

ATTACHMENT BOOKLET 3

PLANNING, PLACE & COMMUNITY

ORDINARY COUNCIL MEETING

TUESDAY 26 JUNE 2018

TABLE OF CONTENTS

Item No	Subject	
11.1	PLANNING PROPOSAL - HOUSEKEEPING AMENDMENTS - MANLY LOCAL ENVIRONMENTAL PLAN 2013	
	Attachment 1: Gateway Determination	2
	Attachment 2: Planning Proposal	8
11.5	PLANNING PROPOSAL - RESPONSE TO LOW RISE MEDIUM DENSITY CODE	
	Attachment 1: Department of Planning & Environment letter	52
	Attachment 2: Council's 2016 Submission.....	53
	Attachment 3: Table of Current and Proposed Planning Controls.....	82
	Attachment 4: Draft Planning Proposal - Response to Low Rise Medium Density Code.....	91
11.6	ADOPTION OF THE NORTHERN BEACHES COUNCIL CONTRIBUTIONS PLAN 2018	
	Attachment : Draft Northern Beaches Council Contributions Plan 2018.....	115
11.7	AMENDMENT TO THE WARRIEWOOD VALLEY SECTION 94 CONTRIBUTIONS PLAN	
	Attachment 1: Draft Warriewood Valley Section 7.11 Contributions Plan (Amendment 16, Revision 3)	140
	Attachment 2: Warriewood Valley Landscape Masterplan June 2018	259
	Attachment 3: Warriewood Valley Roads Masterplan June 2018.....	283



Planning &
Environment

Gateway Determination

Planning proposal (Department Ref: PP_2017_NBEAC_002_00): to make various amendments to Manly Local Environmental Plan 2013 to resolve anomalies in the maps and written instrument.

I, the Director Regions, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Manly Local Environmental Plan 2013 should proceed subject to the following conditions:

1. Prior to the commencement of community consultation, Council is to update the Planning Proposal to:
 - (a) Delete reference to E2 Environmental Management zone and replace with E4 Environmental Living;
 - (b) include written advice from Crown Lands confirming agreement to RE1 Public Recreation zone at 52 Raglan Street, Manly; and
 - (c) include attachments referred to in the proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**;
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment 2016)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Department of Industry – Lands

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

PP_2017_NBEAC_002_00 (17/08778)



Planning &
Environment

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 29th day of June 2017

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

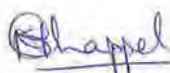
**Planning &
Environment****WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Northern Beaches Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_NBEAC_002_00	Planning proposal to make various amendments to Manly Local Environmental Plan 2013 to resolve anomalies in the maps and written instrument.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 29 June 2017



Sandy Chappel
Director, Sydney Region East,
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission



Mr Mark Ferguson
General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

PP_2017_NBEAC_002_00 (17/08776)

Attention: Paul Christmas

Dear Mr Ferguson

Planning proposal to amend Manly Local Environmental Plan 2013 Housekeeping Amendments

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make various amendments to Manly Local Environmental Plan 2013 to resolve anomalies in the maps and written instrument.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 2.1 Environment Protection Zones and 6.2 Reserving Land for Public Purposes are justified in accordance with terms of directions. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the changes of zoning of land for the public purposes. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

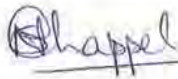
The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.



Should you have any queries in regard to this matter, I have arranged for Ms Kate Hanson of the Department's regional office to assist you. Ms Hanson can be contacted on (02) 9860 1453

Yours sincerely


29.06.17

Sandy Chapel
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to Table 2 to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP 2017 NBEAC 002 00
Date Sent to DoP&E under s56	13 June 2017
Date considered at LEP Review Panel	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:

NORTHERN BEACHES
COUNCIL

northernbeaches.nsw.gov.au

PLANNING PROPOSAL

2017 'Housekeeping' Amendments

Manly LEP 2013

Prepared by Northern Beaches Council

Submitted for Gateway Determination - May 2017

Exhibition Draft (amended with Gateway Determination requirements) - October 2017

Table of Contents

Introduction.....	3
Part 1: Objectives or Intended Outcomes	3
Part 2: Explanation of Provisions.....	3
Part 3: Justification	9
Section A - Need for the Planning Proposal.	9
Section B - Relationship to Strategic Planning Framework	11
Section C - Environmental, Social and Economic Impact.	19
Section D - State and Commonwealth Interests.	19
Part 4: Maps.....	20
Part 5: Community Consultation.....	20
Part 6 – Project Timeline.....	20

Attachments:

- Attachment 1 - Report and Resolution of Council
- Attachment 2 - LEP Maps (Existing and Proposed)
- Attachment 3 - State Environmental Planning Policies (SEPPs)
- Attachment 4 - Ministerial s.117 directions
- Attachment 5 – letter from Department of Industry

Abbreviations used in this Report

Council	Northern Beaches Council unless otherwise identified as the 'former Manly Council'
CSP	Community Strategic Plan
Department	Department of Planning and Environment
Manly LEP 2013	Manly Local Environmental Plan 2013

The Planning Proposal

This Planning Proposal is prepared in accordance with *A Guide to Preparing Planning Proposals* (2016) and *A Guide to Preparing Local Environmental Plans* (2016).

The Proposal seeks to amend *Manly Local Environmental Plan 2013 (Manly LEP 2013)* in relation to land known as:

- 52 Raglan Street, Manly legally described as Lot 2810 DP 726668;
- 252 Pittwater Road, Manly legally described as Lot 1 DP 1217919;
- 21 Iluka Road, Manly legally described as Lot 2 DP 1217919;
- 3 Balgowlah Road, Manly legally described as Lot 1 DP 1217918;
- 73 Golf Parade, Manly legally described as Lot 2 DP 1217918;
- 167 Pittwater Road, Manly legally described as Lot 1 DP1085908, Lot 2 DP656268 and Lots 9 -12 DP2427;
- 49 Lauderdale Ave Fairlight legally described as Lot 11 DP 1216827; and
- 51 Lauderdale Ave Fairlight legally described as Lot 10 DP 1216827.

Part 1: Objectives or Intended Outcomes

To initiate a Planning Proposal to amend Manly Local Environmental Plan 2013 (MLEP 2013) in relation to various minor housekeeping matters as follows:

- 1) To change the typology of the 'Recreation' zone for land known as 52 Raglan Street, Manly from a 'Private' to a 'Public' Recreation Zone to better reflect its existing and intended future land uses. It is also proposed to retain registered clubs as a permissible use consistent with its long established use of the land.
- 2) It is proposed to amend mapping of 3 heritage items to better reflect the land to which the heritage items apply.
- 3) The zoning boundary between 49 and 51 Lauderdale Ave, Fairlight is to be updated to accord with a recently registered subdivision in relation to this land.

Part 2: Explanation of Provisions

Subject to future consultation with Parliamentary Counsel's Office for legal drafting of the amendment, Council foreshadows that the Planning Proposal would amend:

- LEP Zoning Map (LZN_003) in relation to land known as:
 - 52 Raglan Street, Manly and
 - 49 & 51 Lauderdale Ave Fairlight;
 - LEP Heritage Map (HOB_003) in relation to land known as:
 - 252 Pittwater Road and 21 Iluka Road, Manly,
 - 3 Balgowlah Road and 73 Golf Parade, Manly,
 - 167 Pittwater Road, Manly;
 - LEP Heritage Schedule 1 by permitting with development consent registered clubs in relation to land known as:
 - 52 Raglan Street, Manly; and
 - LEP Heritage Schedule 5 in relation to land known as:
 - 252 Pittwater Road and 21 Iluka Road, Manly,
 - 3 Balgowlah Road and 73 Golf Parade, Manly,
 - 167 Pittwater Road, Manly;
- to ensure consistent with mapping amendments above.

The proposed MLEP 2013 amendments are sought as a consequence of various issues which have come to the attention of Council. Changing circumstances which warrant planning amendments include changes in existing and future use of premises (52 Raglan St Manly), changes in the extent to which 3 heritage items apply to certain lands (252 Pittwater Road and 21 Iluka Road, Manly; 3 Balgowlah Road and 73 Golf Parade, Manly; and 167 Pittwater Road, Manly) and the registration of a new subdivision (49 & 51 Lauderdale Ave Fairlight). In this regard the remainder of Part 2 of this proposal is a more detailed explanation of the provisions involving the 3 amendments as follows:

Amendment 1: Rezone 52 Raglan Street, Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation, including registered clubs as a permitted use with development consent

The subject property is known as the Soldiers' Memorial Hall built in 1927, originally occupied by the Manly RSL sub-branch and more recently by the Manly Rugby Club and Manly 'Fishos' Club. The site is currently vacant and options for future use of this Crown land property are being discussed with the NSW Department of Industry - Lands and Forestry.

In the drafting of MLEP 2013, all Recreation Area Zones containing Licensed Clubs were zoned RE2 Private Recreation including the Soldiers' Memorial Hall, occupied by Manly Rugby Club (the subject site); 3 Bowling Clubs and Balgowlah Golf Course. These publicly owned lands (Council or the Crown) would have otherwise been zoned RE1 Public Recreation but for the use of these lands as Licensed Clubs.

As a consequence of the Soldiers' Memorial Hall at 52 Raglan Street, Manly being no longer a Licensed Club, it is proposed to amend MLEP 2013 to rezone this land from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation as illustrated in the below Figures and detailed at Attachment 2. As licenced clubs are a long standing use of the premises it is also proposed to retain this land use in the new zone as sought in consultations with NSW Department of Industry - Lands and Forestry.



Figure 1A:
Aerial Photography - Locality



Figure 1B:
LEP Zoning Map (existing)



Figure 1C:
LEP Zoning Map (proposed)
(Subject site outlined in red)

The existing LEP Zone Map zones 52 Raglan St Manly as LEP Zone RE2 Private Recreation. This zone provides LEP Zone Objectives and Land Uses as follows:

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

- To protect and enhance the natural environment for recreational purposes.
- To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.

2 Permitted without consent

Nil

3 Permitted with consent

Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Signage; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Advertising structures; Any other development not specified in item 2 or 3

The proposed LEP Zone Map intends to zone 52 Raglan St Manly as LEP Zone RE1 Public Recreation which provides LEP Zone Objectives and Land Uses as follows:

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect, manage and restore areas visually exposed to the waters of Middle Harbour, North Harbour, Burnt Bridge Creek and the Pacific Ocean.
- To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.

2 Permitted without consent

Nil

3 Permitted with consent

Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Child care centres; Community facilities; Depots; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Comparison between existing LEP Zone RE2 Private Recreation and proposed Zone RE1 Public Recreation

In relation to zone objectives the proposed rezoning will remain similar. A key difference is that the proposed zone will enable 'public' open space or recreational purposes, rather than being zoned for otherwise 'private' purposes.

The range of land uses that are permissible with consent are widely unchanged under the Planning Proposal. Both LEP Land Use Tables for Zones RE2 Private Recreation and RE1 Public Recreation permit with consent the following uses:

Land Uses common to both Zones RE2 Private Recreation and RE1 Public Recreation:
Building identification signs; Business identification signs; Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Water recycling facilities; Water reticulation systems; and Water storage facilities.

Land Uses that are prohibited in LEP Zone RE1 Public Recreation (sites' proposed zone) but are otherwise permissible under LEP Zone RE2 Private Recreation (sites' current zone) i.e. to become prohibited uses for the site under this Planning Proposal, are as follows:

Land Uses prohibited in Zone RE1 Public Recreation and permissible with consent in RE2 Private Recreation:
Registered clubs and Advertising Structures.

In relation to registered clubs listed above it is proposed to retain this land use as permissible with development consent in this Planning Proposal given that this land use is a long standing use of the land.

Land Uses that are permissible with consent in LEP Zone RE1 Public Recreation (sites' proposed zone) but are otherwise prohibited under the LEP Zone RE2 Private Recreation (sites' current zone) i.e. to become permissible uses for the site under this Planning Proposal, are as follows:

Land Uses permissible with consent in RE1 Public Recreation and prohibited in Zone RE2 Private Recreation:
Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Emergency services facilities; Information and education facilities; Jetties; Marinas; Recreation facilities (major); Research stations; Restaurants or cafes; Take away food and drink premises; Water recreation structures.

Amendment 2: Amendments to the Mapping and Description of Certain Lands Listed as Heritage Items

While it is not proposed to add any new heritage items or delete any existing heritage items, it is intended to amend the Heritage Maps and the Description of Lands at Schedule 5 of the LEP in relation to 3 established heritage items due to various changing circumstances surrounding certain items and properties as follows:

Heritage Item 1:

Sydney Water Pumping Stations at 252 Pittwater Road, Manly and 21 Iluka Road, Manly:

This Heritage Item is described as 'Sewerage Pumping Station No 37' and referenced 'I213' in Manly LEP 2013. The land to which this Heritage Item applies is legally described is Lot 1

& Lot 2 DP 1217919. The legal description of this property requires updating in the LEP Heritage listing to reflect the current legal description as it incorrectly describes the land under an old subdivision as 'Lot 1 DP 744872'. Further, the land on which the heritage item is situated has been reviewed and the heritage listing should apply to Lot 1 DP 1217919 only and exclude Lot 2 DP 1217919. Accordingly it is also proposed to amend the LEP Heritage Maps as illustrated in the Figure 2B and more detailed maps at Attachment 2.



Figure 2A:
LEP Heritage Map (existing)



Figure 2B:
LEP Heritage Map (proposed)

Heritage Item 2:

Sydney Water Pumping Station at Golf Parade (corner Balgowlah Road), Manly:

This Heritage Item is described 'Sewage Pumping Station No 36' and referenced '1158' in Manly LEP 2013. The land to which this Heritage Item applies is legally described as Lot 1 & Lot 2 DP 1217918. The legal description of this property requires updating in the LEP Heritage listing to reflect the current legal description as it incorrectly describes the land under an old subdivision as 'Lot 3, Section 2, DP 5756'. Further, the land on which the heritage item is situated has been reviewed and the heritage listing should apply to Lot 1 DP 1217918 only and exclude Lot 2 DP 1217918. Accordingly it is also proposed to amend the LEP Heritage Maps as illustrated in Figure 3B.



Figure 3A:
LEP Heritage Map (existing)



Figure 3B:
LEP Heritage Map (proposed)

Heritage Item 3:

167 Pittwater Road, Manly: (Lots 9 -12 DP2427, Lot 1 DP1085908, Lot 2 DP656268):

This property is listed as 'Service Station (former)' and referenced 'I208' in Manly LEP 2013. The heritage significance of this property relates to Lot 1 DP1085908 and Lot 2 DP656268 (being a 2 storey art deco building on the corner of Pittwater Road and Alexander Street, Manly. In this regard, the remainder of the land comprising Lots 9 to 12 DP2427 has been subject of demolition, excavation and redevelopment as a carwash and is no longer appropriate for mapping as part of this Heritage Item. Therefore, heritage item I208 should refer to Lot 1 DP1085908 and Lot 2 DP656268 only and the listing of Lots 9 - 12 DP2427 is to be removed as indicated in Figure 4C below and more detailed maps at Attachment 2.



Figure 4A:

Aerial Photography - Locality



Figure 4B:

LEP Heritage Map (existing)



Figure 4C:

LEP Heritage Map
(proposed - land to be omitted
from the listing highlighted in red)

Amendment 3 Amendment to the Mapping to Align with Subdivision Boundary Adjustments

Manly LEP 2013 Zoning Maps are proposed to be amended to realign zoning between 49 & 51 Lauderdale Ave, Fairlight in accordance with a recent land subdivision boundary adjustment. In this regard land known as 49 Lauderdale Avenue had been historically zoned R1 General Residential and land known as 51 Lauderdale Avenue had been historically zoned E4 Environmental Living.

The boundary between these 2 properties was amended under Plan of Subdivision of Lot 1 DP 951876 & Lot A DP 303769 (Subdivision Certificate 4610L). This plan was endorsed by Council on 14 December 2015 and was in accordance with Development Consent DA77/2015. The plan was subsequently registered on 8 January 2016 to create Lots 10 and 11 DP 1216827.

As a consequence of the subdivision between 49 & 51 Lauderdale Ave Fairlight, the LEP Zoning Map is to be amended to realign the boundary of the LEP R1 and E4 zones between these 2 properties such that 49 Lauderdale Avenue is wholly zoned R1 General Residential and 51 Lauderdale Avenue is wholly zoned E4 Environmental Living as illustrated in figures below and more detailed maps at Attachment 2.

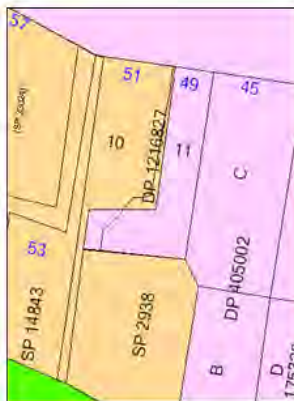


Figure 5A:
LEP Zoning Map (existing)
Part 3: Justification



Figure 5B:
LEP Zoning Map (proposed)

Section A - Need for the Planning Proposal

The need for the Planning Proposal is justified in relation to the 3 amendments which comprise the proposal as following:

Amendment 1: Rezone 52 Raglan Street, Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation, including registered clubs as a permitted use with development consent

To change the typology of the 'Recreation' zone for land known as 52 Raglan Street, Manly from 'Private' to 'Public' Recreation Zone to better reflect its existing and intended future land uses.

As the licensed club has since vacated the premises and the site remains public land, the current LEP Zone RE2 Private Recreation is no longer relevant and the LEP Zone RE1 Public Recreation is a more appropriate zoning for the site. Conditions of Gateway Determination require written advice from Crown Lands confirming agreement to RE1 Public Recreation zone at 52 Raglan Street, Manly. In this regard Department of Industry - Lands & Forestry advise by letter dated 22 August 2017 (attached) in this matter and in satisfying the Crowns Lands and Conditions of Gateway Determination, the Planning Proposal has been amended to further retain licenced clubs as a permissible use with development consent under Schedule 1 of the LEP.

Is the Planning Proposal a result of any strategic study or report?

Given the 'housekeeping' nature of the Planning Proposal, the proposed LEP Amendment results from the changing operational nature of the premises rather than arising as a result of any strategic study or report.

The site is within a recreational area precinct on the western side of the Manly Town Centre including Gilbert Park, Manly Oval, and Kangaroo Street Reserve. The majority of the precinct is zoned RE1 Public Recreation with the exception of the Manly Bowling Club and the subject site being the former Manly Rugby club site – both sites containing Licenced Clubs when the LEP was drafted and subsequently zoned RE2 Private Recreation.

The Planning Proposal is in response to the nature of the public (Crown Land) at 52 Raglan Street which no longer contains a Licenced Club but retains this use as permissible with development consent given this land use is a longstanding use of the land.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is an appropriate means of achieving the objective listed in Part 1. The following is noted in support of this view:

- Manly LEP 2013 commenced in 2013 introducing a new set of standard zones in accordance in accordance with the NSW Standard Instrument Order and accompanying guidelines. Recreation lands that contain licenced clubs were to be zoned RE2 Private Recreation as required at that time.
- Land at 52 Raglan Street Manly was zoned RE2 Private Recreation as the site contained a licenced club known as Manly Rugby Club.
- Manly Rugby Club has vacated the premises at 52 Raglan Street Manly and a registered club no longer exists on the site.

Is there a net community benefit?

The Planning Proposal enables the land to be used in accordance with land zoned for specified public open space or recreational purposes. The land has a longstanding community association being the site of the Manly Rugby Club next to its home ground - Manly Oval. Manly LEP 1988 zoned the land Special Uses – Community Purposes prior to the current standard instrument LEP from 1988 to 2013. Accordingly the Planning Proposal provides for the ongoing provision of longstanding community benefit.

Amendment 2: Amendments to the mapping and description of certain lands listed as a Heritage Items

It is proposed to amend mapping of 3 heritage items to better reflect the land to which the heritage items apply.

Is the Planning Proposal a result of any strategic study or report?

Given the 'housekeeping' nature of the Planning Proposal, the proposed LEP Amendment results from the need to update heritage listings to reflect the already changed nature of the land and its heritage significance rather than arising as a result of any strategic study or report.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the objectives or intended outcomes and given the minor housekeeping nature of the proposal there are no alternative means of updating the LEP to be considered.

Is there a net community benefit?

Some minor net community benefit arises in this aspect of the Planning Proposal in relation to improved governance and clarity in relation to the true extent of land effected by heritage listing.

Amendment 3 Amendment to the Mapping to Align with Subdivision Boundary Adjustments

Is the Planning Proposal a result of any strategic study or report?

Given the 'housekeeping' nature of the Planning Proposal, the proposed LEP Amendment results from the need to update the Zoning map to align with recently registered subdivision boundary realignments rather than arising as a result of any strategic study or report.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the objectives or intended outcomes and given the minor housekeeping nature of the proposal, there are no alternative means of updating the LEP to be considered.

Is there a net community benefit?

Some minor net community benefit arises in this aspect of the Planning Proposal in relation to improved governance and clarity in ensuring the zoning boundary between 49 and 51 Lauderdale Ave, Fairlight is in accord with a recently registered subdivision in relation to this land.

Section B - Relationship to Strategic Planning Framework**Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy, including the Sydney Metropolitan Strategy and exhibited draft strategies?**

In accordance with clause 75A1 Implementation of strategic plans, EP&A Act 1979, Council is to give effect to any applicable regional district plan. The plans applicable to the local government area to which the planning proposal relates are as follows:

1. *A Plan For Growing Sydney (2014)*

A Plan for Growing Sydney is the latest metropolitan strategy released by the Department of Planning and Environment to set the framework for Sydney's growth to 2031 and beyond.

A key focus of the strategy is boosting housing and jobs growth across Sydney. The strategy sets a dwelling target (net additional) of 664,000 new dwellings across Sydney by 2031. There are no dwellings or jobs which might be either reduced or generated by the proposal.

The Planning Proposal is consistent with the relevant objectives summarised in the table below:

A Plan For Growing Sydney Action	Consistency
Monitoring and Reporting: To establish a monitoring and reporting process to check on progress in delivering the actions outlined in the plan	The Planning Proposal is consistent with this plan. The NSW Government requirements for monitoring and reporting are satisfied by this Proposal.
Action 1.11.3 Undertake long-term planning for social infrastructure to support growing communities.	In relation to the proposed rezoning of 52 Raglan Street Manly from LEP Zone RE2 Private Recreation to RE1 Public Recreation, this aspect of the Planning Proposal is consistent with broader long term actions in planning for social infrastructure to support growing communities.

Table 1: A Plan for Growing Sydney Actions Summary

2. Towards our Greater Sydney 2056 (Draft November 2016)

Towards our Greater Sydney 2056 is an ambitious future plan for a growing Greater Sydney, which forms a draft amendment to the Greater Sydney Region Plan. This document outlines a draft amendment to A Plan for Growing Sydney which aligns with the vision established in draft District Plans (see below). It is the first step in a comprehensive review of A Plan for Growing Sydney.

The Planning Proposal is consistent with the relevant objectives summarised in the table below:

Towards our Greater Sydney 2056	Consistency
Towards our Greater Sydney 2056 vision represents the economic, social and environmental integration of a metropolis. It acknowledges that Greater Sydney is more likely to develop in a sustainable manner with a strong, productive economy underpinning a fair and liveable lifestyle and allowing a focus on Greater Sydney's natural environment, resilience and efficiency, delivered through a number of metropolitan priorities.	The Planning Proposal is consistent with this plan. As the Proposal involves both public and private land including Crown Land (52 Raglan Street) and land owned by Sydney Water (heritage listed sites); note is made here to the stated Metropolitan priority for a collaborative city (p.11) under the Plans' vision for 'A liveable Greater Sydney'.

Table 2: Towards our Greater Sydney 2056 Actions Summary

3. Draft North District Plans

The Greater Sydney Commission's District Plan helps set out how the abovementioned 'A Plan for Growing Sydney' will apply to local areas. They outline how the Government will make decisions on public spaces, community facilities, housing, jobs, transport options, schools and hospitals to meet the needs of communities across Greater Sydney. For local

government, this draft District Plan informs the preparation of local environmental plans and planning proposals; guides strategic land use, transport and infrastructure planning across local government areas and informs infrastructure planning.

The Planning Proposal is consistent with the relevant objectives and actions summarised in the table below:

Draft North District Plan Action	Consistency
Action IM4: Report on local planning. The Greater Sydney Dashboard to monitor the implementation of each District Plan's actions and priorities.	The Planning Proposal is consistent with this plan. In the first instance, the reporting under Action IM4 will involve each council reporting to the Commission under section 75A1 of the EP&A Act on the preparation of planning proposals under section 55 of the EP&A Act. This Planning Proposal satisfies this Action.

Table 3: Draft North District Plan Action Actions Summary

Is the Planning Proposal consistent with council's local strategy or other local strategic plan?

The Planning Proposal is consistent with both the Community Strategic Plan (CSP) for the former Manly Council (CSP Beyond 2025 adopted 1 June 2015) as well as the preliminary Visions and Issues completed in the process of developing the new Northern Beaches Community Strategic Plan being prepared for adoption by the new Council before 30 June 2018. While the Planning Proposal is not directly related to an action area of the CSP, it is consistent with the following objective:

Objective	Consistency
Maintain public confidence in Council's transparent and fair decision-making.	The Planning Proposal is consistent with council's community strategic plan.

Table 4: CSP Objective Summary

Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPP's)?

The Planning Proposal is consistent with the relevant SEPPs. The relevant SEPPs are summarised below:

SEPP	Consistency
State Environmental Planning Policy No.19 - Bushland in Urban Areas	The land to which the Planning Proposal applies is not Bushland as defined by the SEPP.
State Environmental Planning Policy No.21 - Caravan Parks	The Planning Proposal does not impact on development for the purposes of a caravan park.
State Environmental Planning Policy No.33 - Hazardous and Offensive Development	The land to which the Planning Proposal applies contains no hazardous and

	offensive industries.
State Environmental Planning Policy No.50 - Canal Estate Development	The land to which the Planning Proposal applies contains no Canal Estate Development.
State Environmental Planning Policy No.50.- Remediation of Land	There is no contamination and remediation to be considered with the Planning Proposal.
State Environmental Planning Policy No.62 -	There is no Sustainable Aquaculture to be considered with the Planning Proposal.
State Environmental Planning Policy No.64 - Advertising and Signage	There is no Advertising and Signage to be considered with the Planning Proposal.
State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development	The Planning Proposal does not impact on Design Quality of Residential Apartment Development.
State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes)	The Planning Proposal does not impact on Affordable Housing (Revised Schemes).
State Environmental Planning Policy No.71 - Coastal Protection	There are no particular matters arising from the provisions of this SEPP.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy (Affordable Rental Housing) 2009	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	The Planning Proposal does not impact on the provision of Housing for Seniors or People with a Disability
State Environmental Planning Policy (Infrastructure) 2007	The Planning Proposal does not impact on the provision of Infrastructure
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy State and Regional Development) 2011	There are no particular matters arising from the provisions of this SEPP.
State Environmental Planning Policy (State Significant Precincts) 2005	There are no particular matters arising from the provisions of this SEPP.

Table 5: SEPP Summary

Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?

The following Ministerial Directions are applicable to the proposal:

- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulphate Soil
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.2 Reserving land for public purposes
- 7.1 Implementation of A Plan for Growing Sydney

The Planning Proposal is found to be consistent with Ministerial Directions (see also summary of Ministerial Directions at Attachment 4.)

Ministerial Direction	Objectives	Comment
2.1 Environmental Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Land the subject of this Planning Proposal known as 49 Lauderdale Avenue is currently partly zoned E4 Environmental Management as a consequence of a recent subdivision boundary. The Planning Proposal intends to align the zoning to match this subdivision in a manner such that this portion of the property is not partly zoned for Environmental Protection. On balance, there is no reduction in the land zoned Environmental Protection because a commensurate increase in this zone is made to the adjoining land at 51 Lauderdale Avenue. The protection and conservation of environmentally sensitive areas is still facilitated by the Planning Proposal. The Planning Proposal does not reduce the environmental protection standards that apply to the land. The development standards that apply to this land remain unchanged.
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy.	Land the subject of this Planning Proposal known as 73 Golf Parade and 3 Balgowlah Road, Manly are contained in the Coastal Zone. Given the minor nature of the Planning Proposal in relation to this land, with no proposed change to zoning or development standards, there are no requirement for any provisions to be included that gives effect to, and ensures consistency with: (a) NSW Coastal Policy: A

Ministerial Direction	Objectives	Comment
		Sustainable Future for the New South Wales Coast 1997 (b) Coastal Design Guidelines 2003, (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (NSW Coast-line Management Manual 1990).
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	While the Planning Proposal involves certain land listed as heritage items in the LEP, it is not proposed to add any new heritage items or delete any existing heritage items. The Planning Proposal intends to amend the Heritage Maps and the Description of Lands in relation to 3 established heritage items due to various changing circumstances surrounding certain items and properties as detailed. The LEP continues to facilitate the conservation of items of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, already identified in the LEP and associated Local Environmental Studies. There are no Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974. There are no Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, place or landscape as being of heritage significance to Aboriginal culture and people.
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and	The Planning Proposal will affect land within existing residential zones (including the alteration of an existing residential zone boundary) as well as in an Environmental Protection zone, upon which significant residential development is permitted i.e. 252 Pittwater Road, 21 Iluka Road, 3 Balgowlah Road, 73 Golf Parade & 49-51 Lauderdale Avenue. In this regard the Planning Proposal does

Ministerial Direction	Objectives	Comment
	(c) to minimise the impact of residential development on the environment and resource lands.	not reduce Residential zones and will not impact on the provision of housing, choice of building types and locations available in the housing market, the efficient use of existing infrastructure and services, or good design. The Planning Proposal involves land that is adequately serviced and does not affect the permissible residential density of land.
3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> a) improving access to housing, jobs and services by walking, cycling and public transport, b) increasing the choice of available transport and reducing dependence on cars, c) reducing travel demand including the number of d) trips generated by development and the e) distances travelled, especially by car, f) supporting the efficient and viable operation of public transport services, and g) providing for the efficient movement of freight. 	<p>The Planning Proposal will alter a zone and heritage provisions relating to urban land, including land zoned Residential. However, the Planning Proposal does not significantly alter the location of the effected zones. Accordingly the required considerations in relation to the location of zones for urban purposes are consistent with the aims, objectives and principles of 'Improving Transport Choice – Guidelines for planning and development' (DUAP 2001), and 'The Right Place for Business and Services – Planning Policy' (DUAP 2001).</p>
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	<p>The Planning Proposal applies to land which is in part mapped as Acid Sulfate Soils in the Manly LEP 2013 Maps. In this regard land at 252 Pittwater Rd, 21 Iluka Rd, 3 Balgowlah Rd & 73 Golf Pde have Class 3 Acid Sulfate Soils; 167 Pittwater Rd has Class 4 Acid Sulfate Soils; and 52 Raglan St, 49-51 Lauderdale Ave have Class 5 Acid Sulfate Soils. All of the above properties are wholly mapped with Acid Sulfate Soils except for 49-51 Lauderdale Ave which is partly mapped. However, the Planning Proposal does not introduce provisions to regulate works in relation to acid sulfate soils, nor does it propose an intensification of land</p>

Ministerial Direction	Objectives	Comment
		uses on land identified having a probability of containing acid sulfate soils. Accordingly the Planning Proposal is consistent with the Direction.
4.3 Flood Prone Land	The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	The Planning Proposal applies to land which is in part flood prone land. However, the Planning Proposal does not create, remove or alter a zone or a provision that affects flood prone land pursuant to the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. Further details and mapping of Flood Prone Land are at Figure 7 below.
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal is consistent with the objective of the direction as it will encourage efficient and appropriate assessment of developments.
6.2 Reserving land for public purposes	The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	The Planning Proposal will not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Secretary of the Department of Planning.
7.1 Implementation of A-Plan for Growing Sydney	The objective of this direction is to give legal effect to the vision, transport and land use strategy, Policies, outcomes and actions contained in the Plan	The Planning Proposal is consistent with the <i>Plan for Growing Sydney</i> , the most recent Strategic Plan, as discussed above. Notwithstanding the generally minor nature of the Planning Proposal and lack of direct connections with higher level and more specific objectives and actions of the Plan, it is noted that there are general benefits of the Planning Proposal including improved clarity and accuracy of local policy.

Table 6: S117 Summary



Figure 7 – The extent of land, as applicable to the Planning Proposal affected by the Flood Planning Level i.e. 252 Pittwater Rd, 21 Iluka Rd, 3 Balgowlah Rd & 73 Golf Pde. Source: Manly Lagoon Flood Study 2013 and Council's Interim Policy - Flood Prone Lands 2013: Administrative Guidelines for Development and Use of Land within the Flood Planning Level Area 2013.

Section C - Environmental, Social and Economic Impact.

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

Critical habitat or threatened species, populations or ecological communities, or their habitats, will not be adversely affected as a result of any aspect of the Planning Proposal.

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

There are no other likely environmental effects as a result of any aspect of the Planning Proposal.

Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal will have positive social and economic effects in terms of updating local plans for additional clarity and accuracy.

Section D - State and Commonwealth Interests.

Is there adequate public infrastructure for the Planning Proposal?

Yes

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

The views of State and Commonwealth agencies will be known after the gateway determination.

Preliminary consultations with all effected landowners including Sydney Water and NSW Industry indicate that there is no impediment to the Planning Proposal proceeding to Gateway Determination. Sydney Water, Heritage and Property officers confirm that the proposed amendments are supported.

Council also proposes to undertake consultations with NSW Office of Environment & Heritage and NSW Industries – Crown Land under this Planning Proposal and in accordance with any conditions of Gateway Determination.

Part 4: Maps

It is intended that the Planning Proposal would amend Manly LEP Maps as follows:

- LEP Zoning Map (LZN_003 – Map identifier 5150_COM_LZN_003_010_20160419) in relation to land known as:
 - 52 Raglan Street, Manly; and
 - 49 & 51 Lauderdale Ave Fairlight.
- LEP Heritage Map (HER_003 – Map identifier 5150_COM_HER_003_010_20150915) in relation to land known as:
 - 252 Pittwater Road and 21 Iluka Road, Manly;
 - 3 Balgowlah Road and 73 Golf Parade, Manly; and
 - 167 Pittwater Road, Manly.

Preliminary drafting of the LEP Mapping is provided at *Attachment 2* of the Planning Proposal.

Part 5: Community Consultation

Council will exhibit the Planning Proposal in accordance with the requirements of section 57 of the *Environmental Planning and Assessment Act 1979*.

Council also proposes to undertake community consultation in accordance with Council's adopted Community Engagement Policy, in the following manner:

- Advertise the Planning Proposal in a local newspaper and on Council's website at the start of the exhibition period.
- Exhibit the Planning Proposal for the 14 day period of time stipulated by the Gateway Determination.

Part 6 – Project Timeline

Task	Timeframe
Referral to Department of Planning & Environment for Gateway determination	June 2017 (complete)
Issue of Gateway Determination	late June 2017 (complete)

Government agency consultation (as required)	July – August 2017 (complete)
Planning Proposal Amended under conditions of Gateway Determination	September (complete – confirmation from Department received 6 November 2017)
Public exhibition	November/December 2017
Review of submissions	January 2018
Report to Council	February 2018
Submit planning proposal to the Department of Planning & Environment for determination	March 2018

Conclusion

The Planning Proposal has been written considering the Department's *Guide to Preparing Planning Proposals* and State and local strategies. It contributes to Council's commitment to review its strategic policy as an ongoing operational matter.

The Planning Proposal will amend the *Manly LEP 2013* Schedules 1 & 5, LEP Land Use Zoning Maps and LEP Heritage Maps.

Given the 'housekeeping' nature of the Planning Proposal the proposed LEP Amendments are largely updates which action various functional changes to several sites rather than arising as a result of any strategic study or report.

Attachment 1: Council Report and Resolution

**NORTHERN BEACHES
COUNCIL**

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

ITEM 9.5	PLANNING PROPOSAL FOR HOUSEKEEPING AMENDMENTS - MANLY LOCAL ENVIRONMENTAL PLAN 2013
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND-USE PLANNING
TRIM FILE REF	2017/004203
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To initiate a planning proposal to amend Manly Local Environmental Plan 2013 (MLEP 2013) in relation to various minor housekeeping matters.

SUMMARY

Minor amendments are proposed to the MLEP 2013 which are reported in three (3) parts as follows:

1. The amendments involve a change in the typology of the 'Recreation' zone for a site in Manly from 'Private' to 'Public' Recreation Zone to better reflect its existing and intended future land uses.
2. It is proposed to amend mapping of three (3) heritage items to better reflect the land to which the heritage items apply.
3. The zoning boundary between two (2) properties in Fairlight is to be updated to accord with a recently registered subdivision.

The proposed Local Environment Plan (LEP) amendments are reported with a view to Council resolving to prepare a Planning Proposal to progress the matters which are generally of a 'housekeeping' nature.

RECOMMENDATION OF ACTING DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council prepare a Planning Proposal to amend *Manly Local Environmental Plan 2013* as follows:

- A. Rezone 52 Raglan Street Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation.
- B. Amend mapping and land description of the following three existing heritage items:
 - a. Sydney Water Pumping Stations at 252 Pittwater Road, Manly: The land description in relation to this item is to be amended from Lot 1 DP 744872 to Lot 1 DP 1217919. Land known as Lot 2 DP 1217919 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - b. Sydney Water Pumping Stations at Golf Parade (corner Balgowlah Road), Manly: The land description in relation to this item is to be amended from Lot 3, Section 2, DP 5756 to Lot 1 DP 1217918. Land known as Lot 2 DP 1217918 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - c. Service Station (former) at 167 Pittwater Road, Manly: The land description in relation



NORTHERN BEACHES
COUNCIL

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

to this item is to be amended to omit reference to Lots 9 -12 DP2427 and the Maps amended accordingly as the heritage significance of this property is considered to relate to Lot 1 DP1085908 and Lot 2 DP656268 only.

- C. Amend mapping to realign zoning between 49 and 51 Lauderdale Ave Fairlight in accordance with the subdivision boundary registered on 8 January 2016.
-

NORTHERN BEACHES
COUNCIL

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

REPORT

BACKGROUND

The proposed MLEP 2013 amendments are sought as a consequence of various issues which have come to the attention of Council. Changing circumstances which warrant planning amendments include changes in existing and future use of premises (52 Raglan St Manly), changes in the extent to which certain heritage items apply to certain lands (3 existing heritage items) and the registration of a new subdivision (Lauderdale Ave Fairlight).

PROPOSED LEP AMENDMENTS

Amendment 1: Rezone 52 Raglan Street Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation.

The subject property is known as the Soldiers' Memorial Hall built in 1927, originally occupied by the Manly RSL sub-branch and more recently by the Manly Rugby Club and Manly Fishos Club. The site is currently vacant and options for future use of this Crown land property are being discussed with the NSW Department of Lands.

In the drafting of MLEP 2013, all Recreation Area Zones containing Licensed Clubs were zoned RE2 Private Recreation including the Soldiers' Memorial Hall, occupied by Manly Rugby Club (the subject site); 3 Bowling Clubs and Balgowlah Golf Course. These publicly owned land (Council or the Crown) would have otherwise been zoned RE1 Public Recreation but for the use of these lands as Licensed Clubs.

As a consequence of the Soldiers' Memorial Hall at 52 Raglan Street, Manly being no longer a Licensed Club, it is proposed to amend MLEP 2013 to rezone this land from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation.



Figure 1A:

Aerial Photography - Locality



Figure 1B:

LEP Zoning Map (existing)



Figure 1C:

LEP Zoning Map (proposed)

The land use table of the RE2 Private Recreation zone under the MLEP 2013 currently permits the following uses with consent:

'Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Signage; Water recycling facilities; Water reticulation systems; Water storage facilities'.

The land use table of the RE1 Public Recreation zone under the MLEP 2013 currently permits the following uses with consent:

'Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Child care centres; Community

**NORTHERN BEACHES
COUNCIL**

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

facilities; Depots; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Marinas; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Water recycling facilities; Water reticulation systems; Water storage facilities'

As the licensed club has since vacated the premises and the site remains public land, the current RE2 Private Recreation is no longer relevant and the LEP Zone RE1 Public Recreation is a more appropriate zoning for the site. In preparing the Planning Proposal, Council would consult with the Crown, as the landowner, regarding various options for the future use of the property consistent with the proposed zoning.

Accordingly, it is recommended that Council prepare a Planning Proposal to rezone the land as LEP Zone RE1 Public Recreation.

Amendment 2: Amendments to the mapping and description of certain lands listed as a Heritage Items

While it is not proposed to add any new heritage items or delete any existing heritage items, it is intended to amend the Heritage Maps and the Description of Lands in relation to three (3) established heritage items due to various changing circumstances surrounding certain items and properties as follows:

Heritage Item 1:

Sydney Water Pumping Stations at 252 Pittwater Road, Manly: This Heritage Item is described as 'Sewerage Pumping Station No 37' and referenced as 'I213' in Manly LEP 2013. The land to which this Heritage Item relates is legally described as Lot 1 & Lot 2 DP 1217919. The legal description of this property requires updating in the LEP Heritage listing to reflect the current legal description as it incorrectly describes the land under an old subdivision as 'Lot 1 DP 744872'. Further, the land on which the heritage item is situated has been reviewed and the heritage listing should only apply to Lot 1 DP 1217919 and exclude Lot 2 DP 1217919. Accordingly, it is also proposed to amend the LEP Heritage Maps as illustrated in the Figure 2B.



Figure 2A:
LEP Heritage Map (existing)



Figure 2B:
LEP Heritage Map (proposed)

Heritage Item 2:

Sydney Water Pumping Stations at Golf Parade (corner Balgowlah Road), Manly: This Heritage Item is described as 'Sewage Pumping Station No 36' and referenced as 'I158' in the Manly LEP 2013. The land to which this Heritage Item relates to is legally described as Lot 1 & Lot 2 DP 1217918. The legal description of this property requires updating in the LEP Heritage listing to reflect the current legal description as it incorrectly describes the land under an old subdivision as

**NORTHERN BEACHES
COUNCIL**

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

'Lot 3, Section 2, DP 5756'. Further, the land on which the heritage item is situated has been reviewed and the heritage listing should only apply to Lot 1 DP 1217918 and exclude Lot 2 DP 1217918. Accordingly it is also proposed to amend the LEP Heritage Maps as illustrated in the Figure 3B.

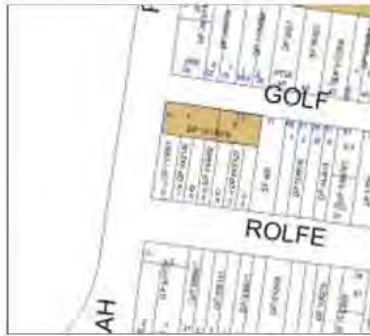


Figure 3A:
LEP Heritage Map (existing)



Figure 3B:
LEP Heritage Map (proposed)

Heritage Item 3:

167 Pittwater Road, Manly: (Lots 9 -12 DP2427, Lot 1 DP1085908, Lot 2 DP656268): This property is listed as 'Service Station (former)' and referenced as 'I208' in the Manly LEP 2013. The heritage significance of this property relates to Lot 1 DP1085908 and Lot 2 DP656268 being a 2 storey art deco building on the corner of Pittwater Road and Alexander Street, Manly. In this regard, the remainder of the land comprising Lots 9 - 12 DP2427 has been subject of demolition, excavation and redevelopment as a carwash and is no longer appropriate for mapping as part of this Heritage Item. Therefore, item I208 should only refer to Lot 1 DP1085908 and Lot 2 DP656268 and the listing of Lots 9 - 12 DP2427 is to be removed as indicated in Figure 4C below.



Figure 4A:
Aerial Photography - Locality



Figure 4B:
LEP Heritage Map (existing)



Figure 4C:
LEP Heritage Map (proposed)

Amendment 3 Amendment to the Mapping to Align with Subdivision Boundary Adjustments

MLEP 2013 Zoning Maps are proposed to be amended to realign zoning between 49 & 51 Lauderdale Ave, Fairlight in accordance with a recent land subdivision boundary adjustment. In this regard land known as 49 Lauderdale Avenue had been historically zoned R1 General Residential and land known as 51 Lauderdale Avenue had been historically zoned E4 Environmental Living.

NORTHERN BEACHES
COUNCIL

REPORT TO ORDINARY COUNCIL MEETING

ITEM NO. 9.5 - 31 JANUARY 2017

The boundary between these 2 properties was amended under Plan of Subdivision of Lot 1 DP 951876 & Lot A DP 303769 (Subdivision Certificate 4610L). This plan was endorsed by Council on 14 December 2015 and was in accordance with Development Consent DA77/2015. The plan was subsequently registered on 8 January 2016 to create Lots 10 and 11 DP 1216827.

As a consequence of the subdivision between 49 & 51 Lauderdale Ave Fairlight, the LEP Zoning Map is to be amended to realign the boundary of the LEP R1 and E4 zones between these 2 properties such that 49 Lauderdale Avenue is wholly zoned R1 General Residential and 51 Lauderdale Avenue is wholly zoned E4 Environmental Living as illustrated in figures below.



*Figure 5A:
LEP Zoning Map (existing)*



*Figure 5B:
LEP Zoning Map (proposed)*

CONSULTATION

Public Consultation will take place once a Planning Proposal is prepared in accordance with the Council Resolution as recommended and as required by the Gateway Determination to be issued by the Department of Planning and Environment.

TIMING

Statutory consultation will occur after the Gateway Determination is received from the Department of Planning and Environment.

FINANCIAL IMPACT

The preparation of the Planning Proposal will use existing strategic resources. It is not anticipated that the Department of Planning and Environment will require any studies to accompany a Planning Proposal and will not require additional financial resources in this regard.

SOCIAL IMPACT

The preparation of the Planning Proposal will support future use of the Soldiers Memorial Hall following the site being vacated as licenced club premises. The proposed zoning permits a wide range of uses with consent including community, recreational and educational facilities and no significant social impacts are anticipated. There are no other likely social impact considerations.

ENVIRONMENTAL IMPACT

Due to the nature of the amendment, environmental impacts are likely to be minimal.

NORTHERN BEACHES
COUNCIL

MINUTES OF ORDINARY COUNCIL MEETING

31 JANUARY 2017

9.5 PLANNING PROPOSAL FOR HOUSEKEEPING AMENDMENTS - MANLY LOCAL ENVIRONMENTAL PLAN 2013

NOTE: James Manion addressed Council on the Item.

