



SUBJECT: Update on Investigation of Ingleside Release Area

Meeting: Planning for Integrated Built Environment

Date: 18 February 2013

STRATEGY: Land Use and Development

ACTION: Review position and respond to State Government Infrastructure & Planning Committee on sustainable land use in Ingleside

PURPOSE OF REPORT

This report informs Council of the approach being developed in collaboration with the NSW Government based on a series of discussions to re-invigorate the investigation of the Ingleside release area.

It also seeks Council's approval to the approach enabling commencement of the precinct planning process with the Department of Planning & Infrastructure and UrbanGrowth NSW.

It should be noted that this report discusses, inter-alia, current Planning legislation provisions and may need review depending on the new Act and associated planning tools.

1.0 BACKGROUND

Ingleside lies to the west of the Warriewood Valley Land Release with Ingleside Park/Warriewood Escarpment acting as a buffer between Warriewood Valley and Ingleside land release areas.

The Escarpment is predominately bushland and significant areas of bushland in natural or near to natural state are scattered throughout Ingleside, intermingled with land, which has been partially cleared and developed for rural and associated pursuits.

Much of Ingleside was originally commercially viable horticultural land. This is no longer the case, and on properties where construction of dwellings is permissible, there has been a "defacto" change of land use towards a rural residential style of development. This is occurring without provision of adequate infrastructure or appropriate long term planning and is threatening the long term ecological and environmental values of the area. Pittwater Council in the 1990s recognised the plight of private land holders in the "blue hatched area" who were unable to build on their properties when it resolved to provide restricted building capability for those lots which had previously been embargoed from development by the State Government. Ingleside also includes a significant number of land parcels owned by Public Authorities.

The area includes bushland areas which are environmentally integrated through creekline corridors and ridgeline vegetation links. These links have the potential to ultimately provide a system of corridor links which extend from Narrabeen Lagoon and the Warriewood Wetlands through the creekline corridors in Warriewood Valley, throughout the Warriewood Escarpment and across the Ingleside Plateau to the Garigal and Ku-ring-gai Chase National Parks to the southwest and northwest.

The area contains three reasonable discreet area for service provision, traffic management, environmental management and fire safety planning. These areas are referred to as South Ingleside, North Ingleside and Wirreanda Valley.

Planning controls relating to Ingleside are principally its zoning as Non-Urban 1(a) (which has a wide range of permissible uses reflecting its original agricultural and horticultural uses) and the current subdivision pattern that reflects a range of land holdings. These controls do not recognise urban environmental and physical characteristics and promote land uses more suited to an area of broad acre arable farm land.

The area is subject to Pittwater 21 Development Control Plan which because it has to cater for the principal zoning controls contained in the Local Environmental Plan struggles to relate to the area in terms of appropriate controls.

Planning controls relating to those properties in the Blue Hatched area are a best attempt at facilitating urban expectations in a rural area.

In short the area is characterised as a rural zone overlaid by an historical subdivision pattern covered by conflicting planning controls through, various State Environmental Planning Policies, and Councils Local Environmental Plan and Development Control Plans all of which fail to provide a coordinated prescription for land use reflecting its environmental character.

Virtually all the land in the area remains unsewered with some informal mains water supply available, mains electricity is available to individual properties and a basic road infrastructure exists although many of the roads are of a rural nature and some remain little more than bush tracks.

In developing precinct planning for the area it will be necessary to investigate infrastructure constraints and develop appropriate methods of provision for any development which might occur lessening the reliance on developer contributions by direct provision etc

The lack of reticulated water and sewerage systems in the area provides a major challenge to provide for an effective and environmentally sustainable treatment of wastewater.

Traffic and transport issues are also a major challenge in terms of Mona Vale Road and Powderworks Road.

2.0 CHRONOLOGY OF PLANNING INVESTIGATIONS

2.1 Since 1991, Ingleside has been in the NSW Government's Urban Development Program earmarked for future land release. In the early 1990's Council undertook a comprehensive suite of environmental and demographic studies:-

- Vegetation
- Fauna
- Land Capability
- Visual Impact
- Heritage
- Water Cycle Management
- Land Contamination
- Bushfire Risk & Protection
- Demographic Needs

These studies led to the preparation and exhibition of the draft Planning Strategy for the Ingleside/Warriewood Land Release. In May 1995, the draft Strategy was referred to the State Government.

2.2 In 1995 the then Minister for Planning suspended the Ingleside/Warriewood Land Release Project.

- 2.3 In May 1997 the then Minister for Urban Affairs and Planning announced that urban development would proceed only in Warriewood Valley.

In recognition of environmental and servicing constraints associated with any form of urban land release in the Ingleside area, the Minister deferred any further consideration of land release in the area to the west of the Escarpment including the South Ingleside area.

This embargo on progressing planning for the area has remained in place since the announcement by the Minister in 1997 however, Ingleside continues to be listed in the Urban Development Program (now called the Metropolitan Development Program).

- 2.4 In November 2006, preliminary investigations for Ingleside was recommenced following a request from the then Minister for Planning. The Ingleside Investigation Area is shown on **Attachment 1**.

The Preliminary Scoping Report for Ingleside was presented to Council's meeting of 19 October 2009. Based on proposed land uses and estimated dwelling yield, the report raised concern about the future viability of Ingleside as a land release project and recommended a detailed economic and risk assessment be undertaken for Ingleside that examines the extent of development risk, based on a range of development options for Ingleside.

- 2.5 Since Council's resolution of 19 October 2009 (a copy is in **Attachment 2**), a number of Council decisions has prompted discussion with the Director-General of Planning and Department staff on developing sustainable land-use options.

3.0 CURRENT POSITION

- 3.1 On 16 May 2011 Council sought dialogue with the newly formed NSW Government (see **Attachment 3**).

At its meeting of 15 August 2011 Council, in considering the Pittwater Local Planning Strategy, resolved inter-alia:-

"4. That following the meeting held between high level technical staff from Council and the Department of Planning and Infrastructure,...[the Department]... a report be prepared for Council on the progression of a "whole of government approach" to the preparation of a planning solution for Ingleside."

- 3.2 Since Council's resolution of 16 May 2011, Council officers have attended a series of meeting between Council and Strategies & Land Release section of the Department of Planning & Infrastructure (being the relevant Division in the Department that oversees delivery of land release projects in NSW), servicing agencies and state authorities including UrbanGrowth NSW (formerly Landcom).

The discussions were a precursor to reaching agreement on the best way to approach the planning investigation of Ingleside, given the various studies that have been prepared over time, the range of issues still to be addressed and timeframe.

