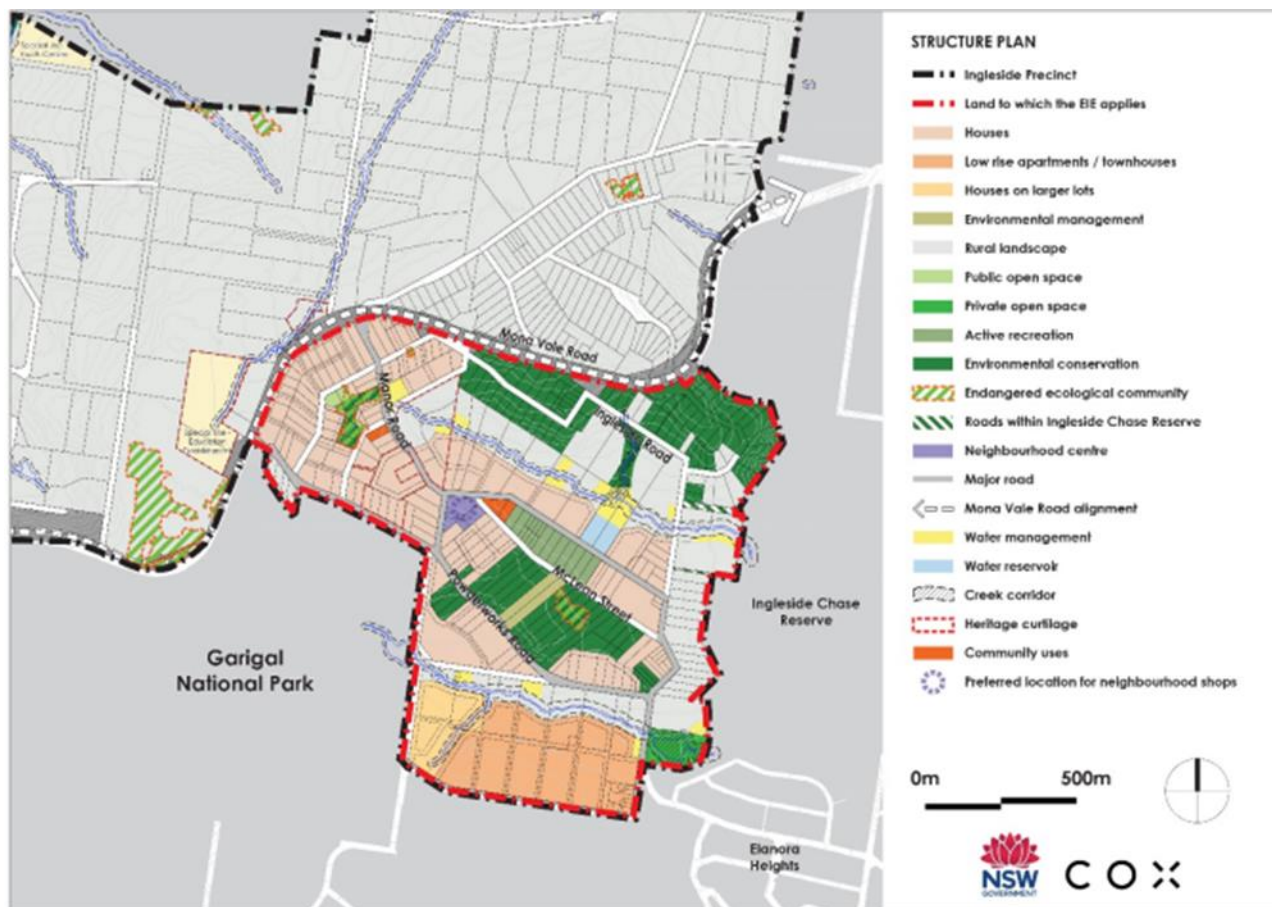
significant impacts on bio-diversity, and ability to deliver any affordable housing in line with Councils adopted policy, as well as the other issues identified in the Council submission including:

- A. Emergency bushfire evacuation
  - B. Sustainability/resilience
  - C. Water cycle management and flooding
  - D. Biodiversity and riparian protection
  - E. Aboriginal heritage
  - F. Development contributions/infrastructure provision/feasibility
3. Request staff in the Strategic Planning team investigate the capacity of the Centre Investigation Areas identified in the Local Housing Strategy to redistribute any shortfall.
  4. Write to the NSW Planning Minister requesting that the NSW Government:
    - A. Transfer into Council ownership, at no cost, the NSW Government land on which planning infrastructure is sited.
    - B. Make a commitment that regional contributions generated from the Ingleside development will be used in or adjacent to the Ingleside precinct.
  5. Write to the NSW Government requesting the transfer into Council ownership, at no cost, surplus NSW government land located within the Ingleside Precinct to enable use for other public purposes such as sports fields, if the draft Ingleside Place Strategy does not proceed, and note Council's previous resolutions in relation to biodiversity offsets to be consulted with the community.

### **Exhibited Draft Ingleside Place Strategy**

The draft Place Strategy for the Ingleside Precinct is accompanied by an Explanation of Intended Effect (EIE) and suite of technical reports. The EIE is a document that identifies the changes that are required to be made to the Pittwater Local Environmental Plan 2014, to effect delivery of the draft Place Strategy via a State Environmental Planning Policy Amendment.

Figure 1 below shows the draft Structure Plan for the Ingleside precinct.



The Place Strategy defines the future direction of the areas north and south of Mona Vale Road. In relation to the area north of Mona Vale Road, having regard for emergency evacuation traffic modelling, environmental and servicing constraints DPIE identified that this area was not suitable for development. Accordingly, the area to the north of Mona Vale Road will retain its current planning controls and rural residential character.

For the area south of Mona Vale Road, the draft Place Strategy 'defines a reduced area for development in direct response to bushfire impact issues, bushfire evacuation capacity and servicing requirements, approximately 980 additional dwellings south of Mona Vale Road in an area of about 180 Hectares. The draft Place Strategy includes a Structure Plan that identifies the following:

- Houses on larger lots (minimum 1,500m<sup>2</sup>);
- Houses on smaller semi-suburban scale lots (minimum 450m<sup>2</sup>);
- Low-rise apartments and townhouse lots (minimum 225m<sup>2</sup>);
- Local neighbourhood shopping centre;
- Sports fields;
- Parks and open space;
- Places for biodiversity conservation and water cycle management;
- Protection of existing creekline corridors;
- Places for community facilities;

- New/upgraded road network including pedestrian and bike paths;
- Protection of vegetation communities and links to the adjoining National Park and Ingleside Chase Reserve;
- Retention of the current planning controls in some locations.

The EIE identifies that height controls will include retention of the existing 8.5m height limit (generally 2 stories) for the south precinct apart from the identified for low rise apartment/townhouses and the neighbourhood centre and community facilities which will have a height of 10.5m (generally 3 stories).

The Place Strategy identifies that upon completion the development is anticipated to result in a population increase of around 3,000 people.

The vision for the Ingleside Precinct was developed with the community in 2013 and 2014 and has now been refined based on the new consideration around bushfire risk and evacuation to now read as:

*“A connected, liveable, sustainable and resilient Ingleside.”*

A comprehensive review of the exhibited draft Ingleside Place Strategy and associated technical reports was undertaken by Council staff. Consideration of the proposal has been undertaken in the context of the Greater Sydney Region Plan: A Metropolis of Three Cities, the North District Plan and Council strategic documents including the Local Strategic Planning Statement: Towards 2040, Protect. Create. Live - Environment and Climate Change Strategy 2040 and the Northern Beaches Local Housing Strategy.

Council's submission has been provided to DPIE for their consideration. A copy of the submission is included as Attachment 1.

Council is continuing its dialogue with DPIE regarding the issues raised in submissions particularly Council's submission ahead of the land being rezoned.

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## RECOMMENDATION OF MANAGER STRATEGIC AND PLACE PLANNING

That the Places for People Strategic Reference Group members note the update to the Ingleside Precinct project.