013/17 **RESOLVED**

D Persson

That Council prepare a Planning Proposal and seek a Gateway Determination to amend *Manly Local Environmental Plan 2013* as follows:

- A. Rezone 52 Raglan Street Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation.
- B. Amend mapping and land description of the following three existing heritage items:
 - a. Sydney Water Pumping Stations at 252 Pittwater Road, Manly: The land description in relation to this item is to be amended from Lot 1 DP 744872 to Lot 1 DP 1217919. Land known as Lot 2 DP 1217919 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - b. Sydney Water Pumping Stations at Golf Parade (corner Balgowlah Road), Manly: The land description in relation to this item is to be amended from Lot 3, Section 2, DP 5756 to Lot 1 DP 1217918. Land known as Lot 2 DP 1217918 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - c. Service Station (former) at 167 Pittwater Road, Manly: The land description in relation to this item is to be amended to omit reference to Lots 9 -12 DP2427 and the Maps amended accordingly as the heritage significance of this property is considered to relate to Lot 1 DP1085908 and Lot 2 DP656268 only.
- C. Amend mapping to realign zoning between 49 and 51 Lauderdale Ave Fairlight in accordance with the subdivision boundary registered on 8 January 2016.

9.6 POST EXHIBITION - PLANNING PROPOSAL FOR 8, 10 AND 12 NARABANG WAY, BELROSE

NOTE: Greg Boston addressed Council on the Item.

014/17 **RESOLVED**

D Persson

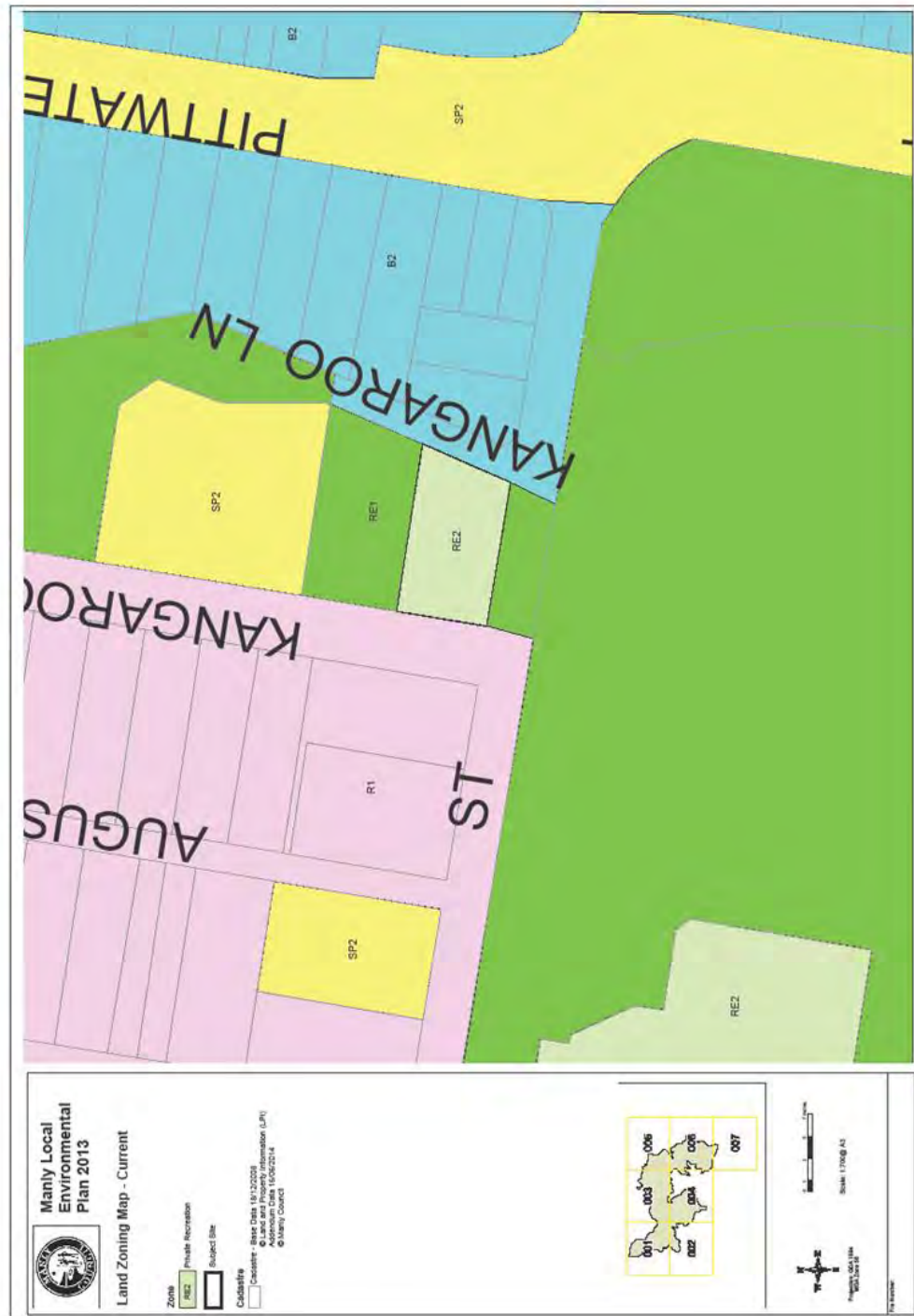
That Council:

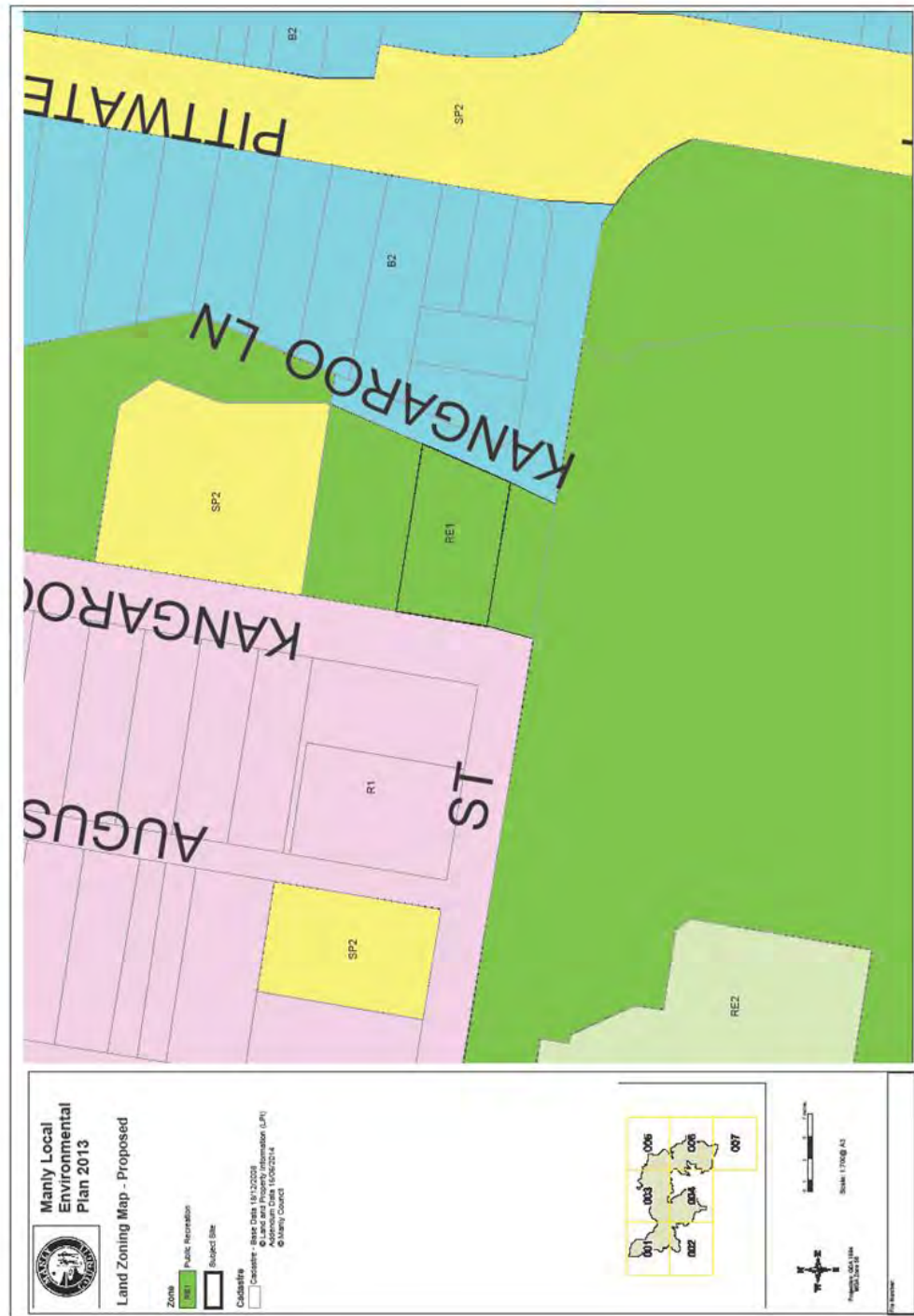
- A. Approve amendments to *Warringah Local Environmental Plan 2011* in accordance with the planning proposal for 8, 10 and 12 Narabang Way, Belrose.
- B. Exercise its delegation to undertake the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* to amend *Warringah Local Environmental Plan 2011* to give effect to the planning proposal for 8, 10, and 12 Narabang Way, Belrose.

Attachment 2: LEP Mapping Amendments (Existing and Proposed)







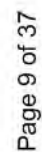


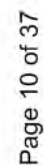












Attachment 3 – State Environmental Planning Policies (SEPPs)

SEPPs (at March 2017)		Applicable	Consistent
1	Development Standards	No	N/A
14	Coastal Wetlands	No	N/A
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
26	Littoral Rainforests	No	N/A
30	Intensive Agriculture	No	N/A
33	Hazardous and Offensive Development	Yes	Yes
36	Manufactured Home Estates	No	N/A
44	Koala Habitat Protection	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
52	Farm Dams and Other Works in Land and Water Management Plan Areas	No	N/A
55	Remediation of Land	Yes	Yes
62	Sustainable Aquaculture	Yes	Yes
64	Advertising and Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	Yes	Yes
70	Affordable Housing (Revised Schemes)	Yes	Yes
71	Coastal Protection	Yes	Yes
	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Yes	Yes
	Affordable Rental Housing 2009	Yes	Yes
	Building Sustainability Index: (BASIX) 2004	No	N/A
	Exempt and Complying Development Codes 2008	Yes	Yes
	Housing for Seniors or People with a Disability 2004	Yes	Yes
	Infrastructure 2007	Yes	Yes
	Integration and Repeals 2016	No	N/A
	Kosciuszko National Park – Alpine Resorts 2007	No	N/A
	Kurnell Peninsula 1989	No	No
	Mining, Petroleum Production and Extractive Industries 2007	Yes	Yes
	Miscellaneous Consent Provisions 2007	Yes	Yes
	Penrith Lakes Scheme 1989	No	N/A
	Rural Lands 2008	No	N/A
	State and Regional Development 2011	Yes	Yes
	State Significant Precincts 2005	Yes	Yes
	Sydney Drinking Water Catchment 2011	No	N/A
	Sydney Region Growth Centres 2006	No	N/A
	Three Ports 2013	No	N/A
	Urban Renewal 2010	No	N/A
	Western Sydney Employment Area 2009	No	N/A
	Western Sydney Parklands 2009	No	N/A

Attachment 4 – Ministerial s.117 directions

Directions		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	No	N/A
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum Production and Extractive Industries	Yes	Yes
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	Yes	Yes (See Part 3 Section C)
2.2	Coastal Protection	Yes	Yes (See Part 3 Section C)
2.3	Heritage Conservation	Yes	Yes (See Part 3 Section C)
2.4	Recreation Vehicle Areas	Yes	Yes
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	N/A
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	Yes (See Part 3 Section C)
3.2	Caravan Parks and Manufactured Home Estates	Yes	Yes
3.3	Home Occupations	Yes	Yes
3.4	Integrating Land Use and Transport	Yes	Yes (See Part 3 Section C)
3.5	Development Near Licensed Aerodromes	No	N/A
3.6	Shooting Ranges	No	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	Yes	Yes (See Part 3 Section C)
4.2	Mine Subsidence and Unstable Land	No	N/A
4.3	Flood Prone Land	Yes	Yes (See Part 3 Section C)
4.4	Planning for Bushfire Protection	Yes	Yes
5	Regional Planning		
5.1	Implementation of Regional Strategies	No	N/A
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development	No	N/A

	along the Pacific Highway, North Coast		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	No	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008 See amended Direction 5.1)	No	N/A
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A
5.8	Second Sydney Airport: Badgerys Creek	No	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A
5.10	Implementation of Regional Plans	No	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	Yes	Yes (See Part 3 Section C)
6.2	Reserving Land for Public Purposes	Yes	Yes (See Part 3 Section C)
	6.3 Site Specific Provisions	Yes	yes
7	Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Yes	Yes (See Part 3 Section C)
7.2	Implementation of Greater Macarthur Land Release Investigation	No	No

Attachment 5 – Letter from Department of Industry



Department
of Industry

Lands & Forestry

DOC17/169063

22 August 2017

Mr Paul Christmas
Land Use Planning Coordinator
Northern Beaches Council
1 Belgrave Street
MANLY NSW 2095

Dear Mr Christmas

Planning Proposal to amend LEP 2013 - 52 Raglan Street, Manly

I refer to your letter dated 10th July 2017 regarding the above matter.

I note that discussions with Council are well advanced and agreement has been reached on reservation of the Soldiers Memorial Hall site at 52 Raglan Street, Manly, and the subsequent appointment of Northern Beaches Council as corporate manager of the proposed Reserve Trust. Action in that regard is proceeding separately.

Notwithstanding the above, the Department of Industry – Lands and Forestry is of the view that any change to the zoning of the site should not prohibit the Minister administering the *Crown Lands Act 1989* from granting any new commercial lease over the site in accordance with Section 34A of the *Act*.

In the event Council determines to proceed with the rezoning as proposed, the Department requests that "commercial premises" and/or "registered club" be added to 'Schedule 1: Additional Permitted Uses' in Manly Local Environmental Plan 2013.

Should you wish to discuss this matter please contact Mr Mark Maloney, Projects Manager, Regional Projects, Crown Property Services, on 9842 8346 or email mark.maloney@crowland.nsw.gov.au.

Yours sincerely



Jeremy Corke
Area Manager Regional Services
Sydney South Coast

Page 4 of 37

Planning Proposal – Manly LEP 2013 Housekeeping Amendment - MC/17/36944



IRF18/2678

Mr Ben Taylor
Acting CEO
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Dear Mr Taylor

I am writing to you regarding the Minister of Planning's recent announcement on the Low Rise Medium Density Code and medium density housing in the R2 Low Density Residential zone.

The Minister has advised that he would consider deferring the commencement of the code to allow councils in the Greater Sydney region to rectify local planning controls to meet the strategic intent of each council area. This deferral only applies to residential flat buildings (including manor houses) and multi-dwelling housing (including terraces) in the R2 zone where the current planning controls or the new code permit them. The provisions of the code will continue to apply to dual occupancy.

To seek this deferral from the code Council will need to lodge a planning proposal with the Department of Planning and Environment by 5.00 pm 27 June 2018. The planning proposal will need to address, or identify that it will address, the following:

- the area of land zoned R2 Low Density Residential, R1 General Residential and R3 Medium Density Residential;
- the number of lots eligible for manor house or multi-dwelling housing development as complying development under the code in the R2, R1 and R3 zone;
- the number of multi-dwelling housing developments approved by the council in the R2, R1 and R3 zone in the past 5 years; and
- whether the proposal is supported by a housing strategy that has been developed in consultation with the community.

The information required to support the proposal is necessary to ensure that a full understanding of the outcomes of changing the planning controls in the R2 zone has on the future provision of housing diversity in the local government area. The proposal will need to be finalised by 1 July 2019.

If your staff have further questions please do not hesitate to Amanda Harvey, Director Sydney Region East on 8275 1128.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

22/05/2018

320 Pitt Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | planning.nsw.gov.au



Attachment one

NORTHERN BEACHES
COUNCIL

**Submission in response to the draft Medium Density Design Guide
and an Explanation of Intended Effect for a Medium Density
Housing Code**

December 2016

Executive Summary

This submission is provided on behalf of the Northern Beaches Council in response to the draft Medium Density Design Guide (MDDG) and Explanation of Intended Effect (EIE) for a Medium Density Housing Code (draft Code). Comments are provided with respect to local planning controls for the three former Local Government Areas (LGAs) of Manly, Warringah and Pittwater, including: the Manly Local Environmental Plan 2013 (MLEP 2013) and Manly Development Control Plan 2013 (MDCP 2013); Warringah Local Environmental Plan 2011 (WLEP 2011), Warringah Local Environmental Plan 2000 (WLEP 2000) and Warringah Development Control Plan 2011 (WDCP 2011); and, the Pittwater Local Environmental Plan 2014 (PLEP 2014) and Pittwater 21 Development Control Plan (PDCP).

Proposed Development Controls: The principal controls in the draft Code are significantly less stringent than the local planning provisions of the former LGAs with respect to parking, landscape areas, setbacks, and private open space. Greater floor space ratios would be permitted compared with the MLEP 2013 and PLEP 2014, and increased building heights compared with the MDCP 2013. Thus implementation of the draft Code would result in an increased pressure on street parking, stormwater infrastructure, and an increase in building bulk and scale when compared with two storey developments requiring a development application under the local planning provisions. Council is therefore not satisfied the draft Code establishes a sufficiently strict set of controls to offset significant additional development scale/potential and likely resulting adverse impacts. It is therefore recommended to allow Council to set its own principal standards for complying development to cater to local conditions. This would ensure future medium density developments are in keeping with the character of established neighbourhoods.

Residential Densities: The implementation of the draft Code will result in ad-hoc, unplanned development that may affect Council's ability to meet current and future housing targets and their ability to deliver the required level of infrastructure. Of particular concern is the likely increase in density that would result in the former Manly and Pittwater LGAs, which permit dual occupancies within low density residential zones, subject to strict local density requirements. This increased density will result in significant adverse outcomes for our communities, particularly in terms of residential amenity and streetscape/ neighbourhood character. A decrease in dwelling yields may also result in some medium density areas (e.g under the WLEP 2011 and in Warriewood Valley). It is therefore vital that Section 94 plans can be reviewed prior to the implementation of the Code, and that Warriewood Valley and the Ingleside Land Release area are excluded. Further clarification is also sought from the Department as to how local density provisions will be taken into account.

Private Certification: The proposed expansion of complying development is not supported until issues with the transparency and accountability of the existing private building certification system are addressed. It is also not clear whether issues such as traffic impacts and stormwater design are proposed for private certification. An appropriate system of monitoring is essential to support the certification system, especially if the proposed design verification process is to proceed.

Other Issues: The attached Submission raises a number of other issues including: potential impacts on European and Aboriginal Heritage, absence of requirements for accessible housing, and technical matters such as stormwater and water management, subdivision, excavation, bushland and waste management. Recommendations are made to address Council's concerns.

In summary, the Northern Beaches Council has a number of concerns with the proposed draft Code in its current form, and requests that its commencement be delayed until these issues are resolved.

Contents

Part A – General Comments	4
1. Permissibility.....	4
2. Minimum lot sizes and subdivision.....	5
3. Concurrent consent for dwelling and subdivision	5
4. Impacts on Dwelling Yields and Section 94/94A Contributions.....	6
5. The Design Verification Process.....	6
6. Non-merit based assessments	7
7. The certification process and (lack of) community consultation.....	7
8. Medium Density Design Guide	8
9. European and Aboriginal heritage	8
10. Accessible housing	9
11. Comments on proposed development controls	9
Part B – Comments specific to the Planning Controls of the former Local Government Areas of Manly, Warringah and Pittwater	11
12. Manly LEP 2013 and DCP 2013	11
13. Warringah LEP 2011 and DCP 2011	12
14. Pittwater LEP 2014 and PDCP 2014	13
Part C – Technical Matters.....	17
15. Sloping land.....	17
16. Stormwater drainage	17
17. Water management.....	18
18. Torrens title subdivision and basement car parks	18
19. Traffic and parking	19
20. Excavation	19
21. Vegetation clearance in bushfire zones.....	20
22. Waste management.....	21
Maps of affected areas	24
Table of Recommendations	27

Part A – General Comments

1. Permissibility

It is our understanding that the draft Code will permit the the development of dual occupancies (attached and detached), multi-dwelling housing, and manor homes (Proposed Medium Density Development) as complying development only where it is first permitted by Council within Zones R1, R2, R3 and RU5¹. Council supports this approach, as well as the proposal to restrict manor houses to zones permitting multi-dwelling housing and residential flat buildings².

Council submits that the application of the draft Code in any other zones or lands would result in inappropriate and unsuitable development, particularly in relation to the Northern Beaches' Rural and Environmental zones³. It is therefore important that these zones are excluded from any future amendments to the draft Code.

For the Northern Beaches Council area, the draft Code would apply to zones R1 General Residential (R1), R2 Low Density Residential (R2) and R3 Medium Density Residential (R3). There are no RU5 zones in the Northern Beaches Council area. The permissibility of Proposed Medium Density Development in relevant Local Environmental Plans is shown in Table 1 and Figure 1, as well as the permissibility of Residential Flat Buildings to demonstrate the development potential of these areas.

For the Northern Beaches Council area, the draft Code would apply to all residential zones in the MLEP 2013 (R1, R2 and R3) and within zones R2 and R3 in the PLEP 2014. Within the former Warringah LGA, the draft Code would apply only in the R3 zone under WLEP 2011⁴.

Table 1 – Permissibility of Proposed Medium Density Development across the Northern Beaches Council Area*.

LEP	R1	R2	R3
MLEP 2013	Dual occupancies Multi dwelling housing Residential Flat Buildings Manor homes	Dual occupancies Multi dwelling housing Manor homes	Dual occupancies Multi dwelling housing Residential Flat Buildings Manor homes
WLEP 2011	No R1 Zone	None of the Proposed Medium Density Development is permissible within R2	Dual occupancies Multi dwelling housing Residential Flat Buildings Manor homes
PLEP 2014	No R1 Zone	Dual occupancies	Dual occupancies Multi dwelling housing Residential Flat Buildings Manor homes

*Although 'Manor homes' are not currently permissible in the PLEP 2014, WLEP 2011 and MLEP 2013, the draft Code proposes to permit these developments in zones permitting 'multi-dwelling houses' and 'residential flat buildings'.

¹ Statement of Intended Effect, pg 16

² Statement of Intended Effect, pg 37, note 10

³ Presently, attached dual occupancies are permitted within Pittwater Local Environmental Plan 2014 (PLEP 2014) R5 Large Lot Residential and RU2 Rural Landscape zones, and both attached dual occupancies and multi-dwelling housing are permitted in the Manly Local Environmental Plan 2013 (MLEP 2013) E4 Environmental Living zone

⁴ Land to which WLEP 2000 currently applies is taken to be in Zone E3 Environmental Management under the Codes SEPP and is therefore excluded from the current proposals.

Recommendation 1 - That the Department confirms the draft Code will permit the the development of dual occupancies (attached and detached), multi-dwelling housing, and manor homes as complying development only where it is first permitted by Council within Zones R1, R2, R3 and RU5

Recommendation 2 – That the Department commit that future amendment to the draft Code will not include Rural or Environmental land zonings

2. Minimum lot sizes and subdivision

The MDDG outlines that the first step in preparing complying development certificate applications is to check the land zoning (discussed above) as well as the minimum lot size⁵. Specifically, reference is made to the minimum lot size in outlined in clause 4.1B of the Standard Instrument⁶.

In the EIE however, the requirement to comply with the minimum lot size in an LEP is only provided in the draft development standards for 'Two dwellings side by side'⁷. It is therefore unclear as to whether LEP minimum lot sizes apply for 'Multi-dwelling housing (terraces)', 'Manor houses' and 'Dual occupancies'.

It is also unclear as to whether clause 4.1 in the LEP, which refers to minimum subdivision lot sizes, applies to the Proposed Medium Density Development (see Figure 2 - Map showing minimum subdivision lot sizes in areas subject to the draft Code across the Northern Beaches Council Area).

Allowing the Proposed Medium Density Development as complying development which exceeds local density provisions is likely to result in significant adverse outcomes for our communities, particularly in terms of residential amenity and streetscape/ neighbourhood character.

Presently, only PLEP 2014 contains clause 4.1B, which refers to a minimum lot size for dual occupancies. However, the subdivision of dual occupancies is specifically prohibited. In Manly, MLEP 2013 contains important provisions for restricting medium density development under clause 4.1.

Recommendation 3 – That the Department clarifies which of the Proposed Medium Density Developments are required to comply with the LEP minimum lot sizes and of those, which clause of the LEP applies (e.g. 4.1 Minimum Subdivision Lot Size or 4.1B Minimum Lot Sizes or both)

Recommendation 4 - That subdivisions are only permitted in accordance with the minimum lot sizes outlined in clause 4.1 in LEPs, or if relevant, allow time for Councils to review and amend their LEP to implement a clause 4.1B minimum lots sizes for specific developments

3. Concurrent consent for dwelling and subdivision

Clarification is sought on the intent and wording of the proposed new clause 4.1C, (3)(b) (i) and (ii)⁸. The EIE suggests that many Councils have LEP provisions allowing subdivision where the minimum

⁵ Medium Density Design Guide, pg 8, 80, 98, 136

⁶ Medium Density Design Guide, pg 8

⁷ Statement of Intended Effect, pg 32, specified development

⁸ Statement of Intended Effect, pg 19

lot size does not equal the standard for subdivision alone. These instances have not occurred in any of the former Manly, Warringah and Pittwater Local Government Areas; therefore further information is required regarding the intention of this clause.

Recommendation 5 – That the Department provides more detail to explain the meaning and intent of the proposed new clause 4.1C for concurrent consent for development and subdivision

4. Impacts on Dwelling Yields and Section 94/94A Contributions

It is noted that the implementation of the Code may result in a decrease in dwelling yields in some medium density zones. For example, within R3 zones permitting an 11m height under WLEP 2011, a property owner may choose to develop a two storey dual occupancy or manor home on an existing small lot as complying development rather than seek to consolidate the land with adjoining properties to build a three storey residential flat building(s).

It may also result in a significant, rapid increase in dwelling yields in other areas (e.g. under the MLEP 2013 and PLEP 2014), with unexpected population growth that will lead to shortfalls in funding for appropriate services. For example, the Warriewood Valley's Section 94 Plan is based on an assumed potential future dwelling number and demand, such as demand for open space that cannot be readily provided within the valley.

Thus the implementation of the draft Code may result in ad-hoc, unplanned development that may affect:

- Council's ability to meet current and future housing targets
- Section 94/94A Contributions and therefore Council's ability to deliver the required level of infrastructure.

It is therefore vital that Section 94 plans can be reviewed prior to the implementation of the Code.

5. The Design Verification Process

It is not clear from the draft Code what reliance, if any, the accredited building certifier can place on a Design Verification Statement prepared by the designer. It is imperative that the accredited building certifier is held ultimately responsible for compliance with the Design Criteria as they trained and accredited and may be disciplined for non-compliance. Alternatively, a system could be implemented whereby the accredited building certifier obtains a Compliance Certificate issued by an accredited building designer for the Design Criteria. In this model, designers must be accredited by the Building Professionals Board or another body that is capable of disciplining the designer, and if necessary removing their accreditation.

Recommendation 6 – That the Department clarifies that accredited building designers are held ultimately responsible for compliance of proposals with the Design Criteria despite obtaining a Design Verification Statement from the designer.

Recommendation 7 – That as an alternative, designers be accredited by the Building Professionals Board or like body to issue Compliance Certificates under the EP&A Act for Design Criteria under the draft Code.

6. Non-merit based assessments

The proposed development controls are less stringent than those in the Northern Beaches LEPs and DCPs (see Part B). As stated in the EIE, complying development must result in predictable outcomes with predictable impacts and have minimal scope for impact on adjoining properties⁹. The criteria for complying development should be more onerous than LEP or DCP requirements because they are not subject to the same merit assessment or consideration of local circumstances that would otherwise be afforded in development assessment.

Medium density residential development is not considered simple and straightforward development. It yields greater residential densities and generates more impacts including impacts on views, privacy, sunlight access, visual bulk and scale. These matters are often the subject of neighbour objections and the lack of detailed merit assessment may contribute to poorer design and amenity outcomes.

An example of where complying development has led to poorer outcomes has been in the implementation of the housing provisions of the Codes SEPP. Many properties in the Northern Beaches Council area enjoy views to the water or bushland. Local provisions encourage the sharing of these views however the Codes SEPP has permitted development resulting in extensive loss of views from neighbouring properties. Where a merit assessment and community engagement would encourage a compromise to achieve view sharing between dwellings, the complying development process does not.

Council is therefore not satisfied the draft Code establishes a sufficiently strict set of controls to offset significant additional development scale/potential and likely resulting adverse impacts. To address these concerns, it is recommended that Council be permitted to set its own principal standards for complying development to cater to local conditions.

Recommendation 8 - That the Department allows Councils to set principal standards for the Proposed Medium Density Development in the draft Code

7. The certification process and (lack of) community consultation

As per our previous submissions, there are widely acknowledged concerns with the existing building certification system in NSW. The Department of Planning & Environment's discussion paper, released in May 2015, on the review of the Building Professionals Act 2005 highlights the need for reform of the building regulation and certification process. The lack of transparency, accountability, monitoring by the state government and auditing of work by certifiers needs to be addressed prior to the expansion of complying development.

Issues with the certification system often become a burden on Council, as Council is contacted with complaints and in some cases has stepped in to certify developments where certifiers have gone out of business. In the Northern Beaches, there have also been cases where certifiers have approved developments in violation of the codes.

⁹ Explanation of Intended Effects, pg 7

Council also questions whether private certifiers are willing or equipped to deal with the expansion of complying development, or to adequately consider the proposed design criteria, some of which are subjective.

The complying development process does not provide for community engagement, as the owner or Certifier is not required to consider any submissions. The expansion of complying development to include medium density development without the establishment of appropriate and strictly enforced controls on certifiers has the potential to undermine the community's faith in the planning system.

Recommendation 9 – That the certification of medium density development as complying development by private building certifiers is delayed until measures are taken to improve the audit and discipline of private certifiers.

Recommendation 10 - That the Department allows Councils to charge a fee for enforcement of complying development

8. Medium Density Design Guide

Council welcomes the addition of the Medium Density Design Guideline (MDDG) to provide guidance on good quality design outcomes. Clarification is required however as to how the MDDG will work with Council controls.

Recommendation 11 – That the Department clarifies the meaning of the statement “Where Council does adopt the MDDG it will still need to prepare the principle development standards that include height, floor space ratio, landscape area and setbacks” (EIE, pg 8). Does this statement refer to Council’s existing standards, or is there a requirement for Council to provide additional standards for Medium Density Developments?

Recommendation 12 – That the Department clarifies the meaning of the statement “Council will use the design guidelines to establish precinct plans and principal controls” (EIE, pg 5). Does this statement mean that Council must undertake a separate process?

9. European and Aboriginal heritage

The Codes SEPP does not currently require consideration of the impact of proposed development on heritage items in the vicinity of a site. In some cases this has resulted in significant impacts on heritage items. These impacts will increase as the scale and scope of development permitted as complying development increases. This will further undermine the protection of both European and Aboriginal heritage, especially in relation to curtilage, location such as setting, and views and the surrounding streetscape.

Aboriginal heritage is even more difficult to conserve and protect due to sensitive cultural needs of the Aboriginal community and the existing management system. The NSW Office of Environment and Heritage (NSW OEH) manages and regulates Aboriginal cultural heritage, and access to detailed and accurate information is difficult due to historical listing procedures and precedents in which ground truthing of data was not undertaken. As a consequence, Private Certifiers will not be aware of the process required to identify registered sites, the limitations and inaccuracies with existing listings, or the on-site investigations that are required to be undertaken to ensure compliance with the *National Parks and Wildlife Act, 1974*.

Recommendation 13 – That requirements are included in the Site Analysis to ensure the development takes into consideration any impacts on heritage items in the vicinity of a development site

Recommendation 14 – That accredited certifiers are required to check the registers held by the NSW Office of Environment and Heritage (NSW OEH) for Aboriginal Heritage and undertake appropriate site inspections to determine whether Aboriginal objects are located on the site prior to the issue of a complying development certificate.

10. Accessible housing

The MDDG contains no requirements for the provision of adaptable or accessible dwellings, unlike the State Environmental Planning Policy - 65 Design, Quality of Residential Apartment Development and most Council development control plans. These standards are required to provide certainty that medium density residential developments will cater for people at all stages of life or ability, especially older residents or people with disabilities.

Recommendation 15 - That the Department includes requirements for a proportion of all multi-dwelling housing to be adaptable or accessible housing

11. Comments on proposed development controls

The MDDG and EIE appear to contain certain inconsistencies, contradictions and omissions. The following clarifications are therefore recommended:

- Minimum lot width:
 - It is not always clear in the draft Code as to whether the sizes are applicable before or after subdivision. For example, the control for the minimum lot width of 12m for 'two dwellings side by side'¹⁰ is assumed to be the minimum lot width required before subdivision and development of a dual occupancy. This should be clarified where required.
- Attics are permissible for all development types, however there are no provisions to restrict their size and address potential privacy issues. It is recommended to include provisions to address these concerns (e.g. attic to be no more than 50% of floor area below, no windows on the side of the buildings).
- For landscaped areas, it is recommended to provide:
 - A minimum soil depth of 1m
 - Requirements to use locally indigenous species
 - A minimum 2m width to enable planting that can enhance privacy between dwellings and ensure the establishment of low lying shrubs, medium high shrubs, deep soil planting, canopy trees of a size and density to mitigate the height, bulk and scale of the building.
- For landscaped areas forward of the building line:
 - The controls in the draft Code are inconsistent with the MDDG

¹⁰ Explanation of Intended Effects, pg 32

- For consistency in streetscapes, it is recommended to specify the front boundary setback to be free of any structures, basements, car parking or site facilities other than driveways, letter boxes, garbage storage areas and fences.
- For side setbacks:
 - The controls for 'side setbacks' and 'side boundary envelopes' should be separated for ease of interpretation
 - The controls in the draft Code and MDDG are difficult to interpret as they stand, for example:
 - The controls imply there will be no side boundary envelope for the first 15 metres of the lot. If so, concerns are raised regarding building bulk, articulation and building separation.
 - For two dwellings side by side and multi-dwelling housing, it is not clear whether the side setback of 1.2m applies to the entire site (the controls read as though there is no side setback for the rear of the lot >15m).
 - For dual occupancies and manor homes, the draft Code proposes a side setback of just 0.9m which contradicts the MDDG which states a 1.5m side setback (3.4A)
- For Multi-Dwelling Housing, the draft Code refers only to the size of strata lots (i.e. not Torrens lots)¹¹
- For rear setbacks
 - For multi-dwelling housing, the setbacks in the Code differ to those in the MDDG 3.2A which are more detailed depending on the size of the lot. Clarification is required as to which controls apply.
- For building separation between rear "lane" development and dwelling house, clarification is required as to whether this control means 'land' (EIE pg 36) or 'lane' separation (EIE pg 38)
- For subdivision, this sentence is incomplete "It is proposed to expand this part (Subdivision Code) to include Torrens title subdivision – but only when.." ¹².

Recommendation 16 – That the Department addresses the omissions, inconsistencies and contradictions in the draft Code and MDDG identified Part 11 of this submission

¹¹ Explanation of Intended Effect, pg 35

¹² Explanation of Intended Effect, pg 40

Part B – Comments specific to the Planning Controls of the former Local Government Areas of Manly, Warringah and Pittwater

12. Manly LEP 2013 and DCP 2013

Principal Controls

The principal controls in the draft Code are significantly less stringent than controls in MLEP 2013 and MDCP 2013 with respect to residential densities, floor space ratio (FSR), landscape areas, rear setbacks, side setbacks and building heights. Complying development certificates under the draft Code would therefore result in a significant increase in density and built forms compared with development requiring a Development Application (DA) under the local planning provisions.

Of particular note in the Manly Plans is the Residential Density Controls which are long established and tested within a suit of planning tools used to manage residential types, density and scale. Requirements for a minimum site area per dwelling are used alongside FSR, building height, open space and setbacks to guide suitable outcomes relating to the context and desired future character of certain areas and managing impacts on surrounding development. This local assessment and structure is likely to be compromised by the draft Code.

Dual Occupancies in Zone R2

The MLEP 2013 does not contain a clause 4.1B which enables Councils to nominate a minimum lot size for dual occupancies. However, detailed provisions for minimum subdivision lot sizes are provided within the MLEP 2013 clause 4.1, and a minimum site area per dwelling provided with the MDCP 2013 (paragraph 4.1.1 and Map A – Residential Density Areas)

Planning controls for the Manly R2 Zone require residential densities of at least 500sqm of site area per dwelling compared to the draft Code which requires only 200sqm per dwelling (i.e. total minimum lot size of 400sqm for a dual occupancy under the Code compared with 1000sqm for a development application).

On more environmentally sensitive sites sloping towards the foreshore, local density controls require significantly larger sites for dual occupancies compared to the draft Code (750sqm to 1150sqm of site area per dwelling). A DA in these areas would also be subject to a FSR of 0.4:1 to 0.45:1 whereas the draft Code proposes a FSR of 0.5:1 to 0.6:1.

Manor Homes in Zone R1

Under the MLEP 2013 R1 Zone (in Balgowlah, Fairlight and Manly), a 4 dwelling Manor House would require a 1000-1200sqm site (i.e. 250-300sqm site area per dwelling). However, the draft Code permits such development as complying on a site of only 600sqm.

Development types generally in Zone R2 in relation to height

The MDCP 2013 contains special height provisions for certain mapped land on steeply sloping sites of Seaforth, Clontarf, Balgowlah Heights and Manly (Bower St only). These are supported with planning controls for wall height and number of storeys. Any complying development that does not adhere to these special height provisions would result in significant adverse impacts on neighboring properties and views.

Development types generally in Zone R2 in relation to setback

A side setback of a standard 2 storey building, as assessed under the MDCP 2013, would be typically at least 2.7m (depending on wall height and slope). However, the draft Code proposes a side setback of just 1.2m.

Relationship of Minimum Lot Size to FSR

In the MLEP 2013, land with a minimum lot size of 600sqm for manor homes generally equates to a maximum 0.45:1 FSR whereas the draft Code proposes minimum lot size of 600-700sqm to a maximum 0.6:1 FSR (Multi-dwelling Housing).

In the MLEP 2013, land with a minimum lot size of 250sqm for all other dwelling types generally equates to a maximum 0.6:1 FSR whereas the draft Code proposes a maximum 0.8:1 FSR (Multi-dwelling Housing) or 0.75:1 FSR (2 Side by Side Dwellings) for dwellings with a minimum lot size of 200-300sqm.

The following recommendations are repeated to address the above concerns:

Recommendation 4 - That subdivisions are only permitted in accordance with the minimum lot sizes outlined in clause 4.1 in LEPs, or if relevant, allow time for Councils to review and amend their LEP to implement a clause 4.1B minimum lots sizes for specific developments

Recommendation 8 - That the Department allows Councils to set principal standards for the Proposed Medium Density Development in the draft Code

13. Warringah LEP 2011 and DCP 2011

Principal Controls

The draft Code would apply only in the R3 medium density residential zone within the former Warringah LGA. For these areas, the principal controls in the draft Code vary significantly from those in WLEP 2011 and WDCP 2011 with respect to landscaped areas, side setbacks, side boundary envelopes, rear setbacks and private open space. Thus, complying development under the draft Code could result in a significant increase in building bulk and scale when compared with two storey developments requiring a DA under the local planning provisions.

Zone R2

The draft Code does not apply to any land zoned R2 Low Density Residential in the WLEP 2011, as none of the Proposed Medium Density Developments are permissible in this zone (i.e. two dwellings side by side, dual occupancies, multi-dwelling housing, and manor homes).

Zone R3

All of the Proposed Medium Density Developments are permissible within land zoned R3 Medium Density Residential in WLEP 2011. Residential Flat Buildings are also permissible within R3.

Subdivision under WLEP 2011

WLEP 2011 does not contain clause 4.1B which enables Councils to nominate a minimum lot size for certain development. WLEP 2011 does not specify a minimum lot size for the Proposed Medium Density Development within the R3 medium density residential zones (Figure 2). There are therefore no conflicts between the minimum lot sizes between the WLEP 2011 and the draft Code.

Two-dwellings side by side in Zone R3

These types of developments generally comprise semi-detached and detached dwellings. In Zone R3, there is no minimum lot size for these types of dwellings, thus any developments under the draft Code would result in dwellings with a minimum lot size of 200m² per dwelling. These types of developments will most likely be taken up in medium density areas with a current 8.5m height restriction (e.g. Belrose, Brookvale, Beacon Hill and Narrabeen - Figure 3), where development of an existing lot under complying development may be easier than consolidating lots to create higher density developments or residential flat buildings.

Under the code, these lots could be developed with far less landscaped area (i.e. up to 35% instead of 50%), smaller side setbacks (1.2m instead of 4.5m), larger side boundary envelopes (none for the first 15m, 3m and 45 degrees for the rear, instead of 4 or 5m and 45 degrees), fewer parking spaces (1 per dwelling instead of 2) and less private open space (16m² instead of 35-60m²). These developments would therefore result in increased stormwater runoff, potential noise and privacy issues from adjoining properties, increased building bulk and an increased demand for on-street parking. In addition, residents would have less private open space, increasing demand for, and pressure on, public open spaces.

Multi-dwelling housing in Zone R3

These types of developments generally comprise terrace housing. Only developments which front a road are permissible as complying development under the Code, with master planned housing requiring a DA. These developments propose the same principle standards as above, thus the same issues will result. Only, in addition to the above, rear setbacks for these developments are far less than those allowed in Zone R3 (3m instead of 6m).

It is likely these developments will result in excavation of basement car parks as complying development. It is important that the design of these car parks address impacts of localised flooding and potential damage to Council's unmapped stormwater infrastructure. This is discussed further under section 20 Excavation.

Manor House and Dual Occupancies

These types of developments generally refer to buildings in which dwellings are located above other dwellings. They are Class 2 developments under the National Construction Code.

The Codes SEPP will permit these developments on lots with a minimum area of 600m² with a minimum frontage of 15m. These developments will be subject to similar principle standards to those for two dwellings side by side, but with a reduced requirement for private open space which is more in keeping with the WDCP 2011 (8-12sqm compared with 10sqm).

The following recommendations are repeated to address the above concerns:

Recommendation 8 - That the Department allows Councils to set principal standards for the Proposed Medium Density Development in the draft Code

14. Pittwater LEP 2014 and PDCP 2014

Principal Controls

The principal controls in the draft Code vary significantly from the PLEP 2014 and PDCP 2014 with respect to FSR, landscape areas, rear setbacks, side setbacks and private open space. Thus,

complying development under the draft Code would result in a significant increase in density and scale of development compared to development requiring a DA under the local planning provisions.

Dual occupancies in Zone R2

The PLEP 2014 currently permits dual occupancy development within the R2 zone. However, dual occupancies are restricted to a minimum lot size of 800sqm and cannot be subdivided. The Code proposes to allow subdivision for the 'two dwellings side by side' option however the resultant outcome is development that is more akin to semi-detached dwellings which are not permitted within the R2 zone under the PLEP. Effectively the outcome is development of a higher density than is prohibited in the low density zone. This does meet the approach of allowing the development to proceed under complying development if the relevant zone allows it. Concern is also raised that under this option the development is required to meet the minimum lot size specified in the LEP for a dual occupancy while under the 'Manor House and Dual Occ' option it is only required to meet a minimum of 600sqm before a dual occupancy can be built and then subdivided.

The subdivision of dual occupancies is not permitted in the PLEP 2014 to allow for affordable rental housing. However, the draft Code allows dual occupancies to be subdivided which would result in the creation of lots that are significantly below the minimum subdivision lot size standard (being 550sqm or 700sqm). This approach is not supported.

Thus the draft Code would result in a rapid increase in dwelling yields and population growth within the R2 zone. This will lead to shortfalls in funding for appropriate services.

Manor Houses in Zone R3

Under the Code, Manor Houses will be allowed on lots with a minimum area of 600sqm. In the PLEP 2014, Clause 4.5A sets the density controls for 'medium density type' uses in the R3 zone, being a maximum of 1 dwelling per 200sqm. The density standard in the draft Code will allow an increased density of 1 dwelling per 150sqm. This requirement should be amended to 200sqm per dwelling for Manor Homes to bring it into line with the remainder of the code.

Multi dwelling housing in Warriewood Valley

The Warriewood Valley Land Release project is a joint project between Council and the Department of Planning and Environment. The development of the project is heavily constrained by a number of issues which has been recognised by the Department and thus is subject to specific bespoke planning controls. The proposal for medium density housing as complying development will ignore these issues and may result in substantial development above and beyond what is catered for with substantial negative impacts.

Warriewood Valley was reviewed in 2012 with a dwelling cap set for the entire Release Area. This number was agreed to by Council and the Department based on issues such as water run-off and flooding, traffic, transport and environmental outcomes. The set dwelling yields take into account the cumulative impacts of development so as to not overload the development, and prevent issues such as flooding downstream of the valley and overwhelming safe evacuation routes. The release project also has a detailed water management specification which is based on a certain level of hard space and landscaping which will not be catered for under the code. The dwelling numbers were also agreed to by the Secretary of Department and have been confirmed by the Land and Environment Court to be prohibitions and not standards to be varied.

However the draft code may effectively overload the release project with unsustainable development that exceeds the expected outcomes in terms of dwellings, flooding and traffic impacts. This will undermine the entire release project. Instead of an expected dwelling yield in the range of 32 dwelling per hectare, the code could more than double the amount of dwellings. This does not represent the orderly and economic development of land, and will prevent Warriewood from achieving the goals of the land release project.

Ingleside Land Release Area

The Ingleside Land Release Area is a joint program between Council and the Department of Planning and Environment. The project is the subject of years of detailed investigation and studies. The project is within a sensitive environment and the project's vision for a sustainable and functional community, including GreenStar certification, relies on a range of outcomes being met. The proposal to extend complying development to medium density is of concern (similar to Warriewood Valley) as development in Ingleside is considered to be complex due to the wide spread of environmental, social and economic issues that need to be addressed.

The vision for Ingleside is a community that achieves the best in sustainability. This includes the goal of reaching a 4 Star GreenStar rating of Australian Best Practice. This requires detailed and thorough assessment of development from rezoning of the precinct through to development assessment and building performance. This requires development standards and controls that are above and beyond base levels. This includes targeted lower water and energy usage, building material recycling and reduced greenhouse gas emissions. There are also a range of other issues that need to be considered such as the need for 0% run off due to the limited ability of the shallow soils to absorb water and the potential impact of downstream flooding through Mona Vale, Warriewood and North Narrabeen. Complying Development is not required to address these issues to the required detail as it is intended for straightforward development. Allowing complying development to proceed in Ingleside will undermine the ability of the project to meet the goals agreed to by Council and the Department.

As well as targeted environmental outcomes, GreenStar requires a range of social and economic targets to be met. This includes a mixture of dwellings sizes and typology to cater for people at all stages of life as well the provision of affordable housing for key workers. The Codes once again are not capable of catering for these issues. The Northern Beaches already suffers from a lack of affordable and appropriate housing and Ingleside will go some of the way to addressing the issue through having specific standards contained within its environmental planning instrument. However concern is raised that extending complying development to medium density will undermine Council's ability to set controls to address these local issues.