- 3.3 On 22 November 2012, the Mayor, General Manager and Director of Planning and Community met with the Minister for Planning and Infrastructure and senior staff from the Department and Growth NSW.

It was agreed that the Department would outline in a letter to Council the Government's approach to a land release in Ingleside for Council's consideration and that a further meeting would be held to discuss the proposal between staff. It was agreed that Council would consider the matter in February 2013 following which another meeting would be had with the Minister.

- 3.4 On 13 December 2012, the Director General wrote to Council outlining the “Precinct Planning” process that could be undertaken for Ingleside (see **Attachment 4**).

A meeting has since been held with Council, the Department and UrbanGrowth NSW to gain better understanding of the precinct planning process, and identify protocols and delivery structure to be established.

4.0 PRECINCT PLANNING PROCESS

- 4.1 The letter dated 13 December 2013 from the Director General suggests that an appropriate mechanism to progress the land Release is via State Environmental Planning Policy (Sydney Region Growth Centres) .Under this Policy the Government commits to funding studies, coordinating infrastructure and will offer to fund Council resources.

The SEPP (Sydney Region Growth Centres) utilizes a “Precinct Planning” approach.

- 4.2 Precinct planning is a well established model associated with the investigating the development potential in the North West and South West Growth Centres, integrating infrastructure planning and delivery; and inputs from state agencies, the community, landowners and other stakeholders through the establishment of a Community Stakeholder Engagement Plan. An outline of the precinct planning process is in **Attachment 5**.

Rezoning land in Sydney’s Growth Centres is through the SEPP (Sydney Region Growth Centres). The SEPP aims:-

- “(a) to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region,*
- (b) to enable the Minister from time to time to designate land in those growth centres as ready for release for development,*
- (c) to provide for comprehensive planning for those growth centres,*
- (d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,*
- (e) to provide controls for the sustainability of land in those growth centres that has conservation value,*
- (f) to provide for the orderly and economic provision of infrastructure in and to those growth centres,*
- (g) to provide development controls in order to protect the health of the waterways in those growth centres,*
- (h) to protect and enhance land with natural and cultural heritage value,*
- (i) to provide land use and development controls that will contribute to the conservation of biodiversity.”*

A development control plan and Developer Contributions Plan would be prepared in parallel with the rezoning process.

This process streamlines the rezoning of land to two years.

4.3 Department of Planning and Infrastructure and UrbanGrowth NSW

- 4.3.1 The Land Release (Planning & Delivery) section of the Department oversees the delivery of land release projects in NSW and has been responsible for delivery of precincts identified in the North West and South West Growth Centre.

4.3.2 UrbanGrowth NSW is a new entity integrating Landcom and the former Sydney Metropolitan Development Authority. The primary focus of UrbanGrowth NSW is on expediting and increasing development outcomes and increasing housing supply generally in the Sydney Metropolitan Region (in both green field and urban renewal locations).

It aims to assist in unlocking 'private sector investment by coordinating and delivering lead-in infrastructure and services in development areas, and by planning and fast tracking urban renewal projects'. Critical to this role is:-

- identifying barriers to development specifically addressing land fragmentation
- better utilising surplus government land as a catalyst to development
- assisting development by better coordinating the delivery of enabling infrastructure.

Part of UrbanGrowth NSW is the UrbanGrowth Development Corporation (formerly Sydney Metropolitan Development Authority) however, will not be involved in the precinct planning process or in discussions regarding Ingleside. It is confirmed that 'all dealings will only occur with that part of UrbanGrowth NSW that was formerly Landcom.'

More information on UrbanGrowth NSW is in **Attachment 6**.

4.4 *Delivery Structure*

Should Council determine to participate in the "precinct planning" process for Ingleside, a Project Control Group (PCG) and Working Group will be established, with each group having differing responsibilities and authorities. A Probity Adviser will be engaged to oversee the overall precinct planning process and follow a Probity Plan. A diagram of the delivery structure is in **Attachment 7**.

Underpinning the delivery structure will be a Project Plan, Probity Plan and Community / Stakeholder Engagement Plan.

The structure is similar to that established for the Warriewood Valley Strategic Review but unlike the Warriewood process, there will be greater opportunity for community stakeholder input at various milestones during the Precinct Planning process e.g. presentation of consultant studies and recommendations before the design options for indicative layout plans are developed.

4.5 *Resourcing and Timeframe*

The Department has confirmed that the NSW Government will fund the 'rezoning process' (including consultant studies and Council resourcing of the precinct planning process).

The Precinct Planning process is anticipated to take two years, resulting in the rezoning of the land, commitment to State Infrastructure and finalisation of the corresponding Development Control Plan and Developer Contributions Plan.

Council's resourcing commitment to this project will be critical to ensure Council is an active participant in the planning process requiring a multi-disciplinary team to be on call from relevant disciplines in the Council. The make-up of this team would address financial issues, risk management, water management and flooding, traffic and transport, open space, environmental, community and social issues; and delivery of infrastructure and services under developer contributions. The timeliness and appropriateness of the technical inputs must be a priority for members of this multi-disciplinary team who will be called upon at specific phases of the planning process.

4.6 Community Engagement and Governance

A Community/Stakeholder Engagement Plan will be prepared with the Project Plan and Probity Plan for Council's endorsement. Although details of the Community Stakeholder Engagement Plan are not yet developed, the following elements are critical for the success of engaging the community and stakeholder during the precinct planning process:-

- consistency with Council's adopted Community Engagement Procedures;
- clear separation of Council's landowner interests and establish administrative procedures accordingly;
- identify opportunities to actively and regularly inform landowners, the community, stakeholders in forums to disseminate information (not commercial-in-confidence information);
- identify milestones at which public exhibition will be held;
- involvement of Councillors at regular stakeholder/community meetings;
- Web based information and social media if appropriate.

5.0 RECENT COUNCIL DECISIONS REGARDING INGLESIDE

5.1 At its meeting of 21 May 2012, Council was informed of State Government decisions regarding certain land in Ingleside (known as the Wilga-Wilson area and shown on map in **Attachment 8**) as well as informing Council of ongoing discussions with the State Government. At the time, Council was advised of the commencement of two studies:-

- Preliminary investigations to upgrade Mona Vale Road between McCarrs Creek Road, Terry Hills and Mona Vale Town Centre by the Roads and Maritime Services (RMS).
- Assessment of the Powderworks Road corridor to ascertain its capacity constraints to inform the future capacity of Powderworks Road and its implications on development opportunities in Ingleside.

At that meeting, Council resolved inter-alia:

“2. That Council staff prepare a report for council involving an update of the matters previously raised in the report to the Planning and Environment Committee meeting of 18 September 2000 (entitled Warriewood Escarpment and South Ingleside land management Strategy) with a particular reference to determination of a forward path for a rural residential development of the area known as Wilga Wilson.