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## Place Strategy for the Ingleside Precinct 2021

Submission to the NSW Department of Planning,  
Industry and Environment



## Introduction

Northern Beaches Council welcomes the opportunity to provide a submission to the Department of Planning, Industry and Environment's (DPIE) draft Ingleside Place Strategy, the Explanation of Intended Effect and accompanying studies.

It is recognised that Ingleside has long been identified for land release, with plans going back as far as the 1960s. It is also recognised that since this time, constraints associated with the area including hazards, environmental significance, infrastructure, servicing, feasibility, and heritage have meant that the full development of the area has never been realised.

The current exhibition represents the culmination of several years of planning and analysis work dating back to 2013 when the then Pittwater Council agreed to participate in the planning for Ingleside to be led by the NSW Government. Since this time there has been extensive analysis, investigation, engagement and review of the characteristics and constraints of the Ingleside area.

## Strategic Planning Context

As identified above, the Ingleside area has been identified in Government documents for release as far back as the 1960s. This is consistent with contemporary strategic planning documents as discussed below.

Council's adopted (March 2020) Local Strategic Planning Statement – *Towards 2040*, establishes the land use planning framework for the Northern Beaches for the next 20 years. *Towards 2040* incorporates the recommendations of the Metropolitan Plan for Sydney and the North District Plan. In relation to Ingleside *Towards 2040* anticipates the potential for development to occur in this area. The Structure Plan in *Towards 2040* identifies Ingleside as a Growth Area and the document includes the following actions:

- 8.7 Resolve the future of Ingleside so that any development is sustainable and resilient to natural hazards
- 15.6 Clarify the future of Ingleside through a detailed bush fire evacuation study and community engagement

In addition to the above, in April 2021, Council adopted the Northern Beaches Local Housing Strategy. In relation to Ingleside, the Local Housing Strategy notes as follows:

*Ingleside was previously identified as a location for a development; however, expectations have been scaled back due to environmental hazards and constraints. In relation to Ingleside, there is potential for a maximum of approximately 1000 dwellings. This is scheduled for potential public consultation to occur in the first half of 2021 and the final dwelling numbers will be subject to the outcome of that process.*

In accordance with the above, Ingleside was considered to provide 1,000 dwellings of notional housing capacity and thereby contributing towards Council's achievement of our housing target.

## Area North of Mona Vale Road

For the area north of Mona Vale Road, the draft Place Strategy lists the key reasons for not pursuing change to this area as follows:

- Bushfire risk is acute and population growth cannot be supported due to evacuation limitations and concerns;
- The area is generally un-serviced or under-serviced. The cost of servicing will be prohibitive in the context of any change likely to be accepted on the basis of the bushfire risk and evacuation limitations;
- Highly variable topography;
- Adjacent national parks;
- Increased heritage impacts;
- Biodiversity and environmental impacts; and
- Visual impacts and reduction in established scenic and cultural landscapes.

The above justification is supported in the context of the proposal not to develop north of Moan Vale Road.

It is recognised that the existing land use zoning and development controls under Pittwater Local Environmental Plan 2014 will be retained for this area north of Mona Vale Road, enabling the broad range of existing permissible uses to continue. It is noted that Council is undertaking work to prepare a new Northern Beaches Local Environmental Plan and Development Control Plan. The planning controls for the area north of Mona Vale will be reviewed as part of this work undertaken by Council. Regard will be had for the findings of the draft Ingleside Place Strategy in the context of this work and any current or future bush fire modelling that may be conducted.

### **Area South of Mona Vale Road**

It is recognised that the draft Place Strategy 'defines a reduced area for development in direct response to bushfire impact issues, bushfire evacuation capacity and servicing requirements, approximately 980 additional dwellings south of Mona Vale Road in an area of about 180 Hectares'. The draft Place Strategy includes a Structure Plan that identifies the following:

- Houses on larger lots (minimum 1,500m<sup>2</sup>);
- Houses on smaller semi-suburban scale lots (minimum 450m<sup>2</sup>);
- Low-rise apartments and townhouse lots (minimum 225m<sup>2</sup>);
- Local neighbourhood shopping centre'
- Sports fields;
- Parks and open space;
- Places for biodiversity conservation and water cycle management;
- Protection of existing creekline corridors;
- Places for community facilities;
- New/upgraded road network including pedestrian and bike paths;
- Protection of vegetation communities and links to the adjoining National Park and Ingleside Chase Reserve; and
- Retention of the current planning controls in some locations.

The EIE identifies that height controls will include retention of the existing 8.5m height limit (generally 2 stories) for the south precinct apart from the area identified for low rise apartment/townhouses and the neighbourhood centre and community facilities which will have a height of 10.5m (generally 3 stories).

The Place Strategy identifies that upon completion the development is anticipated to result in a population increase of around 3,000 people.

In relation to the development proposed south of Mona Vale Road, there remain several outstanding matters and areas of concern that need to be resolved before support for this proposed development could be provided by Northern Beaches Council. The issues are explored in detail below.

## **Key Issues**

### **1. Emergency Bushfire Evacuation**

To assist with the analysis of the proposal, Council engaged a bushfire expert (Blackash Bushfire Consulting) to assist with a comprehensive review of the material on exhibition. Relevant extracts from this report are provided below.

#### **Legislative Framework**

When investigating the capability of Bushfire Prone Land (BPL) to be rezoned, consent authorities must have regard to s.9.1 (2) Direction 4.4 Planning for Bushfire Protection of the Environmental Planning and Assessment Act 1979 (EPA Act). The objectives of Direction 4.4 are:

- *To protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and*
- *To encourage sound management of bush fire prone areas.*

Direction 4.4 instructs the consent authority on bushfire matters to be addressed when drafting LEPs. This includes:

- *Consultation with the Commissioner of the NSW Rural Fire Service (RFS), and consider any comments so made;*
- *Draft LEPs shall have regard to PBP; and*
- *Compliance with numerous bushfire protection provisions where development is proposed.*

Planning for Bushfire Protection (PBP) outlines (p. 34) the broad principles which apply to the preparation of a bushfire Strategic Study. This includes:

1. *ensuring land is suitable for development in the context of bush fire risk;*
2. *ensuring new development on BFPL will comply with PBP;*
3. *minimising reliance on performance-based solutions; providing adequate infrastructure associated with emergency evacuation and firefighting operations; and*
4. *facilitating appropriate ongoing land management practices.*

PBP (p.34) continues that strategic planning should provide for the exclusion of inappropriate development in bush fire prone areas as follows:

- *the development area is exposed to a high bush fire risk and should be avoided; the development is likely to be difficult to evacuate during a bush fire due to its siting in the landscape, access limitations, fire history and/or size and scale;*
- *the development will adversely effect other bush fire protection strategies or place existing development at increased risk;*
- *the development is within an area of high bush fire risk where density of existing development may cause evacuation issues for both existing and new occupants; and*
- *the development has environmental constraints to the area which cannot be overcome.*

### Comments by Blackash Bushfire Consulting

'The Bush Fire Strategic Study determined that the proposed Ingleside South Precinct presented a lower risk than the previous applications and that the Structure Plan can comply with the Strategic Planning Principles of PBP. This has been demonstrated throughout the report and is supported.

In undertaking my review, I agree with most aspects of the Eco Logical report. However, the precinct does not adequately address previously identified evacuation issues along Powderworks Road. There are still large areas of contiguous bushland adjacent to Powder Works Road that present pinch point issues and potential to be cut in the event of fire.

Similarly, other feeder roads face the same issue. The approach by DPIE has not considered or addressed specific concerns that have been previously raised for existing residents north of Mona Vale Road and the adequacy of evacuation routes to cater for people outside the precinct or the larger catchment of people relying on the road.