Recommendation 17 – That the subdivision of dual occupancies be prohibited where a Council LEP currently prohibits such subdivision

Recommendation 18 – That the development and subdivision of 'two dwellings side by side' only be permitted if semi-detached dwellings are permitted

Recommendation 19 – That Warriewood Valley is excluded from the Codes due to the sensitive technical design issues and the dwelling cap agreed to by Council and the Department of Planning and Environment

Recommendation 20 – That Ingleside is excluded from the Codes due to the extremely sensitive nature and the goal of achieving a 4 star GreenStar rating

Recommendation 21 – That Manor Homes require a minimum of 200 sqm per dwelling, or alternatively, that the draft Code requires compliance with clause 4.5A 'Density controls for certain residential accommodation'.

Part C – Technical Matters

15. Sloping land

Council is concerned there are no provisions to restrict complying development on sloping land, where poor design can lead to negative outcomes in relation to overshadowing, privacy and view loss. There is also a high potential for severe consequences for neighbouring properties, especially in landslide areas.

Having regard to the additional likely impacts for steeply sloping sites (geotechnical, visual etc.) it is recommended that complying development should not be carried out on sites of greater than 15 degrees. This would allow a merit-based assessment for steeply sloping sites.

Recommendation 22 – That sloping sites of greater than 15 degrees are excluded from the Codes SEPP

16. Stormwater drainage

The landscaped open space requirements in the draft Code are generally less than required under local provisions, meaning that Proposed Medium Density Development will generate increased stormwater runoff and additional demand on Council's stormwater drainage system (e.g. kerb and gutters and drainage pipelines). This may increase the risk and severity of flooding downstream of the development sites.

Stormwater Certification is therefore a vital component of the draft Code. Council notes that neither the EIE nor the MDDG refer to the proposed means of stormwater certification for complying development. In previous responses to the Discussion Paper, the former Councils proposed certification for On-site Stormwater Detention (OSD) either by:

- Council, subject to the collection of appropriate fee, or
- Qualified specialists, provided they were Accredited Certifiers in Civil Works (drainage works) with the Building Professionals Board and Registered Chartered Engineering Professionals with Engineers Australia.

If external certification is proposed, the State Government would need to guarantee sufficient oversight of specialists, for example, through audits of work.

It is vital that stormwater drainage systems are designed in strict accordance with Council's policies as stormwater runoff may require extensions or modifications of Council's stormwater drainage infrastructure. Given the recent Council merger, Council would require time to consolidate its policies and standards for use by external certifiers. The Department may also wish to provide guidelines for all Councils to ensure consistent external certification processes and the incorporation of water sensitive urban design principles.

Recommendation 23 – That the Department clarifies the means and mechanisms for stormwater certification

Recommendation 24 – That, if external stormwater certification is proposed, a system is implemented to ensure practitioners are accredited and regularly audited, and Councils are given time to adopt new stormwater policy to allow consistent certification

17. Water management

The Northern Beaches Council area is bounded by Sydney Harbour, Pittwater and the Tasman Sea and contains numerous estuaries, lagoons and creeks. In addition, many localities have a high water table. Due to these factors, a large majority of developments require specialist impact assessments by qualified individuals as well as referrals to the NSW Office of Water to ensure proper management of water reserves and the environment.

Neither the EIE nor the MDDG outline requirements for referrals to the NSW Office of Water under the *Water Management Act 2000* or the need to engage specialist advice. For example, referrals are required where development involves the pumping of water or drainage works, or where buildings or works are proposed within 40 metres of a creek, river, lake or lagoon.

Regarding the provisions in the MDDG for Water Management and Conservation (3.1Y; 3.2Y and 3.4Y), the following comments are provided:

- Council does not support the disposal of stormwater runoff by means of a charged system. Charged systems have the potential to direct stormwater flow to a different catchment and can cause problems for the properties in this Catchment.
- Clarify the requirements to obtain:
 - Geotechnical investigations for any proposed onsite absorption systems to ensure that the land has a suitable absorption capacity
 - Easements over downstream properties for any inter-allotment drainage systems
- The Proposed Medium Density Development should only apply in areas which are serviced by a sewer network. Onsite wastewater systems are not considered feasible for this type of development due to the lack of available space for effluent irrigation.
- In the MDDG, the inclusion of Water Sensitive Urban Design in the principles on Page 78 is positive, however is not represented in the Objectives and Design Criteria on Page 115, 134, 153.

Recommendation 25 – That developments requiring referrals under the *Water Management Act 2000* are excluded from the draft Code. Alternatively, requirements are included for the designer to seek specialist advice relating to water management and undertake the necessary referrals to the NSW Office of Water for applicable development as required under the *Water Management Act 2000*.

Recommendation 26 – That the MDDG is updated to clarify the requirements to obtain Geotechnical investigations and Easements for stormwater systems where required

Recommendation 27 – That the Proposed Medium Density Development should only apply in areas serviced by a sewer network

Recommendation 28 – That the Objectives and Design Criteria in the MDDG are updated to reflect the inclusion of Water Sensitive Urban Design principles

18. Torrens title subdivision and basement car parks

The draft Code proposes to allow Torrens title subdivision of multi-dwelling developments with basement car parking, with the use of easements for smaller developments. Council objects to

Torrens title subdivision of properties with basement car parks because these structures are contiguous and require maintenance. Whilst an easement may outline responsibilities, without a governing body such as a body corporate or community title, there is no one party responsible for enforcing them. As well, there is no mechanism to collect funds for maintenance. In instances where maintenance is required or flooding eventuates, property owners contact Council to assist in a resolution. Often there is nothing Council can do to assist with this issue and property owners are subject to ongoing disputes.

Recommendation 29 – That Torrens title subdivision of developments with basement car parks is excluded as complying development

19. Traffic and parking

The Northern Beaches suffer from a relative lack of public transport options. This is particularly the case in outer suburban areas. Although the draft Code proposes parking rates in accordance with the Guide to Traffic Generating Development, these provisions are less than required under the relevant DCP in the Northern Beaches Council area. Furthermore, there are no provisions for onsite visitor parking spaces for multi-dwelling housing. This will result in a shift from developments being self-sufficient in parking to having Council's limited on street parking being used. This is particularly a concern for popular tourist areas such as Manly and Palm Beach.

It is noted the MDDG refers to AS2980.1 for parking spaces and circulation¹³ and it is assumed this means compliance with AS2890.1. As per our previous submissions, detailed traffic assessment is required for medium density developments as the type of road frontage provision impacts on vehicular access to development sites, and the grades of driveways are often overlooked (e.g. too steep or not wide enough).

Further, certain medium density developments would require changes to traffic control facilities, requiring approval under the Roads Act and Council's Local Traffic Committee.

There is also concern where consecutive approvals result in cumulative impacts of extra dwellings and associated traffic on local and state road networks.

Recommendation 30 - That on-site car parking is required to be provided at the rate specified under the relevant Council DCP for all forms of proposed Medium Density Development

Recommendation 31 – That traffic assessments and parking designs for multi-dwelling housing are required to be referred to Council for approval prior to the issue of a complying development certificate

Recommendation 32 – That developers are required to provide traffic and parking statement, prepared by a qualified traffic planner or engineer, with applications for multi-dwelling housing

20. Excavation

As per previous submissions, Council does not consider it appropriate to permit excavation for basement car parking as complying development. A number of issues arising from basement car

¹³ Medium Density Design Guideline, 3.1F, 3.2F and 3.4F

parking require Council's assessment. Firstly, there is the potential for localised flooding when floodwater overtops the driveway and floods the basement car park (even when the development is not identified as flood affected on the planning certificate). Council may be liable for damages due to flood damage where floodwaters emanate from Council roads so it is imperative that localised flooding is considered at the design stage of a proposal

Secondly, separate approval may be required by the NSW Office of Water if temporary dewatering of the site is required. As discussed above, the decision to request the developer to obtain the approval is based on merit assessment, undertaken by Council (see 17 Water management).

Thirdly, there is the potential for the basement car park to be constructed too close to or over Council's stormwater drainage infrastructure. This may restrict access to Council's stormwater drainage infrastructure in the future for inspection and maintenance purposes.

Finally, excavation in close proximity to boundaries is a constant compliance issue, resulting in damage to adjoining properties. It is recommended that excavation near boundaries be subject to a mandatory dilapidation report being provided to adjoining land holders if excavation exceeds the maximum permitted as exempt development. In addition, any construction methodology that requires structural support to encroach onto adjoining properties should be subject to obtaining the consent of the owners of those properties.

Recommendation 33 - That basement car parks are excluded as complying development

Recommendation 34 – That, if basement car parks are permitted as complying development, a mandatory dilapidation report is provided to adjoining land holders where excavation exceeds the maximum permitted as exempt development

Recommendation 35 – That, if basement car parks are permitted as complying development, adjoining property owner's consent is obtained where structural support is proposed to encroach on their property

Recommendation 36 – That, if basement car parks are permitted as complying development, separate certification from an appropriately accredited or qualified person is required with respect to driveway design addressing localised flooding issues

21. Vegetation clearance in bushfire zones

As identified in the MDDG Part 2C – Landscaped Area, *'Significant landscape features should be protected'*. However, Council is concerned that permitting additional dwellings under complying development within bushfire prone areas could result in the additional clearing of native vegetation, trees and or threatened species under the Rural Fires Act 10/50 Code. The placement of a habitable development closer to the hazard within a property that is within the 10/50 vegetation clearing entitlement area means that vegetation and tree clearing may be extended further into natural areas. Such vegetation and tree clearing change the character of an area and reduce the local amenity that is afforded by tree cover.

Recommendation 37 – That the Proposed Medium Density Development is excluded as complying development from bushfire prone areas

22. Waste management

It is essential that waste management facilities are designed in accordance with Council's policies to ensure Council can continue to provide its waste collection service. The following changes are recommended to the Waste Management Provisions in the MDDG, the Exempt and Complying Development Codes 2008 (Codes SEPP) and standard conditions of complying development certificates to ensure Council can continue to provide its waste collection service:

Amendments to the Design Guidelines

- Page 76 Guidelines – 22 – Waste Management, include the following sentence in second paragraph:

“A waste management plan should be prepared for all stages of the development including any demolition, site preparation and construction as well as the ongoing use of the building. Refer to Council Policies for local waste management practices, services and correct numbers and types of bins which need to be accommodated. “

(This also harmonises with the Waste Management Design Criteria in Part 3. For developments which are complying or by application, Council will be the waste services collection agency and should be consulted in the planning stages.)
- Page 77 – Design guidance table:
 - Include a new point 1: “Refer to Council Policies for local waste management practices and services and correct numbers and types of bins which need to be accommodated.”
 - Change point 6 to point 2
 - Point 7 is essentially a repeat of point 4 and could be omitted
 - Omit point 11. Many councils provide separate green waste collection for composting at large, dedicated facilities, so there is no need for composting on site. Additionally, onsite composting requires relatively high maintenance, especially where multiple premises are concerned and there is generally no ‘maintenance person’ to ensure correct management of the compost. Individual home owners can still compost if they so choose within their own premises/courtyard/balconies etc. from the wide variety of home composting systems commercially available.
- Appendix 1 – Pre-Development Application Checklist, under “Development Details”, include a dot point for “Number and mix of waste bins required”
- Appendix 2 – DA Documentation Checklist:
 - Include “Waste Management Plan for Demolition and Construction as well as ongoing use of the development.”
 - For “Floor Plans”, under Storage Areas, add “including waste storage area”
- Appendix 4 – Site Analysis Checklist, include a dot point for “Proposed waste management plan (demolition, construction and design for ongoing use)”

Amendments to the Codes SEPP

As the Principal Control for Complying Development, the Exempt and Complying Development Codes 2008 (Codes SEPP) needs to be reviewed in regard to waste management.

The Codes SEPP allows Councils and private certifiers to issue Complying Development Certificates (CDCs) for demolition and building works. CDCs have a mandated set of conditions which do not require sustainable management of waste during demolition and construction. The only reference in relation to waste requires that "demolition materials and waste materials must be disposed of at a waste management facility". This places significant pressure on existing waste management facilities in NSW and does not ensure that waste is disposed of in a sustainable method.

Council requests that NSW Department of Planning and Environment amend the Codes SEPP to ensure the sustainable disposal of construction and demolition waste and to encourage the recycling and reuse of materials. Amending the conditions relating to Waste Management Plans, and relating to certification that plans have been implemented, would improve current practices.

Following is a set of proposed conditions for Complying Development Certificates. The conditions are not overly prescriptive but we believe this would be the first step towards better practice by both builders and certifiers. The conditions could be further enhanced following a trial period and review.

Proposed Amendments to Conditions for Complying Development Certificates

A. Condition for Waste Management Plan

The existing condition 3 from Schedule 8 and 9 has been amended as highlighted below.

Proposed amendments to the SEPP include:

Schedule 6 – insert condition X as a new clause.

Schedule 7 – insert condition X as a new clause.

Schedule 8 – replace Clause 3 Waste Management with new condition X

Schedule 9 – replace Clause 3 Waste Management with new condition X

Condition X Waste Management

(1) *A waste management plan for the work must be submitted to the principal certifying authority at least 2 days before work commences on the site.*

(a) *All bricks, tiles, timber, metals, glass and excavation material must be reused on site or recycled at a waste recycling outlet.*

(2) *The waste management plan must (in accordance with subclause (1) (a)):*

(a) *identify all waste (including excavation, demolition and construction waste material) that will be generated by the work on the site, and*

(b) *identify the quantity of waste material, in tonnes and cubic metres, to be:*

(i) *reused on-site, and*

(ii) *recycled on-site and off-site, and*

(iii) *disposed of off-site, and*

(c) *if waste material is to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and*

(d) if waste material is to be disposed of or recycled off-site—specify the contractor who will be transporting the material and the waste facility or recycling outlet to which the material will be taken.

(3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

(4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

B. Condition for the Management of Site

Proposed amendment to the standard condition headed *Maintenance of Site* to include:

- Schedule 6 – amend Clause 9 (2) with new sub-clause 2
- Schedule 7 – amend Clause 6 (2) with new sub-clause 2
- Schedule 8 – amend Clause 10 (2) with new sub-clause 2
- Schedule 9 – amend Clause 9 (2) with new sub-clause 2

Sub-condition

(2) Waste materials (including excavation, demolition and construction waste materials) must be managed ~~on the site and then disposed of at a waste management facility in accordance with the waste management plan.~~

Recommendation 38 - That the Department amend the MDDG and Codes SEPP as described in Part 22 of this submission to ensure the sustainable disposal of construction and demolition waste and encourage the recycling and reuse of materials

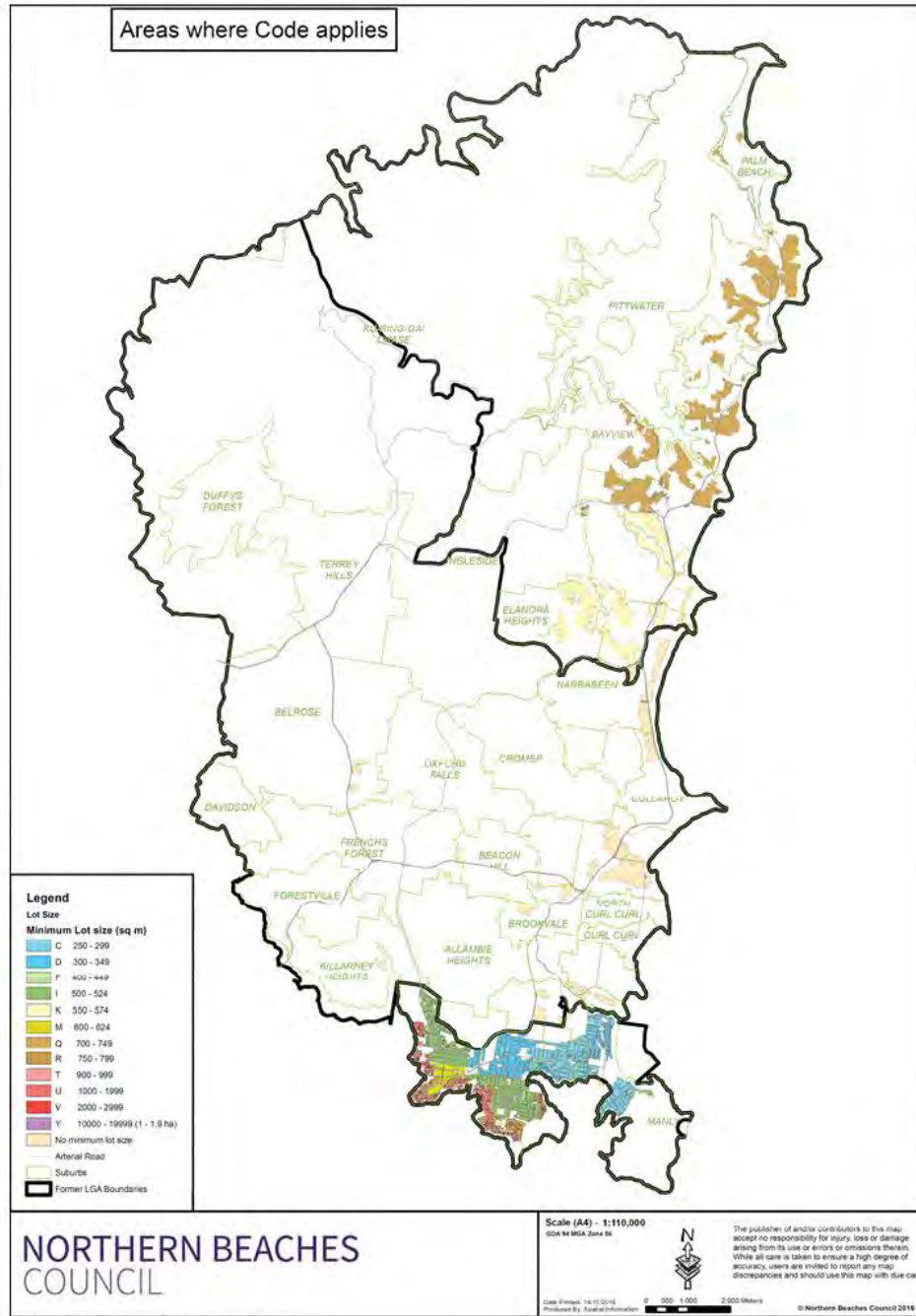


Figure 2 - Map showing minimum subdivision lot sizes in areas subject to the draft Code across the Northern Beaches Council Area

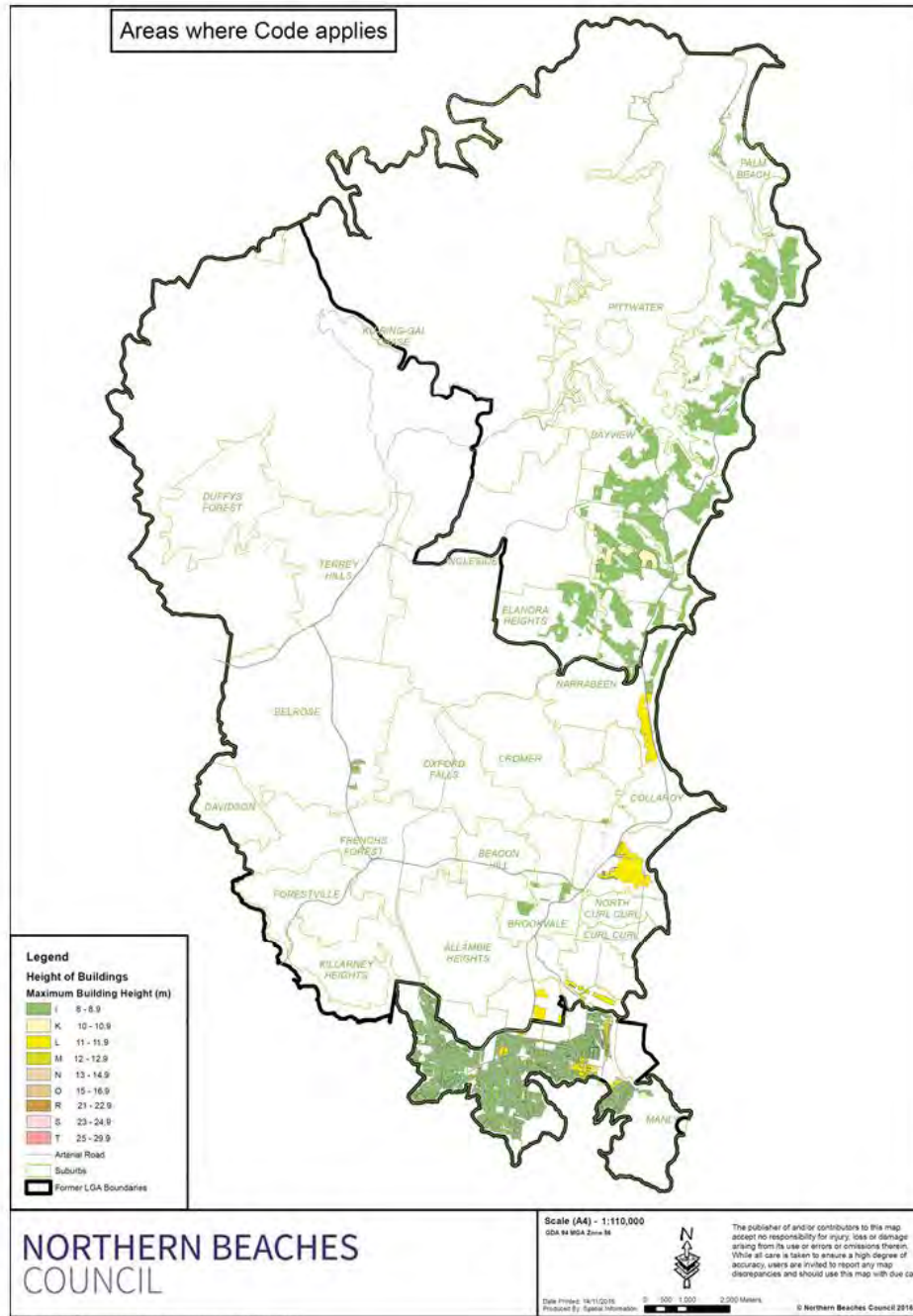


Figure 3 – Map showing permissible building heights in areas subject to the draft Code across the Northern Beaches Council Area

Table of Recommendations

Recommendation 1 - That the Department confirms the draft Code will permit the the development of dual occupancies (attached and detached), multi-dwelling housing, and manor homes as complying development only where it is first permitted by Council within Zones R1, R2, R3 and RU5

Recommendation 2 – That the Department commit that future amendment to the draft Code will not include Rural or Environmental land zonings

Recommendation 3 – That the Department clarifies which of the Proposed Medium Density Developments are required to comply with the LEP minimum lot sizes and of those, which clause of the LEP applies (e.g. 4.1 Minimum Subdivision Lot Size or 4.1B Minimum Lot Sizes or both)

Recommendation 4 - That subdivisions are only permitted in accordance with the minimum lot sizes outlined in clause 4.1 in LEPs, or if relevant, allow time for Councils to review and amend their LEP to implement a clause 4.1B minimum lots sizes for specific developments

Recommendation 5 – That the Department provides more detail to explain the meaning and intent of the proposed new clause 4.1C for concurrent consent for development and subdivision

Recommendation 6 – That the Department clarifies that accredited building designers are held ultimately responsible for compliance of proposals with the Design Criteria despite obtaining a Design Verification Statement from the designer.

Recommendation 7 – That as an alternative, designers be accredited by the Building Professionals Board or like body to issue Compliance Certificates under the EP&A Act for Design Criteria under the draft Code.

Recommendation 8 - That the Department allows Councils to set principal standards for the Proposed Medium Density Development in the draft Code

Recommendation 9 – That the certification of medium density development as complying development by private building certifiers is delayed until measures are taken to improve the audit and discipline of private certifiers.

Recommendation 10 - That the Department allows Councils to charge a fee for enforcement of complying development

Recommendation 11 – That the Department clarifies the meaning of the statement “Where Council does adopt the MDDG it will still need to prepare the principle development standards that include height, floor space ratio, landscape area and setbacks” (EIE, pg 8). Does this statement refer to Council’s existing standards, or is there a requirement for Council to provide additional standards for Medium Density Developments?

Recommendation 12 – That the Department clarifies the meaning of the statement “Council will use the design guidelines to establish precinct plans and principal controls” (EIE, pg 5). Does this statement mean that Council must undertake a separate process?

Recommendation 13 – That requirements are included in the Site Analysis to ensure the development takes into consideration any impacts on heritage items in the vicinity of a development site

Recommendation 14 – That accredited certifiers are required to check the registers held by the NSW Office of Environment and Heritage (NSW OEH) for Aboriginal Heritage and undertake appropriate site inspections to determine whether Aboriginal objects are located on the site prior to the issue of a complying development certificate.

Recommendation 15 - That the Department includes requirements for a proportion of all multi-dwelling housing to be adaptable or accessible housing

Recommendation 16 – That the Department addresses the omissions, inconsistencies and contradictions in the draft Code and MDDG identified Part 11 of this submission

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Recommendation 33 - That basement car parks are excluded as complying development

Recommendation 34 – That, if basement car parks are permitted as complying development, a mandatory dilapidation report is provided to adjoining land holders where excavation exceeds the maximum permitted as exempt development

Recommendation 35 – That, if basement car parks are permitted as complying development, adjoining property owner's consent is obtained where structural support is proposed to encroach on their property

Recommendation 36 – That, if basement car parks are permitted as complying development, separate certification from an appropriately accredited or qualified person is required with respect to driveway design addressing localised flooding issues

Recommendation 37 – That the Proposed Medium Density Development is excluded as complying development from bushfire prone areas

Recommendation 38 - That the Department amend the MDDG and Codes SEPP as described in Part 22 of this submission to ensure the sustainable disposal of construction and demolition waste and encourage the recycling and reuse of materials

DUAL OCCUPANCY						
Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
Permissibility to construct development	Permissible to construct in R2 & R3 zones.	CDC possible in R2 and R3 zones but: not on battle-axe lots; not involving a secondary dwelling / group home; not building over easement; not altering a garage forward of building line and; not affecting a heritage item or draft heritage item. Special requirements for CDC on bushfire or flood prone land. Each dwelling must have lawful access to public road at completion.	Permissible to construct in R3 zone.	CDC possible with same restrictions as listed under corresponding former Pittwater section.	Permissible to construct in R1, R2 and R3 zones.	CDC possible in R1, R2 and R3 zone with same restriction as listed under corresponding former Pittwater section.
Minimum Site Size for Construction of Dual Occupancy	800sqm	800sqm,	No Minimum site size for dual occupancy development.	400sqm	Residential Density Control in DCP requires a site for 2 dwellings to have between 100sqm and 2,300sqm in area, depending upon which Residential Density Area the site is located.	400sqm
Minimum Site Width		12m		12m		12m
Maximum Building Height	8.5m in R2 zone. 10.5m – 11m in R3 zone. 8.5m in R5 zone Second dwelling of detached dual occupancy must be	8.5m	11m	8.5m	8.5m – 11m in R1 8.5m in R2 11m in R3	8.5m

DUAL OCCUPANCY						
Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
	single storey (DCP)					
Maximum Gross Floor Area (GFA) Of All Buildings	No equivalent control. Maximum FSR in DCP variable between 0.3:1 and 0.4:1	For sites between 800sqm and 2,000sqm in area: 25% of site area + 300sqm. For sites over 2,000sqm: 800sqm		For sites between 400sqm and 2,000sqm in area: 25% of site area + 300sqm. For sites over 2,000sqm: 800sqm		For sites between 400sqm and 2,000sqm in area: 25% of site area + 300sqm. For sites over 2,000sqm: 800sqm
Front Setbacks	6.5m or established building line, whichever is greatest.	Average of adjoining development on either side.	6.5m 3.5m to secondary frontage	Average of adjoining development on either side.	6m or prevailing setback in street	Average of adjoining development on either side.
Side Setbacks	2.5m to one side, 1m to other,	Variable between 0.9m and 2.5m, based upon lot width and building height.	4.5m	Variable between 0.9m and 2.5m, based upon lot width and building height.	1/3 height of proposed building wall	Variable between 0.9m and 2.5m, based upon lot width and building height.
Rear Setbacks	6.5m	Variable between 3m and 15m, based upon lot area and building height.	6m	Variable between 3m and 15m, based upon lot area and building height.	8m	Variable between 3m and 15m, based upon lot area and building height.
Car Parking	1 space for 1 bed dwellings; 2 spaces for 2+ bed dwellings. (DCP controls)	1 space for each dwelling	2 spaces for each dwelling (DCP controls)	1 space for each dwelling	2 spaces for each dwelling (DCP controls)	1 space for each dwelling

DUAL OCCUPANCY						
Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
Subdivision	Yes, strata or torrens title.	Yes, strata or torrens title.	Yes, strata or torrens title.	Yes, strata or torrens title.	Yes, strata or torrens title.	Yes, strata or torrens title.
Minimum Resultant Lot Criteria for Subdivision	<p>Torrens title (and strata title in R2): 700sqm north of Mona Vale Rd and 550sqm south of Mona Vale Rd.</p> <p>No minimum lot size for strata title in R3 or any dual occupancy approved on or before 2 June 2003.</p>	<p>Minimum lot sizes for torrens title: 420sqm north of Mona Vale Rd and 330sqm south of Mona Vale Rd. (60% of applicable minimum)</p> <p>For strata title subdivisions: each dwelling must have lawful frontage to a public road (not laneway); no dwelling to be located behind the other on single frontage lots; each resulting lot must have a minimum width at building line of 6m; for dual occupancies not above or below one another, minimum ground floor area of each strata lot must be 180sqm (excludes common areas).</p>	No minimum lot size in R3 zone.	200sqm	<p>Minimum lot size in R1 zone is 250sqm or 300sqm;</p> <p>minimum lot size in R2 zone ranges between 500sqm and 1,150sqm;</p> <p>minimum lot size in R3 zone is 250sqm.</p>	Minimum lot size: 60% of the applicable minimum lot size under the LEP.

MANOR HOUSES

Note: Manor houses were not previously defined or permissible in any of the Northern Beaches former LGA planning instruments. Consequently, there are no existing planning controls specific to this form of development.

Key Provisions	Former Pittwater	Former Warringah	Former Manly
	New CDC Outcome	New CDC Outcome	New CDC Outcome
Permissibility to construct development	CDC possible in R3 zones but: not on battle-axe lots; not involving a secondary dwelling / group home; not building over easement; not altering a garage forward of building line and; not affecting a heritage item or draft heritage item. Special requirements for CDC on bushfire or flood prone land. Each dwelling must have lawful access to public road at completion.	CDC possible in R3 zone with same restrictions as listed under corresponding former Pittwater section.	CDC possible in R1, R2 and R3 zone with same restriction as listed under corresponding former Pittwater section.
Minimum Site Size to Construct a Manor House	400 sqm	400sqm	400sqm
Minimum Site Width	12m	12m	12m
Maximum Building Height	8.5m	8.5m	8.5m
Maximum Gross Floor Area (GFA) Of All Buildings	25% of the lot area + 150m ² to a maximum of 400m ²	25% of the lot area + 150m ² to a maximum of 400m ²	25% of the lot area + 150m ² to a maximum of 400m ²
Front Setbacks	Average of adjoining development on either side.	Average of adjoining development on either side.	Average of adjoining development on either side.
Side Setbacks	A manor house must have a minimum side setback of 1.5m and, for any part of a manor house more than 10m behind the building line and higher than 4.5m above the existing ground level, the minimum side boundary setback is: $s = h - 3m$ where,	A manor house must have a minimum side setback of 1.5m and, for any part of a manor house more than 10m behind the building line and higher than 4.5m above the existing ground level, the minimum side boundary setback is: $s = h -$	A manor house must have a minimum side setback of 1.5m and, for any part of a manor house more than 10m behind the building line and higher than 4.5m above the existing ground level, the minimum side boundary setback is: $s = h - 3m$ where,

MANOR HOUSES

Note: Manor houses were not previously defined or permissible in any of the Northern Beaches former LGA planning instruments. Consequently, there are no existing planning controls specific to this form of development.

Key Provisions	Former Pittwater	Former Warringah	Former Manly
	New CDC Outcome	New CDC Outcome	New CDC Outcome
	's' is the minimum setback in metres, and 'h' is the height of the part of the building in metres.	3m where, 's' is the minimum setback in metres, and 'h' is the height of the part of the building in metres.	's' is the minimum setback in metres, and 'h' is the height of the part of the building in metres.
Rear Setbacks	Variable between 6m and 15m, based upon lot area and building height.	Variable between 6m and 15m, based upon lot area and building height.	Variable between 6m and 15m, based upon lot area and building height.
Car Parking	1 space for each dwelling	1 space for each dwelling	1 space for each dwelling
Subdivision	Yes, strata title only.	Yes, strata title only.	Yes, strata title only.
Minimum Resultant Lot Criteria for Subdivision	<p>Cannot also involve a secondary dwelling, boarding house, group home or a dual occupancy not approved as complying development.</p> <p>The subdivision must not contravene any condition of a development consent or complying development certificate.</p>	<p>Cannot also involve a secondary dwelling, boarding house, group home or a dual occupancy not approved as complying development.</p> <p>The subdivision must not contravene any condition of a development consent or complying development certificate.</p>	<p>Cannot also involve a secondary dwelling, boarding house, group home or a dual occupancy not approved as complying development.</p> <p>The subdivision must not contravene any condition of a development consent or complying development certificate.</p>

MULTI DWELLING HOUSING (TERRACES) AND ATTACHED DEVELOPMENT

Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.

Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
Permissibility to construct development	Permissible to construct in R3 zone	CDC possible in R3 zones but: not on battle-axe lots; not involving a secondary dwelling / group home; not building over easement; not altering a garage forward of building line; not affecting a heritage item or draft heritage item and, not on bush fire prone land. Special requirements for CDC on flood prone land. Each dwelling must have lawful access to public road at completion.	Permissible to construct in R3 zone.	CDC possible with same restrictions as listed under corresponding former Pittwater section.	Permissible to construct in R1, R2 and R3 zones.	CDC possible in R1, R2 and R3 zone with same restriction as listed under corresponding former Pittwater section.
Minimum Site Size to Construct Terraces	No minimum site size requirement.	600sqm	No minimum site size for the erection of a multi unit housing development.	600sqm	No minimum site size for the erection of a multi unit housing development.	600sqm
Minimum Site Width	Street frontage of site must be $\geq \frac{1}{3}$ of the length of the longest side boundary (DCP control)	18m measured at the building line.	No equivalent control	18m measured at the building line.	No equivalent control	18m measured at the building line.
Density Control	Except for the Warriewood Valley Release Area, which has stipulated dwelling ranges, the maximum density standard for multi dwelling housing is 1	No equivalent control.	No density control.	No equivalent control	Residential Density Control in DCP requires a site to have between 50 and 1,150sqm in area per dwelling proposed, depending upon which Residential Density Area	

MULTI DWELLING HOUSING (TERRACES) AND ATTACHED DEVELOPMENT

Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.

Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
	dwelling per 200sqm of site area.				the site is located.	
Maximum Building Height	10.5m – 11m	9m	11m	9m	8.5m – 11m in R1 8.5m in R2 11m in R3	9m
Maximum Gross Floor Area (GFA) Of All Buildings	No equivalent control.	80% of the site area.	No equivalent control	80% of lot area	No equivalent control	R1, R2 - 60% of lot area R3 - 80% of lot area
Front Setbacks	6.5m or established building line, whichever is greatest.	Average of adjoining development on either side.	6.5m 3.5m to secondary frontage	Average of adjoining development on either side.	6m or prevailing setback in street	Average of adjoining development on either side.
Side Setbacks	Where the wall height is 3m or less, the minimum side setback is 3m. Where wall height is > 3m the minimum setback shall be $S = 3 + (H - 2) / 4$ S = setback distance in metres H = height of wall in metres.	1.5m	2m	Multi dwelling housing (terraces) must have a minimum side setback of 1.5m.	1/3 height of proposed building wall	Multi dwelling housing (terraces) must have a minimum side setback of 1.5m.

MULTI DWELLING HOUSING (TERRACES) AND ATTACHED DEVELOPMENT

Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.

Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
Rear Setbacks	As for side setbacks	Variable between 3m and 15m, based upon lot area and building height.	6m	Variable between 6m and 15m, based upon lot area and building height.	8m	Variable between 6m and 15m, based upon lot area and building height.
Car Parking	1 space for 1 bed dwellings; 2 spaces for 2+ bed dwellings. (DCP controls)	At least one off-street parking space for each dwelling	2 spaces for each dwelling (DCP controls)	At least one off-street parking space for each dwelling	2 spaces for each dwelling (DCP controls)	At least one off-street parking space for each dwelling
Subdivision	Yes, strata, torrens title or community title.	Yes, strata or torrens title.	Yes, strata, torrens or community title.	Yes, strata or torrens title.	Yes, strata, torrens or community title.	Yes, strata or torrens title.
Mandatory Resultant Lot Criteria for Subdivision	No minimum lot size.	Minimum lot size: 200sqm Subdivision must not contravene any condition of consent. Each dwelling must have frontage to a public road (not a lane). No dwelling must be located behind any other dwelling on the same lot (except corner lot or block with double frontage). Each resulting lot must have a minimum width of 6m measured	No minimum lot size in R3 zone.	Minimum lot size: 200sqm Subdivision must not contravene any condition of consent. Each dwelling must have frontage to a public road (not a lane). No dwelling must be located behind any other dwelling on the same lot (except corner lot or block with double	Minimum lot size in R1 zone is 250sqm or 300sqm; minimum lot size in R2 zone ranges between 500sqm and 1,150sqm; minimum lot size in R3 zone is 250sqm.	200sqm Subdivision must not contravene any condition of consent. Each dwelling must have frontage to a public road (not a lane). No dwelling must be located behind any other dwelling on the same lot (except corner lot or block with double

MULTI DWELLING HOUSING (TERRACES) AND ATTACHED DEVELOPMENT

Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.

Key Provisions	Former Pittwater		Former Warringah		Former Manly	
	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome	Existing DA Controls	New CDC Outcome
		at the building line. Only 1 dwelling on each resultant lot.		frontage). Each resulting lot must have a minimum width of 6m measured at the building line. Only 1 dwelling on each resultant lot.		frontage). Each resulting lot must have a minimum width of 6m measured at the building line. Only 1 dwelling on each resultant lot.

PLANNING PROPOSAL

Amendments to
Manly Local Environmental Plan 2013
and
Pittwater Local Environmental Plan 2014

June 2018
(submission for
Gateway
Determination)

Contents

Part 1 – Intended Outcomes	3
Part 2 – Explanation of Provisions	4
Part 3 – Justification	7
Part 4 – Maps	19
Part 5 – Community Consultation.....	20
Part 6 – Project Timeline.....	21

Part 1 – Intended Outcomes

The intended outcome of the Planning Proposal is that the Low Rise Medium Density Code would not apply for certain development types in all the R2 Low Density Residential zones in the Northern Beaches LEPs and the R3 Medium Density Residential zone for Warriewood Valley in the Pittwater LEP. These amendments are to retain the zones' strategic intent in response to the Low Rise Medium Density Code which will otherwise permit manor houses, multi-dwelling units and dual occupancy as Complying Development.

The proposed amendments will:

- prohibit multi-dwelling housing (including terraces) and manor houses (inserted under Code SEPP Amendment - Low Rise Medium Density 2017) in zone R2 Low Density Residential zone under the Manly LEP 2011; and
- prohibit dual occupancy in zone R2 Low Density Residential zone under the Manly LEP 2011 and Pittwater LEP 2014.
- prohibit dual occupancy and multi-dwelling housing in relation to certain land within zone R3 Medium Density Residential zone Pittwater LEP 2014 located in Warriewood Valley as contained within the LEP's Urban Release Area Map.

In relation to dual occupancy, consideration may be given to retaining permissibility (where permissibility currently exists in Manly and Pittwater LEPs) when carried out on land with sites' area of greater than 800sqm consistent with existing provisions in the Pittwater LEP. Studies to be prepared as outlined in this Planning Proposal will determine its appropriateness in this regard.

It is intended that the submission of this Planning Proposal by 5.00 pm 27 June 2018 with the Department of Planning and Environment and addressing, or identifying that it will address a range of matters raised by the Department will provide the basis for the deferral of the new Low Rise Medium Density Code in its entirety for Northern Beaches Council.

Part 2 – Explanation of Provisions

The proposal seeks to amend the Land Use Tables for the R2 Zone Low Density Residential Zone of the Manly and Pittwater LEPs and the Land Use Tables for part of the R3 Zone Medium Density Residential Zone (Warriewood Valley only) in response to the impacts of the Low Rise Medium Density Code.

Manly LEP 2013 Amendments

The land use table for the R2 Zone Low Density Residential Zone in the Manly LEP currently reads as follows:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Manor Houses; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Signage; Water recreation structures; Water recycling facilities; Water supply systems*

4 Prohibited

Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3

* Note: Manor Houses inserted under State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Low Rise Medium Density) 2017 as published 6 April 2018 and to commence on 6 July 2018.

It is proposed that the terms ‘Dual occupancies’, ‘Manor Houses’ and ‘Multi dwelling housing’ are omitted from section 3 Permitted with consent in the Zone R2 Low Density Residential land use table above. The consequence is that these uses would not be able to be carried out as Complying Development under the Low Rise Medium Density Code. In this regard clause 1.18(1)(b) State Environmental Planning Policy (Exempt and Complying Development Codes) 2017 relevantly states:

1.18 General requirements for complying development under this Policy

(1) To be complying development for the purposes of this Policy, the development must:...

(b) be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out...

Pittwater LEP 2014 Amendments

The land use table for the R2 Zone Low Density Residential Zone in the Pittwater LEP currently reads as follows:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Places of public worship; Respite day care centres; Roads; Secondary dwellings; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

It is proposed that the term 'Dual occupancies' is omitted from section 3 'Permitted with consent' in Zone R2 Low Density Residential.

The land use table for the R3 Zone Medium Density Residential Zone in the Pittwater LEP currently reads as follows:

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

It is proposed that the terms '*Dual occupancies*' and '*Multi dwelling housing*' are omitted from section 3 'Permitted with consent' in the Zone R3 Medium Density Residential.

The consequence of omitting a range of land uses from the LEP Land Use Tables as above is that the uses specified would not be able to be carried out as Complying Development under the Low Rise Medium Density Code. In this regard clause 1.18(1)(b) State Environmental Planning Policy (Exempt and Complying Development Codes) 2017 relevantly states:

1.18 General requirements for complying development under this Policy

(1) To be complying development for the purposes of this Policy, the development must:...

(b) be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out...

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal was initiated in response to correspondence received from the Department of Planning and Environment dated 22 May 2018 requiring that the proposal be submitted prior to 27 June 2018. It is understood the Department's stated deadline is required to enable the Minister for Planning to consider deferring the application of the Low Rise Medium Density Code. Due to the time constraints placed on the submission of this Planning Proposal it is understood that further strategic studies may be required in accordance with a Gateway Determination. It is therefore anticipated that the submission of this Planning Proposal will be the starting point for a discussion with the Department of Planning about how best to implement the changes during the period of deferral from the Code (the next 12 months).

Northern Beaches Council has previously undertaken some relevant research and prepared various Report Submissions which consider the impacts of low rise medium density housing as Complying Development. This study was initiated in response to the Department of Planning and Environment exhibition of a Discussion Paper *Options for Low Rise Medium Density Housing as Complying Development*, in late 2015.

The former Councils of Manly, Warringah and Pittwater provided submissions to the Department of Planning and Environment in relation to the Discussion Paper at the time, specifically objecting to proposals allowing dual occupancies, multi-dwelling houses, manor homes and subdivision within all low density residential neighbourhoods.

Northern Beaches Council considered a report at its meeting of the 13 December 2016 on the draft Low Rise Medium Density Code as exhibited by the Department of Planning and Environment. Council considered the exhibited draft Code and resolved to make submissions highlighting major concerns with the Code, including excessive densities and the potential for speculative development in low density areas, particularly in areas under the Manly and Pittwater LEPs. This report is attached (Attachment 2) and the key aspects of the submission may be summarised as follows:

Proposed Development Controls: The principal controls in the draft Code are significantly less stringent than the local planning provisions of Council's LEPs and DCPs with respect to parking, landscape areas, setbacks, and private open space. Greater floor space ratios would be permitted compared with the Pittwater and Manly LEPs, and increased building heights compared with the Manly LEP. Thus implementation of the draft Code would result in increased pressure on street parking, stormwater infrastructure, and an increase in building bulk and scale when compared with two storey developments requiring a development application under the local planning provisions. Council is therefore not satisfied the draft Code establishes a sufficiently strict set of controls to offset significant additional development scale/potential and likely resulting adverse impacts. It is therefore recommended that Council be allowed to set its own principal standards for complying development to cater to local conditions. This would ensure future medium density developments are in keeping with the character of established neighbourhoods.

Residential Densities: The implementation of the draft Code will result in ad-hoc, unplanned development that may affect Council's ability to meet current and future housing targets and its ability to deliver the required level of infrastructure. Of particular concern is the likely increase in density that would result in residential areas under the Manly and Pittwater LEPs, which permit dual occupancies within low density residential zones, subject to strict local density

requirements. This increased density will result in significant adverse outcomes for our communities, particularly in terms of residential amenity and streetscape/ neighbourhood character. An increase in dwelling yields may also result in some medium density areas (e.g. under the Warringah LEP 2011 and in Warriewood Valley). It is therefore vital that Section 94 plans are reviewed prior to the implementation of the Code, and that Warriewood Valley and the Ingleside Land Release area are excluded. Further clarification is also sought from the Department as to how local density provisions will be taken into account.

Private Certification: The proposed expansion of complying development is not supported until issues with the transparency and accountability of the existing private building certification system are addressed. It is also not clear whether issues such as traffic impacts and stormwater design are proposed for private certification. An appropriate system of monitoring is essential to support the certification system, especially if the proposed design verification process is to proceed.

Other Issues: Council's abovementioned submission raises a number of other issues including: potential impacts on European and Aboriginal Heritage, absence of requirements for accessible housing, and technical matters such as stormwater and water management, subdivision, excavation, bushland and waste management.

Strategic Study intended to be undertaken with the Planning Proposal

Given the short amount of time given to prepare the Planning Proposal it is anticipated that further strategic analysis may be required to support the Planning Proposal submission.

The Department of Planning and Environment letter dated 22 May 2018 states that this Planning Proposal must address, or identify that it will address certain matters. In this regard the following:

- the area of land zoned R2 Low Density Residential, R1 General Residential and R3 Medium Density Residential;
- the number of lots eligible for manor house or multi-dwelling housing development as complying development under the code in the R2, R1 or R3 zone;
- the number of multi-dwelling housing developments approved by the council in the R2, R1 and R3 zone in the past 5 years

The information required to support the proposal is necessary to ensure that a full understanding of the outcomes of changing the planning controls in the R2 and R3 (part) zone has on the future provisions of housing diversity in the local government area.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Council's abovementioned submission to the Department of Planning and Environment dated December 2016 identified major concerns that the release of the Low Rise Medium Density Code would not satisfy the objectives and strategic intent of current planning controls by allowing complying development with objectionable impacts on the Northern Beaches community.