3 That the findings of the Urban Development Capacity Restraints Report on Powderworks Road be brought to Council upon completion.”

5.2 In relation to point (2) of Council's decision of 21 May 2012, the Site Compatibility Certificate has been issued for Wilga Wilson for an urban form of development and it is extremely unlikely that the owners would approve of a rural residential form of development. Discussions with proponents have indicated that it is likely that a staged application will be proceeded with but that the owners are keen to understand and potentially participate in any urban land release in Ingleside contingent on a timely process proceeding for the release.

Council's decision in 2000 did not proceed as the Government declined to take Ingleside off the Metropolitan Development Program for urban purposes and would not entertain a rural residential form of development over all of Ingleside.

There remains an opportunity for a diversity of housing types in Ingleside via the Precinct Planning process. Certain areas with more constraints may provide opportunity for a lesser form of intensification of development and achieve a rural residential capacity. Council's decision on 19 October 2009 in considering the then Preliminary Scoping Report (developed with the Department of Planning) recognised environmental, physical and financial constraints that may limit some areas of Ingleside to either status quo or a rural residential release.

Recent discussions with the Department have not dismissed opportunities for a diversity of dwelling/lot sizes should the precinct planning process proceed.

- 5.3 Council commissioned a study of the Powderworks Road Corridor by assessing the likely transport implications on and potential management options for surrounding roads as a result of traffic generated by development opportunities in Ingleside.

The Study assumed the development of Warriewood Valley Release Area as per the exhibited Draft Warriewood Valley Strategic Review Report (but did not include the development of the Southern Buffer area) and the Elanora Heights Village Centre based on the adopted masterplan. The Study assumed:-

- Scenario A as having a seniors living development at Wilga-Wilson area comprising 721 dwellings and 153 bed nursing home.
- Scenario B is the development of South Ingleside (plus Scenario A) being a total of 2382 dwellings and 153 bed nursing home.

A copy of AECOM's report has been tabled separately.

The Study concluded that Scenario A can be accommodated within certain traffic management devices at the development. Scenario B can be accommodated (on the basis of the dwellings suggested) only by closing Powderworks Road to through traffic or by upgrading Powderworks Road to 2 lanes each direction (to the full length of Powderworks Road).

- 5.4 *Matters from Council decision to the Notice of Motion of 15 October 2012*

On 15 October 2012, Council considered a Notice of Motion submitted by Councillor McTaggart (see **Attachment 9**). Council resolved as follows:

"That the motion be deferred and a report be brought to Council on the proposed Notice of Motion."

Section 3.0 of this report outlines the Precinct Planning process to be established for Ingleside and identified the establishment of a structure to deliver the rezoning of Ingleside (the "project").

The principal issue raised in the Notice of motion as it relates to Ingleside was the "creation and funding of a Warriewood Valley/Ingleside Land Use Committee comprising Councillors, Council staff; land owners or their representatives; members of the community/community groups and Government agencies."

The creation of a consultation/information dissemination committee with Ingleside representatives is laudable and appropriate. Whilst there are some common interrelationships between Warriewood Valley and Ingleside (eg Powderworks Road, water management etc.), given the State Government's decision to separate the two areas, the considerable difference in progress of planning for and development of Warriewood and the localised issues it is not appropriate nor is it anticipated that the precinct planning process could accommodate other development areas being considered in the Ingleside community engagement process.

The ongoing engagement of the Warriewood Valley community can be considered in finalising the future of the Valley's development scenarios when the Strategic Review is considered by Council.

The Project Plan, Probity Plan and Community Stakeholder Engagement Plan are still to be prepared. These three documents are still to be drafted and agreed to between the project partners, in particular those elements identified in Section 4.6 as being critical to the Community/Stakeholder Engagement Plan.

A future report to Council will detail the delivery structure and the three documents in terms of its aims and intended outcomes.

6.0 FORWARD PATH

6.1 The Precinct Planning process provides the best opportunity to complete the planning investigation for Ingleside and achieve a 'whole of government approach' that would rezone land in Ingleside.

The Precinct Planning approach has already occurred in the North West and South West Growth Centres through the SEPP (Sydney Region Growth Centres). Generally, the aims of the SEPP can be applied to Ingleside namely:-

- “(a) to co-ordinate the release of land for residential, employment and other urban development in ... the Sydney Region,*
- (b) to enable the Minister from time to time to designate land in those growth centres as ready for release for development,*
- (c) to provide for comprehensive planning for those growth centres,*
- (d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,*
- (e) to provide controls for the sustainability of land in those growth centres that has conservation value,*
- (f) to provide for the orderly and economic provision of infrastructure in and to those growth centres,*
- (g) to provide development controls in order to protect the health of the waterways in those growth centres,*
- (h) to protect and enhance land with natural and cultural heritage value,*
- (i) to provide land use and development controls that will contribute to the conservation of biodiversity.”*

6.2 If Council agrees to the Precinct Planning approach, the Department will seek to obtain the Minister's approval to designate Ingleside into through the SEPP (Sydney Region Growth Centres).

6.3 Administrative matters regarding the establishment of a Project Control Group and Working Group, engagement of a Probity Adviser, and the Project Plan, Probity Plan and Community Stakeholder Engagement Plan are to be prepared.

Details of the delivery structure and governance regarding the above documents will be presented to Council. This future report to Council will identify the timing of future reports and thresholds for informing Council and Community on the progress of the project.

6.4 Financial Implications

There is no current budgetary provision for development of a Precinct Planning process or Land Management Strategy for Ingleside. The Government will commit to funding of studies and (subject to final details) has committed to assisting in Council's resourcing of the project (probably one person equivalent).

While some staff resources within Council can be utilised within current budget towards this programme, participation in this project will only be accommodated by effecting other projects and programs.

Therefore it is appropriate that Council agree to accept the Governments offer to assist in resourcing the project however it must be acknowledged that the project must be prioritised within the upcoming Delivery programs. It is anticipated that participation in the project will cost Council approximately \$100,000 - \$150,000 excluding staff time.

Given the history of the State Government s approach to developer contributions which has substantially impacted on Section 94 planning for the Warriewood Valley ,it is imperative that should Council be involved in any future developer contribution planning that the State government guarantee that the plan once adopted must not be changed to place Council in financial jeopardy. In this regard the land release must focus on direct provision by developers to minimise the need for a developer contribution plan.