The ELA report provides commentary of evacuation (p. 36):

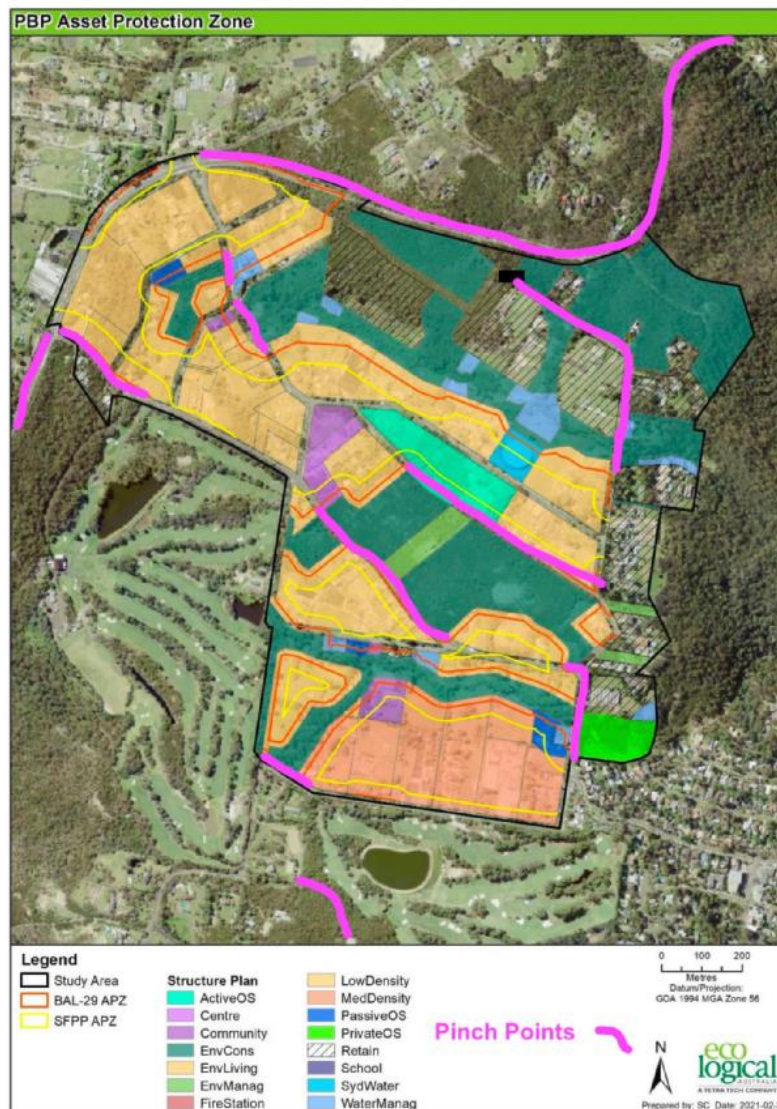
If large landscape scale bushfire attack threatens the area, the evacuation analysis documents that adequate offsite evacuation capacity is provided by Powderworks Road, **prior to fire impact** (i.e. prior to any vegetation adjacent to Powderworks Road catching alight and presenting an evacuation risk). However, there are alternative evacuation routes in addition to Powderworks Road, such as via Wattle Road and Ingleside Road, which could provide alternative options for off-site evacuation. Conversely, if the Precinct is subjected to more localised bushfire attack, then other evacuation routes become available to facilitate safe evacuation. For example, if a localised bushfire was burning in the area adjoining Powderworks Road, then alternative evacuation routes to the northeast and southwest along Mona Vale Road or to the southeast using Wattle Road and Ingleside Road could provide alternative options for off-site evacuation.

Of concern with this is:

- The evacuation utility of Powderworks and other roads is prior to fire impact.
- This statement explicitly states the potential of vegetation adjacent to Powderworks road catching fire and preventing evacuation.
- The alternative evacuation routes of Wattle Road and Ingleside Road are also affected by bushfire prone vegetation and pinch points.
- Mona Vale Road is provided as an option in the event of localised bushfire (see Attachment 1). The use of Mona Vale Road was explicitly not used in the evacuation analysis because of the extreme risk to life.

The retained Bushfire Prone Land remains a significant issue. The retained pinch points are shown below in Figure 1.

The primary evacuation route for existing and proposed residents of the Ingleside Precinct has been identified through consultation with stakeholders, including emergency services, as southbound along Powderworks Road, given the proximity of large section of the Mona Vale Road state corridor to bushfire prone land and not being suitable for evacuation.



**Image 1: Bushfire Pinch Points**

The Bush Fire Strategic Study examined the bushfire hazard and strategic planning issues relating to bushfire affecting the Ingleside South Precinct. The Study has undertaken an assessment of the strategic implications of future development for bushfire mitigation and management. The report is thorough and meets the requirement of Directive 4.4 and PBP 2019 for a Bushfire Strategic Study.

The conclusions drawn for most aspects of the bushfire assessment are sound. However, the documentation (relating to bushfire) fails to demonstrate the mitigation of bushfires while meeting evacuation requirements, specifically for the pinch points along Powderworks Road. The mitigation of bushfire risk as it relates to evacuation can be relatively easily resolved with designated asset protection zones or development adjacent to bushland areas along the key evacuation pathways. This should also enhance the ability of the northern side to be evacuated or provide availability for development'.

The issues raised by Blackash Bushfire Consulting are valid and need to be addressed by the Department of Planning, Industry and Environment before the Place Strategy can progress any further.

#### **Traffic comments related to evacuation**

It is noted that the Ingleside Bushfire Evacuation Study is accompanied by a cover letter prepared by the Office of the Chief Engineer for DPIE. This letter, in part, is as follows:

*'The potential uplift analysis assumes remote assistance, in the form of emergency warning messages via a variety of communication channels, is diligently adhered to by existing and proposed residents of the Ingleside Precinct, with no physical assistance in the form of management of traffic control points provided to assist or ensure evacuation.*

.....

*The AECOM Study therefore tested evacuation via this route and identified the intersection with Kalang Road to be the limiting pinch point at which the progression of traffic travelling southwards along Powderworks Road would be constrained. Conservative analysis of performance at this intersection identified that traffic generated by up to 800 – 1,000 additional dwellings could satisfactorily use this route when assessed against agreed upon criteria, as defined by the project team in consultation with DPIE.*

*The AECOM Study acknowledges that bushfire behaviour is highly variable and dependent upon multiple factors which are difficult to foresee. The assessment and modelling use a wealth of observed input data, research, surveys, and industry expertise to test a unique set of conditions that are considered representative of how an event may unfold, though does not constitute a prediction, nor claim to be wholly encompassing of the potential outcomes of any bushfire event in the study area.'*

Council's Traffic Engineer provided the following comments to the Ingleside Bushfire Evacuation Study. These comments remain relevant and unresolved to Council's satisfaction:

*Generally, the Traffic Study is thorough and evidence based, having considered a range of fire weather for the modelling of fire impacting the Precinct and has acknowledged a focus on modelling against the planned Precinct without improvement of road and traffic infrastructure or bushfire mitigation. Council's Manager Transport Network agrees with the following:*

- *The assumptions made to provide the modelling outcomes*
- *The methodology based on the assumptions and inputs that have been discussed in the report.*

*However, the following issues remain:*

- *The report identified several pinch points that will need to be actively managed by emergency services during an evacuation to allow the road network to perform satisfactorily. From an emergency management perspective, and on behalf of the Local Emergency Management Committee and the Bush Fire Management Committee (coordinated by the state agencies), these key pinch points should be clearly identified to determine the traffic control measures/ locations that can increase the evacuation efficacy in the event of a fire for both north and south of Mona Vale Road, and addressing it to allow the active management under existing conditions.*

- *The model does not address the impact of the evacuation traffic travelling south east down Powderworks Road beyond Kalang Road as this has the potential to produce queuing that can impact on the second hour of the peak evacuation, especially with the upper expectation of the development yield (1000 dwellings).*
- *The additional work on modelling the intersections between Powderworks and Kalang Road intersection and Garden Street and Pittwater Road and to Elanora Road and Wakehurst Parkway as a secondary route needs to be addressed.*
- *The existing road network within the area needs to be defined against the model with any options to improve the egress from the future land release area. This could be that the area is treated as a greenfield site from a future road network perspective.*
- *The report flags a significant issue for existing residents and people north of Mona Vale Road. The scenario testing has determined that evacuation is not able to be achieved for people north of Mona Vale Road in the event of a fire above an FFDI of 64 (Ten Rivers p. 4). The failure threshold for people north of Mona Vale Road may in fact, be lower than FFDI 64; thereby representing a significant issue for those authorities responsible for risk management. The study, however, has not identified any measures that can be put in place to facilitate evacuation north of Mona Vale Road within a 2 – 3-hour time window (identified in the Ten Rivers report p21).*
- *The report states that other areas will likely be evacuating by the same event and accessing the same road network at the same time, and that the ability of surrounding suburbs to evacuate should be maintained and not worsened, by any development undertaken in Ingleside. This appears to be in conflict with the assumptions made around preferred evacuation routes for areas such as Terrey Hills and Duffys Forest etc.'*

The above issues are considered to remain outstanding and need to be addressed by the Department of Planning, Industry and Environment before the Place Strategy can progress any further.