Council submits that the best means of achieving desired objectives would be an exemption from the SEPP (Exempt and Complying) in respect of the Low Rise Medium Density Code. However the Code is intended to commence 6 July 2018 with the only option available to Council to seek to address impacts through amendments to its own planning controls which limit the impacts of the Code.

The Planning Proposal will not resolve all issues with the Code and it is anticipated that amendments to the Code itself will still be required.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objective and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Greater Sydney Regional Plan

The Planning Proposal has been reviewed against relevant Outcomes of the Greater Sydney Regional Plan A Metropolis of Three Cities – connecting people published on 18 March 2018. The Plan identifies a number of strategic directions and specific policy settings with regards to transport, housing growth, employment and existing centres.

The Planning Proposal is consistent with a number of general goals of the Regional Plan, in that it would:

- continue deliver new and more diverse housing in strategically determined localities and zones;
- respond to a recognised need (and market demand) for housing in the locality, and
- provide new homes in close proximity to existing infrastructure and services.

North District Plan

The Planning Proposal supports the North District Plan vision for housing that is ‘targeted in the right places, aligned to new and enhanced infrastructure’ (p7). It is anticipated that the Planning Proposal will identify LEP amendments to achieve spacial and/or policy based outcomes which improve the delivery of new medium density Complying Development types in more locally targeted places better aligned with local services and facilities.

The Planning Proposal also supports the District Plan’s function ‘to assist councils to plan and deliver for growth and change, and align their local planning strategies to place-based outcomes’ (p16). In this regard the Planning Proposal acknowledges that the anticipated deferral of the new Low Rise Medium Density Code will assist Council in planning and delivering for growth and change under the NSW Codes SEPP. The proposal will seek to identify appropriate statutory mechanisms to improve the delivery of new medium density Complying Development with regard to local place-based outcomes for the Northern Beaches.

The Planning Proposal is considered consistent with, and justified under a number of general directions/ priorities in the North District Plan published on 18 March 2018 as follows.

Planning Priority N1 ‘Planning for a city supported by infrastructure’ is recognised in this Planning Proposal in relation to potential impacts of Complying Development under the Low Rise Medium Density Code. Council submits that the implementation of the draft Code would result in increased pressure on street parking, storm-water infrastructure, and an increase in building bulk and scale when compared with two storey developments requiring a development application under the local planning provisions. The implementation of the draft Code as it stands will result in ad-hoc, unplanned development that may affect Council’s ability to deliver the required level of infrastructure.

Planning Priority N6 ‘Creating and renewing great places...’ The District Plan recognizes that creating capacity for new housing in the right locations requires clear criteria. This Planning Proposal seeks to ensure that capacity of Medium Density Complying Development is provided in the right locations, excluding locations such as low density zoned environments with limited access to jobs and transport.

Planning Priority N9 'Growing and investing in health and education precincts'. Planning for housing in the French's Forest Hospital Precinct, requires particular consideration regarding the application of the new Low Rise Medium Density Code.

Planning Priority N12 'Delivering integrated land use and transport planning and a 30 minute city'. This Planning Proposal seeks to ensure that Complying Development under the Low Rise Medium Density Code is delivered in locations where land use and transport are most integrated.

Planning Priority N17 'Protecting and enhancing scenic and cultural landscapes'. The Planning Proposal is consistent with this priority in seeking to address potential deficits in the draft Codes in protecting and enhancing landscapes. In relation to the Warriewood Valley precinct, the new Low Rise Medium Density Code permits no landscaped area for some dual occupancies, based on lot size. This will result in additional run-off and impacts on water quality as the water management facilities were not designed to deal with the additional flows.

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

A review has been undertaken of the Planning Proposal against certain policies and plans of Northern Beaches Council as follows:

Northern Beaches Draft Community Strategic Plan 2017-2028 'SHAPE 2028'

The Northern Beaches Community Strategic Plan will be adopted by the Northern Beaches Council by June 2018 following 2 stages of engagement and drafting in September/October 2016 (developing community issues, priorities and visions) and in March/April 2017 (developing draft goals and strategies to achieve the vision).

The Plan is built around themes of community, place, environment and leadership. The objectives and intended outcomes of the Planning Proposal are supported by the Community Strategic Plan and have been reported and resolved by Council.

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

The Planning Proposal is consistent with applicable State Environmental Planning Policies as shown in the following Table 1.

As this Planning Proposal is made with particular consideration of State Environmental Planning Policies (Exempt and Complying Development Codes) 2008, the aims of this SEPP are addressed as follows:

This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by:

- (a) providing exempt and complying development codes that have State-wide application, and*

This Planning Proposal supports the state-wide application of Low Rise Medium Density in strategically located lands in accordance with appropriate development standards that are determined based on local housing strategies and not as imposed over existing approval

systems. Council submits that the 'state-wide application' of the codes, with particular reference to the Low Rise Medium Density Code, should not extend to a blanket application across all residential zones in which the specified development types are permissible, including the R2 Low Density Residential zone.

- (b) identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and*

This Planning Proposal does not consider or respond to any exempt development codes.

- (c) identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and*

This Planning Proposal seeks to support the appropriate identification of certain types of Complying Development under the Low Rise Medium Density Code including manor houses, multi dwelling housing and dual occupancy. It is recognised that these development types are new forms of Complying Development to be introduced in local neighbourhoods under approval pathways unlike current development assessment processes. In this regard the Planning Proposal provides initial research dealing with the impacts of certain development types as Complying Development under the new Code compared to existing LEP and DCP planning controls under the Development Consent pathway as follows.

Manor Houses

Manor Houses are being introduced under the Standard Instrument (LEP) Order from 6 July 2018 and will amend Manly LEP 2013 by inserting 'Manor Houses' as a permitted use in Zone R2 Low Density Residential. While certain other low rise medium density housing is already permitted (see discussion on Multi dwelling housing and Dual Occupancies below), the introduction of Manor Houses as complying development under the Code is considered contrary to LEP Zone objectives to provide for the housing needs of the community within a low density residential environment.

The Code will permit Manor Houses as Complying Development on sites over 600sqm in area i.e. 200sqm per dwelling. The Manly LEP and DCP require minimum site area of between 500sqm and 1150sqm per dwelling (MDCP2013, Schedule, Map A) for residential development in the R2 Low Density zone. The likely density yield under the Code will be in the vicinity of 6 times greater than permitted in the Manly LEP and DCP.

In relation to other aspects of built form such as height, floor area and setback there are also disparities between the development outcomes currently achievable in a DA under the LEP and those to be permitted under the Code. Accordingly the Planning Proposal supports omitting Manor Houses as a permissible use with Consent in the R2 zone under the Manly LEP so as to retain the zones' strategic intent.

Multi Dwelling Housing

While multi dwelling housing is currently permitted in the Manly LEP R2 Low Density zone, Council's residential density provisions (MDCP2013, Schedule, Map A) limit the number of dwellings on any site in a similar manner as Manor Houses discussed above (requiring between 500sqm and 1150sqm of site area per dwelling) e.g. A development comprising 8 dwellings requires a site of 4000sqm (500sqm x 8) in the DCP. However, the Code provides examples of multi dwelling housing (terraces) on a standard lot comprising 8 dwellings on a minimum sized lot of 600sqm.

The Code does not recognise the existing minimum lot area requirements that are contained in the Manly DCP 2013. In the absence of a minimum lot area, the Code provides for multi dwelling housing (terraces) as Complying Development on sites of 600sqm in area and 18m site width at the building line.

In relation to other aspects of built form such as height, floor area and setback there are also disparities between the development outcomes currently achievable in a Development Application under the LEP and those to be permitted under the Code. Accordingly the Planning Proposal supports omitting multi dwelling housing as a permissible use with Consent in the R2 zone under the Manly LEP so as to retain the zones' strategic intent.

Dual Occupancies

Dual Occupancies are a permitted land use in Zone R2 Low Density in both the Manly and Pittwater LEPs. Dual Occupancies are a prohibited use in Warringah LEP's R2 zone.

Under the Pittwater LEP (clause 4.1B) Dual Occupancy requires a site area of at least 800sqm to construct a dual occupancy development. Whilst this provision would continue to apply, the Code would permit the subdivision of dual occupancies into lots of between 330-420 sqm (and possibly lower) in the R2 zone, depending on location. This is significantly smaller than the Pittwater LEP which permits subdivision into lots of between 550-700 sqm in the R2 zone, depending on location.

Under the Manly LEP there is no minimum allotment size specified for the construction of a dual occupancy. Residential density controls are instead specified in the Manly DCP. Between 1000 sqm and 2,300 sqm of land is required for dual occupancy development in the R2 zone, depending on location. The Code will override the DCP requirements, permitting dual occupancies on lots of 400 sqm in all areas zoned R2. The Code will also permit the subdivision of dual occupancies into lots of 300-690 sqm (and possibly lower) in the R2 zone, depending on location. This is significantly smaller than the Manly LEP, which permits subdivision into lots of between 500-1150 sqm in the R2 zone, depending on area.

Further analysis may be required in reviewing the impact of this aspect of the Planning Proposal on dwelling supply given that this form of low rise medium density is more common. Some other matters which could be further investigated include options to only permit dual occupancy as Complying Development that cannot be subdivided and/or as a Complying Development type in which one dwelling is not permitted to be located above another dwelling.

Accordingly the Planning Proposal supports omitting dual occupancies as a permissible use with Consent in the R2 zone under the Manly and Pittwater LEPs so as to retain the zones' strategic intent.

(d) enabling the progressive extension of the types of development in this Policy, and

While this Planning Proposal supports the progressive extension of the types of low rise medium density development in this Policy, Council submits that this Objective is better served following the completion of more comprehensive Local Housing Strategies which are required to be completed by the Greater Sydney Commission in the next 12-24 months.

(e) providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments.

This Planning Proposal supports the deferral of the introduction of the Low Rise Medium Density Code as an appropriate transitional arrangement prior to the making of amendments to Northern Beaches LEPs under this Planning Proposal.

Table 1. Compliance with State Environmental Planning Policies (SEPPs)

SEPPs (as at September 2017)		Applicable	Consistent
1	Development Standards	YES	YES
14	Coastal Wetlands	NO	N/A
19	Bushland in Urban Areas	YES	YES
21	Caravan Parks	YES	YES
26	Littoral Rainforests	NO	N/A
30	Intensive Agriculture	NO	N/A
33	Hazardous and Offensive Development	YES	YES
36	Manufactured Home Estates	NO	N/A
44	Koala Habitat Protection	YES	YES
47	Moore Park Showground	NO	N/A
50	Canal Estate Development	YES	YES
52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	N/A
55	Remediation of Land	YES	YES
62	Sustainable Aquaculture	YES	YES
64	Advertising and Signage	YES	YES
65	Design Quality of Residential Apartment Development	YES	YES
70	Affordable Housing (Revised Schemes)	YES	YES
71	Coastal Protection	YES	YES
	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	YES	YES
	(Affordable Rental Housing) 2009	YES	YES
	(Building Sustainability Index: BASIX) 2004	YES	YES
	(Exempt and Complying Development Codes) 2008	YES	YES
	(Housing for Seniors or People with a Disability) 2004	YES	YES
	(Infrastructure) 2007	YES	YES
	(Integration and Repeals) 2016	NO	N/A
	(Kosciuszko National Park – Alpine Resorts) 2007	NO	N/A
	(Kurnell Peninsula) 1989	NO	N/A
	(Mining, Petroleum Production and Extractive Industries) 2007	YES	YES
	(Miscellaneous Consent Provisions) 2007	YES	YES
	(Penrith Lakes Scheme) 1989	NO	N/A
	(Rural Lands) 2008	NO	N/A
	(State and Regional Development) 2011	YES	YES
	(State Significant Precincts) 2005	YES	YES
	(Sydney Drinking Water Catchment) 2011	NO	N/A
	(Sydney Region Growth Centres) 2006	NO	N/A
	(Three Ports) 2013	NO	N/A
	(Urban Renewal) 2010	NO	N/A
	(Western Sydney Employment Area) 2009	NO	N/A
	(Western Sydney Parklands) 2009	NO	N/A

6. Is the planning proposal consistent with applicable Ministerial Directions?

Yes. The Planning Proposal is consistent with applicable Directions (as shown in Attachment 1). Comments on each of the applicable directions are provided in Table 2 below.

Table 2: Ministerial (Local Planning) Directions

Ministerial Direction	Comment
2 Environment and Heritage	
2.1 Environment Protection Zones	
The objective of this direction is to protect and conserve environmentally sensitive areas.	The Planning Proposal applies to certain lands which are environment sensitive areas but it is noted that the Low Rise Medium Density Code does not apply to Environmental Protection Zones.
2.2 Coastal Protection	
The objective of this direction is to implement the principles in the NSW Coastal Policy	The Planning Proposal applies to certain lands which are in the Coastal Zone but it is noted that the Low Rise Medium Density Code is not a significant consideration in relation to the principles of the NSW Coastal Policy
2.3 Heritage Conservation	
The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	While the Planning Proposal applies to certain lands which are listed as heritage significant, the application of Complying Development is controlled by land based provisions under Part 1 of the Codes SEPP.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
The objectives of this direction are to: a) encourage a variety of choice of housing types to provide for existing and future housing needs, b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) to minimise the impact of residential development on the environment and resource lands.	This direction applies as the Planning Proposal affects land within existing residential zones. In this regard the planning proposal seeks to encourage the provision of housing that deals with the following matters raised in the direction. In relation to 'broaden the choice of building types and locations available in the housing market' the Planning Proposal does not seek to limit broadened housing choice as Complying Development at large, but rather ensure the new types be tested and impacts evaluated to retain the strategic intent of zones and protect local character. In relation to the consideration of 'existing infrastructure and services' the need for efficiencies is recognised in the Planning Proposal In relation to the 'consumption of land' the Planning proposal does not reduce land for housing and associated urban development on the urban fringe. In relation to the need for 'good design' the Planning Proposal supports well designed low rise medium density in appropriate locations and zones.

	<p>The planning proposal does not permit residential development on land that is inadequately serviced.</p> <p>In relation to the residential density of land, the Planning Proposal seek to limit the permissibility of low rise medium development as Complying Development that exceeds established density provisions in Council's LEPs and DCPs.</p>
3.4 Integrating Land Use and Transport	
<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>This direction applies as the planning proposal will alter zones or provisions relating to urban land, including land zoned for residential purposes. In this regard the planning proposal is consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001).</p>
4. Hazard and Risk	
4.1 Acid Sulfate Soils	
<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>While the Planning Proposal applies to certain lands contained on LEP Acid Sulfate Soils Planning Maps, the existing provisions adequately regulate works and are consistent with the Acid Sulfate Soils Planning Guidelines.</p>
4.3 Flood Prone Land	
<p>The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>While the Planning Proposal applies to certain lands identified as Flood Prone Land, the existing provisions adequately regulate works and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. The Planning Proposal particularly responds to likely impacts arising from the application of the Low Rise Medium Density Code in relation to Warriewood Valley which has strict controls on water management as it is highly flood prone and adjacent to the Endangered Environmental Community of the Warriewood Wetlands. The impervious</p>

	fraction ('built upon' area) identified as part of the modelling undertaken by Council for water cycle management stipulates 50% site coverage/landscaped area for a Sector. Water management facilities have been and will be designed and constructed in accordance with this requirement. However the Code allows for no landscaped area for some dual occupancies, based on lot size. This will result in additional run-off and impacts on water quality as the water management facilities were not designed to deal with the additional flows.
4.4 Planning for Bushfire Protection	
The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.	Appropriate considerations are made of land mapped as bushfire prone land.
6. Local Plan Making	
6.1 Approval and Referral Requirements	
The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal is consistent with the terms of this direction as follows: a) provisions that require the concurrence, consultation or referral of DAs to a Minister or public authority are minimised (b) no provisions are contained in the Planning Proposal requiring concurrence, consultation or referral of a Minister or public authority. (c) no development is identified as designated development.
6.2 Reserving Land for Public Purposes	
The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	The Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3 Site Specific Provisions	
The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal contains no site-specific planning controls
7 Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic	The Planning Proposal is consistent with the NSW Government's "A Plan for Growing Sydney" published in December 2014.

centres and transport gateways contained in A Plan for Growing Sydney.	
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Section C – Environmental, social and economic impact

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

No. The Planning Proposal continues to provide appropriate protections for residential land comprising the habitat of endangered species (clause 36A) and of threatened species (clause 36B).

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

The Planning Proposal will ensure environmental impacts are addressed arising from the delivery of the Low Rise Density Code as addressed, or intended to be addresses as detailed in this Planning Proposal.

- 9. Has the Planning Proposal adequately addressed any social and economic effects?**

The Planning Proposal will ensure social and economic effects are addressed arising from the delivery of the Low Rise Density Code as detailed in this Planning Proposal.

Section D – State and Commonwealth interests

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

Yes

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

The Planning Proposal is in accordance with consultations with the Department of Environment and Planning as detailed in this Planning Proposal. Consultation will occur in accordance with the requirements of any Gateway approval.

Part 4 – Maps

There are no maps associated with the Planning Proposal

Part 5 – Community Consultation

Council will place the planning proposal on public exhibition in accordance with future Gateway Determination and consistent with Council's Community Engagement Policy including:

- A public notice in the Manly Daily notifying of the public exhibition;
- Letters to key stakeholders;
- Hard copies of the exhibition material at Council's offices; and
- Electronic copies of the exhibition material on Council's website.

The Gateway determination will confirm the public consultation that must be undertaken.

Part 6 – Project Timeline

Task	Anticipated timeframe
Referral to Department of Planning & Environment for Gateway determination	June 2018
Issue of Gateway determination	September 2018
Government agency consultation (if required)	October 2018
Public exhibition period	February 2019
Consideration of submissions	March 2019
Report to Council to determine Planning Proposal	May 2019
Submit Planning Proposal to the Department of Planning & Environment for determination	Published by 1 July 2019

Attachment 1 – Ministerial directions

Directions		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	YES	YES
1.2	Rural Zones	NO	N/A
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	YES	YES
2.2	Coastal Protection	YES	YES
2.3	Heritage Conservation	YES	YES
2.4	Recreation Vehicle Areas	NO	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	NO	N/A
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	NO	N/A
3.2	Caravan Parks and Manufactured Home Estates	NO	N/A
3.3	Home Occupations	NO	N/A
3.4	Integrating Land Use and Transport	NO	N/A
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	YES	YES
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	YES
4.4	Planning for Bushfire Protection	YES	YES
5	Regional Planning		
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchments	NO	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	NO	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008 See amended Direction 5.1)	NO	N/A
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	NO	N/A
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A
5.9	North West Rail Link Corridor Strategy	NO	N/A
5.1	Implementation of Regional Plans	NO	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Provisions	YES	YES
7	Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	YES	YES
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	NO	NO
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NO	NO
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NO	NO
7.6	Implementation of Wilton Priority Growth Area Interim Land Use	NO	NO

	and Infrastructure Implementation Plan		
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NO	NO

Attachment 2 – Council's submission to the Department of Planning and Environment dated December 2016

<insert TRIM 2016/358757 NB.The same document as in the CM report attachment 2 >

Northern Beaches Council Contributions Plan 2018



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Contents

PART 1: Introduction	3
PART 2: Administration and Operation	5
PART 3: Summary Schedule.....	14
PART 4: Expected Development and Demand for Public Facilities.....	15
PART 5: Section 7.12 Schedule of Works	17
PART 6: Section 7.11 Schedule of Works.....	19
PART 7: References.....	20
Dictionary	21
APPENDIX A: Procedure for determination of an S7.12 levy	22
APPENDIX B: Sample Cost Summary Report.....	23
APPENDIX C: Location of Section 7.12 Funded Work	24
APPENDIX D: Location of Section 7.12 Funded Work (Dee Why Town Centre)	25
APPENDIX E: Location of Section 7.11 Funded Work (Dee Why Town Centre).....	26

PART 1: Introduction

What is a Section 7.12 Development Contributions Plan?

Section 7.12 (s7.12) of the *Environmental Planning and Assessment Act 1979* (the Act), allows Council to levy a flat rate contribution towards, or recoup the capital cost of providing or extending facilities, infrastructure and services necessary to meet the increased demand created by new development in its area.

S7.12 of the Act provides as follows:

S7.12 Fixed Development Consent levies

- (1) *A consent authority may impose, as a condition of Development Consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.*
- (2) *A consent authority cannot impose as a condition of the same Development Consent a condition under this section as well as a condition under section 7.11.*
- (2A) *A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:*
 - (a) *the Minister, or*
 - (b) *a development corporation designated by the Minister to give approvals under this subsection.*
- (3) *Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.*
- (4) *A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the Development Consent and the object of expenditure of any money required to be paid by the condition.*
- (5) *The regulations may make provision for or with respect to levies under this section, including:*
 - (a) *the means by which the proposed cost of carrying out development is to be estimated or determined, and*
 - (b) *the maximum percentage of a levy.*

The *Northern Beaches Council Section 7.12 Plan 2017* (the Plan) is the mechanism by which the entitlements under s7.12 of the Act are implemented and accounted for by Council. The Plan also includes a Works Program (Part 5) outlining when and where the new works will be provided.

The Plan is implemented through the development process by attaching conditions to any Development Consents or Complying Development Certificates that meet the requirements of this Plan.

Council's S7.12 Plan is updated annually. The Plan incorporates funds collected between 2001 and 2006 under the *Warringah Section 94 Development Contributions Plan 2001* and funds collected since 2006 under the 'Fixed' development consent levies system under S7.12 of the Environmental Planning and Assessment Act 1979.

Areas within the former Manly and Pittwater Local Government Areas are subject to separate Section 7.11 Development Contribution Plans. Those plans are not referenced in this document and should be consulted independently to determine their applicability to development in the Northern Beaches Council Local Government Area.

PART 2: Administration and Operation

1 What is the name of this Plan?

This development contributions plan is called *Northern Beaches Council Section 7.12 Plan 2017*.

2 What is the purpose of the Plan?

The primary purposes of the Plan are:

- (1) to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979*
- (2) To assist the Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area
- (3) To publicly identify the purposes for which the levies are required
- (4) To include a revised Section 7.11 Works Program to enable the expenditure of Council's remaining s7.11 reserves.

3 When does this Plan commence?

1 July 2017.

4 What plans does this Plan repeal?

This Plan repeals *Northern Beaches S94A Development Contributions Plan 2016* adopted by Council on 7 July 2016 and in operation on 16 July 2016.

All remaining funds collected under the *Warringah Section 94 Development Contributions Plan 2001* are to be applied toward completing the revised Section 7.11 (Formerly s94) Works Schedule included within Part 6 of this Plan. Upon completion of the works associated with each Section 7.11 reserve, any remaining funds are to be pooled into the development contributions reserve established as part of this Plan (clause 18) and used upon works listed in Part 5.

5 Land to which this Plan applies

This Plan applies to land identified in Figure 1 (the former Warringah Local Government Area).

This Plan does not apply to land within the Northern Beaches Council area comprising the former Manly and Pittwater Local Government Areas.



6 Development to which this Plan applies

This Plan applies to all Development Applications or applications for Complying Development Certificates where the proposed cost of carrying out the development is more than \$100,000.

The 'total development cost' is determined having accounted for each of the contributing cost factors set out within clause 25J of the *Environmental Planning & Assessment Regulation 2000* (the Regulation). It is provided to Council through the full and accurate completion (to the satisfaction of Council) of the Cost Summary Sheet lodged with the Development Application or application for a Complying Development Certificate.

Conditions authorised by this Plan are subject to any direction given by the Minister under Section 7.17 of the Act. This Plan authorises the imposition of conditions in accordance with any such direction.

7 Exemptions to the levy

Development that satisfies any one (or more) of the following criteria are exempt from this Plan and from payment of the s7.12 levy:

- (1) Exempt development
- (2) Development Applications and applications for Complying Development Certificates where the proposed cost of carrying out the development is up to and including \$100,000
- (3) Applications lodged under Section 4.55 of the *EP&A Act 1979* to modify conditions of an existing consent
- (4) Development Applications and applications for a Complying Development Certificates for public purposes as proposed by:
 - a) Council, that involve the use of land classified as Community or Operational under the *Local Government Act 1993* or as Crown Land under the *Crown Lands Act 1989*
 - b) Non-profit organisations, as defined by the Australian Taxation Office, on behalf of, or in partnership with Council
 - c) Government agencies
 - d) Public utility providers.
- (5) Development which complies with the Ministerial Direction under section 7.17 of the *Environmental Planning and Assessment Act 1979*, dated 14th April 2016. This Direction provides a prohibition on a levy where a s7.11 contribution was initially required, specifically:

- a) If a development contribution under section 7.11 of the *Environmental Planning and Assessment Act 1979* has been required in respect of the subdivision of land (**initial subdivision**), a levy under section 7.12 of that Act may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision.

8 How is the total development cost determined?

Clause 25J of the Regulation sets out how to determine the total cost of development:

25J Section 7.12 levy—determination of proposed cost of development

- (1) *The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:*
 - (a) *if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,*
 - (b) *if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,*
 - (c) *if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.*
- (2) *For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.*
- (3) *The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
 - (a) *the cost of the land on which the development is to be carried out,*
 - (b) *the costs of any repairs to any building or works on the land that are to be retained in connection with the development,*
 - (c) *the costs associated with marketing or financing the development (including interest on any loans),*

- (d) *the costs associated with legal work carried out or to be carried out in connection with the development,*
- (e) *project management costs associated with the development,*
- (f) *the cost of building insurance in respect of the development,*
- (g) *the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),*
- (h) *the costs of commercial stock inventory,*
- (i) *any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law,*
- (j) *the costs of enabling access by disabled persons in respect of the development,*
- (k) *the costs of energy and water efficiency measures associated with the development,*
- (l) *the cost of any development that is provided as affordable housing,*
- (m) *the costs of any development that is the adaptive reuse of a heritage item.*

9 Cost summary reports must accompany Development Applications or applications for Complying Development Certificates

A Development Application or application for a Complying Development Certificate is to be accompanied by a Cost Summary Report that addresses the matters set out in clause 25J of the Regulation.

For development where the proposed cost of carrying out the development is more than \$100,000, a Cost Summary Report (addressing the matters contained in Appendix A) is to be completed and certified by a person who is considered to be suitably qualified in the opinion of Council.

Council may request the provision of an independent Cost Summary Report (addressing the matters contained within Appendix A) that is certified by a registered quantity surveyor for larger developments or where a major discrepancy in a Cost Summary Report is detected.

Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant.

10 Complying Development Certificates and the obligations of Certifying Authorities

In accordance with clause 7.17 (1) (a) of the Act, this Plan specifies that a Certifying Authority (the Council or Accredited Certifier) must, if a complying development certificate issued, impose a condition under section 7.12. The condition must require the applicant to pay to the Council a levy in accordance with this Plan (see clause 12 for determining the levy amount).

11 Construction Certificates and the obligation of Certifying Authorities

In accordance with clause 146 of the Regulation, a Certifying Authority (the Council or Accredited Certifier) must not issue a Construction Certificate for building work or subdivision work under a Development Consent unless it has verified that each condition requiring the payment of levies has been satisfied.

In particular, the Certifying Authority must ensure that the applicant provides receipts confirming that levies have been fully paid. Copies of such receipts must be included with copies of the certified plans provided to Council in accordance with clause 142(2) of the Regulation. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where Council has agreed to works in kind, material public benefit or dedication of land as alternatives to payment of the s7.12 levy. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

12 How will the levy be calculated?

The levy will be determined on the basis of the rate as set out in the Summary Schedule, contained within Part 3 of this Plan. The levy will be calculated as follows:

$$\text{Levy payable (O)} = C \times D$$

Where:

C = the levy rate applicable

D = the proposed cost of carrying out the development

The proposed cost of carrying out the development will be determined in accordance with clause 25J of the Regulation. The procedures set out in Appendix A to this Plan must be followed to enable Council to determine the amount of the levy to be paid.

13 When is the levy payable?

A levy must be paid to Council at the time specified in the condition that imposes the levy. If no such time is specified, the levy must be paid prior to the issue of a Subdivision Certificate, Construction Certificate or Complying Development Certificate.

14 How will the levy be adjusted?

Contributions required as a condition of consent under the provisions of this Plan will be adjusted at the time of payment in accordance with the latest Consumer Price Index (CPI), for Sydney – All Groups, as published quarterly by the Australian Bureau of Statistics (ABS).

The formula governing the indexation of the proposed cost of carrying out development is as follows:

$$\text{Contribution at time of payment} = C \times \text{CP1} / \text{CP2}$$

Where:

C = The original contribution amount as shown on the development consent.

CP1 = The CPI (Sydney – All Groups) as published by the ABS for the financial quarter at the time of payment.

CP2 = The CPI (Sydney – All Groups) as published by the ABS for the financial quarter at date of issue of development consent.

15 Can deferred or periodic payments be made?

Council does not permit deferred or periodic payments of the s7.12 levy under this Plan.

16 How are credits for existing development addressed in this Plan?

Credits for existing developments will only be considered in circumstances where a contribution has been paid on a site and the Development Consent or Complying Development Certificate has been superseded by another application/contribution. Credits may also be considered where a contribution has been paid on a site and the development consent has lapsed. In both cases a notice of voluntary surrender of development consent must be provided to Council.

Any applications for credits will be assessed on a case by case basis. Reference will be made to the relevant legislation and Practice Notes.

17 Are there alternatives to the payment of the s7.12 levy?

An applicant may only elect to forgo to the payment of monetary contributions upon effected development through the following means:

- 1) By Council accepting an offer by an applicant to satisfy the contribution by carrying out works in kind, but only where the facility is identified in the works program and it is constructed by the developer to Council's standards and then transferred to Council. In these circumstances, Council will only transfer paid contributions on receipt of invoices not exceeding the amount already collected or committed by the fund.

18 Pooling of levies

This Plan expressly authorises s7.12 levies paid for different purposes to be pooled and applied progressively for the delivery of the community facilities and infrastructure listed in the Schedule of Works in Part 5 of this Plan. The priorities for the expenditure of the levies are shown in this Schedule of Works.

19 How will Council use collected contributions?

Council is to use the funds collected under this Plan toward meeting the cost of providing the community facilities listed in the Schedule of Works of this Plan (Part 5). Subject to s7.3(2) of the Act and clause 18 of this Plan, the community facilities listed in Part 5 are to be provided in accordance with the identified staging. These community facilities may only be located within the area identified in Figure 1.

A proportion of all funds collected (0.05% of costs as identified in Appendix A) will be pooled in a separate Council account for use toward ongoing forward planning and administration of development contribution funds. Funds collected in this account will be used to:

- (1) Periodically engage consultants and staff to undertake forward planning studies informing the use and management of development contributions.
- (2) To fund the employment of a Strategic Planner and Development Infrastructure Officers within Council.
- (3) To fund 30% of the costs of a Management Accounting position within Council.

20 In what circumstances are s7.12 levies to be refunded?

Levies collected from a developer under this Plan will only be refunded upon the formal surrender or lapsing of the relevant Development Consent or Complying Development Certificate to which the contribution was applied.

21 Is a contributions register kept?

Council maintains a register of all developer contributions collected and the details of all Voluntary Planning Agreements enacted through a condition of Development Consent or Complying Development Certificate. The Contributions Register can be inspected at Council's offices and contains the following information:

- (1) Each Development Consent or Complying Development Certificate which levied contributions for facilities
- (2) The address to which the Development Consent or Complying Development Certificate was issued, date when contributions are received and the amount

- (3) A detailed account of the monetary contribution, land dedication or other material public benefit negotiated and signed off through any Voluntary Planning Agreement, including a full copy of the agreement.

22 Plan will be subject to annual review

Council is to undertake an annual review of the works included in the Schedule of Works within this Plan, including the maintenance of a record of completed works and the introduction of new community facilities in place of those completed.

PART 3: Summary Schedule

The Schedule of Works contained in Part 5 of the Plan identifies the public facilities for which a S7.12 levy will be required.

Levies paid to Council (in accordance with the rates set out in the Summary Schedule below) will be applied towards meeting the cost of provision or augmentation of these public facilities in the identified financial years.

Type of Development	Levy
All Development Applications and applications for Complying Development Certificates where the proposed cost of carrying out the development is up to and including \$100,000	Nil
All Development Applications and applications for Complying Development Certificates where the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000 (excluding development described in Part 7 – Exemptions to the Levy)	0.5 per cent
All Development Applications and applications for Complying Development Certificates where the proposed cost of carrying out the development is more than \$200,000 (excluding development described in Part 7 – Exemptions to the Levy)	1.0 per cent

PART 4: Expected Development and Demand for Public Facilities

This part broadly discusses the relationship between the expected types of development in the former Warringah local government area and the demand for additional public amenities and services to meet that development.

Expected development in the former local government area comprises:

1. "Infill" development within established urban areas
2. Development associated with the Dee Why Town Centre Masterplan
3. New development associated with the Northern Beaches Hospital Precinct

Development contributions for the Northern Beaches Hospital Precinct will be subject to a separate Development Contribution Plan to be implemented with amendments to Council's Local Environmental Plan. Council is also currently preparing a separated Why Town Centre s7.11 Plan to support the growth of the centre under the Dee Why Town Centre Masterplan.

This Plan will capture developer contributions for 'infill' development for the entire former Warringah local government area. Currently, the Warringah area comprises established urban areas with significant restrictions on additional subdivision.

Development contributions collected under this Plan will be used to fund new public facilities and services and augmentations to existing community facilities in locations where Council has identified demand, through the ongoing residential and non-residential growth. This demand for public facilities has been established through:

- Population projections undertaken for Council. In 2016, the population forecast for the Warringah area was 156,142, with an expected increase of over 7,000 to 163,599 to 2021. This is based on an increase of approximately 3,000 households during the period, with the average number of persons per household falling from 2.67 to 2.65. The population of the Warringah area in the last census (2011) was estimated to be 148,420 persons.
- Employment capacity projections detailed in the Warringah Employment Study prepared by SGS Economics and Planning in 2013 and studies undertaken by the State Government. It is projected that the former Warringah area will provide for an additional 13,400 jobs between 2016 and 2036 (BTS, 2014).
- The likely increase in population and new jobs will require the provision of additional public facilities to meet additional demand.

The above demand has led to the inclusion of specific projects within the Schedule of Works in this Plan for the 2017/18 financial year.

Future Planning

Future planning for the Northern Beaches Council area will be influenced by District Planning undertaken by the Greater Sydney Commission (GSC). The GSC is charged under the *Greater Sydney Commission Act 2015* to develop District Plans for all Districts declared in the Greater Sydney Region.

The Northern Beaches Council is one of nine (9) Local Government Areas in the North District.

On 18 March 2018, the GSC released the North District Plan which provides a 20 year framework to deliver the essential housing stock and job requirements within the context of protecting the District's significant natural environment and resources and delivering the essential infrastructure.

The North District Plan sets out expected development in the Northern Beaches including a proposed:

- 5 year housing supply target of 3,400 new dwellings.
- Affordable Rental Housing Target of 5% to 10% for new urban renewal or greenfield areas (e.g. the Northern Beaches Hospital Precinct and Ingleside).
- 20 year residential dwelling target to be informed by a Local Housing Strategy to be developed by local government in partnership with State Government and the GSC.
- Employment targets for specific centres within the LGA as follows:

Centre	2036 Baseline Target
Northern Beaches Hospital and surrounding industrial area	12,000
Brookvale – Dee Why	23,000
Manly	6,000
Mona Vale	5,000

The North District Plan targets will influence the expected development and demand for public facilities. Development contributions associated with these targets will be the subject of future developer contribution plans.

PART 5: Section 7.12 Schedule of Works

This Part lists the works to be funded by contributions collected under the provisions of this Plan. It has been compiled based upon the former Warringah Council's Community Strategic Plan, Plans of Management and the Dee Why Town Centre Masterplan. The works are to be completed using funds collected under this Plan. Projects within this Schedule have been assessed by Council as being a high priority on the basis of community need, safety and risk to Council.

This Schedule of Works is to be progressively updated to reflect the completion of the listed works and to add new projects as the Schedule nears completion. Where applicable, the location of these projects has been mapped at Appendix C and D.

2018 S7.12 Schedule of Works

Bid Number	Job Name	Description	2018/19 S7.12 Allocation	Estimated Total Project Cost*	Estimated Completion
BN01003	Allambie Oval – New Works	New inclusive playground, multi-use half court and pathway connections delivered as part of the Open Space Strategy.	\$260,000	\$300,000	2019
BN01011	New Traffic Facilities	Design and construction of new traffic facilities including Maxwell Parade, Frenchs Forest to improve road user safety.	\$400,000	\$600,000	2019
BN01016	Dee Why Town Centre - Design	Concept, preliminary and detailed designs for upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$580,000	\$870,000	2020
BN01017	Dee Why Town Centre – Construction – Phase 1	Construction and delivery of streetscape upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$4,074,970	\$16,000,000	2021
BN01028	Bike Plan Implementation - New	Design and construct new path links at various locations and provide end of trip facilities.	\$30,000	\$130,000	2019
BN01056	Narrabeen Lagoon Trail – Aquatic Boardwalk	Design and construction of a new boardwalk section of the Narrabeen Lagoon Trail to circumvent the pinch point close to Wakehurst Parkway.	\$500,000	\$1,800,000	2019
BN01130	Forestville War Memorial Fields Masterplan	Construction of new netball courts, additional lighting, upgrade to existing courts and new car parking.	\$500,000	\$770,000	2019
Total			\$6,344,970		

*Estimated Total Project Costs column includes s7.12 and other sources of funding.

PART 6: Section 7.11 Schedule of Works

This Part lists the works to be funded by existing 7.11 (formerly S94) contributions collected under the former Warringah Council's *Section 94 Development Contributions Plan 2001*.

The projects listed within the Section 7.11 Schedule of Works, and the allocation of funds for these projects, reflect the intent under which the funds were originally collected.

The location of each project has been mapped in Appendix E. However please note that these maps are only indicative and are subject to more specific detailed plans.

Bid Number	Job Name	Description	2018/19 S7.11 Allocation	Estimated Total Project Cost*	Estimated Completion
BN01017	Dee Why Town Centre – Construction – Phase 1	Construction and delivery of streetscape upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$3,345,034	\$16,000,000	2021
Total			\$3,345,034		

*Estimated Total Project Costs column includes 7.11 and other sources of funding.

PART 7: References

This Plan has been compiled with reference to the guidelines provided from the following key documents:

- *Bureau of Transport Statistics (BTS), State Government employment forecasts, 2014*
- *Department of Infrastructure Planning and Natural Resources, Development Contributions – Practice Note, 2005*
- *Greater Sydney Commission, North District Plan, March 2018*
- *Department of Planning, Metropolitan Plan for Sydney, 2036*
- *Department of Planning, Metropolitan Strategy for Sydney, 'City of Cities – A Plan for Sydney's Future' 2005*
- *Department of Planning, Draft North East Subregional Strategy 2007*
- *Department of Planning and Environment, A Plan for Growing Sydney, 2014*
- *Department of Planning and Infrastructure, Draft Metropolitan Strategy for Sydney to 2031, March 2013*
- *GLN Planning, Dee Why Town Centre Section 94A Levy, 2015*
- *ID Consulting, Warringah Council Community Profile, 2015*
- *SHOROC Regional Employment Study, March 2008*
- *Warringah Council, Warringah Local Environmental Plan 2011*
- *Warringah Council, Warringah Community Strategic Plan 2013*
- *Warringah Council, Warringah Council Section 94 Development Contributions Plan 2001*
- *Warringah Council, Warringah Local Environmental Plan 2000*
- *Warringah Bike Plan 2010*
- *Warringah Pedestrian Access and Mobility Plan 2011*
- *Warringah Playground Strategy 2007*

Dictionary

In this Plan, unless the context or subject matter otherwise indicates or requires the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979*.

Council means Northern Beaches Council.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

Total development cost means the cumulative cost of all factors listed in clause 25J of the Regulations and clauses 6 and 7 of this Plan.

Public purpose includes (without limitation) any of the following:

- (a) the provision of (or the recoupment of the cost of providing) public amenities or public services,
- (b) the provision of (or the recoupment of the cost of providing) affordable housing,
- (c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,
- (d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,
- (e) the monitoring of the planning impacts of development,
- (f) the conservation or enhancement of the natural environment.

APPENDIX A: Procedure for determination of an S7.12 levy

A cost summary report is required to be submitted to allow council to determine the contribution that will be required.

To avoid doubt, section 25J of the *Environmental Planning and Assessment Act 1979* sets out the items that are included in the estimation of the construction costs by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
- if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
- if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

The items and components of the following form should be used as guide in determining the total cost of a development, for the purpose of determining the s7.12 levy that applies.

APPENDIX B: Sample Cost Summary Report

Cost Summary Report

DEVELOPMENT APPLICATION No. REFERENCE
CONSTRUCTION CERTIFICATE No. DATE

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT NAME:

DEVELOPMENT ADDRESS:

ANALYSIS OF DEVELOPMENT COSTS:

Demolition and alterations	\$	Hydraulic services	\$
Structure	\$	Mechanical services	\$
External walls, windows and doors	\$	Fire services	\$
Internal walls, screens and doors	\$	Lift services	\$
Wall finishes	\$	External works	\$
Floor finishes	\$	External services	\$
Ceiling finishes	\$	Other related work	\$
Fittings and equipment	\$	Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant Fees	\$
Other related development costs	\$
Sub-total	\$
Goods and Services Tax	\$
TOTAL DEVELOPMENT COST	\$

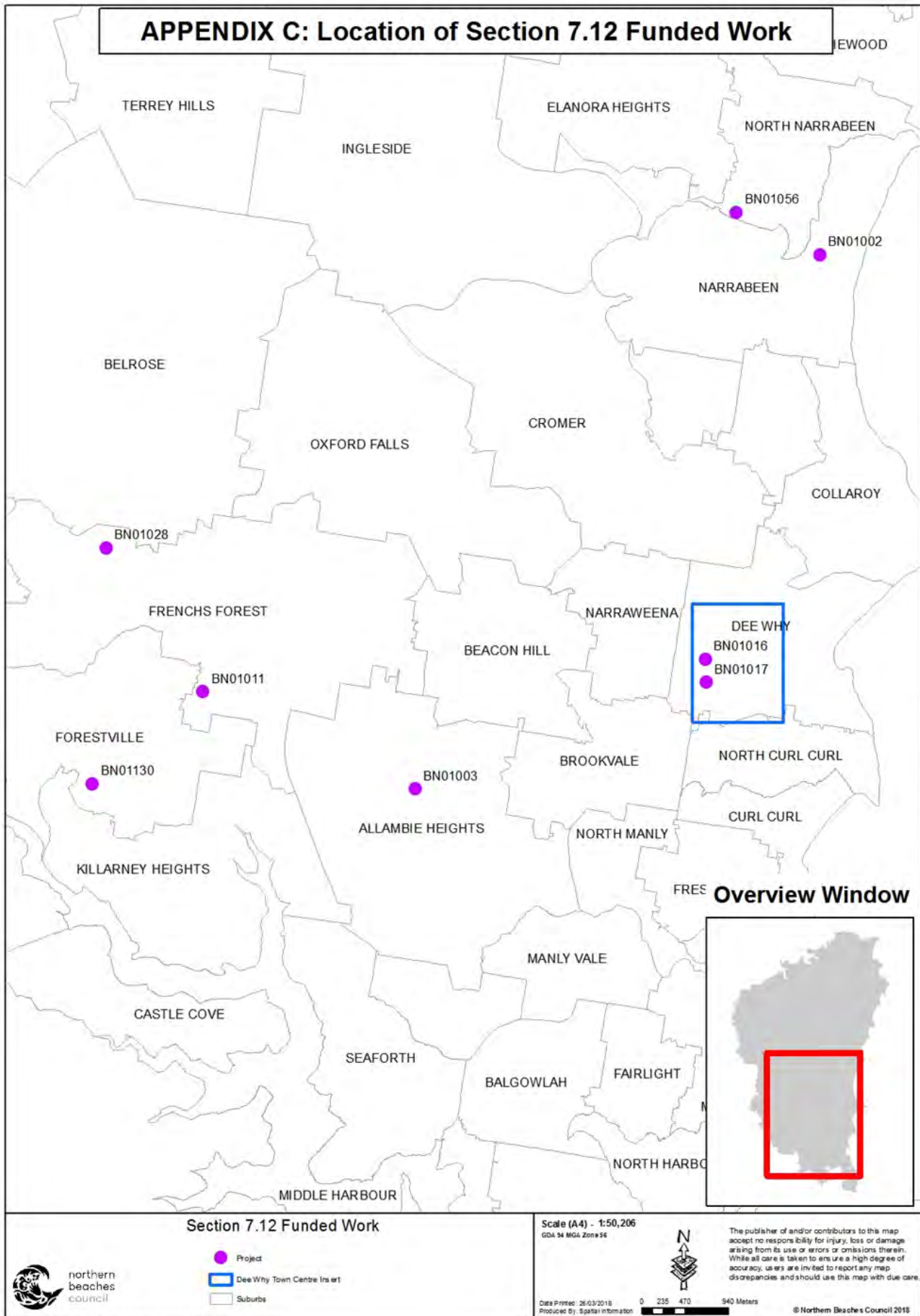
I certify that I have:

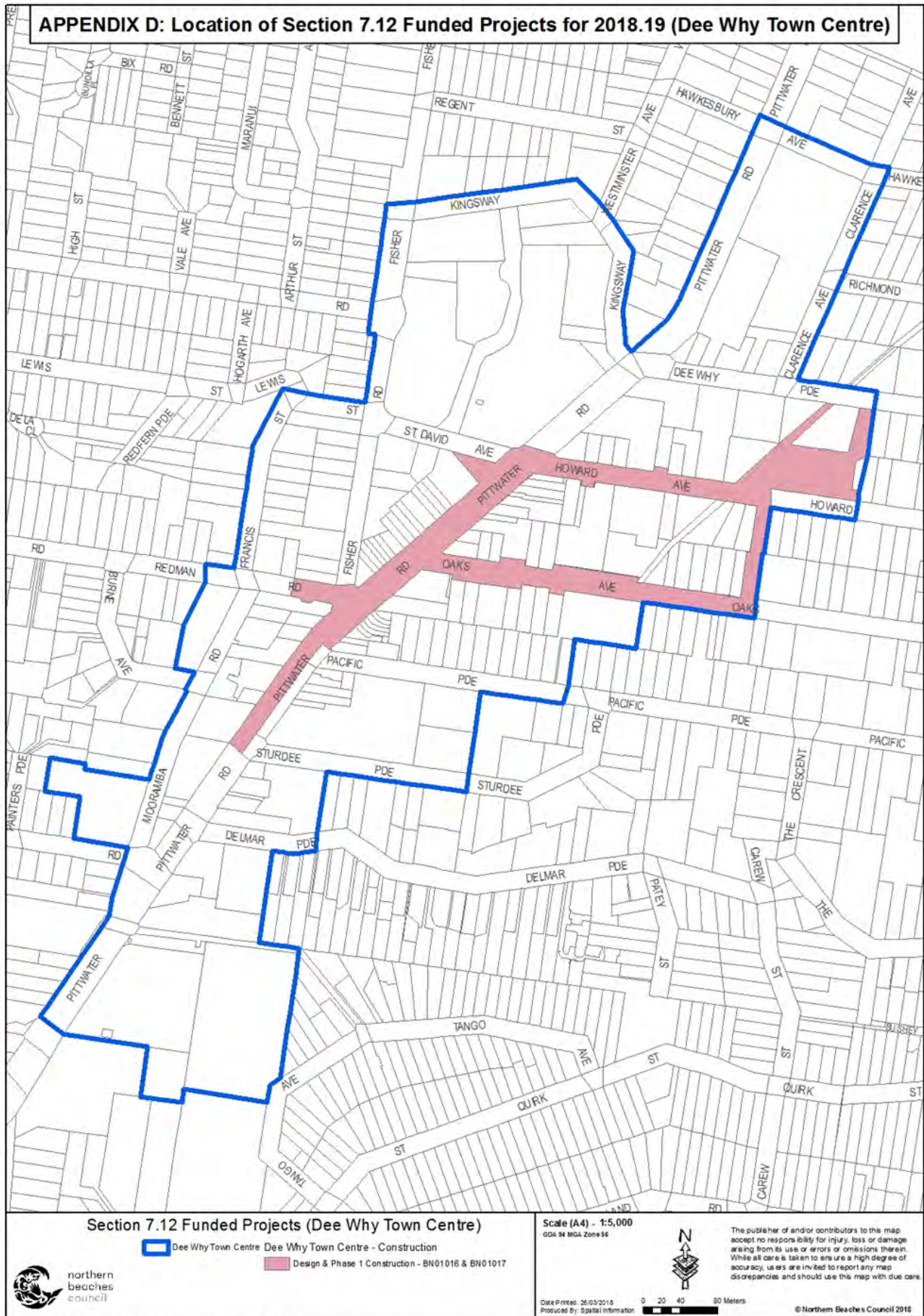
- inspected the plans the subject of the application for Development Consent or construction certificate.
- calculated the development costs in accordance with the definition of development costs in the S94A Development Contributions Plan of Northern Beaches Council at current prices.
- included GST in the calculation of development cost.