7.0 SUSTAINABILITY ASSESSMENT

7.1 Supporting & Connecting our Community (Social)

Key to examining the Ingleside Investigation Area is how any new community is integrated into the wider Pittwater community. The Ingleside area will contribute to Council's Housing for future generations .Opportunities for affordable housing must be investigated along with other social infrastructure.

7.2 Valuing & Caring for our Natural Environment (Environmental)

Integral to the planning investigation will be evaluating likely impacts of a land release development for Ingleside, including environmental impacts on the natural environment, creek systems including receiving water. Best practice must be employed to lessen ecological footprint and protect biodiversity

7.3 Enhancing our Working & Learning (Economic)

The planning investigation must evaluate likely impacts of a land release on employment containment initiatives and the attraction of employment opportunities. The introduction of further rate potential to Council and ongoing maintenance of the local infrastructure are financial considerations. Exposure to financial risk associated with the funding of infrastructure must be minimised by ,inter alia ,direct provision of infrastructure .Should any of the land release contain rural residential development provision of upgraded roads must be carefully managed over time to meet expectations of the residents.

Council's concerns raised in its decision 19 October 2009 regarding economic viability must be addressed.

7.4 Leading an Effective & Collaborative Council (Governance)

A community engagement strategy will be prepared for implementation throughout the planning investigation process ensuring all stakeholders and community participation in the investigation will continue to be carried out to ensure that decision-making is ethical, accountable and transparent. Consideration should be to a community committee that meets on a regular basis responding to designated thresholds in the progress of investigations.

7.5 Integrating our Built Environment (Infrastructure)

A primary objective in proceeding with a planning solution towards a land release will be to enhance the liveability and amenity of any new community in Ingleside by locating an appropriate mix of land use and development in a well connected and effective transport route.

In particular the traffic and transport issues relating to Powderworks Road and Mona Vale Road and intersections are critical components in any decision of future land uses.

8.0 EXECUTIVE SUMMARY

8.1 On 13 December 2012, the Director General wrote to Council inviting Council to participate with the Department and undertake a precinct planning process for Ingleside.

An initial meeting with the Department and Urban Growth NSW provided Council officers an opportunity to understand the precinct planning process and identify the protocols and delivery structure to be established.

The Precinct Planning process and delivery structure are detailed in Section 4 of this report. Given the participation of the NSW Government to this process and the likely timeframe for completion is 2 years, the Precinct Planning process is the best opportunity to undertake the necessary planning investigations and deliver sustainable land use outcomes that would eventuate in the rezoning of land in Ingleside.

Ingleside area is currently on the State Government's Metropolitan Development Program., which infers an urban density. Whilst the 1994 studies into the Warriewood /Ingleside Land Release presented a draft scenario of future urban development across Ingleside, these documents were never adopted by Council nor endorsed by the State Government. Since those reports were released, many issues have arisen that may effect the development potential of Ingleside at an urban density. All contemporary environmental, social, economic and governance issues must be analysed to formulate the future of Ingleside.

RECOMMENDATION

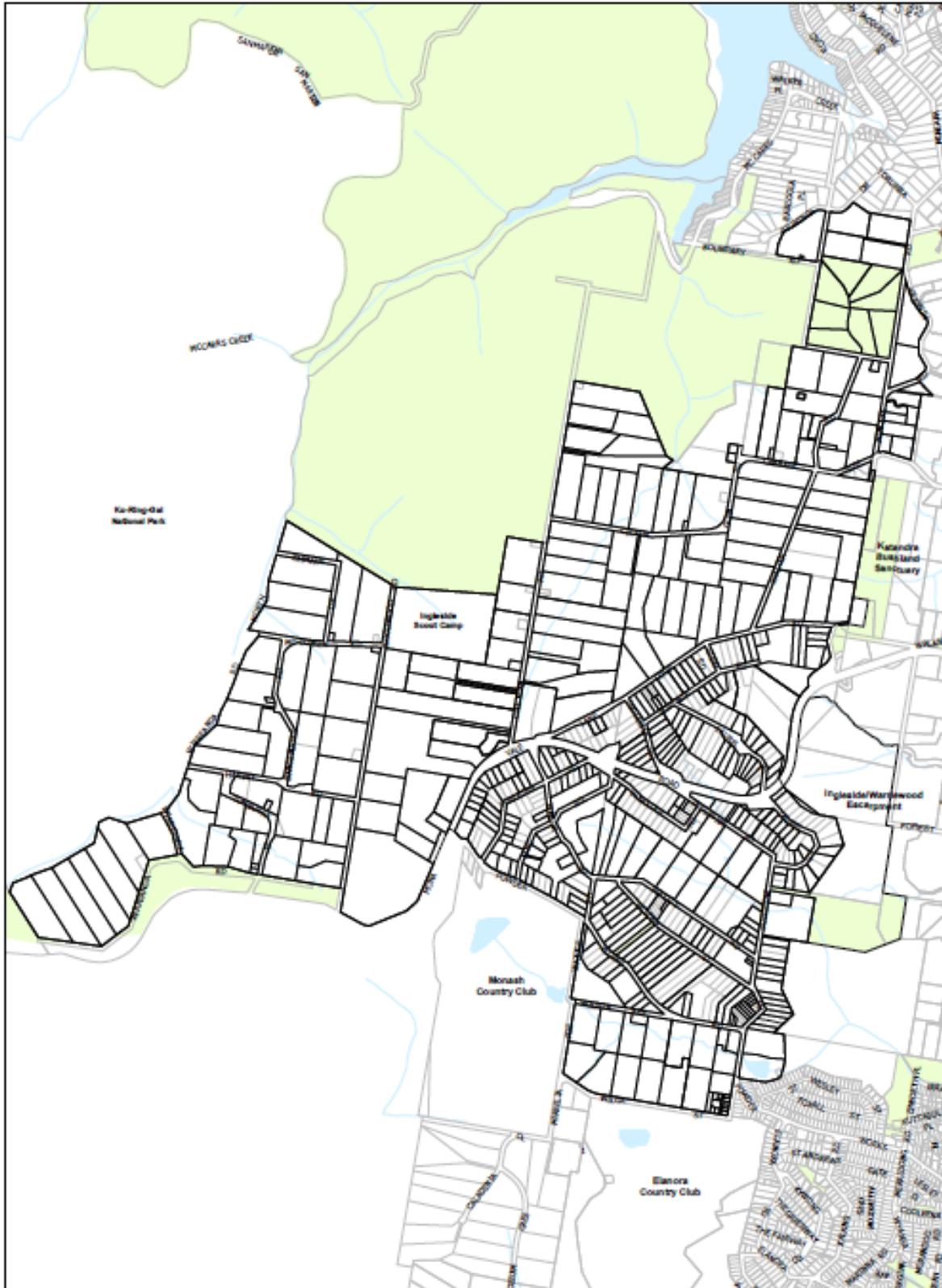
- 1 That Council agree to participate with the Department of Planning & Infrastructure and UrbanGrowth NSW in the Precinct Planning process for the Ingleside Release Area, noting that the State Government will fund the process and necessary studies. And provide a resource to Council for the duration of the Planning process.
- 2 That Council advise the State Government that the following issues are paramount in the progress of the land release in Ingleside:-
 - the future protection and management of environmentally sensitive land, including environmental, biodiversity and creekline corridors.
 - a sustainable and ecologically sensitive development form based on the highest standards.
 - the threat from bushfire and provision of emergency access/egress eg bushfire.
 - the economic viability of the land release particularly associated with the findings of the report to Council 19 October 2009.
 - the extent of capitalisation evident in private landholdings in Ingleside.