### Technical Comments

The SCT report is a technical review of a previous report undertaken as part of the previous planning exercise. Clarification is sought if modelling of the local road network has been carried out. Council contends the below issues remain:

- Council questions the necessity and number of roundabout controls at key intersections along Powderworks Road as this could prevent egress from the Ingleside development in peak period traffic flows.
- Testing of alternatives and assessment of outcomes taking in consideration that under the AMCORD the bulk of the traffic generation can be up to 10 VTPD, with 10% of these in peak periods and 25% internal trips. If all peak hour trips were to enter the Powderworks Road corridor it would double the volume of vehicles on the road (based on counts undertaken in July 2020).
- Identifying and addressing the existing network east of the precinct along Powderworks Road, especially at the Kalang Road intersection and the Pittwater Road - Garden Street intersection. Queue length and travel times along Powderworks Road corridor and main collectors in and adjoining the precinct needs to be considered as Powderworks Road is a regional road and this function will not change.

Concept designs for the road network including cross-sections, shared paths, and where required, intersection improvements and/or road widening is required to inform the preparation of the Development Contributions Plan.

**Recommendation of Northern Beaches Council**

- A. The issues raised by Blackash Bushfire Consulting are to be addressed by the Department of Planning, Industry and Environment before the Place Strategy can progress any further.**
- B. The bushfire traffic analysis of the Ingleside Precinct is to be updated to include the full length of Powderworks Road corridor to Garden Street/Pittwater Road intersection as well as the intersection of Elanora Road and Wakehurst Parkway.**
- C. The existing road network within the area needs to be defined against the model with any options to improve egress from the future release area included.**
- D. Clarification of the potential conflict regarding assumptions made around the preferred evacuation routes for areas such as Terrey Hills and Duffys Forest is required.**
- E. The concept design for the road network including cross sections, shared paths etc. are to be provided to inform the preparation of the DCP.**

## **2. Sustainability and Resilience**

There are numerous references in the draft Place Strategy to the importance of sustainability and resilience. This includes the updated vision for 'a connected, liveable, sustainable and resilient Ingleside' which is supported. In order to meet the vision, the draft Place Strategy includes several objectives of relevance to sustainability and resilience which are also supported.

However, it is unfortunate that the wide range of technical studies commissioned by DPIE to inform the preparation of the draft Ingleside Place Strategy did not include a specific study on sustainability and resilience. DPIE have indicated that sustainability and resilience are broadly covered in the various technical studies however, this is a missed opportunity. Whilst DPIE has offered to provide funding to Council to engage a sustainability consultant to assist in the preparation of the Development Control Plan and Contributions Plan, following the issue being raised by Council, the opportunity to include specific measures in the Ingleside Place Strategy and EIE appears lost.

It is unfortunate that more direct sustainability measures have not been incorporated into the draft Ingleside Place Strategy and EIE to enable inclusion of sustainability provisions into the Local Environmental Plan. Sustainability input in the upfront strategic and statutory documents ensures stronger sustainability standards for all new development are embedded in the legal framework. This approach would demonstrate leadership in an emerging climate conscious planning system.

For now, promoting Ingleside as a self-sustaining, low carbon precinct that aims to achieve net zero carbon emissions is unrealistic. Greater statutory intervention is required to inject more sustainable-design products (as standard practice in the housing market. Simply relying on provisions in a Development Control Plan (DCP) suggesting that development proposals use the current tools, such as BASIX, is not sufficient.

The prospect of Ingleside attaining a GreenStar Communities rating is also now impractical and cannot be achieved. The credits to support certification require various upfront tasks to be completed prior to exhibition of a change in zoning. As these tasks have not been completed, a rating for this community is now unattainable.

The draft Ingleside Place Strategy should also consider sufficient space for a more dynamic, decentralised electricity solution. For example, identification of sufficient space around electricity infrastructure to allow for shared resources (such as community batteries) should be pursued (located away from residences where possible).

Council's Environment and Climate Change Strategy *Protect.Create.Live Northern Beaches Environment and Climate Change Strategy 2040*, calls for a reduction in emissions as a way of mitigating climate change impacts. Council advocates that gas is not an appropriate utility option for the precinct, and it is recommended that measures be included that require a transition away from gas to meet the community emission reduction and net zero building targets adopted by Council.

### **Recommendation of Northern Beaches Council**

- F. That expansion of the gas infrastructure network in Ingleside be prohibited.**
- G. For the new community at Ingleside, the use of alternate renewable energy sources and decentralised energy storage systems should be explored.**

- H. The NSW Government, through its current legislative review of development contributions and the Essential Infrastructure List, incorporates the use of low emission construction materials in its basic embellishment costings.**

### **3. Water Cycle Management**

The flooding assessment provided with the Strategy demonstrates compliance with water quantity targets of +/- 5% of existing conditions for post-developed peak run off in the 2 year and 100-year rainfall events. However there is no consideration of storm events larger than this and the potential for impacts on flooding downstream. There is a risk that in flood events larger than the 1% AEP flood event and up to the Probable Maximum Flood event there will be an increase in peak discharge and resultant flood levels in the Warriewood Valley and lower Narrabeen Lagoon catchment.

The Warriewood Valley Land Release Area has been designed to ensure that new development is flood resilient based on existing flood levels. Increasing peak discharge in large storm events and increasing peak flood levels in storm events larger than the 1% AEP event may increase flood risk for the land release and negate the significant capital works designed specifically to convey floodwater safely to Narrabeen Lagoon.

The water cycle management strategy also requires minimum rainwater tank sizes and impervious areas at the development/lot scale as well as regional basins to detain water from the precinct to mitigate flooding of downstream properties. The tank sizes and impervious area requirements for all developments should be a statutory provision and not be left to be included as a development control in a DCP. The regional basins need further consideration and discussion with Council given their scale and the risk they could pose as "dams" and in terms of their scale, location and cost (both capital and operating).

For residential development, the water management strategy for Ingleside exceeds the minimum rainwater tanks and landscaped areas requirements under which a BASIX Certificate can be obtained. BASIX is a State Environmental Planning Policy and will override any site-specific residential requirements for rainwater tanks and landscaped areas in a DCP. Accordingly, the ability to detain water longer in the precinct could be greatly reduced and could result in more flood occurrences downstream of the catchment. Alternatively, measures to exclude this aspect of the BASIX SEPP should be introduced.

Additional opportunities to reduce potable water consumption should be facilitated ensuring these opportunities are feasible from initial outlay, to operation and ongoing maintenance.

The stormwater harvesting facility proposed for the sportsfields is a value-add that may become an unfunded liability for Council unless Cardno can confirm that this facility is an integral component to Ingleside's Water Management Strategy. This would allow the inclusion in any review of a Contributions Plan undertaken by IPART.

#### **Recommendation of Northern Beaches Council**

- I. Consideration of storm events larger than the 1% AEP flood events and up to the Probable Maximum Flood are to be undertaken.**
- J. Cardno should confirm if the stormwater harvesting facility proposed for the sports fields is an integral component of Ingleside's Water Management Strategy.**
- K. The minimum rainwater tank sizes and impervious areas at the development or lot scale are included as statutory provisions (development standards) in the relevant Environmental Planning Instruments to ensure that:**
  - they cannot be overridden by the BASIX SEPP or another SEPP (such as the future Design and Place SEPP),**

- they apply to residential and non-residential developments in the Ingleside Precinct.