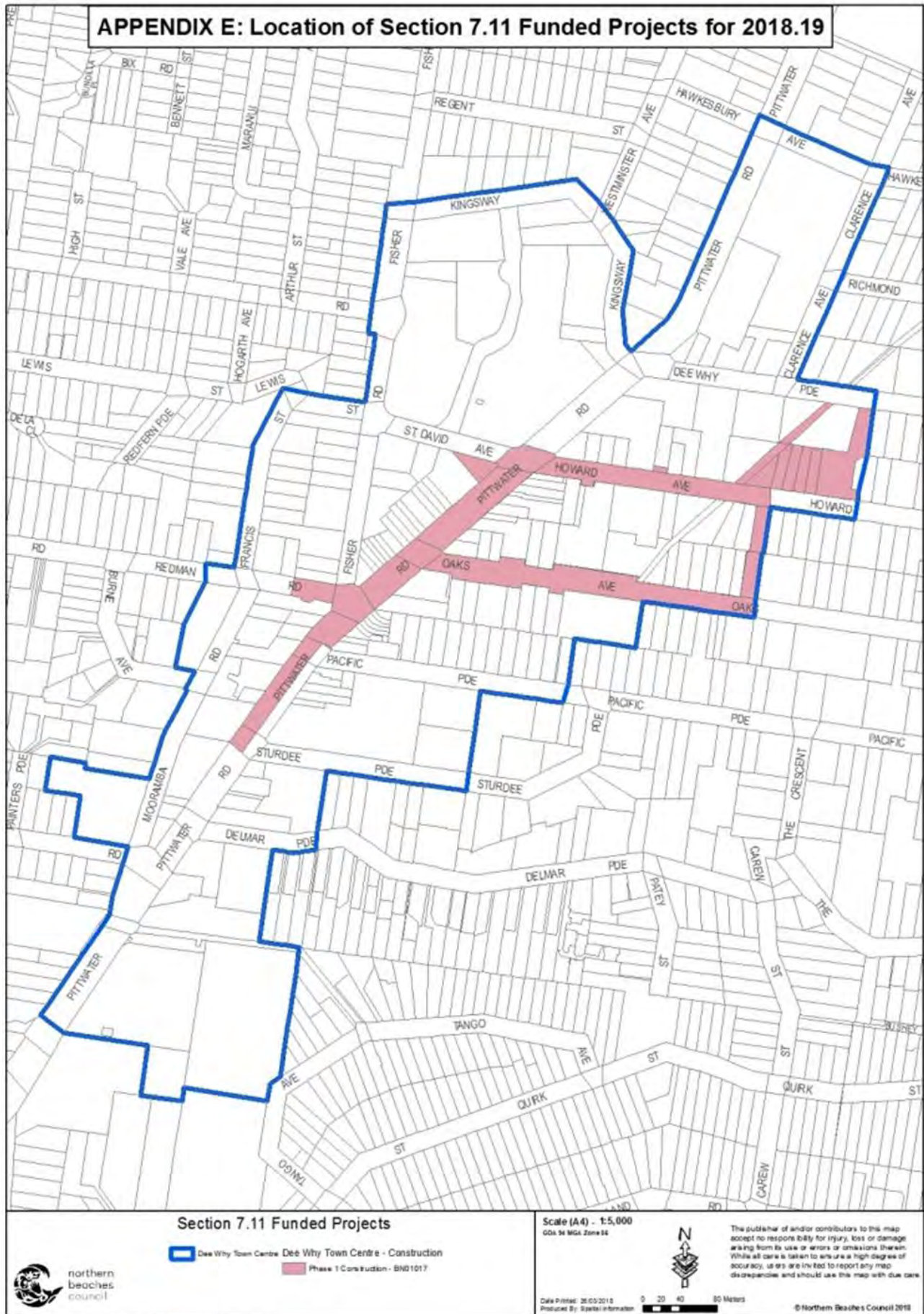
Signed:

Name: _____ Position and

Qualifications: _____ Date: _____









Draft

Warriewood Valley

Development Contributions Plan
Amendment 16, Revision 3

June 2018



northern
beaches
council

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Contents

Part A: Preamble	1
Introduction.....	1
Background	2
Findings of <i>Warriewood Valley Strategic Review 2012</i>	5
Findings of <i>Warriewood Valley Strategic Review Addendum Report 2014</i>	6
Exemption from section 94 cap.....	6
Cessation of certain elements.....	7
Summary elements within the Works Schedule.....	7
Summary of the remaining expenditure	7
Summary of contribution rates by development type: 2017/18 to 2021/22	9
Part B: Management of the Plan	10
1.0 Introduction	12
1.1 Name of this Plan.....	12
1.2 Purpose and objectives of this Plan.....	12
1.3 When does this Plan commence?	12
1.4 Land to which this Plan applies.....	12
1.5 Development to which this Plan applies	15
1.6 Operation period of this plan.....	15
1.7 Relationship with other plans and policies	15
1.8 Savings and transitional arrangements.....	15
1.9 Definitions	17
2.0 Administration and operation of this Plan	19
2.1 How does this Plan operate?	19
2.2 Section 94E Direction.....	19
2.3 How will contributions be imposed?	19
2.4 How is the contribution amount calculated?	20
2.5 When are the contributions payable?	24
2.6 How are the contributions to be paid?	25
2.7 Adjustment of contribution at time of payment.....	28
2.8 Can deferred or periodic payments be made?	28
2.9 Obligations of accredited certifiers in issuing certificates	29
2.10 Section 96 Modifications to Development Consents	30
2.11 Exemptions for certain types of development.....	30
2.12 Accountability and management of funds	31
2.13 Review of Plan and contribution rates	32
2.14 Review of Plan without the need for public exhibition.....	32
Part C: Need for Public Facilities and Services	33
3.0 Need for Public Facilities and Services	35

DRAFT FOR EXHIBITION 2018

3.1 Expected development.....	35
3.2 Characteristics of future population	35
3.3 Meeting the needs of the incoming population	36
Part D: Strategies to provide Public Facilities and Services.....	39
4.0 Traffic and Transport Strategy	40
4.1 Introduction	40
4.2 Nexus and future demand.....	40
4.3 Contributing development	43
4.4 Apportionment.....	45
4.5 Reasonableness	45
4.6 Works schedule.....	45
5.0 Multi-functional Creek Line Corridor Strategy	46
5.1 Introduction	46
5.2 Nexus and future demand.....	47
5.3 Contributing development	51
5.4 Apportionment.....	53
5.5 Reasonableness	53
5.6 Works schedule.....	53
6.0 Public Recreation and Open Space Strategy	54
6.1 Introduction	54
6.2 Nexus and future demand.....	54
6.3 Contributing development	63
6.4 Apportionment.....	63
6.5 Reasonableness	63
6.6 Works schedule.....	63
7.0 Pedestrian and Cyclist Network Strategy.....	66
7.1 Introduction	66
7.2 Nexus and future demand.....	66
7.3 Contributing development	67
7.4 Apportionment.....	70
7.5 Reasonableness	70
7.6 Works schedule.....	70
8.0 Communities Facilities Strategy	71
8.1 Introduction	71
8.2 Nexus and future demand.....	71
8.3 Contributing development	73
8.4 Apportionment.....	75
8.5 Reasonableness	75
8.6 Works schedule.....	75

9.0 Bushfire Protection Strategy	76
9.1 Introduction	76
9.2 Nexus and future demand.....	76
9.3 Contributing development	77
9.4 Apportionment.....	77
9.5 Reasonableness	77
9.6 Works schedule.....	77
10.0 Ponderosa Parade Drainage Strategy.....	78
10.1 Introduction	78
10.2 Nexus and future demand.....	78
10.3 Contributing development	78
10.4 Apportionment.....	80
10.5 Reasonableness	80
10.6 Works schedule.....	80
11.0 Administration and Plan Management Strategy	82
11.1 Introduction	82
11.2 Nexus and future demand.....	82
11.3 Contributing development	82
11.4 Apportionment.....	82
11.5 Reasonableness	82
11.6 Works schedule.....	83
References	84
Appendices	86
Appendix A: Completed Works	86
Appendix B: Works Schedule.....	96

Tables

Table A: Summary of works schedule	7
Table B: Summary of contribution rates by development type	9
Table 1: Summary of contributing development	22
Table 2: Calculation of contribution toward Traffic and Transport element	23
Table 3: Road hierarchy.....	41
Table 4: Creek line corridor land to be dedicated	50
Table 5: Active and passive open space areas	59

Figures

Figure 1: Land to which this plan applies.....	14
Figure 2: Land subject to Traffic and Transport Strategy	44
Figure 3: Warriewood Valley creek line corridor network	49

DRAFT FOR EXHIBITION 2018

Figure 4: Land subject to Multi-functional Creek Line Corridor Strategy	52
Figure 5: Land identified for purchase for future active open space.....	62
Figure 6: Land subject to Public Recreation and Open Space Strategy	64
Figure 7: Land subject to Pedestrian and Cyclist Network Strategy.....	69
Figure 8: Land subject to Community Facilities Strategy.....	74
Figure 9: Land subject to Ponderosa Parade Drainage Strategy	79
Figure 10: Map of Traffic and Transport Works Schedule	98
Figure 11: Map of Creek Line Works Schedule	100
Figure 12: Map of Creek Line Land Acquisition Schedule.....	103
Figure 13: Map of Public Recreation and Open Space Works Schedule	105
Figure 14: Map of Pedestrian and Cyclist Network Works Schedule	107
Figure 15: Map of Community Facilities Works Schedule	109
Figure 16: Map of Bushfire Protection Works Schedule	111

DRAFT FOR EXHIBITION 2018

PREAMBLE

Part A: Preamble

Introduction

The Warriewood Valley Release Area (the Release Area) is located in the Northern Beaches Local Government Area (LGA), bordered by the Ingleside Chase Reserve and Escarpment to the west; Warriewood Wetlands to the south; Warriewood Sewerage Treatment Plant (STP) and the existing suburbs of Warriewood to the east and Mona Vale to the north. The redevelopment of Warriewood Valley commenced in the 1980s and is continuing today.

It is anticipated that at the completion of the Release Area, a total of 2,394 residential dwellings will house approximately 6,464 persons (based on an average occupancy of 2.7 persons per household, ABS 2011 Census). The housing form includes detached dwelling, attached dwellings and residential apartment buildings.

In addition, the numbers of workers are also anticipated to increase as industrial and commercial uses will continue to be accommodated within Warriewood Valley. The industrial and commercial development will be in the form of light industry, industrial units, high quality office units and, possibly, high technology development. The total expected area of industrial/commercial development is 32.68 hectares.

This Plan addresses the public services and facilities that will be required to meet the needs of the future residents and workers of the Release Area. It is anticipated that the population emanating from the Release Area will result in the need for augmented and/or additional:

- Traffic and transport facilities;
- Multi-functional creek line corridors;
- Public recreation and open space;
- Pedestrian and cycle facilities;
- Community services;
- Library services;
- Bushfire management facilities; and
- Plan management and implementation.

Under provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act) a consent authority is authorised to grant consent to a proposed development subject to a condition requiring the payment of a monetary contribution or the dedication of land free of cost, or both, for the provision of public services and facilities.

This Plan identifies the forecast future demands for public services and facilities generated by the development of the Release Area, the programs of works which will be implemented to meet these demands and the anticipated costs of these programs. Based on these inputs, a contribution rate has been calculated that will enable Council to deliver the infrastructure necessary to meet the forecast demand. The land subject to this Plan is identified in Figure 1.

This Plan has been prepared in accordance with the EP&A Act 1979 and *Planning and Assessment Regulation 2000* (EP&A Regulation) and takes into consideration the principles of nexus, apportionment and reasonableness. This Plan was first adopted by the former

PREAMBLE

Pittwater Council on 1 June 1998 and took effect from 11 June 1998. Since this time the Plan has been reviewed 20 times.

The life of this Plan is from 2017/18 to 2021/22 inclusive. Infrastructure funding and provision is driven by income and is dependent on timing of development in the Release Area. This Plan will be monitored and subject to annual reviews to take account of projected growth, the community's needs, cost of local infrastructure and services and progress in providing scheduled works. For this reason, the operation period of the Plan may be adjusted to suit.

Background

Development of Warriewood Valley Release Area up to 2008

The Warriewood Valley Release Area comprises approximately 195 hectares¹ in total area and is the most significant urban release area in the Northern Beaches LGA since the Forestville/Belrose urban releases of the 1970s.

The planning process to facilitate urban development in Warriewood Valley was commenced by the former Warringah Council in the late 1970s and early 1980s. The rezoning of parts of the northern and southern end of Warriewood Valley for industrial and commercial development (comprising 28.98 hectares of land), with a small component of land zoned for medium density residential development, was undertaken in the mid-1980s. These early rezonings are referred to as Warriewood Valley Stage 1 Release.

In 1991 land in Warriewood and Ingleside was included in the State Government's Urban Development Program (now known as the Metropolitan Development Program). The remaining non-urban sections of the Warriewood Valley Release Area were investigated for their urban potential in conjunction with the Ingleside-Warriewood land release investigations by the then Pittwater Council.

In 1995 Council produced and exhibited a strategy, drawn from a range of environmental and demographic studies, for the release of Ingleside and the remaining land in the Warriewood Valley Release Area known as the Ingleside/Warriewood Urban Land Release Draft Planning Framework 1995. Consultation with the community and various State Government authorities highlighted the infrastructure difficulties associated with a land release at Ingleside and the potential regional environmental impacts.

In 1997 the Minister for Urban Affairs and Planning agreed to a restricted land release within Warriewood Valley only, comprising 110 hectares including 3.7 hectares for industrial and commercial development. The area within 400 metres of the Warriewood STP was deferred for future release. Council, in 1997 prepared a strategy to guide development of up to 1510 dwellings in Warriewood Valley known as the Draft Warriewood Valley Urban Land Release Planning Framework 1997.

In 2001, Council, following a decision by Sydney Water to cap the Warriewood STP, produced and adopted a planning strategy for land within the 400 metres of the Warriewood STP known as the STP Buffer Sector Draft Planning Framework 2001. The inclusion of the buffer areas in the Warriewood Valley Release Area resulted in an anticipated development

¹ Total size of the Release Area under the Warriewood Valley Strategic Review Addendum 2014.

PREAMBLE

of 1886 dwellings in 190 hectares including 32.68 hectares for industrial/commercial development. At the time, it was recognised that another 39.6 hectares located either side of Boondah Road would be subject to further planning investigations.

On 1 September 2008, Council adopted the *Warriewood Valley Section 94 Plan (Amendment 16)* based on the anticipated development of 190 hectares, comprising 1886 dwellings and 32.68 hectares for industrial/commercial development.

Impact of the 2009 Development Contributions Reform

In 2009 the Minister for Planning, responding to the impact of high development costs on new housing supply and the Global Financial Crisis, introduced a Ministerial Direction that limited development contribution rates to \$30,000 per new dwelling/residential lot for greenfield/release areas and \$20,000 per new dwelling/residential lot for existing residential areas. Council was successful in seeking an exemption from the cap enabling a contribution rate up to \$62,100 to be levied for each new dwelling/residential lot in Warriewood Valley (via a new Ministerial Direction issued 10 July 2009). That Direction also required Council to commission an independent review of the Plan.

In October 2009, Hill PDA was commissioned to undertake the review of the Plan. The key findings of the independent review are as follows and have been taken into consideration:

- "1. The Plan's cost of works are appropriate, and if anything are a modest underestimate (in the order of \$1 million). The underestimate may be a result of Council's choice of contingencies, design and project management rates. Appropriate contingencies should range between 5 and 10% and a design and project management cost of 15% should be applied (with the exception of the Library Services and Plan Administration and Management Elements). Whilst the application of the CPI is in keeping with DoP guidance, Council may consider the use of the BPI as an appropriate alternative in some circumstances.*
- 2. The Plan should fund 100% of works relating to through traffic routes as these works would not have been required should development within Warriewood Valley have not occurred. Notwithstanding this, it is recommended that 25% of costs are reappropriated from the Plan to the wider community for works within Jacksons Road and 15% of costs for Garden Street (for access improvements to the Centro Warriewood Shopping Centre) to account for 'external' regional traffic demands.*
- 3. Council seeks approval from the Minister to secure the library book component of the Library element of the Plan in order to recoup expended funds (demonstrated through a Business Plan) and that contributions are secured within the current \$62,100 cap at the rationalisation of other elements within the Plan.*
- 4. Council will need to manage the administrative and management processes of the Plan so that administration costs in the future amount to no greater than 4% of the total cost of works in the Plan (CPI adjusted). We do not consider it appropriate to apply an NPV to administration costs.*
- 5. The application of the parameters utilised by the Plan's financial models which are now subject to restrictions due to the Minister's cap have resulted in a financial risk to Council. The Council should seek to review the Plan and generate a new financial model in accordance with the requirements as set out in the draft Local Government Development*

PREAMBLE

Contributions Guidelines 2009 utilising a NPV method to manage the cash flow and determine contribution rates.

6. *This independent review concludes that the Warriewood Valley Section 94 Plan could not reasonably be reduced so that it would fall under the \$20,000 threshold advocated by the Minister's Direction."*

Additionally, Hill PDA recommended that:

"Based on the outcomes of this review, as a minimum we recommend that Council takes the third option and seeks the Minister's permission for the Plan to exceed the maximum rate of \$20,000 per equivalent dwelling. To address the full scope of matters identified by this review however, we recommend a number of additional mechanisms are implemented by Council. These mechanisms are summarised, in no set order, below.

- 1. Secure the \$62,100 Cap and seeks recoupment of the library books that was forward-funded under the Plan.*
- 2. Review the Plan to address the funding shortfall as a result of the \$62,100 cap; and reduce levels of infrastructure provision and scope of works; cost of capital works should identify specific allowances for: the net cost of undertaking the works; escalation costs; co-ordinating contractor (principal contractor) site set-up and site supervision (preliminaries); co-ordinating (principal contractor) margins; design and project management and contingencies ensuring no items are missed, improve accountability and transparency and enable improved budgetary management.*
- 3. In conjunction with 2, design and implement a new financial model consistent with the principles set out in the draft Local Government Development Contribution Guidelines 2009 prepared by the DoP.*
- 4. Review the development density within appropriate sectors of Warriewood Valley (with the intention of increasing the number of equivalent dwellings that could be developed) may assist in reducing the funding shortfall and so long as any potential increase in density reduces, rather than compounds, the financial shortfall by increasing the need for infrastructure (notably recreation facilities).*
- 5. In conjunction with 4, Council should develop and adopt a strategy to encourage rapid completion of the land release as well as addressing incomplete or delayed take up rates known as the 'development tail'."*

On 3 May 2010, Council adopted the *Warriewood Valley Planning Framework 2010* (Planning Framework 2010), resulting in an increase of dwelling density in appropriate sectors and the establishment of a strategy to encourage the take-up rate for development. A total of 2,012 dwellings and industrial/commercial development within 32.68 hectares was now anticipated across the 199 hectares of land.² Concurrently, Council commenced a review of its Plan to account for the new development anticipated under the 2010 Planning Framework including a review of the identified works schedule aimed at reducing infrastructure and services due to the funding shortfall from contributions.

² Total size of the Release Area under the *Warriewood Valley Planning Framework 2010*. This area included residential sectors not yet masterplanned/ rezoned 2(f) under Pittwater LEP 1993. It did not include the 39.6 hectares located either side of Boondah Road, known as the Southern Buffer.

PREAMBLE

In June 2010 however, a further direction was issued to the then Pittwater Council, capping the contribution rate under the Plan at \$20,000. At the time, the contribution rate had increased to \$71,610 per dwelling/lot. Council subsequently sought an exemption from the cap and a Ministerial Direction was issued on 15 September 2010 enabling Council to levy up to \$62,100 per lot/dwelling. It was acknowledged that the Plan has not been reviewed since 2008 and had not accounted for the additional dwellings that resulted from the 2010 Planning Framework.

On 13 May 2011, the then Minister for Planning and Infrastructure issued a further direction to Council exempting Council from the \$20,000 cap and permitting Council to levy up to \$62,100 per lot/dwelling in Warriewood Valley. The Minister's letter also reminded Council:

"It is expected you will continue with the review of the Contributions Plan as required by the Local Contributions Review Panel in July 2009. Any draft plan should be consistent with the findings of the Review Panel and the Warriewood Valley Study."

Findings of Warriewood Valley Strategic Review 2012

In April 2011, Council, in partnership with the then Department of Planning and Infrastructure (DP&I), undertook a strategic review of all undeveloped lands in Warriewood Valley Release Area following a recommendation by the Planning Assessment Commission (PAC) when it determined a Part 3A application for 14-18 Boondah Road, Warriewood in January 2011. The review was overseen by a probity auditor and informed by a suite of consultant studies. The review resulted in the co-authored Warriewood Valley Strategic Review Report 2012 (Strategic Review Report 2012).

Critically, the review was informed by an economic feasibility study, the Warriewood Valley Economic Feasibility Study.³ Assuming a contribution amount of \$50,000 per lot/dwelling (\$2011/12), the study found that:

"Low density residential (i.e. small lot housing and townhouse dwellings) generally offer better viability given the lower construction cost and sale values. As a rule of thumb, for small lot housing and townhouse development (above ground parking), minimum dwelling density thresholds should be at 30 dwellings per hectare."⁴

Based on this advice, the Strategic Review Report 2012 recommended increasing the density of certain undeveloped lands to 32 dwellings per hectare, whilst reducing the contribution rate to \$50,000 per dwelling/lot. The Strategic Review Report 2012 was endorsed by the Director-General of the then DP&I in May 2013 and was subsequently adopted by Council on 12 June 2013. The strategy forecast a total of 2,510 dwellings and 32.68 hectares of industrial/commercial development across potentially 199 hectares of land. Council was advised that with the exception of the Community Facilities element (which would involve an extension to the existing facility rather than replacement), the cumulative impact of the additional dwellings resulting from the increase in density and additional infrastructure commensurate with the added dwellings, and the revised contribution rate starting at \$50,000 (base year 2011/12) to be indexed annually would not impact Council's

³ Hill PDA (2011).

⁴ Ibid, 28.

PREAMBLE

ability to deliver the remaining infrastructure. In adopting the Strategic Review Report, a subsequent review of the Section 94 Plan was earmarked as a priority. Following the adoption of the Strategic Review Report in June 2013, work commenced to revise and update the Section 94 Plan.

In 2014, in finalising the review of the Section 94 Plan, Hill PDA was requested to review their advice from 2012 to ensure this was still current. HillPDA revised their initial recommendation, recommending that a rate of \$55,000 (\$2011/12) would be viable in light of significant improvements in the residential market in the period since their original advice had been prepared.

Findings of Warriewood Valley Strategic Review Addendum Report 2014

In 2014 a review of the undeveloped properties not afforded a dwelling yield or planning direction under the Strategic Review Report was completed by Council. This review, known as the *Warriewood Valley Strategic Review Addendum 2014* (Addendum Report 2014), confirms those properties capable of development opportunity and refined the Release Area boundary. This resulted in an additional 17 dwellings being expected within the Release Area.

A total of 2,451 dwellings are now anticipated in Warriewood Valley, having accounted for those sectors unlikely to develop to its maximum permissible density where environmental or other constraints exist. Based on the expected number of dwellings, the total population anticipated in Warriewood Valley is 6,618 people (based on household occupancy rate of 2.7 persons per dwelling).⁵ Industrial/commercial development will occur on 32.68 hectares of land already zoned for this purpose.

Following the completion of the Strategic Review Report 2012 and Addendum Report 2014, a major review of the *Warriewood Valley Section 94 Contributions Plan (Amendment 16)* was undertaken by Council. Based on the findings of both studies, the Plan was revised with a residential contribution rate commencing at \$55,000 (\$ 2011/12). A contribution rate for commercial and industrial development was derived from this rate.

Exemption from section 94 cap

On completion of the Warriewood Valley Strategic Review and the review of the *Warriewood Valley Section 94 Contributions Plan* (revision known as Plan No 15, Amendment No 16, Revision 1), the Minister for Planning and Environment issued a further section 94E direction on 22 February 2015 revoking the earlier direction of 13 May 2011.

This revocation direction effectively permits Council to levy beyond the previous cap of \$62,100 per new lot/dwellings in Warriewood Valley. The earlier section 94E direction exempting the Plan from the \$20,000 cap remains in force.⁶

⁵ Australian Bureau Statistics 2011, *2011 Census*.

⁶ Section 94E Direction issued 28 August 2012.

PREAMBLE

Cessation of certain elements

Sufficient funds have been collected to fund the works associated with certain elements of this Plan, namely the provision of public library facilities, bushfire protection works and Apollo Street facilities. As such, contributions toward these elements are no longer required. Works associated with the provision of public library facilities, bushfire protection works and Apollo Street facilities have already been completed (refer to Appendix A), while works associated with provision of bushfire protection infrastructure are still to be completed (refer to Appendix B).

Works associated with the Ponderosa Parade Precinct were forward-funded in 1990 to facilitate development of the Stage 1 Release (refer to Appendix A). Contributions attributed to the Ponderosa Parade Precinct works are still being collected.

Summary elements within the Works Schedule

This plan has adopted a single works schedule made up of the following elements:

- Traffic and transport,
- Multi-functional creek line land acquisition,
- Multi-functional creek line works,
- Public recreation and open space,
- Pedestrian and cycleway network,
- Community facilities,
- Bushfire protection, and
- Plan management and implementation.

Each element contains a list of the proposed works items. Further information on the works schedule, including cost estimates of each proposed works item is provided in Appendix B.

Summary of the remaining expenditure

The works to be provided by funds generated by this Plan are summarised in Table 1.1. Refer to Section 3.0 for more detail on each plan element. The individual projects and timing is specified in the works schedule at Appendix B.

Table A: Summary of works schedule

Element	Remaining expenditure (2017/18)	Percentage (%)
Traffic and transport	\$18,030,744	27.30
Multi-functional creek line corridor (rehabilitation works)	\$7,805,109	11.82
Multi-functional creek line corridor (land acquisition)	\$3,810,699	5.77
Public recreation and open space	\$27,503,353	41.64
Pedestrian and cyclist network	\$2,383,122	3.61

PREAMBLE

Community facilities	\$4,983,917	7.55
Bushfire protection	\$561,022	0.85
Administration and plan management	\$976,169	1.48
Total	\$66,054,136	

PREAMBLE

Summary of contribution rates by development type: 2017/18 to 2021/22

Table B: Summary of contribution rates by development type

Development type	Contribution rate 2017/18	Contribution rate 2018/19	Contribution rate 2019/20	Contribution rate 2020/21	Contribution rate 2021/22	Unit
Residential	\$64,566	\$66,245	\$67,967	\$69,734	\$71,548	per dwelling/lot
SEPP Seniors Living (independent living)	\$56,634	\$58,107	\$59,617	\$61,167	\$62,758	per dwelling/lot
SEPP Seniors Living (residential aged care and nursing homes)	\$5,794	\$5,945	\$6,099	\$6,258	\$6,421	per bed
Business Parks and Industrial Estates (outside of Ponderosa Parade)	\$145	\$148	\$152	\$156	\$160	per square metre
Business Parks and Industrial Estates (within Ponderosa Parade)	\$196	\$202	\$207	\$212	\$218	per square metre
Commercial Development in Residential Zoned Land	Contribution dependant on type of development proposed and relevant trip generation rate as per Section 2.4 of this Plan.					

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Part B: Management of the Plan

1.0 INTRODUCTION

1.0 Introduction

1.1 Name of this Plan

This Plan is called the *Warriewood Valley Release Area Section 94 Contributions Plan (Amendment 16, Revision 3)*.

1.2 Purpose and objectives of this Plan

The primary purpose of this Plan is to enable Council to levy payment of a monetary contribution, a dedication of land, or, in lieu thereof, to accept the provision of material public benefits (including the dedication of land) or the carrying out of works in kind, towards the provision, extension or augmentation of services and facilities that will, or are likely to be, required as a consequence of development in Warriewood Valley.

Accordingly the objectives of this Plan are to:

- Provide the framework for the efficient and equitable determination, collection and management of development contributions towards the provision of services and facilities;
- Ensure that adequate public services and facilities are provided as part of any new development within a reasonable timeframe;
- Ensure that the existing Northern Beaches community is not unreasonably burdened by the provision of public infrastructure required (either fully or in part) as a result of the ongoing development and re-development of Warriewood Valley;
- Provide an overall strategy for the co-ordinated delivery of services and facilities consistent with Council's strategic intent;
- Provide a comprehensive and transparent strategy which is implemented for the assessment, accounting and review of development contributions made under provisions of the EP&A Act and EP&A Regulation for Warriewood Valley Release Area; and
- Indicate a program of works and expenditure for the provision of public services and facilities required as a result of development.

1.3 When does this Plan commence?

This takes effect from the date on which public notice was published (pursuant to provisions of the EP&A Regulation).

Development applications determined on or after this date will be subject to the provisions of this Plan.

1.4 Land to which this Plan applies

This Plan applies to land within and adjacent to the Warriewood Valley Release Area, as identified in Figure 1. This land is referred to in this Plan as the Warriewood Valley catchment.

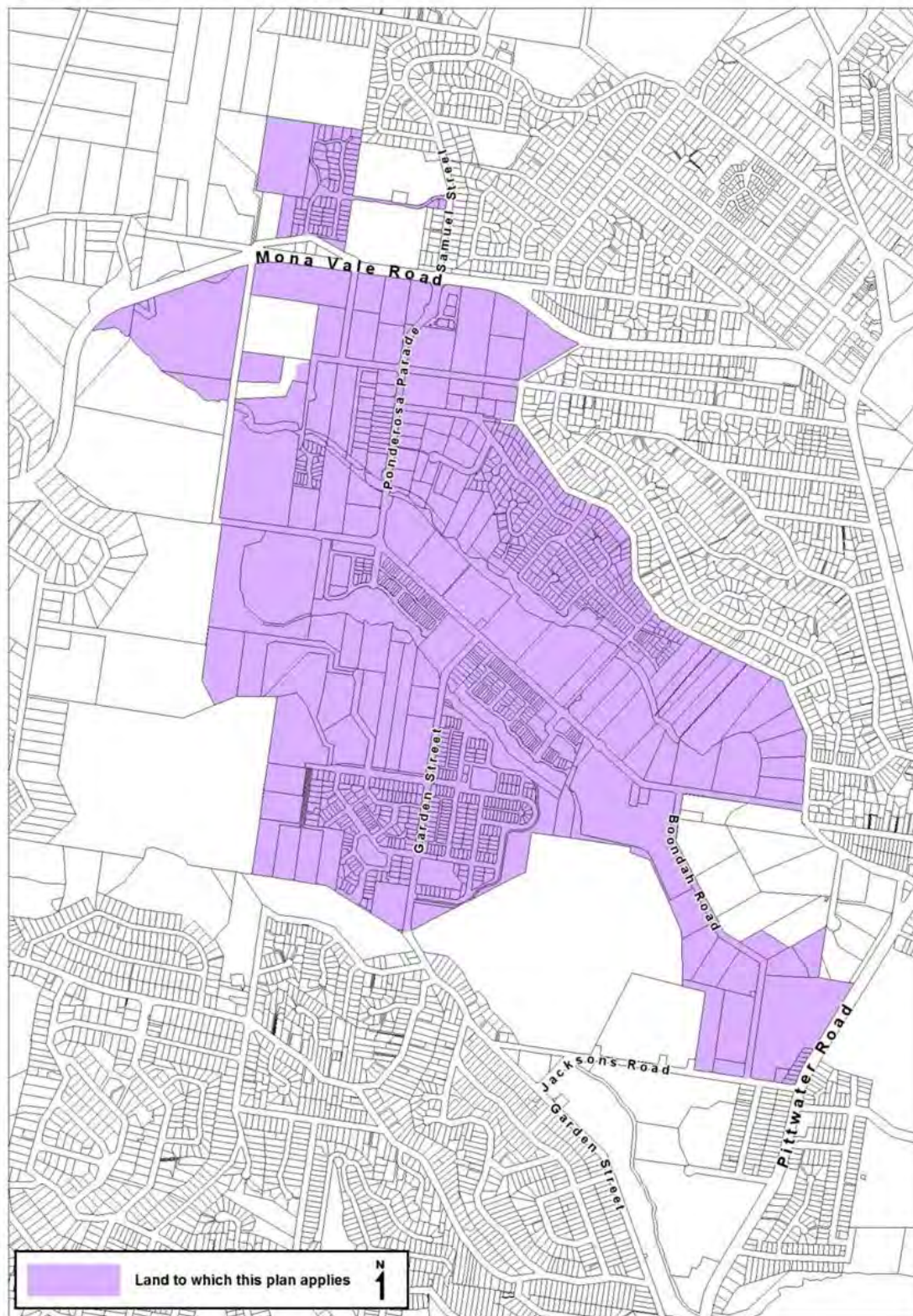
1.0 INTRODUCTION

As certain properties outside of the Release Area directly access the Warriewood Valley road network and therefore place a demand on the amenities, facilities and services provided for under this Plan, Council will also levy development that occurs on this land.

Residential development on land outside of the Warriewood Valley catchment is subject to a separate contributions plan – refer to the *Pittwater Section 94 Contributions Plan for Residential Development 2015*.

1.0 INTRODUCTION

Figure 1: Land to which this plan applies



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14

1.0 INTRODUCTION

1.5 Development to which this Plan applies

This Plan applies to all residential, commercial and industrial development that would result in a commensurate increase in demand for infrastructure and services of the type provided for by this Plan. This includes:

- Residential development, including land subdivision, which would result in the creation of additional private lots/dwellings,
- Commercial and light industrial development within areas designated for such development,
- Other commercial development within areas designated for residential development.

Where development is of a type not specifically stated in this Plan that will result in demand for local infrastructure and services, Council will determine an appropriate contribution rate based on the rates specified in this Plan.

1.6 Operation period of this plan

This Plan provides an administrative framework for the provision of local infrastructure and services up to the end of the 2021/22 financial year.

Infrastructure funding and provision is driven by income and is dependent on timing of the development of the Release Area. This Plan will be monitored and subject to annual reviews to take account of projected growth, the community's needs, cost of local infrastructure and services and progress in providing scheduled works. The projects identified in this Plan will be undertaken as funds become available, with section 94 contributions pooled with other Council funding sources and where available, grant funding sources. For this reason the operation period of the Plan may be adjusted to suit.

1.7 Relationship with other plans and policies

On 12 May 2016, Northern Beaches Council was formed through the amalgamation of Pittwater, Warringah and Manly Councils. This Plan is taken to be a Plan applying to part of the new Northern Beaches Council. This Plan repeals and replaces the *Warriewood Valley Section 94 Contributions Plan – Plan No. 15 (Amendment 16) (Revision 2)* adopted by Northern Beaches Council on 31 January 2017.

This Plan is consistent with Council's adopted strategic framework for the Warriewood Valley Release Area and complements *Pittwater Local Environmental Plan 2014*, *Pittwater 21 Development Control Plan*, *Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain) November 2016* and *Warriewood Valley Roads Masterplan May 2016*. However, developers and owners should check all relevant Council plans and policies for further information and development standards that may relate to their site.

1.8 Savings and transitional arrangements

1.0 INTRODUCTION

A Development Application lodged prior to this Plan being adopted and not yet determined will be determined in accordance with the Section 94 Contributions Plan in force at the date of determination of the Development Application. This criterion applies notwithstanding the date of lodgement of the Development Application.

1.0 INTRODUCTION

1.9 Definitions

The definitions relating to this Plan not stated below have the same definition as those contained in the Council's LEP and DCP.

Applicant means the person, company or organisation submitting a Development Application.

ABS means the Australian Bureau of Statistics.

Base year refers to 2011/12 when the major review of this Plan was completed.

Contribution means the dedication of land, the making of a monetary contribution or the provision of a material public benefit, as referred to in provisions of the EP&A Act relating to development contributions.

Council means Northern Beaches Council.

CPI^(A) means the All Groups Consumer Price Index (Sydney) as published by the Australian Bureau of Statistics.

CPI^(F) means the forecast CPI (June on June) as published by BIS Shrapnel Economic Forecast.

DCP means a Development Control Plan adopted by Council.

Embellishment means the enhancement of any public facility provided by the council by the provision of services, facilities or works.

EP&A Act means the Environmental Planning and Assessment Act 1979, as amended.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2000, as amended.

LEP means a Local Environmental Plan made by the Minister under Section 70 of the EP&A Act.

LGA means the Northern Beaches Local Government Area.

Planning agreement means a planning agreement referred to in the provisions of the EP&A Act 1979.

SEPP Seniors Living means SEPP (Housing for Seniors and People with a Disability) 2004.

Works Schedule means the schedule of public facilities and services for which development contributions may be required. It also includes the likely timing of provision of those public facilities based on projected rates of development.

1.0 INTRODUCTION

Where a definition is not contained in this Plan, the LEP or DCP then the following documents, in order of preference, shall be used to determine the meaning of the word.

1. The EP&A Act;
2. The EP&A Regulation;
3. Other Acts and Regulations of the NSW Parliament; and
4. The latest edition of the Macquarie Dictionary.

2.0 ADMINISTRATION & OPERATION

2.0 Administration and operation of this Plan

2.1 How does this Plan operate?

Section 7.11 of the EP&A Act permits a consent authority to levy developers to provide or assist in providing new public facilities and services required as a result of new development. The mechanism to require the contribution is through the development assessment or complying development process.

In determining a development application or issuing a complying development certificate, a consent authority may impose a condition of development consent requiring the payment of a monetary contribution, dedication of land and/or works in kind, in accordance with the provisions of this Plan.

This Plan identifies the contribution rate applicable to various forms of development and the infrastructure that will be delivered via developer contributions under this Plan.

The parameters and assumptions used to calculate the contribution rate and the future works schedule are dynamic. As a result, this Plan will be reviewed periodically.

Contributions made under this Plan are monitored and managed by a financial model developed by Council. Information on the contributions received, and details of how these contributions have been applied toward the provision of infrastructure described in this Plan, will be reported in Council's annual financial statement. A register of contributions received under this Plan is maintained by Council and available on request.

2.2 Section 94E Direction

This Plan is exempt from the monetary contributions cap imposed by the then Minister for Planning and Infrastructure on 28 August 2012 issued under section 94E of the EP&A Act.

This Plan was previously capped at \$62,100 per dwelling/lot,⁷ however on 22 February 2015 this Ministerial Direction was revoked by the Minister for Planning and Environment. This revocation direction effectively permits Council to levy beyond the previous cap of \$62,100 per new lot/dwellings in Warriewood Valley.

2.3 How will contributions be imposed?

In accordance with the EP&A Act, development contributions under this Plan will be imposed as a condition of development consent or as a condition on a Complying Development Certificate.

⁷ Ministerial Direction issued 13 May 2011.

2.0 ADMINISTRATION & OPERATION

2.4 How is the contribution amount calculated?**2.4.1 Attributes of the financial model**

This Plan utilises a future cash flow model to calculate the contribution amount. The purpose of the financial model is to provide Council with a tool to calculate developer contributions and to allow Council to test the impact of changes to key assumptions to inform its decision making processes over the life of the plan.

Council's contributions model matches future estimated income streams against future estimated infrastructure and land acquisitions, applying assumptions on anticipated investment return on funds held in reserve and movements in forecast CPI. The model aims to achieve an overall annual balanced financial position throughout the life of the Plan in order to minimise financial risk to Council.

Income

The model calculates estimated income based on projected development over the remaining timeframe multiplied by the applicable contribution rate. For residential development, the model calculates contributions on a per dwelling/lot basis. For commercial/industrial development, contribution rates are calculated on a square metre basis, utilising the total developable area of the site (total site area minus any creek line corridor land).⁸

The contribution rate is indexed annually from the base year (2011/12). As discussed previously in Part A, based on the findings of the Strategic Review Report 2012, this Plan has adopted a base residential rate of \$55,000 (2011/12). A contribution rate for commercial and industrial development is then derived from the adopted residential rate based on the infrastructure demand generated by this form of development.

The index rate applied is a three year average of forecast annual CPI.⁹ Due to changes in the forecast CPI, a forecast indexation rate of 2.6% from 2017/18 onwards has been modelled.

For the purpose of anticipating investment return, the model estimates interest based on the prior year's cumulative closing balance multiplied by an estimated annual interest rate.¹⁰

Expenditure

The plan has adopted a singular works schedule. The model consolidates all proposed works items into one overall summary plan to enable Council to obtain an overall picture of land acquisition, works and plan management costs across the life of the plan. For the purpose of indicating how funds will be allocated, the model groups expenditure in elements. Further information on the works schedule including more detailed cost estimates is provided in Appendix B.

⁸ Creek line corridor land is defined as the area of land 25 metres from the creek centreline.

⁹ BIS Shrapnel Economic Forecast.

¹⁰ BIS Shrapnel Economic Forecast.

2.0 ADMINISTRATION & OPERATION

For works, Council's approach to cost estimation is to seek professional cost estimates (internal and external). Cost estimates are formulated on the basis of design, material costs, contract costs, build costs and associated project management costs and where possible are based on current IPART benchmark costs for infrastructure. The last review of works costs was undertaken in 2015/16.

For land acquisition costs, estimates are sought from independent land valuers. Land acquisition costs are indexed in the same manner as infrastructure works. Valuations of creekline corridor land were last undertaken in June 2015, while valuations for active open space acquisition were undertaken in June 2017.

The model calculates estimated future expenditure by indexing the budgeted expenditure to the projected year of expense, resulting in future year dollar expenditure. The indexation is applied annually from the year following the latest expenditure review date.

For works and land acquisition the indexation rate used is 4.02%. This figure represents a 3 year average of the NSW Public Works Building Price Index (BPI) between 2015/16 to 2017/18,¹¹ plus a 0.6% allowance for risk in cost inflation.

Initial cost estimates and land valuations prepared for the purposes of this Plan will be regularly reviewed.

2.4.2 Apportionment between different development types

The model recognises that different development types have different demand for infrastructure. The contribution rate applying to different development types has been calculated based on the expected demand for infrastructure generated by the particular form of development. This approach ensures that contribution rates for all forms of development are equitable and reasonable.

Land in the Warriewood Valley Release Area is zoned for a variety of land uses, including R3 Medium Density Residential, IN2 Light Industrial and B7 Business Park. This Plan recognises that different development types create different demand for infrastructure. As such, the requirement to contribute to the range of infrastructure planned to be delivered under this Plan varies depending on form and location of the proposed development. This requirement has been determined on the basis of the demand likely to be generated by the proposed development.

Table 1 below outlines the development required to contribute toward each infrastructure element. As shown in Table 1, certain development types do not contribute toward particular elements as it is considered that there is no reasonable nexus between the development and the infrastructure need to require a contribution toward these elements. Contributing development types are discussed in further detail in the proceeding chapters in relation to each plan element.¹²

¹¹ NSW Public Works Building Cost Index Dec 2017 .

¹² Refer to Part D: Strategies to Provide Public Facilities and Services.

2.0 ADMINISTRATION & OPERATION

In addition, for particular plan elements, a specific adjustment is undertaken in recognition of the different level of demand generated by different forms of development. These adjustments are undertaken for the traffic and transport element and the pedestrian and cyclist network element. This is discussed in further detail below.

Table 1: Summary of contributing development

Element	Development Type				
	Residential Development	SEPP Seniors Living (Independent living and serviced self-care housing)	SEPP Seniors Living (Residential care facility/Nursing Homes)	Business Parks and Industrial Estates	Commercial Development in Residential Areas (including childcare centres)
Traffic and transport	✓ *	✓ *	✓ *	✓	✓ *
Multi-functional creek line corridors	✓	✓	✓	✓	✓
Community facilities	✓	✓	✗	✗	✗
Public recreation and open space	✓	✓	✗	✗	✗
Pedestrian and cycleway network	✓ *	✓ *	✗	✓	✓ *
Ponderosa Parade drainage	✗	✗	✗	✓ **	✗
Administration & plan management	✓	✓	✓	✓	✓

* Except development in Sectors 20, 202 & 203.

** Only development in Sectors 7, 102, 103, 104 and 105.

Calculation of contributions for assisted living developments

Despite being assessed under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, a different contribution rate is applied to assisted living developments (known as residential aged care facilities or nursing homes). This rate is based on the different levels of demand for infrastructure generated by this type of development. Due to the age, health or mobility restrictions of residents in assisted living developments, these residents will not create the same demand for open space, community facilities and pedestrian and cycle infrastructure as other residential development in the Release Area.