- the need to upgrade Mona Vale Road and relevant intersections which would be exacerbated by any intensification of development in Ingleside.
 - provision of a comprehensive waste water management proposal.
 - comprehensive consideration of Powderworks Road and the amenity and safety of its users and adjoining residents.
 - delivery of infrastructure in a timely manner over the life of the development process.
 - financial risk to Council and the State Government if the development potential is not achieved or is delayed.
 - uncertainty with the developer funding mechanisms.
 - uncertainty with the implications of the programmed new Planning Act.
 - maintaining ridge lines as areas of well designed landscaped areas dominated by trees rather than buildings.
 - opportunities for provision of affordable housing.
 - Comprehensive Community engagement process including the establishment of a Community based committee that will be regularly updated on issues, studies and progress of the Precinct Planning process.
- 3 That a progress report be brought back to Council following completion of administrative matters regarding the delivery structure and governance. This future report is to include timing of future reports informing the progress of the project.
- 4 That Council write to those landowners whose property is in the Ingleside Release Area and relevant stakeholders advising of Council decision.

Report prepared by
Liza Cordoba, Principal Officer Land Release

Andrew Pigott
ACTING MANAGER, PLANNING & ASSESSMENT

MAP – INVESTIGATION AREA FOR INGLESIDE





Action Item

C11.8: Update on Ingleside Investigation Area

COMMITTEE RECOMMENDATION

- 1 That Council note the Preliminary Scoping Report for Ingleside developed in conjunction with the Department of Planning.
- 2 That Council continue to support a process that will identify appropriate development and land use scenarios for Ingleside however identifies the following risks to an orderly progress of the release:
 - (a) the future protection and management of the environmentally sensitive land, including environmental and biodiversity corridors and creekline corridors;
 - (b) concerns raised by the Department of Environment and Climate Change requiring further resolution,
 - (c) the threat from bushfire,
 - (d) the extent of capitalisation evident in private landholdings in Ingleside,
 - (e) the capacity of Mona Vale Road to accommodate for future development in Ingleside and provide emergency access/egress eg bushfire,
 - (f) future use of Powderworks Road as a direct north-south route,
 - (g) delivery of infrastructure in a timely manner over the life of the development process,
 - (h) financial risk to Council and the State Government if the development potential is not achieved or is delayed,
 - (i) uncertainty with the Section 94 funding mechanisms.
- 3 That Council write to the Minister for Planning advising of the outcomes of its Preliminary Scoping Report identifying the opportunities and risks associated with developing Ingleside for all stakeholders including Council, State Government Authorities, servicing agencies and landowners.
- 4 That Council request that the Minister direct the Planning Reform Funding originally granted to Pittwater Council, towards commission a detailed economic study and risk evaluation to determine a viable and sustainable development.
- 5 That all landowners in Ingleside be advised of the outcomes of this report and Council's resolution.

(Cr White / Cr Giles)

Note:
Division



Planning &
Infrastructure

Office of the Director General



Mr Mark Ferguson
General Manager
Pittwater Council
PO Box 882
Mona Vale NSW 1660

12/17736

Attention: Steve Evans

Dear Mr Ferguson

INGLESIDE RELEASE AREA – PROCESS FOR REZONING

I refer to recent meetings between senior officers from the Department of Planning & Infrastructure (Department), UrbanGrowth NSW (Landcom) and Pittwater Council and the subsequent meeting on 22 November 2012 with the Minister for Planning and Infrastructure, in relation to agreeing to a process for the rezoning of the Ingleside Release Area.

As agreed, I am writing to outline the preferred process and to seek Council's confirmation to this process. Following approval, I will seek Ministerial endorsement to commence the rezoning based on the agreed process.

It is acknowledged that the rezoning process must be focused, well managed, and integrated with infrastructure planning and delivery to ensure a feasible outcome. The Department has a well established methodology for release area planning, and the appropriate resources to manage the rezoning process in partnership with Council.

The Precinct Planning process, which applies to the rezoning of land in the Sydney Growth Centres is an appropriate model for the rezoning of the Ingleside Release Area. Precinct Planning is undertaken by the Department in partnership with the relevant Council. I have enclosed some general information about the Precinct Planning process which may be of use to Council.

Input from state agencies, the community, landowners and other stakeholders is also critical and a Community Stakeholder Engagement Plan would be prepared to identify the stakeholder groups and establish the proposed consultation and engagement methods.

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Precinct Planning involves investigations into land use options, physical constraints and infrastructure requirements. The appropriate location of centres, housing mix and key transport routes are all resolved. Relevant Council policies and best practice guidelines instruct this work to ensure that the outcomes delivered are leading practice and appropriate to the local area.

In relation to the Ingleside Release Area, the ultimate dwelling yield will be affected by physical constraints (particularly vegetation and bush fire), servicing costs and the existing level of capital investment, especially in relation to the land north of Mona Vale Road. The Precinct Planning process integrates infrastructure and land use planning, and includes detailed calculations of dwelling yield, and a development staging plan. This approach is well suited to Ingleside, given the importance of these issues.

The Department would manage the rezoning in partnership with Council. I also anticipate significant involvement from UrbanGrowth NSW (Landcom). A Project Control Group and a Project Working Group would be the main coordination forums for these three parties. A Project Plan and Probity Plan would also be prepared. This is critical to ensure that the roles of the Department, Council and UrbanGrowth NSW (Landcom) are clearly defined.

In the Sydney Growth Centres, the *State Environmental Planning Policy (Sydney Region Growth Centres)* is the statutory mechanism to deliver the rezoning. For the Ingleside Release Area, a SEPP or planning proposal are the two statutory mechanisms available to deliver the rezoning. A Development Control Plan and Section 94 Local Contributions Plan (or equivalent under a new planning system) would also be prepared in parallel with the rezoning.