## 4. Biodiversity

### Coastal Upland Swamp

A more precautionary approach should be undertaken for the mapping of the Coastal Upland Swamp in the Sydney Basin Bioregion (a Threatened Ecological Community (TEC)). The difficulties identifying swamp are acknowledged within the Biodiversity Assessment, and the remapping effort of areas recently burnt (in 2016) less than 1-year post-burn "*which allowed additional areas of Coastal Upland Swamp EEC to be identified*" (Eco Logical Australia 2021) is supported by Council.

Council requests that, having applied the precautionary principle, the following properties are remapped as Coastal Upland Swamp, as they were not burnt during the 2014 fires and therefore currently non-diagnostic:

- Lot 92 / DP12115
- Lot 105 / DP12115
- Lot 108 / DP12115
- Lot 64 / DP12115
- Lot 66 / DP12115
- Lot 61 / DP12115

Alternatively, justification should be provided demonstrating why these areas should be excluded, such as plot based survey.

The local occurrence of Coastal Upland Swamp within these areas has been significantly diminished by the Mona Vale Road (east) Upgrade which also failed to identify the likely occurrence of this TEC within the now, northeast corner of the precinct. Vegetation consistent with Coastal Upland Swamp can be seen along the westbound lane of Mona Vale Road overlooking the precinct (picture below; **Photograph 1**).



**Photograph 1. Vegetation mapped as PCT882 but recommended to be revisited for comparison against PCT978 (Coastal Upland Swamp).**

This area is currently mapped as PCT882: Hairpin Banksia – Slender Tea-tree heath on coastal sandstone plateau, however, is an area that should be revisited as it exhibits characteristics and diagnostic species more representative of the Coastal Upland Swamp plant community type.

### ***Microtis angusii* (Angus Onion Orchid)**

The assessment does not reflect the accurate quantity of Angus Onion Orchid to be captured in proposed conservation land nor address the long-term implications if this species is not captured in conservation land.

Council requests the Biodiversity Assessment be updated and seeks confirmation on the progress of the Department's application for the Angus Onion Orchid to be de-listed from the TEC.

#### **Survey effort in accordance with the Biodiversity Assessment Methodology (BAM)**

It is understood that the threatened flora and fauna surveys were undertaken prior to the commencement of the BAM 2017 and later BAM 2020. Council's preference is that the surveys be in accord with BAM 2020 ensuring that the full extent of threatened species prior to the finalisation of rezoning.

Clarity on the method of biodiversity offsetting for proposed zoning for State Government-owned lands that have high-biodiversity value (as per the intent in the Place Strategy of **"...conserving, protecting and enhancing bushland corridors...(p22)"**)

Noting significant constraints, including possible forced land acquisition associated with rezoning privately-owned land for environmental management or conservation, the following comments are limited to only land that is publicly owned (State Government).

The following land parcels, owned by the NSW Government – Planning & Infrastructure or Transport for New South Wales - are proposed for residential zoning (see Table and Map overleaf). These lands hold significant biodiversity values, and rezoning to Zone R2 is not considered ecologically sustainable development.

Biodiversity values on these lands include existence of Angus Onion Orchid and Coastal Upland Swamp on these sites. Notably these sites also constitute the only remaining (intact) wildlife corridor between Garigal National Park and Ingleside Chase Reserve.

Noting that rezoning of these lands for protection may render the precinct unviable financially, Council requests an understanding of how offsetting will be undertaken and where the costs of such offsetting will be addressed.

<ul style="list-style-type: none"> <li>▪ Lot 18 / DP15838</li> <li>▪ Lot 77 / DP12115</li> <li>▪ Lot 79 / DP12115</li> <li>▪ Lot 80 / DP12115</li> <li>▪ Lot 81 / DP12115</li> <li>▪ Lot 30 / DP12115</li> <li>▪ Lot 31 / DP12115</li> <li>▪ Lot 2 / DP52170</li> <li>▪ Lot 76 / DP12115</li> <li>▪ Lot 78 / DP12115</li> <li>▪ Lot 59 / DP12115</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lot 60 / DP12115</li> <li>▪ Lot 61 / DP12115</li> <li>▪ Lot 62 / DP12115</li> <li>▪ Lot 63 / DP12115</li> <li>▪ Lot 64 / DP12115</li> <li>▪ Lot 65 / DP12115</li> <li>▪ Lot 66 / DP12115</li> <li>▪ Lot 67 / DP12115</li> <li>▪ Lot 68 / DP12115</li> <li>▪ Lot 69 / DP12115</li> <li>▪ Lot 70 / DP12115</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lot 108 / DP12115</li> <li>▪ Lot 109 / DP12115</li> <li>▪ Lot 91 / DP12115</li> <li>▪ Lot 92 / DP12115</li> <li>▪ Lot 24 / DP114318</li> <li>▪ Lot 9 / DP114318</li> <li>▪ Lot 105 / DP12115</li> <li>▪ Lot 106 / DP12115</li> <li>▪ Lot 54 / DP812289</li> <li>▪ Lot 27 / DP 114318</li> </ul>
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**Image 2 – Lands with significant biodiversity value**

#### **Riparian corridors**

There are concerns that the draft Strategy will not allow for appropriate protection of riparian corridors. Council's preference is for these lands to be in public ownership in order to provide a level of control over condition, maintenance, and restoration. In Council's experience, corridors in private ownership can create a compliance burden, create access issues, and can be prone to weed invasion, encroachment, clearing and illegal works. Unfortunately, the acquisition of these parcels is likely to be cost prohibitive within the context of the likely development contributions and the proposed infrastructure.

An alternative approach may be possible which would involve leaving the parcels in private ownership with a more conservation oriented zoning (e.g. E2). As such it is requested further investigation be undertaken into whether this alternative approach is possible, and that an overall strategy be developed to better protect these corridors into the future if they are to remain in private ownership.

#### **Recommendation of Northern Beaches Council**

- L. A more precautionary approach should be undertaken for the mapping of the Coastal Upland Swamp including consideration of the properties listed in the submission.**

- M. The biodiversity assessment should be updated and confirmation of the Department's application for the Angus Onion Orchid to be delisted from the Threatened Ecological Community be required.**
- N. Surveys carried out should be in accordance with BAM 2020 ensuring that the full extent of threatened species are considered prior to rezoning.**
- O. Clarity is to be provided on the method of biodiversity offsetting proposed for State Government land.**
- P. Riparian corridor land should be rezoned E2 'Environmental Conservation'. Rezoning the riparian corridor land to Zone E2 affords this land better environmental protection than if it is retained as Zone RU2. An overall strategy be developed to better protect these areas into the future if they are to remain in private ownership.**
- Q. Any other land containing ecologically significant communities should also be rezoned E2 'Environmental Conservation'.**

## 5. **Aboriginal Heritage**

Council's Aboriginal Heritage Office have reviewed the exhibition material and provided the following comments:

*In terms of the NSW Government's Draft Ingleside Place Strategy, Aboriginal heritage is not included other than in reference to the 2016 report and the proposal to produce "A report to detail the results of the assessment and recommendations for actions to be taken before, during and after an activity to manage and protect Aboriginal objects and declared Aboriginal places identified by the investigation and assessment."*