2.0 ADMINISTRATION & OPERATION

The contribution rate for assisted living developments is based by the percentage of indexed total remaining expenditure (identified in Table A) for the relevant infrastructure elements identified in Table 1.

The methodology to calculate contributions for assisted living developments utilises an apportionment being applied as a result of the reduced occupancy rate for an assisted living development (1 resident per bed) as compared to other residential development in Warriewood Valley (2.7 residents per dwelling regardless of the number of bedrooms).

The traffic and transport element of the residential dwelling contribution rate is apportioned by the relevant RMS trip generation rate detailed in Table 2. The multifunctional creek corridor (being both creek land and works) and plan administration elements of the residential rate are divided by 2.7 (average persons per dwelling in Warriewood Valley) to provide an apportioned rate per bed. The sum of these apportioned infrastructure element rates provides the total payable contribution per bed for assisted living developments.

Calculation of contribution toward Traffic and Transport element

The contribution toward the Traffic and Transport element for each development type is determined utilising the relevant trip generation rate as published by the NSW Roads and Maritime Services (RMS).¹³

Based on the prevailing residential rate for Traffic and Transport an adjustment is applied to ascertain a contribution rate for other development types.

As the majority of development within the Warriewood Valley Release Area is expected to be residential, a base rate of 9 vehicle movements per day per dwelling (the RMS standard for a single residential dwelling) has been adopted with no adjustment being applied. For other forms of development, an adjustment factor has been applied to ensure an equitable contribution rate is levied for different development types (Table 2 below outlines this adjustment methodology).

Table 2: Calculation of contribution toward Traffic and Transport element

Development Types	RMS Trip Generation Rate (vehicles movements per day)	Adjustment Factor (as a % of the prevailing residential contribution toward Traffic and Transport)*
Residential (base)	9 per dwelling	No adjustment
SEPP Seniors Living developments:		

¹³ NSW Transport (2002) *Guide to Traffic Generating Developments*; NSW Transport (2013) *Technical Direction TDT 2013/04a*.

2.0 ADMINISTRATION & OPERATION

Independent living dwellings	5 per dwelling	$5/9 \times 100 = 55\%$
Assisted living residences		
(i) Serviced self-care housing	2 per dwelling	$2/9 \times 100 = 22\%$
(ii) Residential care facilities/Nursing homes	0.64 per bed	$0.64/9 \times 100 = 7\%$
Commercial Development in Residential Areas	To be determined based on RMS Guidelines.	-
Industrial and commercial (business parks and industrial estates)	4.6 per 100 sqm (or 18.4 per 400 sqm)*	$18.4/9 \times 100 = 204\%$

* For the purpose the calculation, this Plan adopts an average lot size of 400 m^2 for a single dwelling, based on an average density of 25 dwellings per hectare across the Release Area.

Calculation of contribution toward Pedestrian and Cyclist Network

This Plan recognises that although commercial and industrial development across Warriewood Valley will generate a need for Pedestrian and Cyclist facilities, this demand will not be to the same magnitude as residential development. As planning authorities within New South Wales have not yet established direct ratios for generation and provision of pedestrian and cyclist facilities for users of commercial and industrial areas, Council has applied an adjustment based on daily utilisation.

It is considered that while residents have access to pedestrian and cyclist facilities 7 days a week, generally workers within commercial and industrial developments will only have access to these facilities 5 out of 7 days a week (71% of the week). Given their reduced call on the provision of these facilities, commercial and industrial developments will levied at 71% of the residential contribution toward this element.

2.5 When are the contributions payable?

Council's policy in relation to the timing of payments of monetary contributions required under this Plan is as follows.

2.5.1 Developments involving Land Subdivision only

Payments are required under this Plan prior to the issue of any Construction Certificate for the carrying out of any subdivision works; or prior to the issue of the Subdivision Certificate where no Construction Certificate is required, including excavation.

Where the land subdivision works will create a lot to accommodate multiple dwellings being constructed on this lot, and the actual quantum of dwellings is unknown (i.e. not part of the development consent for the land subdivision), the

2.0 ADMINISTRATION & OPERATION

development contribution is not to be applied to this lot at this time. The contribution must be applied at the time when Council consents to the actual number of dwellings to be constructed on this lot.

2.5.2 Other Developments that require a Construction Certificate

For all other developments, including the construction of multiple dwellings on a single parcel of land, monetary contributions required under this Plan will be payable prior to the issue of any Construction Certificate for the development, including any excavation.

2.5.3 Developments involving both Subdivision and Building Works

Payment is to be made before the release of a Construction Certificate or Subdivision Certificate, whichever occurs first.

Where the land subdivision works will create a lot to accommodate multiple dwellings being constructed on this lot, and the actual quantum of dwellings is unknown (i.e. not part of the development consent for the land subdivision), the Section 94 contribution will not to be applied to this lot at this time. The contribution will be levied at the time when Council consents to the actual number of dwellings to be constructed on the lot.

2.5.4 Other developments not requiring the issuing of a Construction Certificate

Payment is to be made prior to the issuing of the first Occupation Certificate or commencement of the use, whichever occurs first.

2.4.5 Staged developments

Where a development is proposed to take place in stages, in order to provide certainty in cash-flow and minimise risk, Council will require the payment of contributions to coincide with the proposed staging, requiring payment of the relevant contributions prior to the issue of any Construction Certificate or Subdivision Certificate (whichever occurs first) for each stage.

2.6 How are the contributions to be paid?

The EP&A Act provides that development contributions may be met by payment of a monetary contribution, the dedication of land, the carrying out of works in kind or the provision of some other material public benefit or any combination of these methods. Each of these methods is considered a form of payment.

2.6.1 Monetary contribution

The usual means of satisfying a condition of consent requiring a development contribution is via a monetary contribution. Payment must be in the form of cash, debit or credit card, or bank cheque.

2.6.2 Planning Agreements

An Applicant may choose to negotiate a planning agreement with Council under the provision of the EP&A Act. This agreement may involve a proposal to dedicate land, carry out works in kind and/or provide a material public benefit.

2.0 ADMINISTRATION & OPERATION

Contributions through a planning agreement may be additional to or in lieu of paying a contribution in accordance with a condition of development consent authorised by this Plan. This will be a matter for negotiation with Council. The offer to enter into the planning agreement, together with a copy of the draft agreement should (where possible) accompany the relevant Development Application or Planning Proposal.

The EP&A Act and the EP&A Regulation require a draft planning agreement to be exhibited concurrently with a Development Application or a Planning Proposal where practicable. In order to satisfy these criteria, the applicant must notify Council of its preference to negotiate any non-monetary payment of development contributions prior to the lodgement of any Development Application.

If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this Plan requiring the payment of a contribution. Council may also agree to enter into a planning agreement that does not exclude the application of this Plan.

Planning Agreements involving land dedication

Where a planning agreement involves the dedication of land to Council, the estimated value of the land will be negotiated as part of the planning agreement, taking into account the unique characteristics of the land and the circumstances of the transfer, including but not limited to:

- The extent to which development potential has been lost or retained, wholly or partly,
- Whether the land has been identified by any adopted policy of Council including, but not limited to this Plan. However, in the case of land not targeted in this plan, Council will also assess the potential impact on the achievement of the identified works schedule,
- The size, shape, location, accessibility and topography of the land proposed to be dedicated,
- Whether the land adjoins an existing area of open space and can be readily consolidated into that area and/or if the land will create or improve accessibility within the area,
- Any factors which may affect the usability of the land such as soil condition, flood liability, possible site contamination, public accessibility and safety, proximity to existing uses, current use of the land, cost of embellishment or construction of the proposed facility, impact on this Plan's works schedule, measures required to fence and maintain the land in the event that works cannot be carried out for some time, and the like,
- The degree to which the identified land can satisfy the purpose for which the contributions has been sought, and
- The on-going costs to Council of care, control and management both prior to and after any improvement works are carried out on the land.

2.6.4 Material Public Benefits

2.0 ADMINISTRATION & OPERATION

Council may accept an offer by the applicant to provide a material public benefit (other than the dedication of land) in lieu of the applicant satisfying its obligations under this Plan in a development consent. A material public benefit may include an offer by the applicant to complete part or all of a works item identified in the Plan (also known as works in-kind). Council is under no obligation to accept a material public benefit offer and in considering any such offer, will assess the benefits to Council and the community.

In accepting a material public benefit other than works in-kind, Council must be satisfied that the offer provides a substantial benefit to the community not envisaged by the Plan and that this benefit warrants Council accepting responsibility to fulfil the Plan notwithstanding a reduction in expected cash contributions. Material public benefit proposals must be formally agreed to by Council and documented in a formal written agreement.

Works in-kind relate to the undertaking of works of specific or equivalent work specified in the Plan and are therefore more readily capable, in comparison to other types of material public benefits, of providing benefit to the community.

Council may review the valuation of works offered and may seek the services of an independent person to verify the costs.

Proposals for material public benefits can accompany a development application or can be made after the grant of development consent but before the monetary contribution is paid. If a material public benefit is accepted by the Council the written agreement must be entered into before payment of the development contribution becomes due under the development consent. The development contribution will then be adjusted at the time of payment to reflect the value of the material public benefit under the agreement, as determined by Council.

If a material public benefit is accepted by Council during the assessment of a development application, Council will acknowledge its acceptance of the Applicant's proposal via a condition of consent which sets out the adjustment to be made to the monetary contribution once an MPB agreement is entered into. Once a formal written agreement is entered into, the agreed reduced cash contribution can be paid.

The cost of verifying the cost of works and preparing the agreement will be at the expense of the Applicant.

2.0 ADMINISTRATION & OPERATION

2.7 Adjustment of contribution at time of payment

To ensure that the value of the contribution is not eroded over time, Council will adjust the contribution amount at the time of payment to account for movements in CPI^(A).

Contributions required as a condition of development consent will be adjusted at the time of payment in accordance with the latest CPI^(A) as published quarterly by the Australian Bureau of Statistics, using the following formula:

$$\text{Contribution at time of payment} = C \times \frac{\text{CPI}^1}{\text{CPI}^2}$$

Where:

- C = The original contribution amount as shown on the development consent.
- CPI¹ = The CPI (Sydney – All Groups) as published by the ABS for the financial quarter at the time of payment.
- CPI² = The CPI (Sydney – All Groups) as published by the ABS for the financial quarter at date of issue of development consent.

Contributions may also be adjusted to reflect Council's acceptance of any material public benefit proposed after the issue of development consent in accordance with part 2.6.4 of this Plan.

2.8 Can deferred or periodic payments be made?

Deferred or periodic payment of monetary Section 94 contributions may be permitted in certain circumstances subject to consideration of a written application to Council before the payment is due.

Any agreement to defer or periodically pay monetary contributions will generally be limited to 12 months from the standard payment date. In deciding whether to allow deferred or periodic payment of a monetary contribution, Council will take into consideration the following matters:

- The reasons provided by the applicant requesting a deferred or periodic payment;
- Whether prejudice will be caused to the community deriving benefit from the services being provided under this Plan;
- Whether allowing the deferred or periodic payment is likely to prevent the public services and facilities being provided to meet the demands of development in a timely manner;
- Whether the applicant can provide Council with adequate security to mitigate any risk in relation to the deferred or periodic payment; and
- Any other circumstance considered relevant by Council.

If Council decides to accept deferred or periodic payment, it will require the applicant to provide a bank guarantee subject to the following:

2.0 ADMINISTRATION & OPERATION

- The bank guarantee must be in Australian dollars from a major Australian trading bank and in the name of Northern Beaches Council,
- The bank guarantee must have no end date, be unconditional and irrevocable and be in favour of Northern Beaches Council,
- Interest will apply to the contribution and will be calculated from the date the Construction Certificate is issued until the date of payment and will compound quarterly,
- The interest rate is to be determined by Council based on prevailing bank bill market rates of up to 12 months,
- The bank will guarantee an amount equal to the total contribution, or the outstanding contribution, plus the interest that would be accrued over the deferral period, plus any charges associated with establishing or operating the bank security,
- The bank must pay the guaranteed sum without reference to the applicant or landowner or any other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development,
- The bank's obligations are discharged when payment to Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required, and
- Council is also entitled to claim any charges associated with establishing or operating the bank security. The applicant is to be provided with the details of any such expenses.

If Council agrees to deferred or periodic payments, arrangements relating to the payment will not take effect until the applicant has entered into a formal written agreement with Council reflecting the terms of the approval. The costs of preparing such an agreement will be paid for by the applicant.

2.9 Obligations of accredited certifiers in issuing certificates

2.9.1 Construction Certificates

In accordance with Clause 146 of the EP&A Regulation, a certifying authority must not issue a Construction Certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to Council in accordance with clause 142(2) of the EP&A Regulation.

The only exceptions to the requirement are where a work in kind, material public benefit and/or dedication of land arrangement has been agreed by Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.9.2 Complying Development Certificates

2.0 ADMINISTRATION & OPERATION

An accredited certifier must ensure that a condition is imposed regarding the payment of a development contribution, in accordance with the EP&A Regulation.

If an accredited certifier fails to comply with this requirement, Council may impose the necessary condition on the Complying Development Certificate and it has effect as if it had been imposed by the accredited certifier.

2.10 Modifications to Development Consents

Any subsequent modification to an issued development consent does not alter the original date of consent. Any formal application to modify a development consent that will alter the contributions due and payable will be taken to authorise a change to the development contributions consent condition(s).

As outlined below, the procedure is different depending on whether the original contribution has, or has not, been paid.

2.10.1 Where the Original Contribution has not been paid

If the contribution levied on the original consent has not yet been paid, the contributions are recalculated in their entirety. The revised consent condition will replace the original condition.

2.10.2 Where the Original Contribution has been paid

If the contribution levied on the original consent has been paid, the procedure is different since it is not reasonable to apply the CPI inflation to that part of the contribution which has been paid. Given that payment generally occurs at the release of the Construction Certificate, it is also likely that the development will be under construction.

In these circumstances, the development for which contributions have been paid is considered to be the existing (under construction) development. This approved development will be credited as the existing development for the purposes of the recalculation.

The proposed amendments are the proposed development and only the net additional contribution is charged at the current CPI. In this circumstance an additional condition will be inserted alongside the original condition because the additional contribution does not supersede or obviate the obligation to pay the original contribution.

No refunds will be provided as all contributions are committed to Council's works schedule.

2.11 Exemptions for Certain Types of Development

Certain types of development are exempt from the requirement to make a contribution towards provision or improvement of facilities or services. These types of development are listed below. Council acknowledges that these development types provide a public benefit that outweighs the increase in demand for services

2.0 ADMINISTRATION & OPERATION

generated by the new population. This Plan does not apply to the following types of development:

- Secondary dwellings are exempt in accordance with Council's resolution of 20 October 2008.
- For the purposes of local infrastructure under this Plan or another contributions plan prepared under Section 7.13 of the EP&A Act;
- That in the opinion of Council does not increase the demand for the categories of local infrastructure addressed by this Plan; and
- For which Section 94 contributions will not be levied in accordance with a direction by the Minister under Section 7.17 of the EP&A Act.

2.11.1 Temporary Uses

Where a use is of an interim or temporary nature (less than 12 months) and subject to a time-limited consent which will expire, then contributions will be calculated but will be suspended – meaning no payment is due at activation of the consent. If a subsequent development application is lodged to continue the use, contributions will be due and payable notwithstanding the short-term existence of the use.

2.12 Accountability and management of funds**2.12.1 Accounting standards and contributions register**

Council is required to comply with a range of financial accountability and public access to information requirements in relation to development contributions. These are addressed in the EP&A Regulation and include:

- Maintenance of, and public access to, a contributions register,
- Maintenance of, and public access to, accounting records for contributions receipts and expenditure,
- Annual financial reporting of contributions,
- Public access to contributions plans and supporting documents.

Separate accounting records are maintained for all development contributions received by Council. A contributions register is maintained by Council in accordance with the EP&A Regulation. This information is available on request.

2.12.2 Treatment of funds received prior to the commencement of this Plan

Funds levied and received under the previous plans listed in Section 1.7 of this Plan will be used to deliver infrastructure and services of the same infrastructure category identified under this Plan.

2.12.3 Investment of funds

To maintain the time value of monetary contributions received under this Plan, Council will invest these funds until the time of expenditure for the purpose for which they were received.

2.0 ADMINISTRATION & OPERATION

Council will report all investment returns as part of its annual financial accounts. All investment returns will be retained within the development contributions account to be used exclusively for the purpose for which the original contribution was made.

2.12.4 Pooling of contributions

This Plan expressly authorises monetary contributions paid for different purposes to be pooled and applied (progressively or otherwise) for other purposes as determined from time to time based on the Release Area's infrastructure requirements.

2.12.5 Goods and Services Tax

At the time of preparing this Plan, the position of the Australian Taxation Office was that the payment of development contributions made under the EP&A Act is exempt from the Goods and Services Tax (GST).

Items in the works schedule of this Plan have been calculated without any GST component.

2.13 Review of Plan and Contribution Rates

Council acknowledges the need to periodically monitor and review this Plan. For this reason, the contribution rate and works schedule will be subject to a number of reviews to take account of such matters as community needs, costs of public facilities and services and extent of development, affordability of contributions and progress in providing scheduled works.

Any amendments to this Plan as a result of the review process (other than as outlined in Section 2.14 of this Plan) will be publicly exhibited in accordance with the requirements of the EP&A Regulation.

2.14 Review of Plan without the Need for Public Exhibition

Pursuant to the EP&A Regulation, Council may make minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections, amendments to rates resulting from changes in the indexes adopted by this Plan, and the update to include the omission of details concerning works that have been completed.

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Part C: Need for Public Facilities and Services

3.0 NEED FOR PUBLIC FACILITIES & SERVICES

3.0 Need for Public Facilities and Services

3.1 Expected development

It is expected that Warriewood Valley will fulfil its role in assisting to meet the demand for Sydney's Greenfield residential, industrial, and commercial needs. Council will levy all development in the Warriewood Valley catchment area which generates the need for additional facilities and services. This includes development approved pursuant to SEPP (Seniors Living) which will be levied development contributions in accordance with this Plan.

It is estimated that residential development in Warriewood Valley Release Area will:

- Provide for 2,394 dwellings in a variety of housing types including detached dwellings, attached dwellings and multi dwelling housing.
- House an additional 6,464 persons (this assumes that the SEPP Seniors Living development will be a minor component to the overall population).

It is estimated that industrial and commercial development in Warriewood Valley Release Area will:

- Occupy 32.68 hectares.
- Include light industry, industrial units, high quality office and possibly high technology development and other development not deemed residential that is permissible within the zones.

In addition, it is expected that some ancillary commercial development will occur in areas designated for residential development. This development could include child care centres, neighbourhood shops and veterinary hospitals.

3.2 Characteristics of future population

In line with demographic trends it is expected that the Warriewood Valley Release Area will continue to have similar characteristics to that which have been provided in the 2011 Census (as the area has been released since the late 1990's) and similar release areas in Sydney. It is also intended that the Warriewood Valley Release Area will continue to deliver a range of dwelling types and sizes that facilitates housing choice and meet the diverse needs of the future community. Based on these assumptions, it is estimated that the future population will have similar characteristics to the existing population in Warriewood Valley:

- Preschool and primary school children (0 to 11 years old) make up a large proportion of the population (higher than former Pittwater LGA average).
- Adults are aged primarily 35 to 45 years and comprise approximately 23.78 per cent of the population.
- Larger percentage of 'Frail aged' persons aged over 85 years old (3.8% compared to 2.7% for the former Pittwater LGA).
- Lower proportion of young adults (18 to 24 years old) than the former Pittwater LGA.

3.0 NEED FOR PUBLIC FACILITIES & SERVICES

- Significant representation of couples with children (42.5% of households) and the proportion of couples without children was 23.6% compared to 26.9% in the former Pittwater LGA.
- Lower proportion of lone households (17.8% of households) and group households (18.8% of households) than the former Pittwater LGA.
- High proportion of households that have a mortgage (42.1%) compared to the former Pittwater LGA (36.9%).
- Significant proportion of the population is employed (97.6%) and 2.3% unemployed compared with 96.5% and 3.5% respectively for the former Pittwater LGA.
- 19.8% of the population earned a high income, (those earning \$1,500 per week or more) and 26.8% earned a low income (those earning less than \$400 per week)., compared with 21.1% and 28.2% respectively for the former Pittwater LGA.
- Most significant occupations were professionals (23.5%); managers (17.3%) and clerical and administrative workers (16.7%).
- Larger proportion of people born overseas, as well as a larger proportion of people from a non-English speaking background compared to the former Pittwater LGA.¹⁴

3.3 Meeting the needs of the incoming population

To meet the needs of the existing and future population, Council has developed a set of planning principles and criteria for the sustainable development of Warriewood Valley. The planning principles have been developed from existing planning policy and community aspirations articulated in the strategic framework for Warriewood Valley. Planning controls for the future development of Warriewood Valley are contained within the following key planning documents:

- Relevant State Environmental Planning Policies
- Pittwater Local Environmental Plan 2014
- Pittwater 21 Development Control Plan.

Council's future focus for delivery of facilities and services, and therefore its administration of developer contributions, accord with the planning principles in these documents.

Council is committed to promoting sustainability across all areas of the community. Council defines this as delivering, social, cultural and environmental systems that operate in harmony for the benefit and wellbeing of all residents. The objective is to enable residents to enjoy a good quality of life in an active and vibrant community. Council's role in the provision of public facilities and services all contribute to the collective and individual wellbeing of the community. Council aims to provide access and equity to all facilities and services for all members of the Warriewood community.

¹⁴ .id (2011) Warriewood – Ingleside suburb data.

3.0 NEED FOR PUBLIC FACILITIES & SERVICES

As a result of environmental studies and infrastructure audits carried out as part of the planning framework for the Warriewood Valley, a range of public facilities and services have been identified as being required to satisfy the anticipated demands of the expected population. Such facilities and services will benefit the future population of the Warriewood Valley Release Area and are required as a consequence of development taking place. Having regard to the level of public facilities and services already available and the characteristics of the expected population, it will be necessary to provide additional:

- Traffic and transport facilities;
- Multi-purpose creek line corridors;
- Public recreation and open space areas,
- Pedestrian and cyclist links;
- Community facilities; and
- Bushfire protection facilities (*Note: Contributions no longer required however works still to be delivered*).

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Part D: Strategies to provide Public Facilities and Services

4.0 TRAFFIC & TRANSPORT STRATEGY

4.0 Traffic and Transport Strategy

4.1 Introduction

This section identifies the traffic and transport measures required to service and link the future community of Warriewood Valley. The ultimate road and transport network was developed through an integrated design process focused on access and servicing considerations to ensure a high quality public domain and walking/cycling accessibility. Accessibility and circulation are central to the efficient functioning of the Warriewood Valley Release Area and surrounding neighbourhoods and are identified as specific design principles underpinning the plan for Warriewood Valley. These principles are:

- The Warriewood Valley Release Area will cater for the safe, efficient and orderly movement and transfer of people and goods to, from and through the area;
- The proposed traffic and transport network will have due regard to, and where possible integrate effectively with, the existing environmental amenity and environmental assets in the Release Area
- The proposed road hierarchy will be compatible with and integrate with proposed land use in a manner which will best service the whole of the Release Area;
- The proposed traffic and transport network is to promote the environmentally sustainable transport modes including cycling, walking and public transport and should be planned in a manner which minimises reliance on the use of private motor vehicles; and
- The proposed traffic and transport network will ensure that the existing community is not burdened by the provision of infrastructure required as a result of the development.

Consistent with these principles, the future residential development within the Warriewood Valley catchment provides for major improvements to the existing road network. New access arrangements are required to connect the new development to the external main road system as well as the provision of a network of minor roads to provide local area access and connectivity.

4.2 Nexus and future demand

The forecast population growth will result in considerable growth in vehicular traffic on many roads including those for which Council has responsibility. This traffic growth will create a need for various new or improved road and traffic management facilities.

Consequently, the nexus for road and traffic management facilities can be clearly established. Council has undertaken various investigations of the requirements for road upgrading to meet the future needs of the Release Area.

The volume and characteristics of expected traffic growth is directly related to land use. Manuals such as the *Roads and Traffic Authority's Guide to Traffic Generating*

4.0 TRAFFIC & TRANSPORT STRATEGY

Developments (RTA 2002) clearly demonstrate the nexus between development and traffic increases. It provides traffic generation rates by land use type including residential, industrial, retail and recreational activities.

Council's aim is to ensure there is capacity on all roads and at major intersections for trips generated by new development. The *Warriewood Valley Roads Masterplan May 2016* (Roads Masterplan 2016) outlines the standard for road infrastructure for the Warriewood Valley catchment. The main components of the Roads Masterplan 2016 include:

- A road network comprising five classes of roads (see Table 3 below),
- Pedestrian and cyclist facilities provided as part of the road network, and
- A public transport network consisting of bus routes and bus stops.

Table 3: Road Hierarchy

Road Hierarchy Classification	Performance Criteria	Existing Streets to be Upgraded
Sub-Arterial Road	Carry most traffic in the release area. Approximately 10,000 vehicles per day.	Ponderosa Parade, Jacksons Road, MacPherson Street, Warriewood Road (south-east of intersection with Macpherson Street), Garden Street.
Collector Road	Provides for access between sectors and links to Local Streets within sectors. Approximately 5,000 vehicles per day.	Boondah Road, Orchard Street, Jubilee Avenue, Daydream Street, Foley Street, Vineyard Street, Warriewood Road (north-west of intersection with Macpherson Street).
Local Street	Serves internal traffic within a development site, individual sector or buffer area and has a traffic volume between 300 and 2,000 vehicles per day.	Fern Creek Road
Access Street	Serves internal traffic within a development site, individual sector or buffer area and has a traffic volume of less than 300 vehicles per day.	N/A
Laneway	Provides rear access to dwellings within a development site, individual sector or buffer areas and has a traffic volume of less than 300 vehicles per day.	N/A

4.0 TRAFFIC & TRANSPORT STRATEGY

Originally, the *Traffic and Transportation Study* (Urban Research and Planning Pty Ltd Nov 1997) predicted that the Warriewood Valley Release Area would generate an additional 31,000 vehicle trips per day based on an acceptable Level of Service B (average). Estimations indicate that the network can accommodate up to 44,000 vehicle trips per day with a reduced Level of Service for the AM and PM peak demands. *The Strategic Transport Report for Warriewood Valley* (AECOM, 2011), informing the Strategic Review undertaken by Council and the Department of Planning estimated that the network can accommodate the resultant increase in residential development based on assumption that the intersection upgrades identified in the *Warriewood Valley Roads Masterplan 2006* are completed. All key intersections will operate within capacity and are at acceptable levels of service in the am and pm peaks; having minimal impact on the intersection performance of the arterial and collector road network.

The increased travel demand derived from the future development of the Warriewood Valley will generate the need for:

- New and/or augmented traffic facilities to promote the permeability and connectivity of the road network to the surrounding arterial road system and within Warriewood Valley;
- The upgrading of road intersections and sections of roads to provide the required road network that promotes the efficient, safe and orderly movement of people and goods;
- The provision of safe access to and from Mona Vale Road by the broader Warriewood Valley catchment;
- Improved connectivity of the road network to facilitate access and promote low travel times/distance to and from Warriewood Valley;
- Bus connections and emergency vehicles access;
- Improved and safer access to the schools within and adjacent to Warriewood Valley;
- A series of traffic calming measures along roads adjacent to and within Warriewood Valley to mitigate the negative impact of increased traffic generated by the future development on the safety and amenity of the area;
- Speed control measures to minimise pedestrian conflict and safeguard residential amenity;
- The provision of facilities that promote reduced reliance on private motor vehicles and the use of more environmentally sustainable transport modes including public transport, cycling and walking; and
- Provision of emergency access routes during major flood events.

In addition to the above, the impacts and the capacity of roads are to be managed via the provision of traffic calming devices at appropriate locations within the Release Area. The devices include:

- Traffic signals;
- Roundabouts;
- Carriageway narrowing incorporating landscaping;
- Pedestrian/cyclist refuges and medians;
- Channelised intersections;

4.0 TRAFFIC & TRANSPORT STRATEGY

- 3 tonne load limits on residential streets; and
- Vehicle speed controls through appropriate design.

Intersections and their proposed traffic management controls have also been designed to allow efficient, safe and orderly movement of traffic. Safe vehicular movement will be enhanced by the provision of appropriate line marking for vehicle turning bays, bus stop bays and kerb parking areas. The proposed residential precincts will be defined by “gateway” threshold treatments that may also include roundabouts. In addition to the above there is an identified need for major road crossings over creeks to be upgraded for emergency access and evacuation purposes. These are: -

- MacPherson Street (east) at Narrabeen Creek - to be raised to allow access in the 1% AEP storm event; and
- Boondah Road at Narrabeen Creek - to be raised to allow access in the 5% AEP storm event.

The acquisition of land will also be required to improve road alignment and accommodate necessary traffic calming infrastructure. All costs associated with the acquisition of land to enable the provision of traffic and transport facilities are accounted for under this Plan.

4.2.1 Reconstruction of roads directly fronting development sites

Developments fronting existing or planned public roads will be required to construct/reconstruct these roads, incorporating any necessary pedestrian and cyclist infrastructure, as part of the subdivision works associated with the land. These works do not form a part of the works funded under this Plan and as such the responsibility for funding this work lies solely with the developers of these sites. These requirements will be imposed via conditions of development consent.

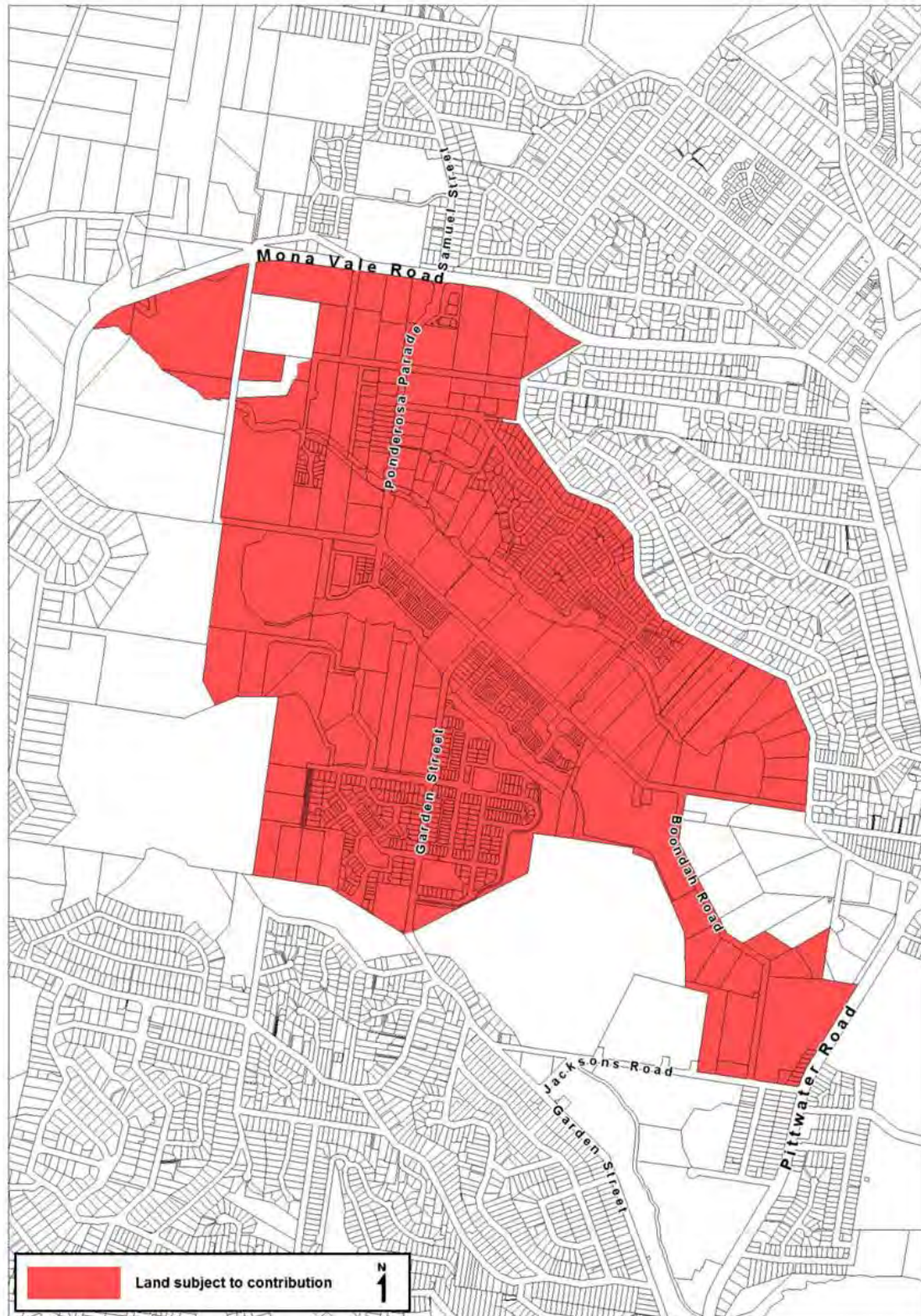
4.3 Contributing development

All development on land identified in Figure 2 will contribute toward the cost of delivering the Traffic and Transport Strategy.

Sectors 20, 202 and 203 are not included because of their isolated location to the north of the Release Area. Development in these sectors will be required to provide any traffic and transport facilities generated by the development. These requirements will be determined by Council at the development assessment stage.

4.0 TRAFFIC & TRANSPORT STRATEGY

Figure 2: Land subject to Traffic and Transport Strategy



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44

4.0 TRAFFIC & TRANSPORT STRATEGY

4.4 Apportionment

The need to provide the traffic and transport works identified in this Plan is generated by the development of Warriewood Valley. The works have been identified in response to the demand for those facilities likely to be generated by the new residents and commercial/ industrial development in Warriewood Valley.

Being an urban release area traffic and transport works are considered essential in order to allow the proposed development to occur and will primarily benefit the Warriewood Valley community. It is therefore appropriate that all development within Warriewood Valley be subject to the full cost of providing these facilities.

As discussed at section 2.4 of this Plan, the contribution amount toward the Traffic and Transport Strategy is adjusted based on the proposed form of development and the relevant RMS trip generation rate. This adjustment is discussed in detail at section 2.4 of this Plan.

4.5 Reasonableness

A core requirement of a Development Contributions Plan is that contributions must be reasonable. A contribution for traffic and transport works is considered to be reasonable as it levies for the needs of new residents to ensure efficient, effective and safe movement of the Warriewood Valley community. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the residents of Warriewood Valley.

4.6 Works schedule

The traffic and transport works already completed are listed in Appendix A of this Plan. The traffic and transport works still to be completed is listed in Appendix B.

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

5.0 Multi-functional Creek Line Corridor Strategy

5.1 Introduction

New development generally results in an increase in impervious surfaces, leading to higher levels of urban stormwater runoff and increased transfer of pollutants from urban to natural environments.

The Warriewood Valley catchment drains to Narrabeen Lagoon. While individual site development impacts on downstream drainage systems are unlikely to be significant, the cumulative effect of uncontrolled development within the Warriewood Valley catchment will adversely affect downstream drainage capacity and water quality. In Warriewood Valley this may lead to an exacerbation of existing flooding problems and possible further deterioration in downstream water quality. On this basis, it is reasonable to require a contribution toward drainage and flood management facilities that are required as a result of the development of the Release Area.

A strategy for environmental protection and water and flood management in Warriewood Valley has been created to facilitate provision of drainage and floodway infrastructure to service Warriewood Valley. This strategy includes the purchase and rehabilitation of land along Narrabeen Creek and Fern Creek as well as an area of land within Sector 1 for the purpose of water detention and flood conveyance.

The key objectives of this Strategy are:

- Provide natural drainage corridors to manage stormwater runoff as it leaves the development site;
- Provide drainage corridors that carry flows up to the 1% Annual Exceedance Probability (AEP) flood event;
- Protect down-stream properties from local flooding as a result of development of the Release Area;
- Enhance long-term environmental conditions of the receiving waters including the Warriewood Wetlands and Narrabeen Lagoon;
- Conserve and maintain integrity and quality of remnant native vegetation along creek lines to provide a functioning habitat for birds and native flora;
- Introduce and enhance wildlife corridors and establish riparian vegetation along Narrabeen and Fern Creeks;
- Protect and restore a range of aquatic habitats within the creeks;
- Preserve and enhance the existing environmental values of Warriewood Valley; and
- Provide for environmentally sustainable use of creek line corridors.

Note this Strategy is concerned with the management of water as it leaves the development site, having already been appropriately detained and treated. The infrastructure funded and delivered under this Strategy does not negate the need for developments to provide their own water detention and water quality facilities on-site.

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

5.2 Nexus and future demand

As described at section 5.1, new development in the Warriewood Valley catchment will result in an increase in impervious surfaces. The impact of urban development on flow regimes, erosion and siltation, and flooding can be substantially reduced by adopting stormwater management techniques that are focused on continuing the function of the natural drainage system. Future development in the Warriewood Valley catchment will result in the need to manage the quantity and quality of stormwater run-off both up and down stream of development,¹⁵ protect properties from flooding and safeguard the integrity of ecosystems in the catchment.

The overall aim of this strategy is to provide a network of multi-functional creek corridors along Narrabeen Creek, Fern Creek and Mullet Creek primarily for conveyance of stormwater and the 1% AEP flood event. In addition the creek line corridors will provide flora and fauna habitat and linkages, assist in water quality treatment, and contain cyclist and pedestrian facilities (refer to Section 7.0 of this Plan) linking the Warriewood escarpment with Warriewood Wetlands and Narrabeen Lagoon.

The delivery of the multi-functional creek line corridor strategy comprises two components: -

- Rehabilitation and reconstruction of the creek line; and
- Dedication of creek line corridor land.

The pedestrian and cycleway network proposed to be incorporated in the creek line corridor will facilitate connectivity across the Warriewood Valley catchment. As a result of the recreational utility of the creek line corridor network, 30% of the total creek line corridor land area has been included in the overall open space area calculations (resulting in 4.8 hectares of creek line corridor land being attributed to passive open space – refer to section 6.0 of this Plan).

5.2.1 Additional creek line corridor now included in Strategy

Following the rezoning and inclusion of 120-122 Mona Vale Road in the Warriewood Valley Release Area in 2014, the creek line corridor that forms part of these sites has been included in this Strategy.

These areas of creek line corridor are located on steep and not easily accessible terrain. Accordingly, for the purpose of calculating the area of passive open space, the upper reaches of Narrabeen Creek have been excluded from the open space land area calculations set out in Chapter 6.0 - Public Recreation and Open Space Strategy.

Through this strategy, creek line areas will be rehabilitated and reconstructed to assist in water conveyance and protect the new urban development from flooding. The creeks will comprise a natural formation with pools, riffles and

¹⁵ Stormwater run-off enters the creek system either directly where development is located adjacent to the creek system or indirectly via piped/open channel stormwater systems where development is not located adjacent to the creek system.

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

rapids to maintain creek line flow and water levels in adjacent wetlands and will be designed in accordance with the *Warriewood Valley Water Management Specification*. They will also be constructed to contain the 1% AEP flow.

5.2.2 Land to be dedicated under this Plan

This strategy comprises the dedication of creek line corridor land to ensure the long-term success of the creek network. As part of this strategy, an inner 50 metre corridor (25 metre wide either side of creek centre line) will be brought into public ownership to ensure efficient and consistent management of the creek, flora and fauna habitat, and the cyclist and pedestrian facilities. In addition to this, an outer 25 metre landscaped buffer to remain in private ownership is to be maintained on both sides of the inner corridor to support habitat and assist in stormwater and water quality management.

At the completion of this strategy, the total area of the creek line corridor land in public ownership will be 17.18 hectares (see Figure 3).

With respect to development sites which partially comprise creek line corridor land, Council will require, by condition of consent, a 25 metre wide corridor to be dedicated to Council as part of the development. The value of this land will directly offset the total monetary contribution payable. Table 4 lists the properties with creek line corridor land required to be dedicated to Council as well as the value attributed to the land. Creek line corridor land has been valued by a registered land valuer as at June 2015. The exact area of creek line land to be dedicated to Council is subject to final plan of subdivision. The areas outlined in Table 4 are not survey accurate.

All creek corridor land to be dedicated to Council must be free from weeds and contaminated material. Any remediation works on this land will be at the developer's cost and must be completed and signed off by a professional with relevant qualifications prior to dedication to Council. This will be imposed via conditions of consent.

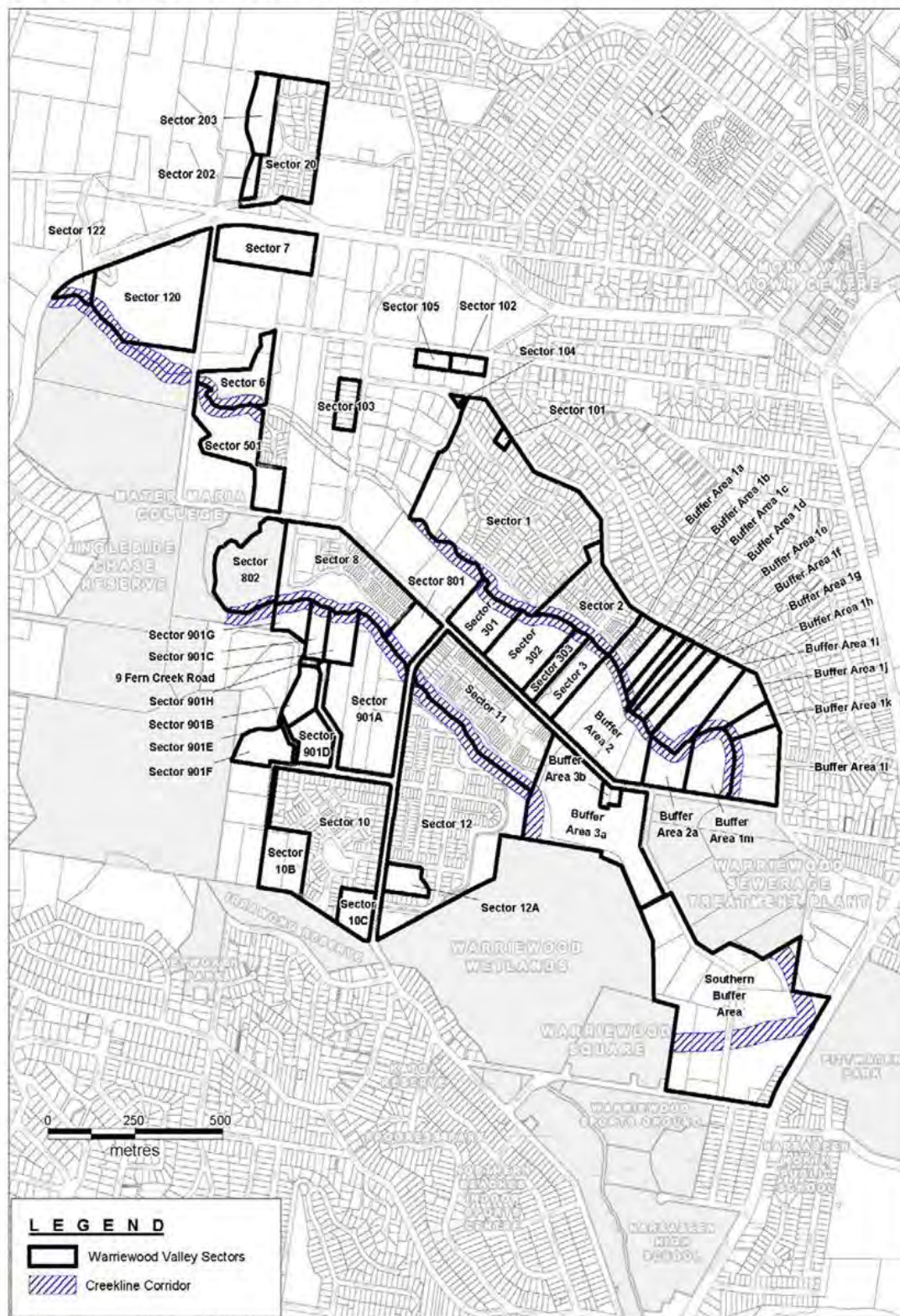
Creek corridor land is to be dedicated to Council through the release of the Subdivision Certificate. Creek corridor land to be dedicated is to be identified on the linen plan and the Deposited Plan Administration Sheet.

Noting that the position of the creek centreline has meandered over the years, to avoid confusion, the area of creek line required to be dedicated to Council is to be measured as 25 metres from the current rear property boundary.

Table 4 corresponds with Figure 3 and Appendix B of this Plan.

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

Figure 3: Warriewood Valley creek line corridor network



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49

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

Table 4: Creek line corridor land to be dedicated

Property	Land to be dedicated (sqm)**	Rate (2017/18)*	Land value (2017/18)
Sector 501	6,165	\$56.27	\$346,912
Sector 301	3,960	\$56.27	\$222,834
Sector 302	4,344	\$56.27	\$244,442
Sector 303	1,119	\$56.27	\$62,967
Buffer 1b	1,099	\$56.27	\$61,842
Buffer 1c	760	\$56.27	\$42,766
Buffer 1e	443	\$56.27	\$24,928
Buffer 1f	694	\$56.27	\$39,052
Buffer 1g	777	\$56.27	\$43,723
Buffer 1i	4,107	\$56.27	\$231,106
Buffer 1j	2,238	\$146.67****	\$341,434
Buffer 1k	1,070	\$146.67****	\$163,241
Buffer 1l	4,144	\$56.27	\$233,188
Buffer 1m	6,751	\$28.14	\$189,943
Buffer 2a	3,645	\$56.27	\$205,108
Sector 901A - 13 Fern Creek Road	1,493	\$56.27	\$84,013
Sector 901A - 4 Orchard Street	919	\$56.27	\$51,713
Sector 901A - 206 Garden Street	2,945	\$56.27	\$165,719
Sector 901C	1,471	\$56.27	\$82,775
Sector 901G	2,659	\$56.27	\$149,425
Upper Narrabeen Creek - 120 Mona Vale Road	4,531	\$28.14	\$127,482
Upper Narrabeen Creek - 122 Mona Vale Road	2,560	\$28.14	\$72,027
Upper Fern Creek (within Ingleside Chase Escarpment)***	3,430	\$56.27	\$193,010
Southern Buffer - 3 Boondah	375	\$56.27	\$21,102

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

Road			
Southern Buffer – 6 Jacksons Road	2,794	\$56.27	\$157,278
Total	64,493		\$3,558,231

**Value of creek line corridor land varies across the Release Area based on the utility and condition of the land.*

***Exact area of land to be dedicated is subject to final plan of subdivision.*

****The purchase of the Upper Fern Creek Corridor was forward funded by Council. Contributions are still to be sought to compensate Council through funds collected under this Plan.*

*****Development consent issued 19 November 2014. Creekline rate calculated under previous version of this Plan.*

5.2.3 Requirements for on-site water quantity and quality maintenance

All developments within the Warriewood Valley catchment will be required to provide water detention and treatment facilities, either on individual lots or on a broad scale area basis, to manage run-off from the development site before it enters the creek network. This requirement is directly generated by the development itself and as a result, the provision of these facilities is not a matter in respect of which any credit will be given against contributions payable under this Plan.