The rezoning process would be funded by the NSW Government. The Department is also able to assist with Council resourcing of the planning process if necessary.

I would appreciate if you could provide your Council's views in relation to:

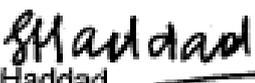
- The suitability of the Precinct Planning approach for the Ingleside Release Area; and
- The preferred mechanism to deliver the rezoning (SEPP or planning proposal).

Council's advice will inform my recommendation to the Minister for Planning and Infrastructure to commence the rezoning process for the Ingleside Release Area.

The Department will contact you shortly to arrange a meeting to further discuss the process and commence the preparation of the governance arrangements and supporting documents as outlined above.

In the meantime, should you have any further enquiries about this matter, I have arranged for Mr Robert Black, Executive Director, Land Release (Planning & Delivery) of the Department of Planning and Infrastructure to assist you. Robert can be contacted on telephone number 02 9860 1505.

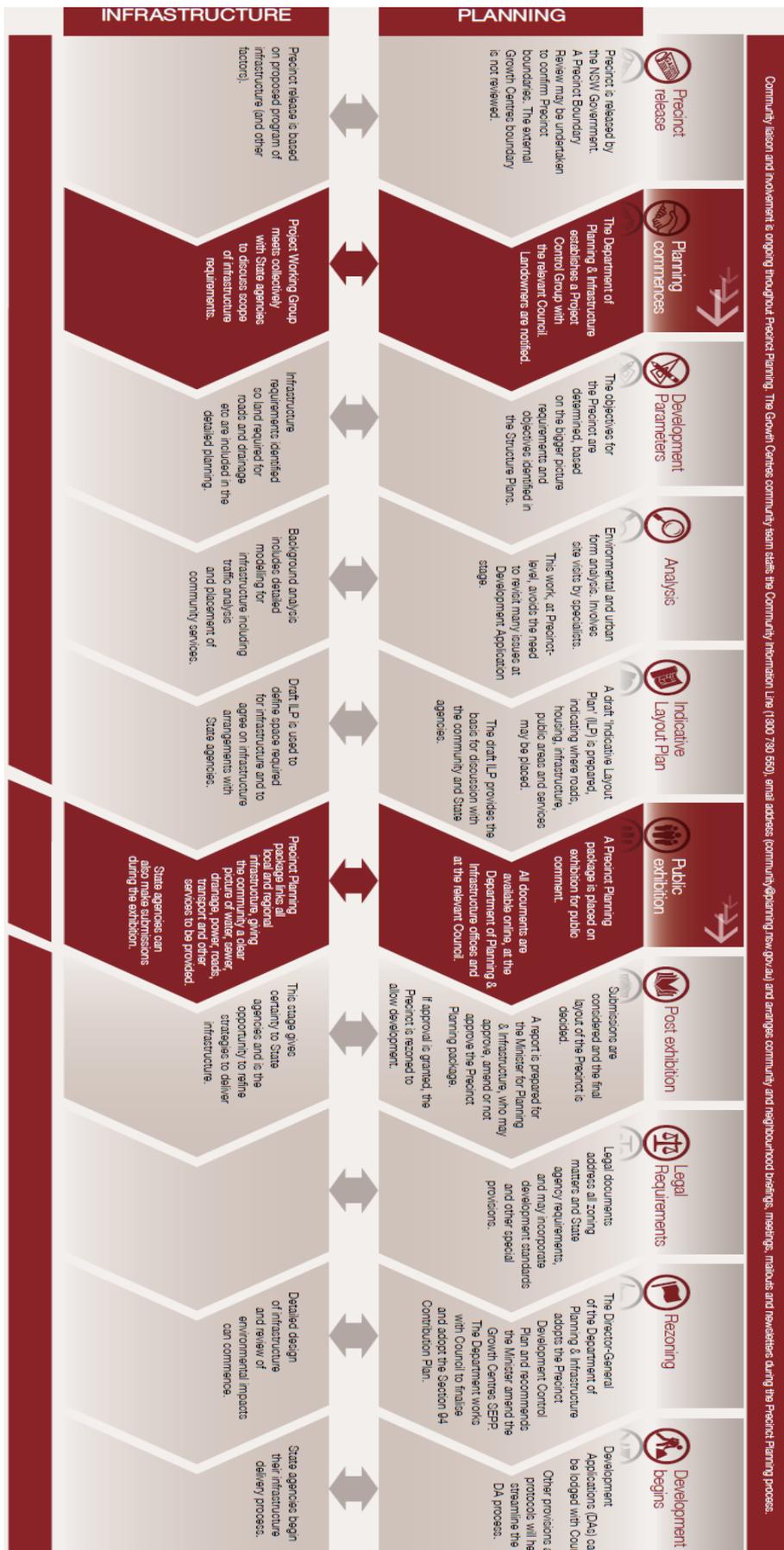
Yours sincerely


Sam Haddad
Director General

13/12/2012

CC: Sean O'Toole
Managing Director, Landcom

DIAGRAM OF PRECINCT PLANNING PROCESS





M2013-01 UrbanGrowth NSW

Status: current

UrbanGrowth NSW is the Government's new urban development delivery vehicle. It has been formed through the integration of Landcom and the former Sydney Metropolitan Development Authority. Its primary objective is to enable a thriving private sector development industry to deliver homes, workplaces, facilities and places needed for NSW citizens to enjoy a high quality of life.

UrbanGrowth NSW will focus on expediting and increasing development outcomes and increasing housing supply, primarily in the Sydney Metropolitan Region. It will operate in both green field and urban renewal locations and will increasingly concentrate on areas where market and/or regulatory barriers are preventing otherwise desirable private sector investment.

UrbanGrowth NSW will either carry out, manage or co-ordinate the urban renewal and development on strategic and complex sites where there is demonstrated market and/or regulatory failure. The organisation will work closely with the private sector, development industry, local government, state agencies and local communities to facilitate development.

UrbanGrowth NSW will carry out the following functions:

1. Advise the Government on urban development issues generally and in particular to help identify:
 - market failures or regulatory barriers to otherwise viable development;
 - potential urban activation precincts as part of the Government's Urban Activation Precinct Policy;
2. Address market or regulatory barriers by acquiring, amalgamating and subdividing land, providing enabling infrastructure, carrying out works, to create development-ready sites and as a catalyst to development;
3. Work closely with local government and communities, particularly in the early stages of planning and development, to achieve sound development and urban renewal outcomes;
4. Facilitate the supply of land for development for housing;
5. Assist the Government to deliver its housing affordability objectives;
6. Encourage practical approaches to excellence in design and adoption of sustainability principles;
7. Partner with the private sector to deliver development;
8. Provide facilities or services that are ancillary or incidental to its principal functions; and
9. Conduct any business or provide any service (whether or not related to its principal functions) that it considers will further its objectives.