*The recorded Aboriginal sites within the precinct all appear to be contained within proposed environmental conservation areas or are in road corridor (and not subject to this exhibition). This would be an excellent result. However, it is understood that not all areas of private land were accessible for Aboriginal heritage survey during the 2016 study and no predictability or potential area mapping was undertaken. The report, instead, recommended a normal DA process for assessing and managing any unrecorded Aboriginal heritage. The AHO considered this to be lost opportunity and still considers leaving future Aboriginal heritage assessment to smaller areas and even single lots to be problematic for all parties. It would be preferable to carry out a precinct-wide review with targeted field survey and develop criteria to determine higher and lower potential for unrecorded sites and from that mapping that can assist in landuse planning. For example, if an area proposed for smaller lot size had sections that were considered to have low potential for unrecorded sites and those areas were inspected and it was agreed by all parties, the area could then be released without an Aboriginal heritage restrictions. Conversely, if Aboriginal heritage is not properly assessed early on, it may be the case that every single lot needs to have a separate due diligence assessment which will add costs and time delays to owners, more administrative burdens on consent authorities and potentially poorer conservation options if sites were found.*

*The Aboriginal Heritage Office would recommend further Aboriginal heritage review, assessment, field inspection and consultation with the Metropolitan Local Aboriginal Land Council and Aboriginal community with which to develop mapping to direct areas of further work and where no further Aboriginal heritage issues remain.*

### **Recommendation of Northern Beaches Council:**

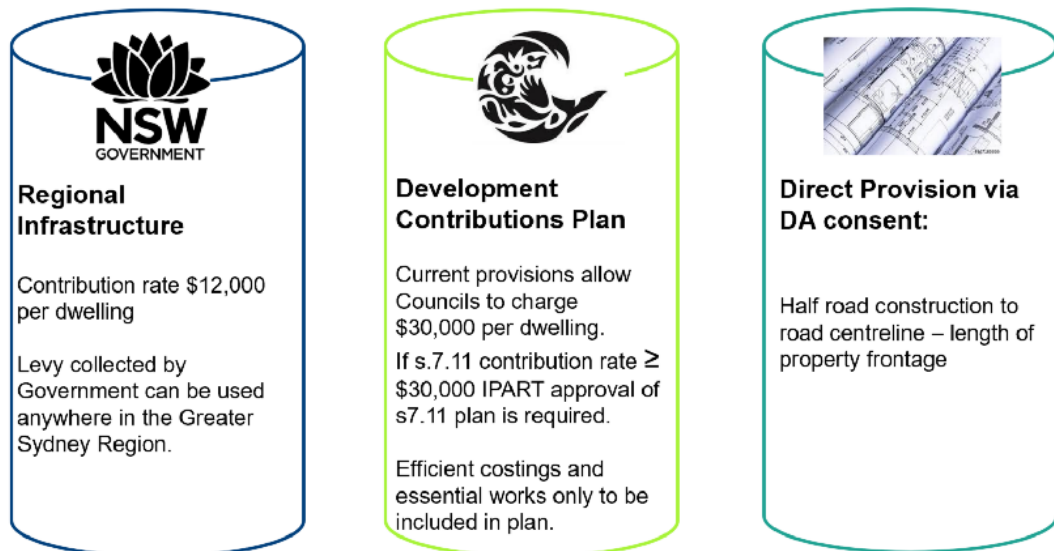
- R. The Department of Planning, Industry and Environment conduct an Aboriginal heritage review, assessment, field inspection and consult with the Metropolitan Local Aboriginal Land Council and Aboriginal community and prepare mapping which will assist in the identification of areas of further work required and to identify where no further Aboriginal heritage issues remain.**

## 6. Development Contributions / Infrastructure / Feasibility

The provision of local infrastructure to support the growth proposed as part of the Ingleside Place Strategy is vital to the establishment of a healthy, sustainable and resilient new community. Funds need to be collected to pay for open space embellishment, road intersection upgrades, community facility floorspace, footpath/bike paths, and upgrades to the existing road network. Provided below is an examination of the potential revenue and expenditure to fund the provision of local infrastructure in Ingleside. Regard is also had for impacts on feasibility and risks to Council.

### Revenue:

Council understands the current development contribution regime in NSW will apply as follows in Ingleside:



In accordance with the Government cap, Council can collect \$30,000 per new dwelling. Therefore:

$$980 \text{ new dwellings} \times \$30,000 = \$29.4\text{M}$$

If the residential contribution rate exceeds \$30,000/dwelling, the exhibited draft Contributions Plan must be subject to review by the NSW Independent Pricing and Regulatory Tribunal (IPART) and agreement by the Minister for Planning before the Plan can be adopted by Council. The risks with pursuing a Plan above the cap and therefore requiring an IPART approval include:

- i. Length of time required to achieve an approval.
- ii. Uncertainty regarding support by IPART for the infrastructure items sought.

In addition to the above local contributions, the State Government are also able to apply a requirement for a payment to support Regional Infrastructure at a rate of \$12,000 per dwelling. Therefore:

$$980 \text{ new dwellings} \times \$12,000 = \$11.76\text{M}$$

It is noted that the way the Regional Infrastructure funds are collected and spent is opaquer than Council's Contribution Plan. Currently, there is no certainty or commitment by the NSW Government that any money collected for Regional Infrastructure would be spent on infrastructure related to the Ingleside Precinct or within the Northern Beaches LGA. If in the event that the NSW Government committed to allocating contributions collected under the Regional Infrastructure Plan, a maximum of an additional \$11.7m could be collected for infrastructure delivery.

$$\text{Total revenue } \$29.4\text{M} + \$11.76\text{M} = \$41.16\text{M}$$

#### Expenditure:

Council has engaged a contributions consultant (GLN Planning) to prepare a draft section 7.11 Contributions Plan. Council's consultants are yet to prepare final costing of the full infrastructure and associated costs required to support the future growth and population for the Ingleside Precinct, however some preliminary costings are provided below:

Infrastructure	Estimated Cost
Land	\$61.851 million (includes govt land valued at \$39.5 million)
Traffic and Transport	\$14.7 million
Water Management	\$16.7 million
Open Space	\$14.6 million (base embellishment)
Community Facility	TBC – not funded by development contributions
TOTAL	≥ \$108 Million

**Table 1: Infrastructure Costings**

A key expenditure item relates to the cost of acquiring land for water management infrastructure (identified in yellow in the Structure Plan). Ingleside is located on the top of an escarpment and has sensitive downstream catchments, including the Warriewood Valley Land Release Area that has been developed with finely tuned assumptions regarding the quantity and quality of water flowing from Ingleside. Failure to properly manage the water leaving Ingleside may lead to flooding of Warriewood Valley with associated risks to life and property.

Based on Council's experience in Warriewood Valley and having regard for the similar fragmented/multiple ownership in Ingleside, it is unlikely the maximum 980 dwellings will be delivered across the life of the development contributions plan. Accordingly, it is considered financially responsible to assume that a completion rate of 80% will be realised on the ground. This will have an impact on the per/dwelling contribution rate provided. This scenario along with the potential dedication of government land is explored in the table below.

	Per Dwelling Contribution (100% completion)	Per Dwelling Contribution (80% completion)
<b>Scenario 1</b> Govt. land not provided	\$110K	\$137K
<b>Scenario 2</b> Govt. land provided at no cost	\$69K	\$87K
<b>Scenario 3</b> Govt. land provided + Regional Funds	\$57K	\$72K

**Table 2 – Scenarios regarding Government land and the impact on per dwelling contribution rates.**

### Feasibility

In accordance with the above, the contribution rate per dwelling that is required to pay for the infrastructure is significant (particularly if scenario 2 or 3 are not available). It is likely that these rates will have a detrimental impact on the development feasibility, timing and delivery of the Ingleside Precinct.

Further, the Ingleside Masterplan Economic, Employment and Retail Inputs report (prepared by SGS Economics & Planning) included in the exhibition material identifies that development is unfeasible on small sites with typical acquisition costs. This raises serious concerns that the precinct may not fully develop, thereby leaving a shortfall in infrastructure funding.

### Other Matters

The existing road network, currently rural roads (some unsealed or unmade), and the proposed internal road network will need to be constructed. Specific details regarding the road reservation for specific road types, the design of intersection controls, location of bus stops required for the Ingleside development, bus Priority treatment at peripheral locations as well as an active travel network are required by Council to prepare its Development Contributions Plan. This information is not included in the technical studies and needs to be provided.