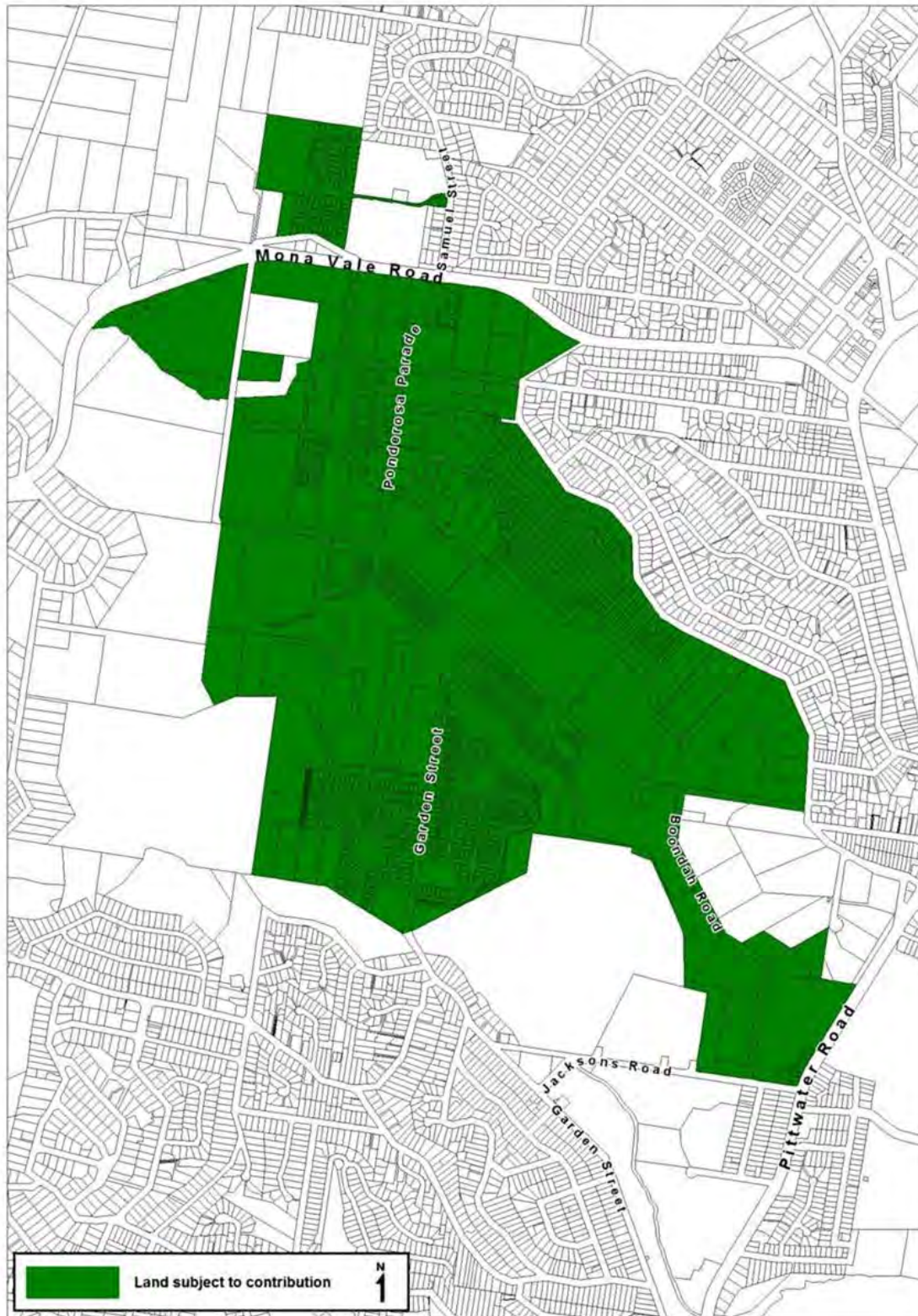
Applicants are advised to refer to the Warriewood Valley Water Management Specification 2001 for guidance on the necessary on-site water quality and quantity requirements.

5.3 Contributing development

All development on land identified in Figure 4 will contribute towards the cost of delivering the Multi-functional Creek Line Corridor Strategy.

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

Figure 4: Land subject to Multi-functional Creek Line Corridor Strategy



DRAFT FOR EXHIBITION 2018

52

5.0 MULTI-FUNCTIONAL CREEK LINE CORRIDOR STRATEGY

5.4 Apportionment

The need to provide the multi-functional creek line corridors identified in this part of the Plan is generated by the increase in development across the whole of the Warriewood Valley catchment. It is therefore appropriate that development within the Warriewood Valley catchment be subject to the full cost of providing these facilities.

5.5 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution toward this Strategy is considered reasonable as it will ensure the sustainable management of stormwater generated by the development of the Release Area. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the residents of Warriewood Valley.

5.6 Works schedule

The land dedication and works already completed are listed in Appendix A of this Plan. The land dedication and works associated with this Strategy that are still to be delivered are detailed in Appendix B.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

6.0 Public Recreation and Open Space Strategy

6.1 Introduction

The purpose of this section is to ensure that adequate open space is provided throughout Warriewood Valley to meet the needs of an increased population resulting from the development of the Release Area.

The residential development in Warriewood Valley will result in increased demand for recreation and open space facilities. It is expected that a population of the size and nature described in section 3.0 of this Plan will require a range of open space networks to cater for and support the forecast population.

The former Pittwater community strongly supported the conservation and enhancement of the unique environmental qualities of the LGA, as highlighted in numerous studies and community consultation surveys, and more recently the *Pittwater Public Space and Recreational Strategy (2014)* (Pittwater Recreation Strategy). This Plan seeks to support these community values and strategic goals by ensuring that the contributions provided from new development go to maintaining and enhancing the unique environment for the benefit of all residents in Warriewood Valley.

The former Pittwater area already provides a range of open space and recreation facilities including a range of facilities for unstructured play and recreation (including picnic areas, playgrounds and walking paths). Parks and open spaces are key components of the environmental, recreation and social infrastructure in all communities. They are used and valued by a wide cross section of residents, from all age groups and socio-economic backgrounds.

The Pittwater Recreation Strategy articulates the strategic framework for the provision of open space and recreational areas for the former Pittwater LGA. The Strategy adopts a standards-based approach of 2.83 hectares per 1000 persons based on the Department of Urban Affairs and Planning *Outdoor Recreation and Open Space Planning Guidelines* (1992) and does not consider land capability or pressures from tourism. The Pittwater Recreational Strategy confirms that there is an existing undersupply of recreation areas in the former Pittwater LGA. Accordingly, the Strategy recognises the importance for the Warriewood Valley Release Area and any release in Ingleside to provide adequate recreation areas and facilities to meet the needs of their incoming populations to ensure that the increase in demand does not further exacerbate the existing shortage of recreation areas within the former Pittwater LGA.

6.2 Nexus and future demand

The provision of public recreation facilities and open space areas benefits the community in a number of ways. Open space provides the venue for many

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

recreational, cultural and social activities and the various types of open space typically provided by local government cater for the differing needs of the community.

Public recreation and open spaces are key components of the environmental, recreational and social infrastructure in all communities. They are used and valued by a wide cross section of residents, from all age groups and socio-economic backgrounds.

The former Pittwater LGA is well served, in terms of the everyday needs of its residents, through the provision of local and district parks. In order to ensure the adequate provision of open space and recreational facilities in Warriewood Valley there is a need to identify and purchase land for open space and provide improvements to existing open space areas to increase capacity and provide for the forecast future population.

In order to maintain the present level of service provided, this Plan adopts a two-fold approach to the provision of additional open space and public recreation facilities to meet the additional needs of the incoming population:

- Purchase of strategic land that will contribute to the network of open space currently provided, including land for the purpose of a new park to serve the new population; and
- Embellishment of the existing open space areas.

In determining the future public recreation and open space needs of the community of Warriewood Valley, it has taken into account the anticipated demographic population profile examined in Sections 3.2 and Section 3.3 of this Plan. Generally the profile of new residents moving into Warriewood Valley is expected to be younger than the LGA average. In addition a significant proportion of future residents are also expected to be above the average age of the population. As result there is a need to:

- Provide a significant quantum of open space facilities, offering both passive and active recreation opportunities;
- Ensure that the open space and recreation facilities are of a high quality;
- Provide both neighbourhood and local parks within a 'reasonable' walking distance or in close proximity of future residents;
- Provide sufficient facilities for younger children (aged between 5-10 years old) such as sports fields which will be utilised through junior organised sports (i.e. soccer/football) and off-road cycle ways;
- Provide sufficient facilities for older children and young adults (aged between 10-20 years old). The limited existing recreation opportunities and limited public transport facilities has been identified as two major issues for young people moving into the area. The multi-functional creek line corridors for open space and water management will provide both the opportunity for alternative and safe transport and serve as a recreational area for use by this age group. Multi-use pathways within these corridors provide increased connectivity to district and regional facilities (such as the cinema, Warriewood Square and beaches) and to the main transport routes.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

- Ensure adequate recreation facilities are provided for older persons, generally focussed on walking and appreciation of environmental quality. All parks have been developed with strong emphasis on landscaped amenity, facilities for seating and views and to take advantage of environmental settings such as creek lines and associated bushland riparian zones. The open space system has a strong linear design that once accessed allows older users to access all parts of the Release Area off-road via a level, well-lit path with neighbourhood parks located at key intervals. It is envisaged that these parks will become social nodes where all age groups are able to gather while also increasing the Release Area's sense of place.

6.2.1 Strategy for Recreation and Open Space Facilities

The *Demographic and Facility/Service Needs Study for the Ingleside-Warriewood Urban Release Area* (Travers Morgan 1994) identified several issues that needed to be considered in planning for open space and recreation. These strategic issues have been considered and are reflected in this Plan:

- Optimising joint use opportunities with schools and community facilities. Local schools contain extensive areas of open space which historically have not been available to the community for either passive open space or active sports reserves. Council is intensively negotiating with all schools in the area to make this land available to the public out of school hours which is peak recreation time for the community. By providing increased security and facilities such as amenities, lighting and parking, this land will be fully utilised by incoming residents;
- Developing an overall park system with linkages between open space areas using walkways and cycle ways, including linkages to other public use areas and sectors (such as schools, community and retail centres and industrial/commercial sectors);
- Linking the escarpment, creeks, wetlands and lagoons via multi-functional open space corridors; and retaining existing bushland;
- Implementing buffer zones to minimise the migration of pollutants and the potential for flooding of low lying areas for increased urban run-off;
- Providing parks to accommodate water quality elements such as bio-swales and detention basins as urban design elements and where they do not impact upon the recreational opportunity or quality of the area;
- Developing larger integrated parks including playgrounds, sports fields and park lands rather than too many small scattered parks as a means of controlling maintenance costs;
- Establishing parks that cater for older residents with strong emphasis on walking activities, seating, creation of settings with high amenity and landscape quality;
- Establishing parks with adequate car parking and accessibility to residential areas;
- Establishing informal parks in areas where there is topography to create interest and places for informal activity as well as passive purposes;

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

- Recognising the high capital and recurrent cost of public recreation and open space will limit Council's ability to provide completed facilities in the short to medium term, and therefore in the initial stages of development Council has concentrated on identifying and securing land for open space purposes; and
- Exploring opportunities to bring areas with high conservation value and environmental attributes into public ownership through possible land exchanges between private landowners and State Government departments.

The locations for open space facilities are shown in the *Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain) May 2016* (Landscape Masterplan 2016). The final location and detailed design of many open space areas will be determined through ongoing consultation with landowners, developers and the community.

The proposed quantum of open space is based on the standard of 2.83 hectares per 1000 persons. While this is less than the current ratio in the LGA, this area of open space meets accepted standards and can be adequately planned and managed to provide high quality, usable and accessible recreational opportunities that meet the needs of the expected population while minimising land acquisition costs.

The Pittwater Recreation Strategy (p. 90) recommends:

"Retain this standard of 2.83 hectares of open space provision per 1,000 population for Warriewood Valley. Ensure the open space provision comprises large and small parks, public recreation areas including multifunctional creekline corridors, pedestrian and cycleway paths, playgrounds and sportsfields... Focus on the purchase of large areas of land suitable for sportsground precincts using section 94 funds from developer contributions."

The proposed provision allows for multi-use facilities and can remain relatively flexible and able to accommodate changing recreation needs and circumstances over time. Provision includes the following:

- Neighbourhood Parks: Three neighbourhood parks have been provided in the geographic centre of the Release Area. All parks are connected to the central creek line corridors enabling connectivity between all recreational areas. The provision of linear corridors allows all parks to become equally accessible throughout the area. The neighbourhood parks have now been completed. The combination of creek line corridors and parks provide a unique recreational and environmental asset to the new residents.
- Local Park: One centrally located local park will be provided serving the local community.
- Sports fields: 4.7 hectares of land have already been purchased for sportsgrounds and ancillary uses. This area is known as Warriewood Valley Sportsground. Of the 4.7 hectares, 2.4 hectares comprise sports fields and curtilage, with the balance containing associated car parking, amenities and passive recreation areas.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

- Consideration of the use of flood prone lands for sports fields where possible.
- Use of partnerships with State government agencies, such as Department of Education and Communities, to allow use of sports fields by the public and local sporting associations out of school hours.
- Linear Open Space: Land proposed to be acquired and embellished under this Plan via the Multi-functional Creek Line Corridor program has been included in the overall open space calculations. Generally the recreational potential of the corridors will be limited to pockets along the corridors where the creek meanders, allowing expanded open space areas for passive recreation.

6.2.2 Open space land requirements

Given Warriewood Valley is expected to contain a total of 2,394 residential dwellings which will house 6,464 persons, the quantum of open space to be provided is 18.3 hectares (based on the standard of 2.83 hectares per 1000 persons).

Table 5 details the quantum of open space delivered since the commencement of this Plan in 1998. As outlined in Table 5, of the 18.29 hectares of open space required for the Release Area, 12.86 hectares of open space has been delivered to date, with 5.43 hectares still to be delivered. The remaining 5.43 hectares comprises 1.69 hectares of linear open space to be achieved through the future dedication of creek line corridor land and acquisition of 3.74 hectares of land for active open space. These land acquisitions are discussed in further detail in the following sections.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

Table 5: Active and passive open space areas

Open Space Type	Areas delivered (hectares)	Remaining area still to be delivered (hectares)
Active Open Space	6.1	3.74
Warriewood Valley Sportsground (Jackson Road)	4.7 *	-
Narrabeen Sports High School (synthetic and turf fields)	1.4 **	-
Southern Buffer	-	4.15 – Refer to section 6.2.3
Passive Open Space	6.76	1.69
Central Local Park (northern half in Sector 8)	1.1 (exclusive of creek line corridor)*	-
Central Local Park (southern half in Sector 9)	1.0 (exclusive of creek line corridor) (land purchase only) *	Note: Land still to be embellished *
Sector 1 playground	0.2 *	-
Fernbank Reserve playground (in Sector 10)	0.47 *	-
Shearwater playground (in Sector 12)	0.22 *	-
Detention Basin (2 Prosperity Parade)	0.65 usable area only (the remaining 0.35ha comprises water quality basin) *	-
Linear Open Space along Creek Line Network (counted as 30% of total creek line corridor land area)**	3.12	1.69 – Refer to section 6.2.4
SUB TOTAL	12.86	5.43
TOTAL AREA OF OPEN SPACE TO BE DELIVERED	18.29	

Note that any open space purchases occurring in 2017/18 can only be reflected in the Plan once the year end reconciliation has occurred.

* Refer to Appendix B (in Warriewood Valley) of Pittwater Recreation Strategy

** Refer to Appendix B (in North Narrabeen) of Pittwater Recreation Strategy

* Embellishment identified in works schedule – refer to Item 10 in Public Recreation and Open Space Strategy in Appendix B of this Plan

** Refer to section 5.3 of this Plan

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

6.2.3 Active open space still to be delivered

Land located in the Southern Buffer area comprising approximately 4.7 hectares (refer to Figure 5), has been identified as potentially suitable to meet the forecast demand for active open space. Given the expected future population, the purchase of this land would maintain the level of provision for the future residents of Warriewood Valley. This area could be embellished and integrated with the existing playing fields in Boondah Road. It is considered that this land, adjacent/adjoining existing recreation areas, will provide high quality access and will best meet the needs of the future population.

The future purchase of any lands for open space will be through commercial negotiations between Council and individual landowners. The negotiations will be based on the best outcome for all parties in relation to achievement of high quality public open space outcomes and maximised development potential.

In the event that Council is unsuccessful in purchasing the total 3.74 hectares required or there are insufficient funds for the embellishment of the land to sufficiently meet the objectives of this Plan, the following options will be considered:

- Delay embellishment until funds become available through other future opportunities; and
- Further embellish existing active recreation areas with the view to upgrading the playing surfaces to a higher standard to facilitate more intense usage (for example, replacing a turf playing surface with a synthetic surface to allow 7 days per week continued usage regardless of weather conditions and in turn, facilitate increase in number of users).

6.2.4 Passive open space still to be delivered

In order to meet the passive recreation requirements, a total of 1.69 hectares of land is required to be acquired. This is proposed to be achieved through the acquisition of land along creek line corridors. This linear open space is deemed suitable for use as passive recreational land.

The Multi-functional Creek Line Corridor Strategy, outlined in section 5.0 of this Plan, recognises that the strategy will also deliver a linear open space network within the creek line corridor. Given their primary function as drainage corridors, only 30 percent of the total creek line corridor land is attributable as open space area.

The total inner creek line corridor width is generally 50 metres (25 metres either side of creek centre line). The actual creek bed area and batters will generally occupy up to a 25m width (5m bed and 10m batters on either side). Batters and surrounding creek line land will be extensively planted and as such the recreation potential of the corridors will be limited to pockets along the corridor where the creek meanders and allows expanded open space areas for reasonable recreation opportunities. While industrial and commercial developments are not directly levied under the Public Recreation and Open Space Strategy, it is recognised that there is some recreational value of the

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

creek line corridors for these developments and that people working in these sectors are able to use the corridors for either access to and from work or for lunch time recreation.

As the purchase and embellishment associated with the creek line network has already been attributed as part of the contribution toward the Multi-functional Creek Line Corridor Strategy, a second levy under this Strategy is not applied.

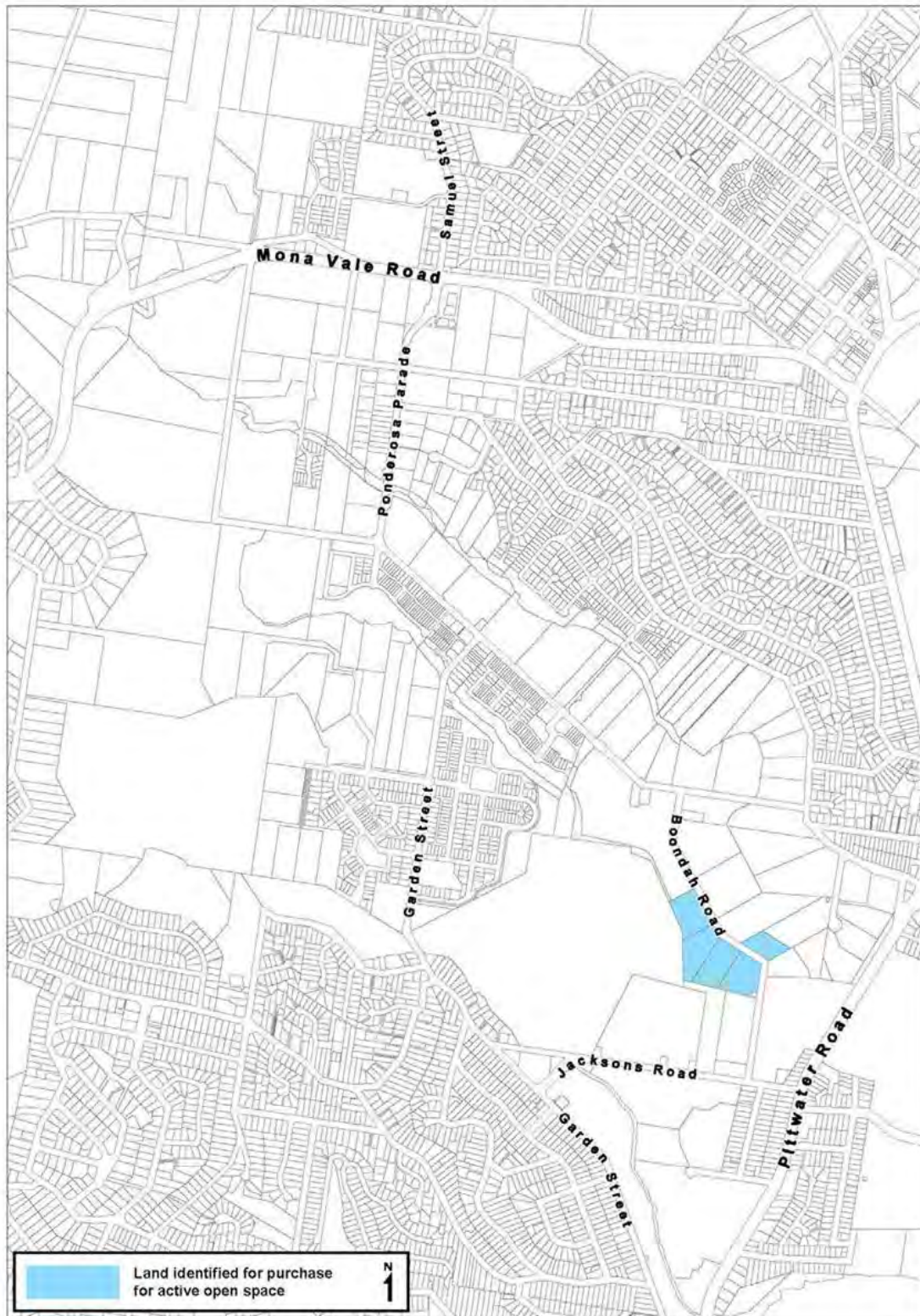
6.2.5 Deletion of works from this strategy

There are some works previously identified in superseded versions of this Plan which, after further in depth analysis, have been removed for the following reasons:

- Progress Park (0.25 hectares) – not considered desirable as the field is on a main road and is also used as an unleashed dog exercise area. Better options have become available.
- Buffer Area 1m (1 hectare) – considered not suitable for the following reasons:
 - This land is highly flood affected, with high flood hazard due to depth of flooding and velocity, making it unsuitable for active or passive recreational uses where lives, in particular children's lives could be put at major risk.
 - The site is part of the current flood storage for Narrabeen Creek and Narrabeen Lagoon floodplain and as such cannot be filled with more material unless compensatory cut is provided.
 - There is potential for the water table to be close to the surface at this location, which would affect the drainage and grass growth of any future sports fields.
 - The site has been filled over the years with material of unknown quality. This fill material is likely to contain contaminants that cannot remain in-situ and would need to be removed and replaced. What is observed at the surface is tile, concrete and brick rubble that has been introduced to the site to create a more permeable surface to operate the existing plant nursery.
 - The land does not adjoin any existing active recreation facilities. If the site was to be developed for sports fields, separate amenities and car parking facilities would need to be provided. As a result, compared to the cost of expanding existing active recreation facilities, establishing a sports field at this location would be considerably more expensive.
 - The site is extremely close to land planned for future medium density residential development. This causes logistical problems with scheduling its use.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

Figure 5: Land identified for purchase for future active open space



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62

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

6.3 Contributing development

Development identified in Table 1 on land identified in Figure 6 will contribute towards public recreation and open space facilities.

While industrial/commercial developments are not directly levied for public recreation and open space, it is recognised that there is some recreational value of the creek line corridors and that people working in Warriewood Valley are able to use the corridors for either access to and from work or for lunch time recreation. As industrial and commercial development will contribute toward the Multi-functional Creek Line Corridor Strategy, a contribution toward the Public Recreation and Open Space Strategy is not applied.

The Plan recognises that assisted living developments do not generate the same level of demand for public recreation and open space facilities as other residential development. As a result assisted living residential developments will not contribute the provision of these facilities.

6.4 Apportionment

The need to provide the public recreation and open space facilities identified in this Strategy is generated by the future residential development of the Warriewood Valley Release Area. It is therefore appropriate that residential development (excluding assisted living developments as identified in Table 1) within the Warriewood Valley catchment (see Figure 6) be subject to the full cost of providing these open space facilities.

6.5 Reasonableness

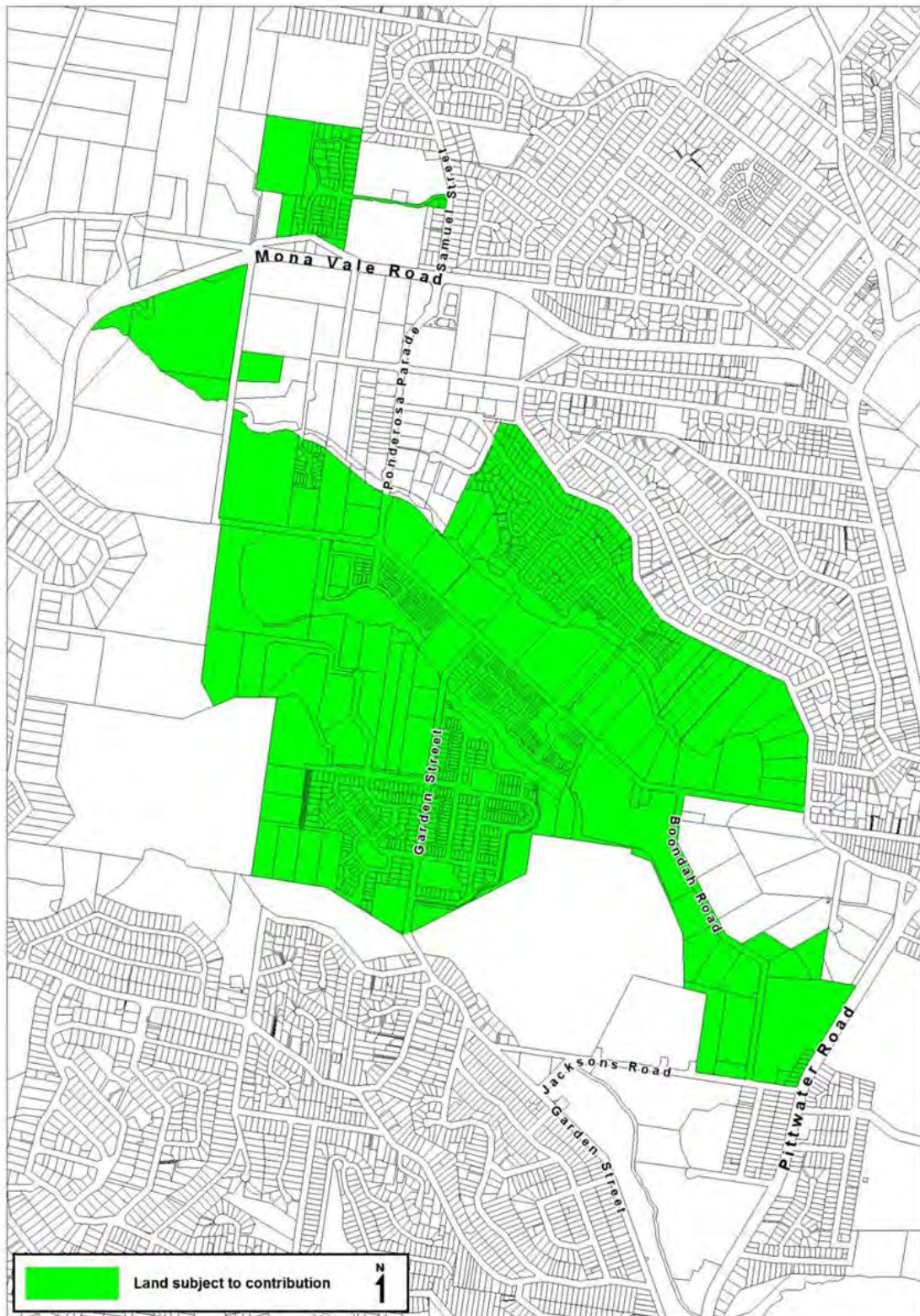
The core principle of development contributions is that they must be reasonable. A contribution toward open space and recreation facilities is considered reasonable as it will ensure the equitable provision of recreation and open space facilities for all future residents. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the residents of Warriewood Valley.

6.6 Works schedule

The open space and recreation facilities already delivered under this Strategy are listed in Appendix A of this Plan. The open space and recreation facilities associated with this Strategy that are still to be delivered are detailed in Appendix B.

6.0 PUBLIC RECREATION & OPEN SPACE STRATEGY

Figure 6: Land subject to Public Recreation and Open Space Strategy



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64

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7.0 PEDESTRIAN & CYCLIST NETWORK STRATEGY

7.0 Pedestrian and Cyclist Network Strategy

7.1 Introduction

The provision of pedestrian and cycleway facilities within communities is critical to provide access, improve health and deliver ecological sustainable development. Consistent with this, Council remains committed to the development of a safe and practical pedestrian and cycleway network for the LGA. Council recognises that additional residential, commercial and industrial development in the Warriewood Valley Release Area will increase the demand for pedestrian and cycleway facilities.

Council's objectives are to provide a consistent standard of facilities for pedestrians and cyclists within Warriewood Valley. This strategy identifies the pedestrian and cycleway facilities that will be required as a result of the future development of Warriewood Valley.

7.2 Nexus and future demand

Pedestrian and cycleway facilities offer a flexible and low impact alternative to the use of private motor vehicles and are an important consideration in transport planning for the Release Area. New development in the Warriewood Valley Release Area is a mix of residential, industrial and commercial development, which will create a demand for transport and recreation facilities by residents and workers.

Sectors 20, 202 and 203 will not be levied under the Pedestrian and Cyclist Network Strategy because of their isolated location to the north of Warriewood Valley. Development in these sectors will be required to provide directly to any required pedestrian and cycleway facilities as part of their development.

Sustainable transport management involves the provision of non-motorised transport modes as well as roads for motorised transport needs. Provision of multi-use access ways can be effective in providing a sustainable and balanced transport regime, particularly for trips in the immediate locality as well as providing an attractive form of recreation and access to recreation facilities within the Warriewood Valley.

Significant adjacent land uses likely to be heavily utilised by Warriewood Valley Release Area residents, such as Warriewood Square and the Warriewood Wetlands, provide both a need and opportunity for convenient and direct pedestrian and cycle path connections.

The *Pittwater Walks and Rides Strategy Masterplan Review – March 2012* identified the need to provide a well-planned active transport network in order to promote alternative transport use and to cater for the recreational needs of incoming residents. These plans identify the opportunities and constraints in developing bicycle and pedestrian facilities and recommendations for actions required in establishing a safe, functional and integrated bicycle network

7.0 PEDESTRIAN & CYCLIST NETWORK STRATEGY

Given Council's commitment to bicycle facilities expressed in the *Pittwater Walks and Rides Strategy Masterplan Review – March 2012*, the provision of the cycleway and pedestrian network is a reasonable expectation of incoming residents to Warriewood Valley. The cycleway and pedestrian paths identified are expected to be used for commuters travelling to and from school or work, or to link to other transport networks, such as a planned B Line stop on Pittwater Road near Jacksons Road, as well as other recreational users.

The pedestrian and cycleway network has been developed and located to service the industrial/commercial and residential areas alike. The creation of the pedestrian and cycleway network has taken into account shared paths situated in the creek line corridors, and the existing and proposed active and passive open space areas. The network will largely be situated in vegetated corridors with high landscape and environmental amenity. Shelters, bridges and other recreational opportunities in addition to playground areas will feature strongly. Key destination points such as Warriewood Square, Warriewood Wetlands, Warriewood cinema complex and sports facilities are accessible from the pedestrian and cycleway network.

The shared paths will also provide access for pedestrians, cyclists, and maintenance vehicles, ensuring their long-term function within the Release Area. Pedestrian and bicycle use and their location primarily in drainage corridors prone to flooding reinforce the need for such paths to be durable and of lasting construction. As such, concrete construction of pathways will be in accordance with RMS and Council standards for construction of shared paths.

Acquisition and construction of the multi-use access way network will proceed at the same pace as the development in Warriewood Valley, as land acquisition will generally occur through dedication of land as adjacent development is approved.

The Pedestrian and Cyclist Network Strategy does not include purchase or augmentation of land already purchased and is for the planning and provision of the actual pedestrian/cycleway facilities only. Through the Traffic and Transport and Multi-Function Creek Line Corridors strategies, a unified system of linear corridors will be acquired throughout Warriewood Valley designed to accommodate facilities for cyclists and pedestrians.

7.3 Contributing development

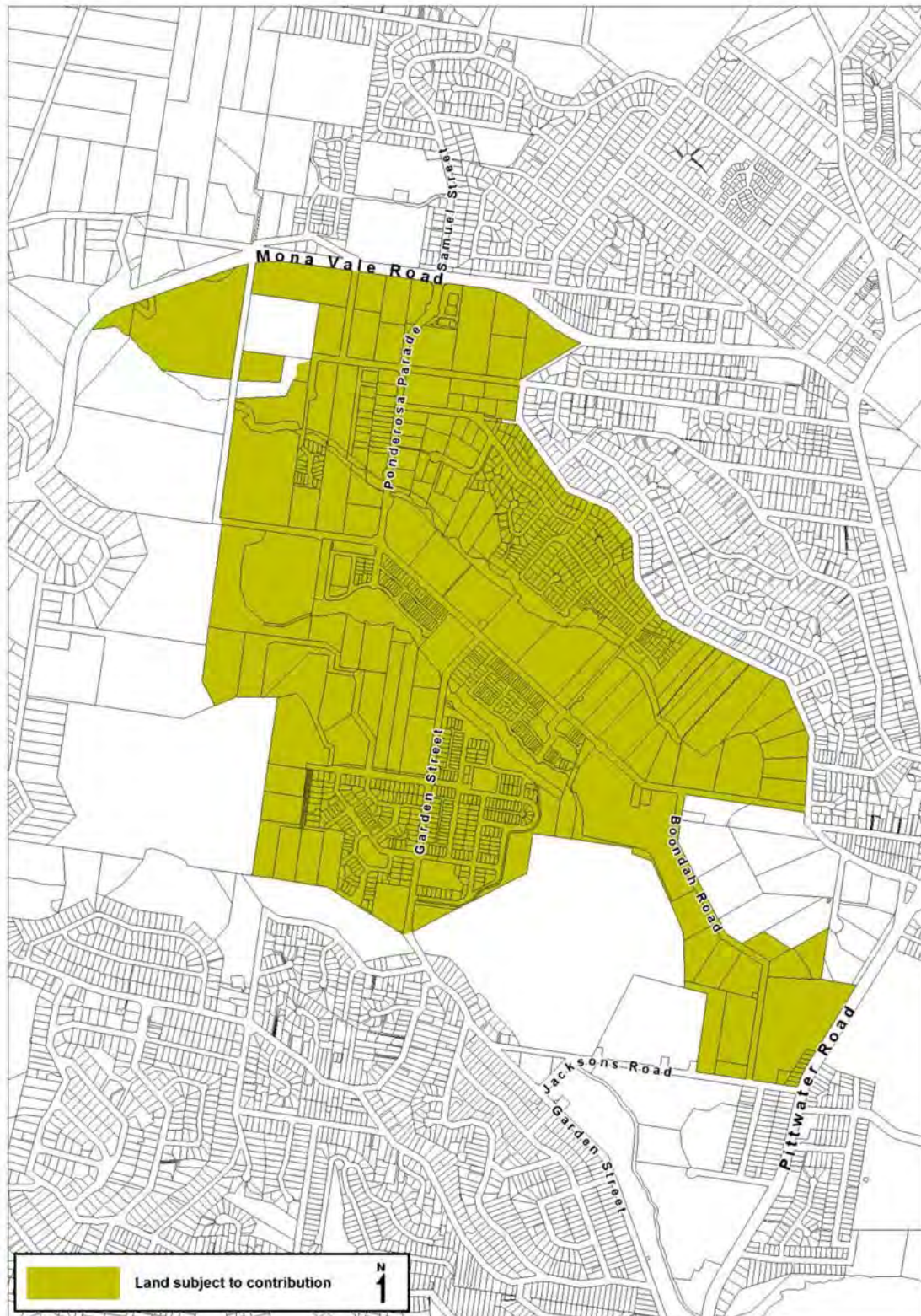
All development on land identified in Figure 7 will contribute towards the cost of delivering the Pedestrian and Cycleway Strategy.

Sectors 20, 202 & 203 are not included because of their isolated location to the north of the Release Area. Development in these sectors will be required to directly provide any required pedestrian and cycleway facilities. The Plan recognises that assisted living developments do not generate the same level of demand for community facilities as other residential development. As a result assisted living residential developments will not contribute the provision of these facilities.

7.0 PEDESTRIAN & CYCLIST NETWORK STRATEGY

7.0 PEDESTRIAN & CYCLIST NETWORK STRATEGY

Figure 7: Land subject to Pedestrian and Cyclist Network Strategy



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69

7.0 PEDESTRIAN & CYCLIST NETWORK STRATEGY

7.4 Apportionment

The need to provide the pedestrian and cycleway facilities identified in the Pedestrian and Cyclist Strategy is generated by the development of the Warriewood Valley catchment. Being an urban release area, pedestrian and cycleway facilities are considered essential pieces of active transport infrastructure and will primarily benefit the residents and workers of the Release Area. It is therefore appropriate that all development within the Warriewood Valley catchment (excluding Sectors 20, 202 and 203) be subject to the full cost of providing these facilities.

As discussed at section 2.4 of this Plan, a discount toward the Pedestrian and Cyclist Strategic is applied specifically for industrial and commercial development in recognition of the reduced demand for these facilities as compared to residential development. This adjustment is discussed in detail at section 2.4 of this Plan.

7.5 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution toward this Strategy is considered reasonable as it will ensure the equitable provision of pedestrian and cycleway facilities for all new residents and workers. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the residents of Warriewood Valley.

7.6 Works schedule

The pedestrian and cycleway facilities already delivered under this Strategy are listed in Appendix A of this Plan. The pedestrian and cycleway facilities associated with this Strategy that are still to be delivered are detailed in Appendix B of this Plan.

8.0 COMMUNITY FACILITIES STRATEGY

8.0 Communities Facilities Strategy

8.1 Introduction

A place for the community to meet is considered a basic prerequisite for community development. A local community facility, such as a community centre, provides a place for community groups to meet, encourages the establishment of new groups and activities and provides a place for the whole community to meet and integrate. These centres provide flexible space that can cater for the needs of a diverse population of various age groups, community groups and ethnic, cultural, linguistic, educational and socio-economic backgrounds. Activities and programs can be adapted to accommodate the changing needs and characteristics of the population. Locality based groups are some of the building blocks of community cohesion and often the focus of effective neighborhoods.

Council currently provides a high level of community services throughout LGA. This element of the Plan has been developed to ensure that an appropriate level of service provision, consistent with relevant benchmarks and best practice, is maintained for all residents and workers of the Warriewood Valley Release Area. Activities accommodated and needed in community centres for Warriewood Valley will include:

- Social activities for all age groups.
- Adult education.
- Playgroups.
- Youth activities.
- Art and craft activities.
- Activities for older residents.
- Activities for those with a disability.
- Catering and function rooms for events.

8.2 Nexus and future demand

Demand for new public facilities within the Warriewood Valley Release Area will be influenced by a number of factors, including the anticipated demographic composition of the new population, the availability and type of facilities currently available, and whether there is any spare capacity within the existing infrastructure.

Existing facilities are at capacity, evidenced by the requests for provision of additional activities and services from community groups that cannot be accommodated in existing facilities. It is apparent, through previous research, that there is no capacity in the existing community facilities to cater for the demand likely to arise from expected population growth over the next 10 years. As a consequence, it will be necessary to provide additional floor space to ensure appropriate levels of service to the incoming population. The factors which will affect the demand for community services are based on the profile of the incoming population.

8.0 COMMUNITY FACILITIES STRATEGY

In 1994, the population of the Warriewood Valley Release Area was anticipated to be different to that of the existing community. The *Demographic & Facility/Services Needs Studies, Ingleside-Warriewood Urban Release Area* (Travers Morgan 1994) identified the following characteristics and requirements:

- *Services for children*

With a significant proportion of children aged 0-12 years and a high rate of women in the workforce, there will be additional demand for children's services. Residents moving into the area will require access to services such as long day care, pre-school, occasional care and outside school hours care, which is permissible in residential zones of the Release Area. There will also be a need for community facilities in which to provide a range of activities for children, in particular for preschool children and afterschool recreational activities.

- *Services for young people*

Youth entertainment and transport have been identified as two major issues for young people moving into the area. Community facilities will need to provide a variety of recreation/entertainment options for young people, in a location that is accessible by bus, bicycle and those in wheelchairs and on foot.

- *Ageing population*

The provision of multi-unit housing may increase the number of aged residents as very often they are seeking smaller homes with reduced maintenance. There will be continued demand for community centres to provide space for activities for older people and information services such as libraries.

- *Female workforce participation*

With a stable proportion of children aged 0-12 years and continued high rate of female workforce participation, new residential development will create strong demand for child care services, particularly for children under 2 years, preschool services and services for children with a disability.

- *Services for persons with a disability*

It is anticipated that the Release Area will have a significant population of people with disabilities. This is due primarily to the high proportion of aged residents and the attractiveness of the area for those who want to be near the major disability service providers located on the Northern Beaches. There will therefore be a need for community facilities to be fully accessible and to provide a range of services/programs for people with disabilities.

- *Services for the general community*

The need for a range of other services for the general community including community nursing services and services for women and people from non-English speaking backgrounds have been identified as necessary for the future population. This highlights the need for multi-purpose community

8.0 COMMUNITY FACILITIES STRATEGY

facility space to provide a base from which a variety of services and activities can be offered to the community.

More recent studies and feedback from the community clearly highlight the need for spaces to also be made available for environmental education and awareness.

Some types of community services are age specific (such as child care, youth centres or senior citizens centres) while others are generic and used by people of all ages (such as exhibition space). This Strategy seeks to provide community facilities and services that are able to provide for the demands of the whole population. Based on a review of Council's strategic community facilities and service priorities and the desire/ability to deliver local services, it is considered that the needs of the incoming population will be best met by provision of additional floor space and equipment.

This Strategy aims to achieve the following objectives and benefits:

- Provide increased flexibility to address changing community needs over time;
- Provide more innovative, economical and effective models of provision;
- Meet a range of community needs in one centre – increasing levels of community access and service;
- Provide a facility that is fully accessible to enable use for services specifically for older residents and for people with disabilities;
- Provide facilities within a reasonable time;
- Establish a focal point for community activities and services which will provide benefits in community development terms and encourage an engaged and connected local community.

A review of existing community facilities across the LGA has been undertaken in conjunction with appropriate benchmarks across the State to determine the current rate of provision and level of service. It is appropriate that the community facility in Warriewood Valley be provided at a rate consistent with the provision across the LGA and NSW. This Strategy will provide for the provision of a community facility to satisfy the demands of the expected population of Warriewood Valley. Development contributions funding for this community facility is identified in Appendix 2 and is considered appropriate for a facility of the size and scale to service the future projected population.

Investigations into the preferred location of the community facility are currently underway. The final form and function of the facility will be the subject of future community consultation.

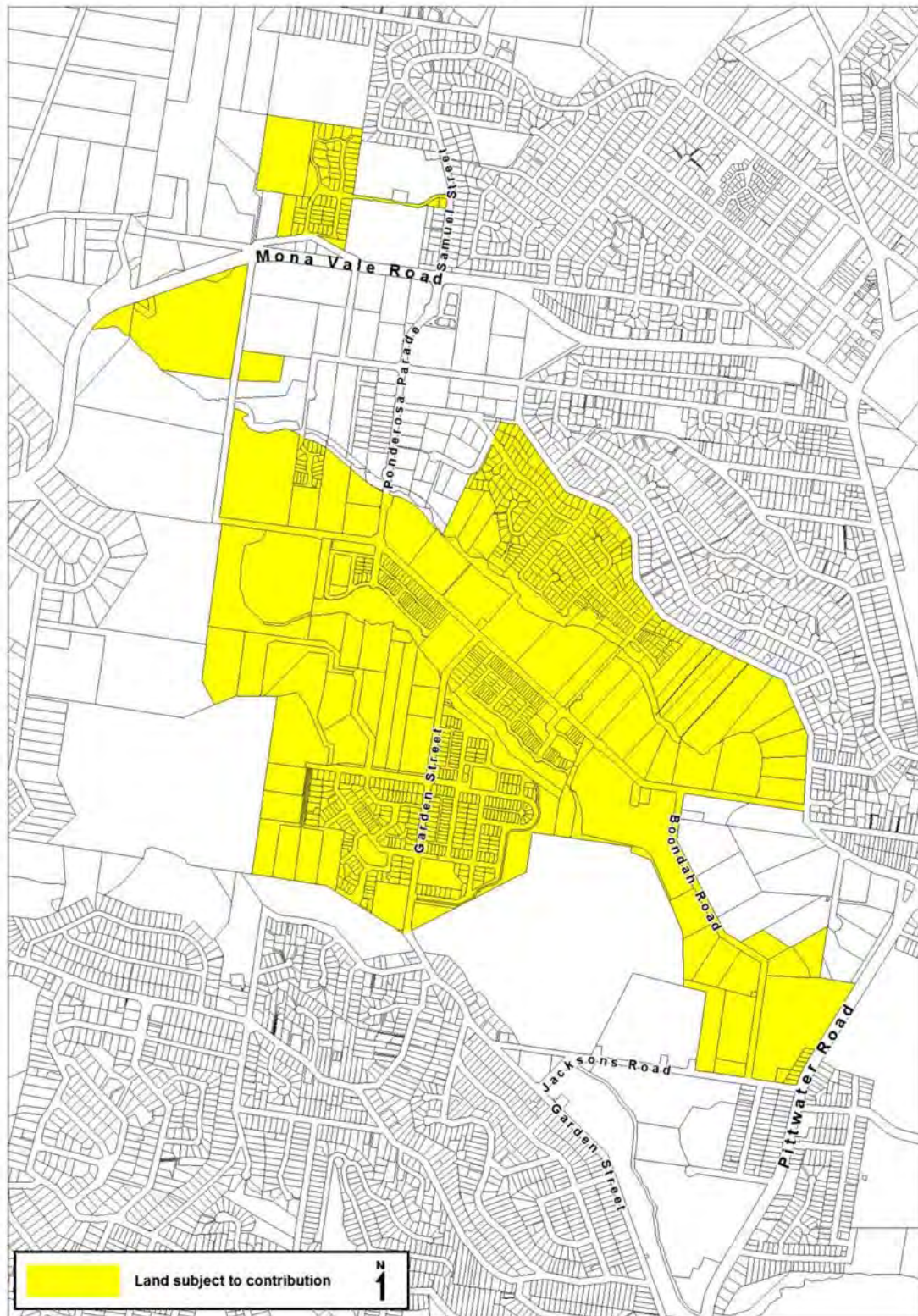
8.3 Contributing development

Development identified in Table 1 on land identified in Figure 8 will contribute towards the Community Facilities Strategy.