Working with NSW Government agencies and other public sector bodies

NSW Government agencies and bodies are required to consult and work cooperatively with UrbanGrowth NSW when developing or implementing policies and projects relevant to the property market, development and urban renewal.

UrbanGrowth NSW has authority to co-ordinate government agencies in certain circumstances to:

- Provide or obtain advice;
- Co-ordinate the provision of infrastructure;
- Obtain rezoning and development approvals;
- Implement approved plans; and
- Leverage development opportunities from surplus government land.

There are two ways that UrbanGrowth NSW's ability to co-ordinate agencies can be authorised:

1. After consultation with Cabinet or a Cabinet Sub Committee, the Minister for Planning and Infrastructure may authorise UrbanGrowth NSW to work with one or more agencies to resolve a specific issue or the Minister may appoint UrbanGrowth NSW to lead an inter-agency departmental taskforce to address the issue;
2. Inside Urban Activation Precincts: When Cabinet or a Cabinet Sub Committee makes a decision to declare an Urban Activation Precinct, it can also approve the scope of UrbanGrowth NSW's powers to lead and co-ordinate agencies within a precinct.

Interaction with the Department of Planning and Infrastructure (DP&I): UrbanGrowth NSW will work closely with DP&I on relevant research, policy development and policy implementation issues, with an emphasis on the economic feasibility of proposals and providing a development industry perspective.

UrbanGrowth NSW will work with the Department of Planning and Infrastructure in identifying potential urban activation precincts for consideration by the Precinct Nomination Committee. It has a permanent role on both precinct selection committees and precinct working groups.

Interaction with Government Property NSW: Government Property NSW is another new organisation that has been established to succeed the State Property Authority. Its objective is to improve the utilisation of government owned property to better support service delivery. It will collaborate with UrbanGrowth NSW as needed in areas of strategic priority to maximise the value of assets identified for potential disposal and to integrate any government requirements for space in renewal areas or other UrbanGrowth NSW projects. UrbanGrowth NSW's role may be the complete development of an asset, the provision of all or part of the development work as a development facilitator in preparation for the involvement of the private sector or merely advisory.

Organisational structure

UrbanGrowth NSW consists of Landcom (continuing as a State Owned Corporation established by the *Landcom Corporation Act 2001*, but operating under a new trading name) and the Sydney Metropolitan Development Authority (SMDA), which has been re-named UrbanGrowth NSW Development Corporation. While each organisation has its own legislative, governance and reporting requirements, they will be run by the same Chief Executive Officer and will work closely together to achieve the Government's urban development objectives.

Landcom will continue to use its statutory name, Landcom, in its retail land sale business which will wind down over time as it completes the delivery of the Government's 10,000 home site programme.

The development corporation, UrbanGrowth NSW Development Corporation, is established under the *Growth Centres (Development Corporations) Act 1974* as a chief executive governed development corporation. The development corporation's activities are conducted in designated growth centres which the Government may declare on an as-needed basis. In the Sydney Metropolitan Region, declared growth centres exist in Redfern Waterloo and Granville. Other areas may be declared over time.