Council supports the identification and siting of the community facility as it will provide the new residents a place for social interaction and build community connections albeit its construction is not able to be funded by development contributions in accordance with Government policy. For now, Council will need to investigate alternate funding sources to facilitate delivery of the community facility. This has the potential to significantly impact Council's overall budget.

Forward funding of infrastructure to ensure the incoming community has a minimum level of supporting infrastructure available when they arrive is also a concern. This is particularly relevant for stormwater and road upgrades required. Having regard for the uncertainty with overall feasibility and the potential legislative reforms discussed below, confidence in the ability of the development contributions plan to repay any loans is low. This has the potential to create a large liability for Council and the community.

The above concerns are further exacerbated by the impending legislative reforms currently underway in relation to development contributions. The Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021, currently the subject of a Parliamentary Inquiry, proposes changes to section 7.11 of the Environmental Planning and Assessment Act (the EP&A Act). Council's Development Contributions Plan for Ingleside is already in preparation. These legislative changes could materially affect the contributions planning for Ingleside and ultimately, the timeframe, ability to collect funds and deliver local infrastructure to the new community in Ingleside.

#### **Risk to Council**

The following present risks to Council regarding infrastructure delivery include:

- Government doesn't agree to provide their land free of charge or allocate Regional Infrastructure Contribution to Council.
- IPART don't support our request for the needed infrastructure items.
- Council is required to rely on other sources to fund infrastructure with subsequent impacts on the overall budget.
- Limited development feasibility results in an incomplete release area. Only part of the required infrastructure can be delivered

#### **Recommendation of Northern Beaches Council:**

- S. That the NSW Government transfer into Council ownership, at no cost to Council, the NSW Government land on which planned infrastructure is sited.**
- T. That the NSW Government make a commitment that regional contributions generated from the Ingleside development will be used in or adjacent to the Ingleside Precinct.**
- U. That updated feasibility work be undertaken having regard for the revised per/dwelling contribution rate.**

## APPENDIX A

### Explanation of Intended Effect - Implementation Issues

#### 1. Zoning of Riparian Corridor Land

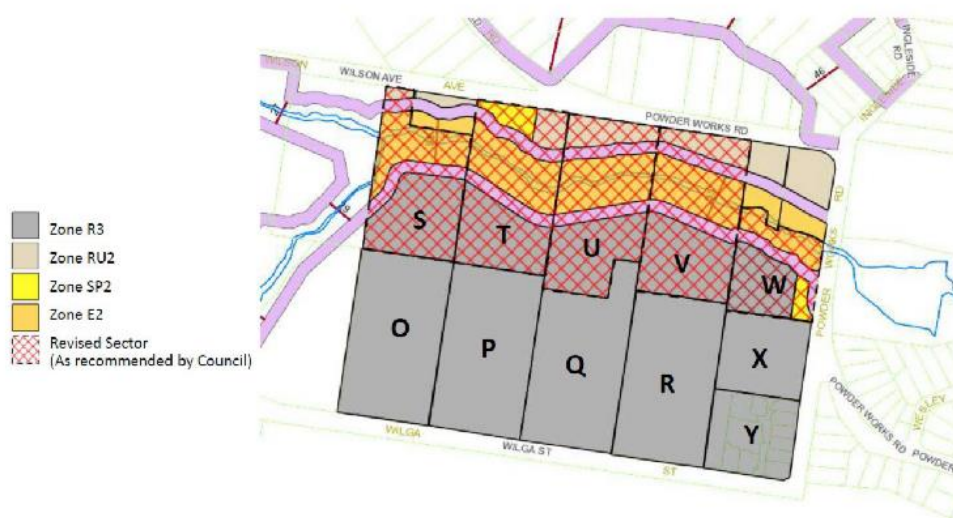
Riparian corridor land is proposed to be retained Zone RU2 'Rural Landscape'. Council requests it to be rezoned E2 'Environmental Conservation', acknowledging that E2 zone land does not need to be identified in the Land Acquisition Map. Rezoning the riparian corridor land to Zone E2 affords this land better environmental protection than if it is retained Zone RU2.

Council also requests that any other land containing ecologically significant communities should also be rezoned E2 'Environmental Conservation'.

#### 2. Sectors – Drawing of sector boundaries

The designation of sector boundaries to only contain that part of land zoned residential is problematic as it disregards the future treatment and operation of the riparian corridor land and the vegetation within it and its interface with the Asset Protection Zone.

It is preferred that sector boundaries should be amended to show the whole parcel to be included in the sector. In this way, any future development on this property accounts for the split zoning of the property and its interface with the bushfire hazard and section of riparian corridor land (see Image 3 below)



**Image 3 – Proposed incorporation of entire property into sector.**

Additionally, the implied consolidation of multiple properties in a sector needs to address the implication for those properties not being developed at the same time which could result in an uneven/inequitable distribution of dwelling yield. There is no discussion of this in the Ingleside Place Strategy that informs the EIE.

#### 3. Maximum Dwellings (per sector)

Concern is raised that for each sector, the quantum of permissible dwellings is set at the maximum. Each sector should have a minimum and maximum number of dwellings.

Even if the minimum number of dwellings are delivered in all sectors, Council needs to be certain of development contributions income.

#### **4. Ownership and maintenance of private infrastructure**

Private infrastructure associated with medium density development needs to be the responsibility of the landowners in that development. The approach to titling however is highly dependent on the developer and difficulties occur in implementation when Torrens Title and Section 88B Instrument are utilised.

Council requests a provision be added regarding the appropriate titling of developments specifying the roles and responsibilities of multiple landowners in a development regarding the operation and maintenance regime of all private infrastructure in the development including dispute resolution.

#### **5. Requirement to prepare a Development Control Plan**

It is requested that DPIE provide Council with the built form outcomes prepared by its consultant master planner that, in turn, informed the dwelling yield allocations for each sector to assist in the preparation of a DCP.

#### **6. SEPP Exemptions**

Council reiterates the request that for any development in Ingleside, the minimum rainwater tank sizes and impervious areas at the development or lot scale should be elevated to an EPI, and require exclusion from the BASIX SEPP or another SEPP (such as the future Design and Place SEPP).

#### **7. Proposed Road Network**

Council requests Figure 11 be amended to identify those road reserves unsealed and unmade are not existing road roads, for example McLean Street and the northern section of Wattle Street between Powderworks Road and Wilson Avenue.

#### **8. Land for a Public Purpose**

The exhibited EIE does not show the Government-owned land and Sydney Water land on which infrastructure is sited. Uncertainty remains as to whether discussions were held between the DPIE and Sydney Water Corporation regarding the Sydney Water land accommodating a water management basin.

Council reiterates its request for these lands to be transferred to Council at no cost to reduce the total infrastructure cost incurred if the Ingleside development proceeds.

Council requests that the location of the water management basins be reviewed given the existing significant commercial investment at specific locations that will be a financial burden on Council.

#### **9. Biodiversity**

Changes to the map for the Pittwater LEP are identified. Any changes to the map should be in consultation with Council's biodiversity team to ensure consistency with the biodiversity mapping now underway to inform the preparation of the new Northern Beaches Local Environmental Plan and Development Control Plan.

#### **10. Affordable housing**

Clarification is sought regarding the inconsistency in the exhibited draft Place Strategy, as to the location of the affordable housing dwellings - is it to be sited across the precinct (p8)

or in Character Area 3 only (p37) – as the exhibited EIE simply states this will be distributed across the precinct and that it is subject to feasibility.

Council requests that this precinct contributes 10% of additional dwellings towards affordable housing dwellings, consistent with the recently adopted Northern Beaches Local Housing Strategy.