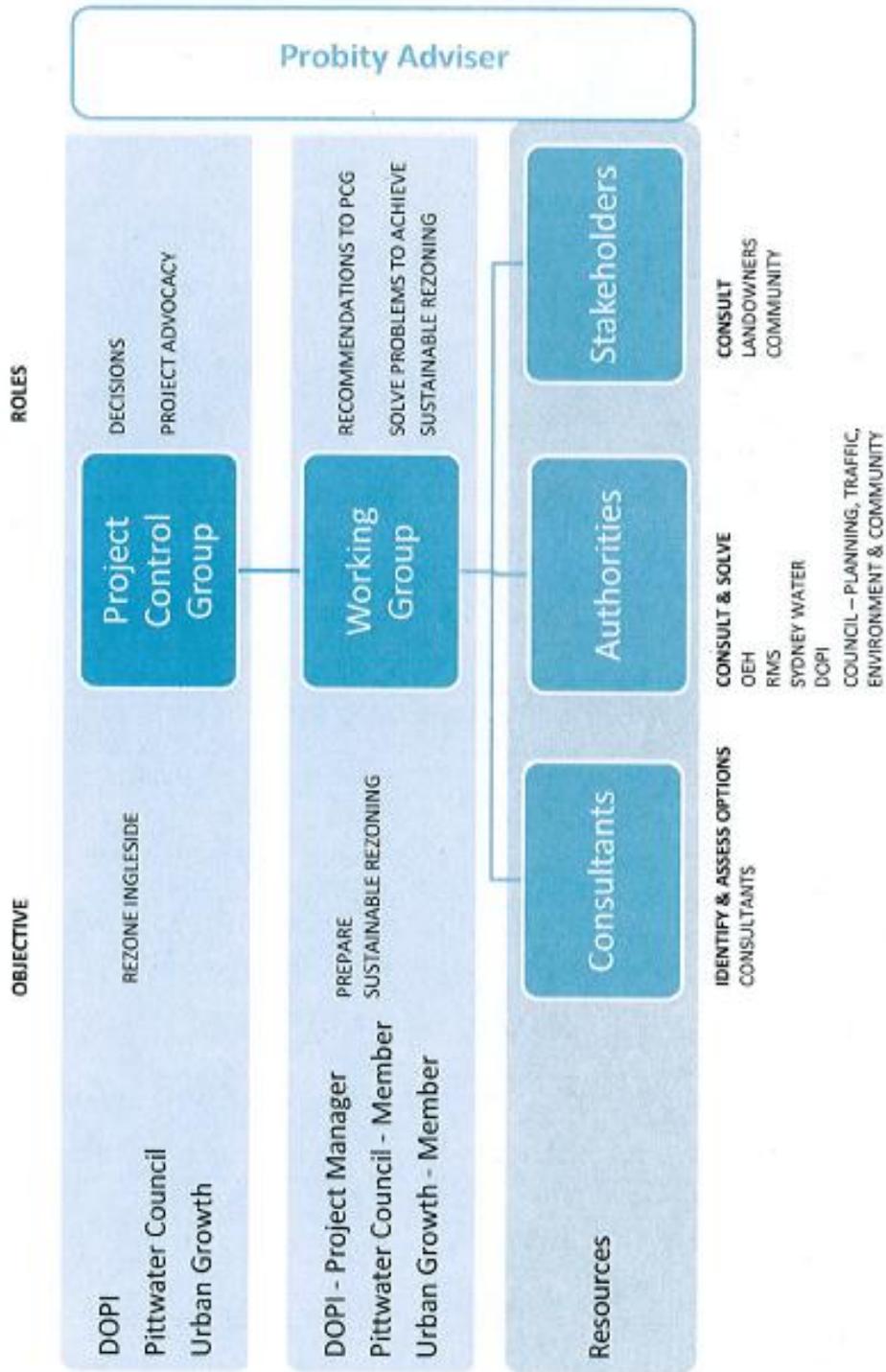
Barry O'Farrell MP
Premier

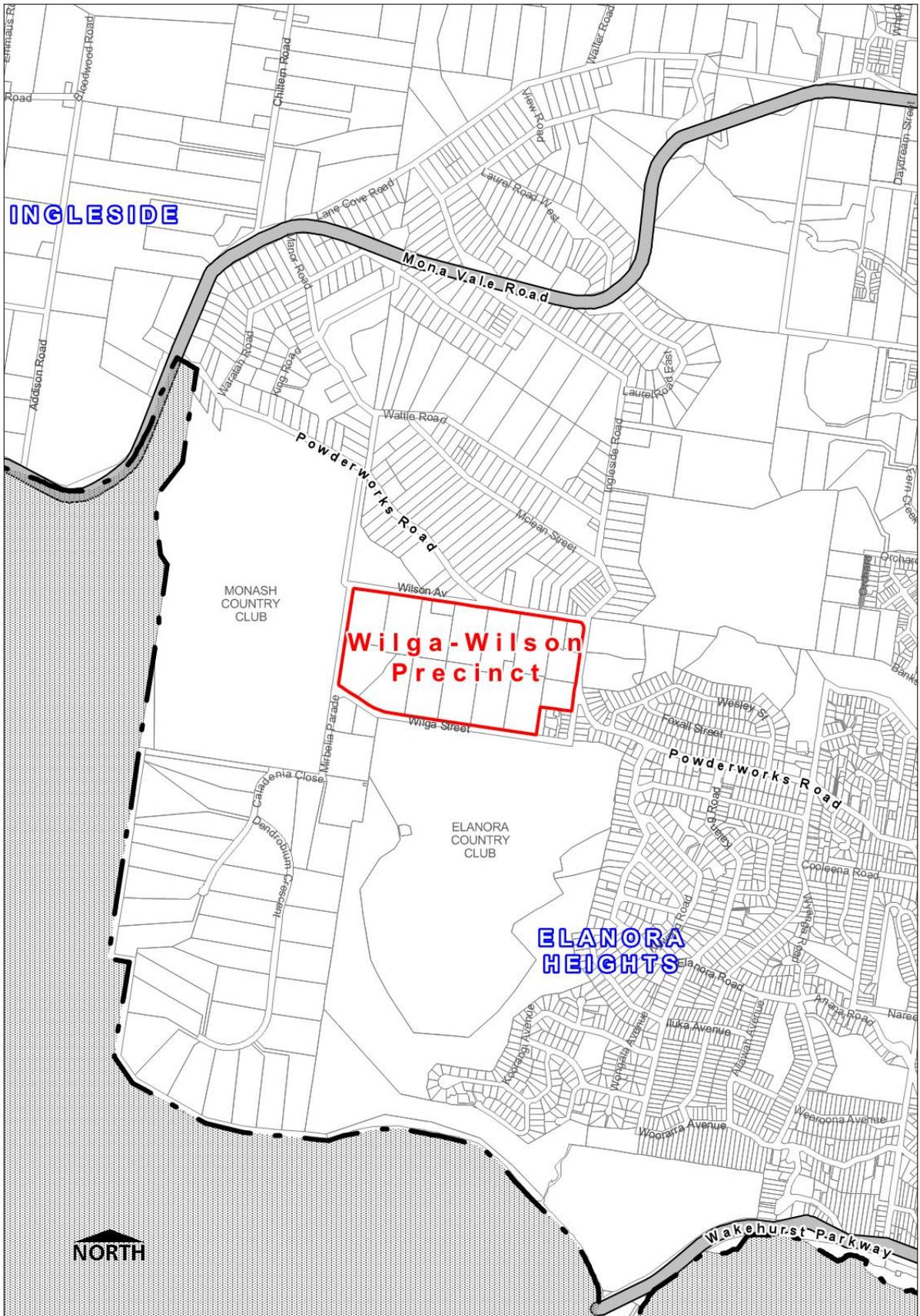
Issued: Department of Premier and Cabinet
Contact: Amy Persson, Director, Service Delivery Reform Branch, Department of Premier and Cabinet
Email: amy.persson@dpc.nsw.gov.au
Telephone: (02) 9228 5002
Date: 30 January 2013

This Memorandum does not supersede any other Memoranda.

INGLESIDE REZONING DELIVERY STRUCTURE

-URBAN GROWTH JAN 2013-





[Agenda Report](#)

Action Item

SUBJECT: NOTICE OF MOTION - Warriewood Valley Ingleside Land Use Committee - (Motion submitted by Cr Alex McTaggart)

Meeting: Council

Date: 15 October 2012

COUNCIL DECISION

That the motion be deferred and a report be brought to Council on the proposed Notice of Motion.

(Cr Townsend / Cr Grace)

Note:

The following motion was withdrawn by Cr McTaggart:

- *1. *That Council create and adequately staff and resource a Warriewood Valley/Ingleside Land Use Committee comprising Councillors; Council staff; land owners or their representatives; members of the community/community groups and Government agencies.*

The Broad Objectives:

- *Validate the current Warriewood Valley Strategic Review*
 - *Review the 4 preliminary stages of the proposed Ingleside land release including the Wilga Wilga proposal*
 - *Provide to Council an overview of the inter-reaction between the two land release areas in regard to traffic; water management; infrastructure; social capital and Section 94 contributions*
 - *Provide to Council an overview of the effect of the proposed Ingleside land release on existing south ward infrastructure including Elanora Village, Garden Street Industrial Area and Powderworks and Anana Roads*
 - *Develop a Section 94 contribution scheme to cover the Ingleside land release*
2. *That Council hold a Councillor briefing session to further discuss this motion with a view to:*
- *Amending the objectives to reflect Councillors and communities needs*
 - *Identify the physical boundaries of the Committee's area of responsibility*
 - *Identify the membership of the Committee*
 - *Set out a time line life expectancy of the Committee*
 - *Set out a voting regime and reporting process*
 - *Addressing the issue of Probity as Council is a land owner in the valley*
 - *Receive advice from staff as to how such a Committee fits into the current Council structure "*