**Recommendation of Northern Beaches Council:**

- V. That the sector boundaries be amended to show the whole parcel to be included in the sector.**
- W. That each sector has a maximum and minimum yield.**
- X. That information regarding titling and the operation and maintenance of all private infrastructure be included.**
- Y. That DPIE provide Council with the built form outcomes prepared by the consultant master planner to assist in the preparation of the DCP.**
- Z. Clarification is sought regarding the inconsistency in the exhibited draft Place Strategy, as to the location of the affordable housing dwellings - is it to be sited across the precinct (p8) or in Character Area 3 only (p37) – as the exhibited EIE simply states this will be distributed across the precinct and that it is subject to feasibility.**

## APPENDIX B

### Northern Beaches Council Recommendations

#### Emergency Bushfire Evacuation

- A. The issues raised by Blackash Bushfire Consulting are to be addressed by the Department of Planning, Industry and Environment before the Place Strategy can progress any further.
- B. The bushfire traffic analysis of the Ingleside Precinct is to be updated to include the full length of Powderworks Road corridor to Garden Street/Pittwater Road intersection as well as the intersection of Elanora Road and Wakehurst Parkway.
- C. The existing road network within the area needs to be defined against the model with any options to improve egress from the future release area included.
- D. Clarification of the potential conflict regarding assumptions made around the preferred evacuation routes for areas such as Terrey Hills and Duffys Forest is required.
- E. The concept design for the road network including cross sections, shared paths etc. are to be provided to inform the preparation of the DCP.

#### Sustainability and Resilience

- F. That expansion of the gas infrastructure network in Ingleside be prohibited.
- G. For the new community at Ingleside, the use of alternate renewable energy sources and decentralised energy storage systems should be explored.
- H. The NSW Government, through its current legislative review of development contributions and the Essential Infrastructure List, incorporates the use of low emission construction materials in its basic embellishment costings.

#### Water Cycle Management

- I. Consideration of storm events larger than the 1% AEP flood events and up to the Probable Maximum Flood be undertaken.
- J. Cardno should confirm if the stormwater harvesting facility proposed for the sports fields is an integral component of Ingleside's Water Management Strategy.
- K. The minimum rainwater tank sizes and impervious areas at the development or lot scale are included as statutory provisions (development standards) in the relevant Environmental Planning Instruments to ensure that:

- they cannot be overridden by the **BASIX SEPP** or another **SEPP** (such as the future **Design and Place SEPP**),
- they apply to residential and non-residential developments in the Ingleside Precinct.

#### **Biodiversity**

- L. A more precautionary approach should be undertaken for the mapping of the Coastal Upland Swamp including consideration of the properties listed in the submission.
- M. The biodiversity assessment should be updated and confirmation of the Department's application for the Angus Onion Orchid to be delisted from the Threatened Ecological Community be required.
- N. Surveys carried out should be in accordance with **BAM 2020** ensuring that the full extent of threatened species are considered prior to rezoning.
- O. Clarity is to be provided on the method of biodiversity offsetting proposed for State Government land.
- P. Riparian corridor land should be rezoned **E2 'Environmental Conservation'**. Rezoning the riparian corridor land to **Zone E2** affords this land better environmental protection than if it is retained as **Zone RU2**. An overall strategy be developed to better protect these areas into the future if they are to remain in private ownership.
- Q. Any other land containing ecologically significant communities should also be rezoned **E2 'Environmental Conservation'**.

#### **Aboriginal Heritage**

- R. The Department of Planning, Industry and Environment conduct an Aboriginal heritage review, assessment, field inspection and consult with the Metropolitan Local Aboriginal Land Council and Aboriginal community and prepare mapping which will assist in the identification of areas of further work required and to identify where no further Aboriginal heritage issues remain.

#### **Development Contributions/Infrastructure/Feasibility**

- S. That the **NSW Government** transfer into Council ownership, at no cost to Council, the **NSW Government** land on which planned infrastructure is sited.
- T. That the **NSW Government** make a commitment that regional contributions generated from the Ingleside development will be used in or adjacent to the Ingleside Precinct.
- U. That updated feasibility work be undertaken having regard for the revised per/dwelling contribution rate.

**Explanation of Intended Effect – Implementation Issues**

- V. That the sector boundaries be amended to show the whole parcel to be included in the sector.
- W. That each sector has a maximum and minimum yield.
- X. That information regarding titling and the operation and maintenance of all private infrastructure be included.
- Y. That DPIE provide Council with the built form outcomes prepared by the consultant master planner to assist in the preparation of the DCP.
- Z. Clarification is sought regarding the inconsistency in the exhibited draft Place Strategy, as to the location of the affordable housing dwellings - is it to be sited across the precinct (p8) or in Character Area 3 only (p37) – as the exhibited EIE simply states this will be distributed across the precinct and that it is subject to feasibility.

<b>ITEM 6.2</b>	<b>FRENCHS FOREST HOSPITAL PRECINCT UPDATE - 30 MINS</b>
<b>REPORTING OFFICER</b>	<b>PRINCIPAL PLANNER</b>
<b>TRIM FILE REF</b>	<b>2021/522991</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To update the Places for People Strategic Reference Group on the NSW Government's exhibition of the draft Frenchs Forest Place Strategy and Council's supporting documents.

### REPORT

The Northern Beaches Hospital Precinct Structure Plan (Structure Plan) was adopted by Council in 2017. Since then, Council has been working with the NSW Government to implement Phase One of the Structure Plan.

The Minister for Planning and Public Spaces recently announced the exhibition of the draft Frenchs Forest Place Strategy rezoning package, which includes the relocation of The Forest High School to land commonly referred to as McLeod House in Allambie Heights.

The draft Place Strategy proposes the delivery of:

- 2,000 new dwellings and 2,000 new jobs
- New public open space, green spaces and tree canopy cover of up to 30%
- A diversity of homes, including terraces, medium scale apartments and higher density apartments
- A range of building heights from 2 to 12 storeys, with taller buildings near the hospital, no building higher than the hospital and lower-scale housing in the north and south
- Up to 15% affordable housing in the town centre and 10% in the surrounding areas
- The highest standard in architectural, urban design and sustainability outcomes
- Commercial and retail uses, including a dedicated commercial core near the hospital
- A new neighbourhood centre on Bantry Bay Road that will bring Brick Pit Reserve to life.

The NSW Government's planning package will inform a rezoning of Frenchs Forest. The following documents are on exhibition:

- Draft Frenchs Forest 2041 Place Strategy
- Draft Explanation of Intended Effect
- Draft Frenchs Forest Green Plan
- Draft Frenchs Forest Special Infrastructure Contribution Schedule
- Background technical studies.

At the same time, Council is exhibiting the supporting planning documents including draft amendments to Warringah Development Control Plan 2011 (DCP) and the draft Northern Beaches Affordable Housing Contributions Scheme and Tenancy Guidelines.

The DCP is needed to complement the NSW Government's draft Frenchs Forest Place Strategy by outlining detailed planning controls to ensure good design for the area. This will include controls specifying setbacks between buildings, building design, parking and sustainability requirements.

The draft Affordable Housing Contributions Scheme and Tenancy Guidelines (Scheme and Guidelines) will allow Council to collect contributions from developers to provide affordable housing. A contribution rate of 15% for the town centre and 10% for the rest of the precinct is proposed. The draft Scheme and Guidelines also provides information on the management of properties that Council is set to receive and identifies eligibility criteria for prospective tenants.

Council is also preparing a draft Development Contributions Plan (Section 7.11) for the precinct to ensure that local infrastructure is funded. This will be exhibited separately, later this year.

## CONSULTATION

All information is on exhibition until 3 September 2021.

Submissions on the NSW Government's documents can be made via [planning.nsw.gov.au/frenchsforest](http://planning.nsw.gov.au/frenchsforest).

Submissions on Council's planning documents including the draft DCP and draft Scheme and Guidelines, can be made via the Your Say Northern Beaches [webpage](#).

## Next steps

Council staff will be preparing a submission to the NSW Government on outstanding matters requiring resolution.

A submissions report will be prepared to address feedback received on the DCP and draft Scheme and Guidelines. Changes may be made to these documents, where considered appropriate. Towards the end of the year, the draft DCP and draft Scheme and Guidelines will be reported to a Council meeting for finalisation.

It is anticipated that the rezoning package will be finalised by the NSW Government in 2022.

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## RECOMMENDATION OF PRINCIPAL PLANNER

That the Places for People Strategic Reference Group notes the update provided.

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