The Plan recognises that assisted living developments do not generate the same level of demand for community facilities as other residential development. As a result assisted living residential developments will not contribute the provision of these facilities.

8.0 COMMUNITY FACILITIES STRATEGY

Figure 8: Land subject to Community Facilities Strategy



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74

8.0 COMMUNITY FACILITIES STRATEGY

8.4 Apportionment

The facilities proposed are not required to provide for the needs of existing residents outside of Warriewood Valley, nor are they designed to serve as regional facilities, which may be used by people from outside the LGA. The purpose of this approach is to ensure there is a nexus between the expected population and the demand for these facilities, and to ensure that only new development pays for this provision.

This Plan will contribute toward the proposed facility to meet the standards and benchmarks for service provision across the LGA.

8.5 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution toward this Strategy is considered reasonable as it will ensure the equitable provision of community facilities for all new residents. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the residents of Warriewood Valley.

8.6 Works schedule

The community facilities already delivered under this Strategy are listed in Appendix A of this Plan. The community facilities associated with this Strategy that are still to be delivered are detailed in Appendix B of this Plan.

9.0 BUSHFIRE PROTECTION STRATEGY

9.0 Bushfire Protection Strategy

9.1 Introduction

The Warriewood Valley Release Area is bordered to the west by significant vegetation. The area's bushland resource is a significant contributor to the high quality of life enjoyed by the Release Area's residents, while its ongoing protection has been shown as a high priority for the wider former Pittwater community. The scenic and natural qualities and the recreational pursuits available are significant contributors to the LGA's quality of life.

With the history of the behaviour of bushfires previously recorded in the Warriewood Valley Release Area and the significant amount of surrounding bushland likely to be conserved in both public and private ownership, bushfire is a potential threat to all new development that must be managed. This Plan provides for bushfire protection measures, which Council considers essential to safeguard life and property from the risk of bushfire.

Note: All contributions toward bushfire protection works have now been collected. Although no further contributions will be levied towards delivery of these facilities, some facilities are still to be delivered. These are identified in Appendix B of this Plan.

9.2 Nexus and future demand

The development of the Warriewood Valley Release Area will require the provision of bushfire protection works. This Plan identifies the bushfire protection works that Council intends to implement to safeguard life and property from the risk of bushfire.

The *Ingleside/Warriewood Urban Land Release Bushfire Hazard Evaluation (1995)* recommended the provision of a perimeter fire trail around a bushfire hazard boundary within an urban subdivision to provide perimeter access for fire fighters and for use as a fire control line. Bushfire protection trails with unobstructed access available to emergency vehicles need to be created and maintained in locations that optimise effective management of bushfire emergencies. The bushfire protection trail comprises both:

- Perimeter roads designed as part of the subdivision of the sector; and
- Access linkages between the perimeter roads.

Properties identified as bushfire prone will require compliance with the NSW Rural Fire Service's *Planning for Bushfire Protection 2006*, including provision of a perimeter fire trail and Asset Protection Zones as part of the subdivision layout. The responsibility for funding and constructing the perimeter fire trail within the development site is the responsibility of the developer.

9.0 BUSHFIRE PROTECTION STRATEGY

This Strategy will deliver key linkages between perimeter roads provided by the developer through the subdivision of land.

9.3 Contributing development

All contributions toward bushfire protection works have now been collected. Contributions toward this element have not been collected since 4 September 2008.

Prior to this date, all development within the Warriewood Valley Release Area was required to contribute towards the cost of providing bushfire protection services.

9.4 Apportionment

The need to provide bushfire protection facilities identified in the Bushfire Protection Strategy is generated by the development of the Release Area. Given that the Release Area contains significant portions of bushland, developer contributions are required to support additional infrastructure required by new development. Council considers it essential that the full economic value of the contribution made by existing residents to the provision of bushfire protection facilities should be recognised and that new development will benefit substantially from this provision.

9.5 Reasonableness

The core principle of development contributions is that they must be reasonable.

A contribution for bushfire protection is considered to be reasonable as it levies for the needs of new residents and workers for bushfire protection and ensures the equitable provision of these facilities.

9.6 Works schedule

The program of bushfire protection works still to be delivered under this Plan is detailed in Appendix B of this Plan.

10.0 PONDEROSA PARADE DRAINAGE STRATEGY

10.0 Ponderosa Parade Drainage Strategy

10.1 Introduction

This Strategy identifies the drainage infrastructure within the Ponderosa Parade precinct established to facilitate development of the Stage 1 Release.

The design and construction of stormwater drainage infrastructure along Ponderosa Parade, from Jubilee Avenue to Narrabeen Creek Warriewood, has already been completed. Forward funding from Council has facilitated early delivery and completion of this infrastructure.

A number of sectors still to be developed are required to contribute towards the early delivery of this infrastructure.

10.2 Nexus and future demand

As part of the trunk drainage system for the Ponderosa Parade precinct, a pipeline was constructed in 1998/99 along Ponderosa Parade. The trunk drainage system starts west of Daydream Street and south of Mona Vale Road, and then crosses Daydream Street through private property to the intersection of Jubilee Avenue and Ponderosa Parade. Now complete, this pipeline runs along Ponderosa Parade and discharges stormwater to Narrabeen Creek.

Properties within the Stage 1 Release (being those along Ponderosa Parade between Jubilee Avenue and Narrabeen Creek, and 2 Daydream Street) and Sector 7 are required to contribute toward delivery of this infrastructure. These costs are distributed equitably, based on the area of each site.

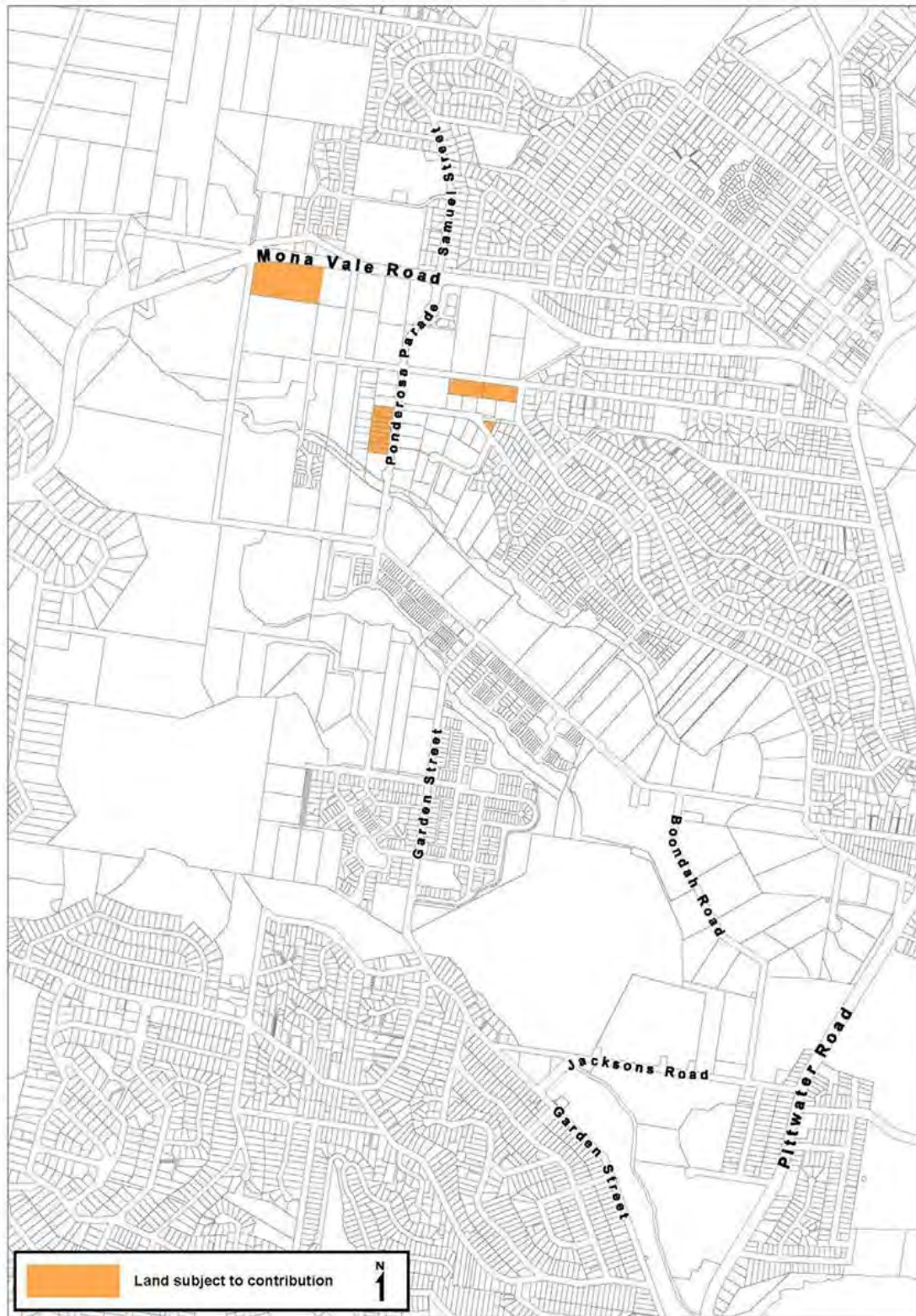
10.3 Contributing development

As of 2017, most of the properties having the benefit of the drainage infrastructure for the Ponderosa Parade precinct have been developed and contributed to the repayment of this infrastructure.

The remaining sectors still to be developed are Sectors 102, 103, 104 and 105. All development on these properties (identified in Figure 9) will contribute towards the drainage infrastructure for the Ponderosa Parade precinct.

10.0 PONDEROSA PARADE DRAINAGE STRATEGY

Figure 9: Land subject to Ponderosa Parade Drainage Strategy



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79

10.0 PONDEROSA PARADE DRAINAGE STRATEGY

10.4 Apportionment

The need to provide the trunk drainage system for the Ponderosa Parade precinct is directly generated by the development of the sectors within this precinct. It is therefore appropriate that all development in this precinct be subject to the full cost of providing this infrastructure.

10.5 Reasonableness

The core principle of development contributions is that they must be reasonable and equitable. This contribution is considered to be reasonable as it relates to costs associated with actual delivery of drainage infrastructure for the Ponderosa Parade Precinct. Costs associated with the early delivery of this infrastructure are still to be recouped via this Plan. Conversely, it would not be reasonable to burden the broader Northern Beaches community with the financial responsibility of providing infrastructure benefiting the Ponderosa Parade Precinct.

10.6 Works schedule

The Ponderosa Parade drainage infrastructure has been delivered and is listed in Appendix A of this Plan.

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11.0 ADMINISTRATION & PLAN MANAGEMENT STRATEGY

11.0 Administration and Plan Management Strategy

11.1 Introduction

This Strategy identifies the demand for resources related to the ongoing management and administration of this Plan.

The management and administration of this Plan imposes costs on Council in the preparation, implementation, monitoring and review of this Plan. With the increase in population and workforce there is a necessity to ensure there is a continuous process of managing, monitoring, revising and implementing this Plan.

11.2 Nexus and future demand

Section 94 plans and management systems exist because the nature of new development justifies and requires it. The costs to prepare, review and implement the plan, including for background studies, will be funded by new development where appropriate.

The administration of a Section 94 Plan is an expensive task. Council employs staff on both a part time and full time basis to coordinate the implementation of this Plan, the associated financial model and works schedule. In addition, consultant studies are often commissioned in order to determine design and costings of works, as well as to review the development and demand assumptions. The cost of contract administration is also considered a plan administration cost.

In accordance with IPART's Local Infrastructure Benchmark Costs Final Report, administration and plan management costs have been calculated annually at 1.5% of the value of the works schedule for each financial year.

11.3 Contributing development

All land subject to this Plan will contribute towards the Administration and Plan Management Strategy (refer to Figure 1).

11.4 Apportionment

As this Plan has been prepared solely to cater for the demands of future development, the costs associated with the Plan's preparation and ongoing administration will be borne fully by the future development.

11.5 Reasonableness

The core principle of development contributions is that they must be reasonable. A contribution for Administration and Management is considered to be reasonable as it

11.0 ADMINISTRATION & PLAN MANAGEMENT STRATEGY

relates to costs associated with actual delivery of infrastructure identified under this Plan including the monitoring/review of the Plan to facilitate timely delivery.

11.6 Works schedule

The funds to be set aside annually for the management and administration this Plan are listed in Appendix B of this Plan.

WARRIEWOOD VALLEY SECTION 94 CONTRIBUTIONS PLAN
AMENDMENT 16 REVISION 3

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AMENDMENT 16 REVISION 3

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APPENDIX A: COMPLETED WORKS

Appendices

Appendix A: Completed Works

Traffic and Transport Strategy	
Year Completed	Project Description
1998/99	Design and Associated Works
1999/00	Design and Associated Works
	Mona Vale Road/Foley Street Traffic Lights - Concept Design
	Design and Associated Works
	Traffic calming in Warriewood Road fronting Sector 1 – N0444/98
	Traffic calming in Warriewood Road fronting Sector 1- N0452/98
2000/01	2 bus bays in Warriewood Road-N0444/98
	Line marking/signage in Warriewood Road fronting Sector 1 – N0444/98
	Line marking/signage in Warriewood Road fronting Sector 1 – N0452/98
	Pathway land-Ponderosa Parade to Prosperity Parade – DP 1024779-99/5
	Pedestrian refuge in Garden Street, south of Orchard Street – N0570/01
	Roundabout (partial) in Garden Street at Sector 10 entrance – N0570/01
	Ponderosa Parade widening and roundabout (88 Mona Vale Rd) – 10904 of 2000
2002/03	Traffic Lights at Mona Vale Road/Foley Street - design
	Prosperity Parade street lighting
	Footpath link from Ponderosa Parade to Prosperity Parade
	Bus Shelter in Garden Street
	Traffic Lights / Roadworks design - Mona Vale Road/Foley Street
2003/04	Traffic Calming (Sector 2) Warriewood Road
	Traffic Calming (Sector 1) Warriewood Road

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86

APPENDIX A: COMPLETED WORKS

2004/05	Traffic Lights / Roadworks design - Mona Vale Road/Foley St
	Fern Creek bridge design
	Street tree planting
	Bus shelters in Warriewood Road
	Apollo Street improvements
2005/06	Bus bay in Warriewood Road (Sector 2) - N0143/00
	Pedestrian refuge in Garden Street, north of Mullet Creek - N0785/02
	Roundabout at Sector 10 / Sector 12 entrance - N0785/02
	Roundabout at Garden and Orchard St-N0785/02
	Traffic Lights / Roadwork design - Mona Vale Road/Foley Street
	Fern Creek Bridge design (2005/06)
	Apollo Street Improvements - street lighting and footpath
	Traffic lights / roadwork design - Mona Vale Road/Foley Street
	Fern Creek bridge design
	Medians in Jubilee Avenue, west of Daydream St (design)
2006/07	Entry Threshold - Garden Street/Natuna Street
	Pavement Correction & Strengthening Warriewood Road
	Traffic Calming - Warriewood Road, adjacent to Sector 1 and 2
	Road Widening - Warriewood Road, outside 12 Apollo Street (design)
	Pedestrian Refuge - Warriewood Road, between Moriac Street and Manooka Place
	Splay corner-Forest Road / MacPherson Street-N0210/04
	Bus bay-MacPherson Street at Forest Road-N0210/04
	Pedestrian refuge in MacPherson Street, north of Garden Street - N0210/04
	Signage, line marking & islands-north side of MacPherson Street - N0210/04
	MacPherson St / Forest Rd roundabout - N0210/04
2007/08	Garden St from Sector 12A to Mullet Creek - N0785/02
	Pavement Strengthening at MacPherson St / Brands Lane roundabout - N0210/04

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APPENDIX A: COMPLETED WORKS

	Traffic Calming – Warriewood Rd Adjacent to Sector 1 & 2
	Road Widening - Warriewood Road, outside 12 Apollo Street
	Road Culvert over Fern Creek in Garden St
	Street trees
	Culverts in Narrabeen Creek at Ponderosa Pde (design)
	Warriewood Road footpath connection
	Traffic lights Mona Vale Road / Foley Street - relocate power poles
	Traffic Lights Mona Vale Road / Foley Street
	Pedestrian Refuge - MacPherson Street at Narrabeen Creek (west)
	Culverts in Narrabeen Creek at Ponderosa Parade
2008/09	Splay Corner - 213 Garden Street / MacPherson Street
	Road culvert over Fern Creek in Garden Street
	Culverts in Narrabeen Creek at MacPherson Street
	Roadworks associated with Ponderosa Parade culvert
2009/10	Pedestrian Refuge - MacPherson Street at Narrabeen Creek (west)
	Splay Corner - 213 Garden / MacPherson Street
2011/12	Macpherson Street bridge over Narrabeen Creek - Design
	Macpherson Street Boondah Road
2013/14	Bridge and culvert, Road Raising, power and utility Relocation Macpherson Street (Design and part construction)
	Pavement correction and strengthening at Foley Street
2014/15	Roundabout and intersection upgrade - Garden Street/Jacksons Road intersection
	Upgrade Boondah Road from MacPherson Street to approximately chainage 300 (eastern side only)
2015/16	Road upgrade – Macpherson Street (between Garden Street and Sector 8) and Garden Street (eastern side of road only, between Macpherson Street and Fern Creek)
	Bus Bay and Shelter – Macpherson Street (south side of road) at Garden Street
2016/17	Pedestrian Refuge (small) – Garden Street at Fern Creek
	Roundabout – Macpherson Street and Garden Street

DRAFT FOR EXHIBITION 2018

88

APPENDIX A: COMPLETED WORKS

	Road upgrade - Macpherson Street (between Garden Street and Sector 8) and Garden Street (between Macpherson Street and Fern Creek (eastern side of road only))
	Splay corner purchase – MacPherson Street and Warriewood Road (1 corner - south-west corner)
Multi-functional Creek Line Corridor Strategy (Rehabilitation works)	
Year Completed	Project Description
1998/99	Water Strategy Works (Old Drainage Plan)
1999/00	Water Strategy Works
	Water Quality Compliance /Data Monitoring
2000/01	Concept Design of Narrabeen Creek Corridor
	Detailed Design of Narrabeen Creek Corridor
	Concept Design of Fern Creek Corridor
	Narrabeen Creek 30m Corridor C
	Narrabeen Creek 45m Corridor D
2001/02	Narrabeen Creek 45m Corridor E
	Water Quality Compliance Data Monitoring
	Water Quality Retention Basin - Earthworks
	Narrabeen Creek-corridor E and part corridor D-N0446/98
	Water Quality Compliance Data Monitoring
2002/03	Water Quality Detention Basin (Stage 2)
	East End Detention Basin Creek Crossing
	Narrabeen Creek Corridor C
	Fern Creek (Section I)
	Water Quality Compliance Data Monitoring
2003/04	Water Quality Detention Basin (Stage 2 earthworks)
	Narrabeen Creek Corridor C (2003/04 works)
	Fern Creek (Section I)

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APPENDIX A: COMPLETED WORKS

2004/05	Water Quality Compliance Data Monitoring
	Water Quality Detention Basin (Stage 2)
	Water Quality Detention Basin (Stage 2)
	Narrabeen Creek Corridor C (2004/05 works)
	Fern Creek (Section I)
2005/06	Narrabeen Creek Corridor B
	Narrabeen Creek Corridor F (Sector 2)
	Detention Basin
	Fern Creek - Corridor I
	Narrabeen Creek - Corridor C
2006/07	Fern Creek - Corridor H (Stage 1)
	Jubilee Ave - Upgrade Outlet
	Water Quality Compliance Data Monitoring
	Warriewood Valley Flood Study - Addendum
	Narrabeen Creek Corridor F (Sector 2)
2007/08	Fern Creek - Pedestrian/Cycleway Bridge (Sector 11/12)
	Detention Basin
	Fern Creek - Corridor H (Stage 1)
	Fern Creek Sector 11/12 Rehab
	Pedestrian Cycleway Bridge to Detention Basin
2008/09	Water Quality Compliance Data Monitoring
	Works in Fern Creek (Sector 11)-N0793/02
	Detention Basin (Final Stage - survey and design)
	Narrabeen Creek - Corridor F
	Fern Creek - Corridor H (Stage 2)
2009/10	Narrabeen Creek - Corridor B
	Water Quality Compliance Data Monitoring

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APPENDIX A: COMPLETED WORKS

2008/09	Detention Basin Design
	Narrabeen Creek - Corridor B
	Fern Creek Corridor H Stage 1
	Water Quality Compliance Data Monitoring
2009/10	Narrabeen Creek Culverts
	Narrabeen Creek - Corridor B
	Fern Creek Corridor H Stage 1
2010/11	WWV Detention Basin Entry Road
2011/12	Narrabeen Creek - Corridor B - Stage 1
2015/16	Fern Creek – Sector 801
Multi-functional Creek Line Corridor Strategy (Land acquisition)	
Year Completed	Project Description
2000/01	Water Quality Detention Basin Land Acquisition
	Sector 1-Australand (Lot 3022 DP 1021084) - N0444/98
	1-3 Apollo St (Lot 29 DP 1024779) - 99/5
2001/02	Sector 8 - Direct Dedication of land at Mater Maria School
2003/04	Sector 1 - MPB (Byrne and Associates)
	Fern Creek - Sector 12 – N0785/02 (CPG Developments)
	Fern Creek - Sector 11 - (Direct dedication - Australand)
2004/05	Narrabeen Creek - Sector 2-stage 51-N0143/00 (MPB - Australand)
	Narrabeen Creek -Sector 2-stage 41-N0143/00 (MPB - Australand)
	Narrabeen Creek - Sector 2-stage 6-N1034/02 (MPB - Australand)
2005/06	Fern Creek - Sector 12 – (Direct dedication - CPG)
	Vuko Place - Upgrade pipe outlet
	Sector 15 Creek Land Acquisition (1 Boondah Road)

DRAFT FOR EXHIBITION 2018

91

APPENDIX A: COMPLETED WORKS

	Sector 15 Creek Land Acquisition (1 Boondah Road)
	Narrabeen Creek – Sector 6 – N0738/04 (MPB-FKP)
	Narrabeen Creek – Sector 6 (Direct dedication - FKP)
	Fern Creek – Sector 9 (Direct dedication - Australand)
	Narrabeen Creek – STP Buffer Area (Direct dedication - ARV)
Public Recreation and Open Space Strategy	
Year Completed	Project Description
1999/00	Boondah Reserve works
2000/01	Jacksons Road sportsground acquisition (1st payment)
	Jacksons Road Sportsground Civil Works
2001/02	Land for neighbourhood park 1 (Sector 1) (Lot 3022 DP 1021084) - N0446/98
	Jacksons Road Sportsground Acquisition (2nd payment)
	Jacksons Road Sportsground Car park
2002/03	Jacksons Road Sportsground Acquisition (3rd payment)
	Jacksons Road Sportsground - lighting and signage
	Land for neighbourhood park 2 (Lot 126 DP 1043971) - N0570/01
	Neighbourhood park (Sector 1) - N0446/98
2003/04	Neighbourhood park 2 (Sector 10) - N0570/01
	Land for neighbourhood park 3 (Sector 12) - N0785/02
	Jacksons Road Sportsground Acquisition (4th payment)
2004/05	Sportsground (Jacksons Road) Stage 3
	Jacksons Road Sportsground Acquisition (final payment)
	Jacksons Road Change Rooms (design)
2005/06	Jacksons Road Change Rooms (design)
	District Park (Design)

DRAFT FOR EXHIBITION 2018

92

APPENDIX A: COMPLETED WORKS

	Neighbourhood park 3 (Sector 12) - N0785/02
2006/07	Warriewood Valley Sportsground Amenities
	Central park (land in sector 8) - N0210/04
	Jackson Road Sportsground Lighting
2007/08	Jacksons Road Sportsground Amenities - landscaping, plumbing & painting
	Shade Structures to Neighbourhood Parks 1 & 3
	Purchase of open space land (Sector 9)
	Central Local Park (Sector 8) – Embellishment
2008/09	Jackson Road sportsground lighting
	Narrabeen High School soccer ground
	Warriewood Valley Community Centre Childcare Stage 1
2009/10	Central Local Park (Sector 8) - Embellishment
2010/11	Central Local Park (Sector 8) - Embellishment
2011/12	Central Local Park (Sector 8) - Playground
2011/12	Narrabeen High sports field embellishment
2015/16	NBISC Contribution – Stages 1 & 2
Community Facilities Strategy	
Year Completed	Project Description
2007/08	Warriewood Community Centre Childcare Design/Investigation
2009/10	Warriewood Community Centre Childcare Stage 1
2015/16	Embellishment/Extension of Community Facility Space (Design Stage 1)
Library Facilities Strategy¹⁶	
Year Completed	Project Description

¹⁶ All works associated with this strategy have now been completed.

APPENDIX A: COMPLETED WORKS

2001/02	Library Resource Items / Equipment (2001/02)
2002/03	Library Resource Items / Equipment (2002/03)
2003/04	Library Resource Items / Equipment (2003/04) Extensions Mona Vale Library
2004/05	Library Resource Items / Equipment (2004/05) Extensions Mona Vale Library
2005/06	Library Resource Items / Equipment (2005/06) Extensions Mona Vale Library
2006/07	Library Resource Items / Equipment (2006/07)
2007/08	Library Resource Items / Equipment (2007/08)
2008/09	Library Resource Items / Equipment (2008/09)
Pedestrian and Cyclist Network Strategy	
Year Completed	Project Description
2000/01	Cycleway west of Sector 1-NO452/98
2002/03	Cycleway network along Narrabeen Creek –(Sector 1)
	Land in Sector 10 (DP 1043971) - (Stockland) – N0570/01
	Cycleway network in Sector 1-Australand-N0444/98
2004/05	Cycleway network in Sector 10 - Stockland – N0570/01
	Warriewood Wetlands boardwalk - Stage 2
	Cycleway around detention basin in Sector 1
2005/06	Cycleway along Pittwater Road (south of Warriewood Road)
	Land south of Sector 12 adjoining conservation/open space - N0785/02 (CPG)
	Land in Sector 11 - (Australand) – N0793/02
2005/06	Warriewood Wetlands boardwalk – Stage 2
	Pedestrian/Cycleway bridge over Fern Creek (Sector 11/12)

DRAFT FOR EXHIBITION 2018

94

APPENDIX A: COMPLETED WORKS

	Cycleway network for Sector 12 - (CPG) – N0785/02
	Cycleway network in Fern Creek (Sector 12) - (CPG) – N0785/02
	Warriewood Wetlands Boardwalk Stage 2
2006/07	Cycleway network in Sector 11 - (Australand) – N0793/02
	Cycleway around detention basin in Sector 1
	Cycleway network along Narrabeen Creek (Sector 2)
2011/12	Cycleway network along Narrabeen Creek (Corridor B)
2015/16	Cycleway network along Fern Creek (Sector 801)
Ponderosa Parade Drainage Strategy¹⁷	
Year Completed	Project Description
1998/99	Trunk Drainage Ponderosa Parade
2000/01	Trunk Drainage Ponderosa Parade

¹⁷ All works associated with this strategy have now been completed.

APPENDIX B: WORKS SCHEDULE

Appendix B: Works Schedule

Traffic and Transport Strategy				
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year	
2.5	Roundabout – Warriewood Road and Hill Street intersection	\$187,591	2019/20	
3	Roundabout – Warriewood Road and Macpherson Street (construction, underground power and service adjustments)	\$695,650	2017/18	
4.3 - Design	Bridge and culverts, road raising, power and utility relocation – Macpherson Street (design component)	\$63,241	2017/18	
4.3 - Construct	Bridge and culverts, road raising, power and utility relocation – Macpherson Street (construction component)	\$5,249,001	2017/18	
4.4	Culvert to increase capacity under Boondah Road at Narrabeen Creek	\$702,609	2019/20	
5.5	Bus Bay and shelter – Warriewood Road between Manooka Place and Alameda Way	\$35,231	2021/22	
5.6	Bus Bay and shelter – Warriewood Road at Alameda Way	\$30,561	2021/22	
5.7	Bus Bay and shelter – Warriewood Road at Macedon Place	\$35,228	2021/22	
5.8	Bus shelter x 2 – Macpherson Street (north and south side of road) near Boondah Road	\$61,123	2017/18	
5.10	Bus Bay and shelter – Macpherson Street (north side of road) near Garden Street	\$38,816	2017/18	
7	Intersection upgrade – Improve left turn and produce two right turn lanes into Pittwater Road at Warriewood Road	\$508,888	2020/21	
10.1	Traffic islands – Jubilee Avenue and Ponderosa Parade (Stage 2 of roundabout construction)	\$75,870	2018/19	
22	Roundabout – Jubilee Avenue and Warriewood Road	\$306,923	2018/19	
23	Roundabout – Macpherson Street and Brands Lane	\$187,591	2018/19	
25	Upgrade existing roundabout – Boondah Road and Jacksons Road	\$182,544	2019/20	
26b	Road upgrade – Boondah Road from Chainage 300 to Chainage 600 (Design and Construction)	\$2,238,468	2019/20	
26c	Road upgrade – Boondah Road from Chainage 600 to Jacksons Road (Design and Construction)	\$2,944,390	2020/21	
27	Intersection upgrade and parking improvement – Garden Street and Powderworks Road	\$329,979	2017/18	

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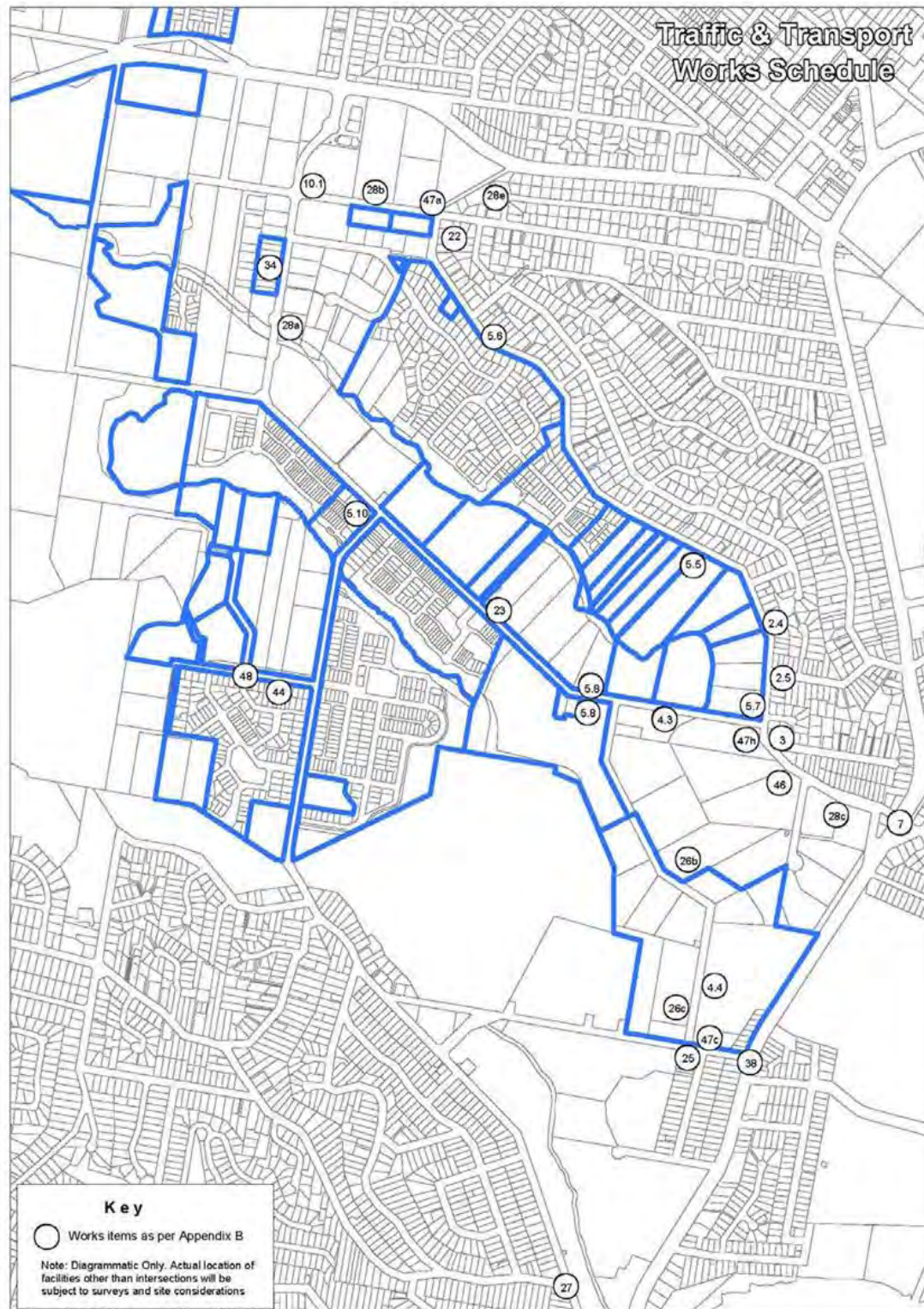
96

APPENDIX B: WORKS SCHEDULE

28A	Shared Paths – Ponderosa Parade, Jubilee Avenue to Macpherson Street	\$229,333	2017/18
28B	Shared Paths – Jubilee Avenue, Ponderosa Parade to Warriewood Road	\$154,498	2017/18
28C	Shared Paths – Warriewood Rd, Vuko Place to Pittwater Road	\$113,460	2017/18
28E	Footpath – Foley St, Jubilee Avenue to Mona Vale Road	\$58,420	2021/22
34	Road pavement upgrade – Ponderosa Parade, between Apollo Street and Macpherson Street (western side of road)	\$1,016,443	2018/19
38	Intersection upgrade – Jacksons Road and Pittwater Road	\$564,448	2019/20
44	Central Median – Orchard Street, Garden Street to Fern Creek	\$183,178	2017/18
46	Road upgrade – Warriewood Road, Macpherson Street to Vuko Place	\$316,206	2017/18
47a	Splay corner purchase - Warriewood Road and Jubilee Avenue (3 corners – north-west, south-east and south west corners)	\$155,802	2018/19
47c	Splay corner purchase – Boondah Road and Jacksons Road (2 corners – north east and north west corners)	\$62,754	2018/19
48	Roundabout – Orchard Street and Fern Creek Road	\$182,544	2018/19
Traffic and Transport Strategy Subtotal		\$16,910,789	

APPENDIX B: WORKS SCHEDULE

Figure 10: Map of Traffic and Transport Works Schedule



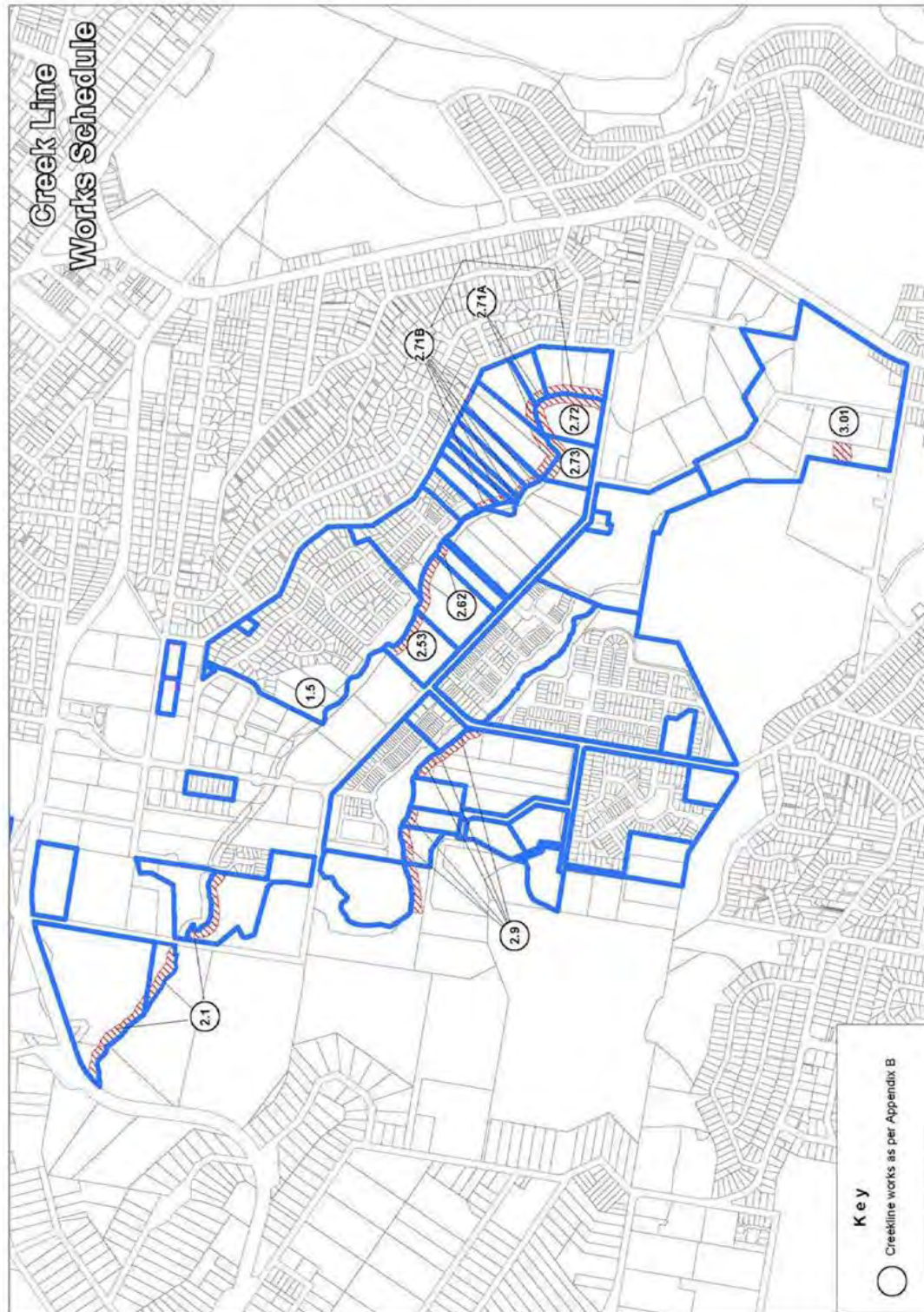
APPENDIX B: WORKS SCHEDULE

Multi-functional Creek Line Strategy (Rehabilitation works)			
Location/ Item Number	Project Description	Expenditure (2016/17)	Commencement Year
1.5	Water Quality Retention Basin – Narrabeen Creek at Sector 1	\$742,780	2019/20
2.1	Narrabeen Creek Upper Reaches	\$1,832,190	2019/20
2.53	Narrabeen Creek at Sector 301	\$371,390	2021/22
2.62	Narrabeen Creek at Sector 302 & 303	\$557,085	2017/18
2.71a	Narrabeen Creek at Buffer 1j & 1k	\$321,871	2021/22
2.71b	Narrabeen Creek at Buffer 1b to 1i & 1l	\$1,411,281	2018/19
2.72	Narrabeen Creek at Buffer 1m	\$1,077,031	2019/20
2.73	Narrabeen Creek at Buffer Area 2a	\$383,769	2020/21
2.9	Fern Creek at Sector 901a, 901c and 901g.	\$1,361,763	2019/20
3.01	Narrabeen Creek in Southern Buffer (6 Jacksons Road)	\$272,353	2021/22
Multi-functional Creek Line Corridor Strategy (Rehabilitation works) Subtotal		\$8,331,512	



APPENDIX B: WORKS SCHEDULE

Figure 11: Map of Creek Line Works Schedule



APPENDIX B: WORKS SCHEDULE

Multi-functional Creek Line Strategy (Land acquisition)			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
501	Narrabeen Creek Corridor – 6,165m ²	\$346,912	2018/19
301	Narrabeen Creek Corridor – 3,960m ²	\$222,834	2020/21
302	Narrabeen Creek Corridor – 4,344m ²	\$244,442	2017/18
303	Narrabeen Creek Corridor – 1,119m ²	\$62,967	2019/20
1b	Narrabeen Creek Corridor – 1,099 m ²	\$61,842	2017/18
1c	Narrabeen Creek Corridor – 760m ²	\$42,766	2017/18
1e	Narrabeen Creek Corridor – 443m ²	\$24,928	2017/18
1f	Narrabeen Creek Corridor – 694m ²	\$39,052	2019/20
1g	Narrabeen Creek Corridor – 777m ²	\$43,723	2020/21
1i	Narrabeen Creek Corridor – 4,107m ²	\$231,106	2018/19
1j	Narrabeen Creek Corridor – 2,238m ²	\$341,434	2018/19
1k	Narrabeen Creek Corridor – 1,070m ²	\$163,241	2018/19
1l	Narrabeen Creek Corridor – 4,144m ²	\$233,188	2018/19
1m	Narrabeen Creek Corridor – 6,751m ²	\$189,943	2020/21
2a	Narrabeen Creek Corridor – 3,645m ²	\$205,108	2021/22
901A – 13 Fern Creek Road	Fern Creek Corridor – 1,493m ²	\$84,013	2018/19
901A – 4 Orchard Avenue	Fern Creek Corridor – 919m ²	\$51,713	2020/21
901A – 206 Garden Street	Fern Creek Corridor – 2,945m ²	\$165,719	2020/21
901C	Fern Creek Corridor – 1,471m ²	\$82,775	2018/19
901G	Fern Creek Corridor – 2,659m ²	\$149,425	2018/19

DRAFT FOR EXHIBITION 2018

101

APPENDIX B: WORKS SCHEDULE

120 Mona Vale Road	Upper Narrabeen Creek – 4,531m ²	\$127,482	2019/20
122 Mona Vale Road	Upper Narrabeen Creek – 2,560 m ²	\$72,027	2019/20
Upper Fern Creek Corridor	Upper Fern Creek Corridor – 3,430m ²	\$193,010	2019/20
3 Boondah Road	Narrabeen Creek Corridor – 375m ²	\$21,102	2017/18
6 Jacksons Road	Narrabeen Creek Corridor – 2,795m ²	\$157,278	2021/22
Multi-functional Creek Line Corridor Strategy (Land acquisition) Subtotal		\$3,558,231	

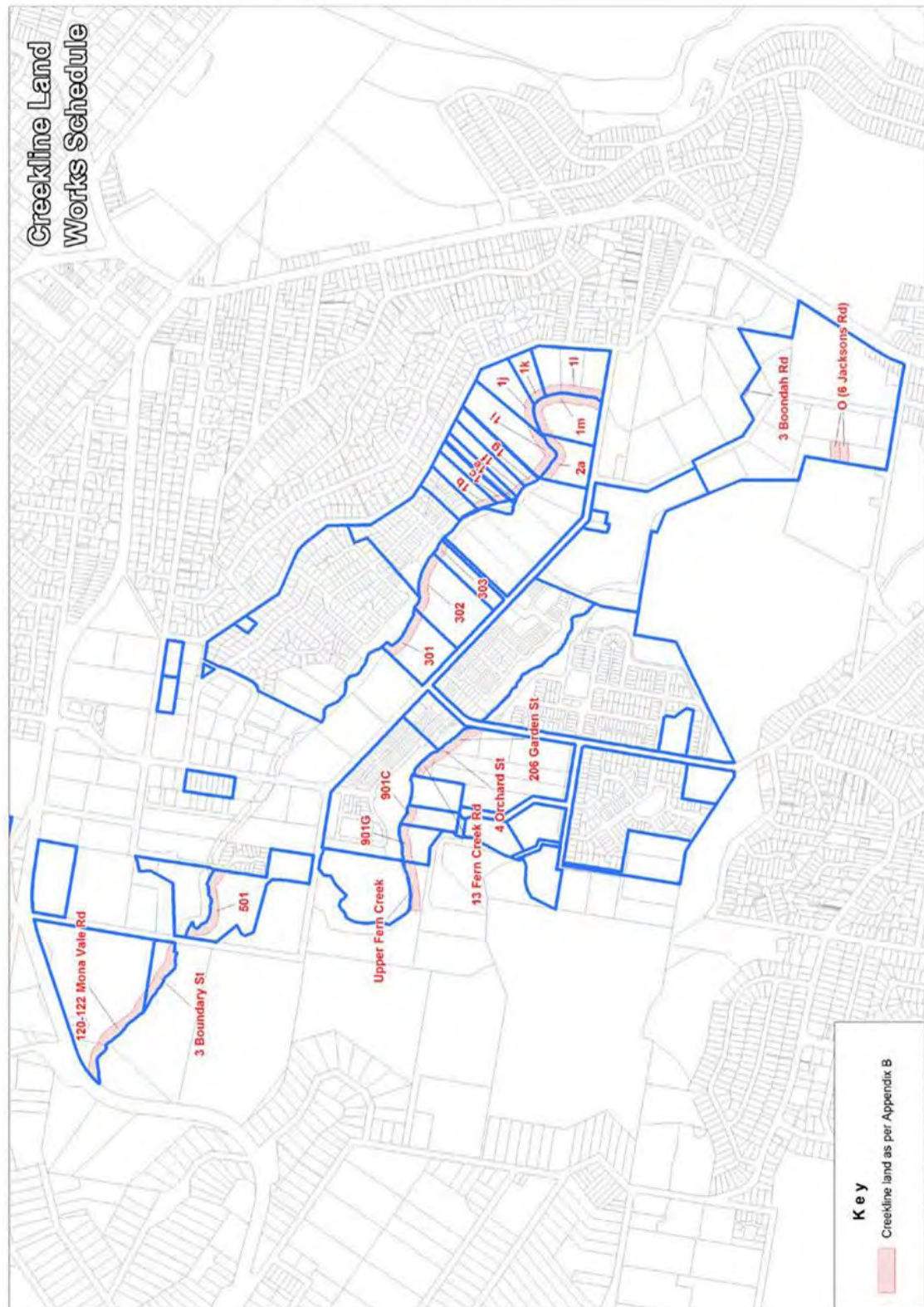
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102



APPENDIX B: WORKS SCHEDULE

Figure 12: Map of Creek Line Land Acquisition Schedule



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103

APPENDIX B: WORKS SCHEDULE

Public Recreation and Open Space Strategy			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
1a	Southern Buffer land acquisition and embellishment – Stage 1	\$16,287,808	2019/20
1b	Southern Buffer land acquisition and embellishment – Stage 2	\$1,250,655	2020/21
1c	Southern Buffer land acquisition and embellishment – Stage 3	\$5,002,621	2021/22
6.2	Warriewood Sportsground (Jacksons Road) – Carpark upgrade and irrigation	\$760,786	2017/18
10	Embellishment of southern half of Central Local Park - Sector 9	\$1,784,387	2018/19
Public Recreation and Open Space Strategy Subtotal		\$25,086,258	

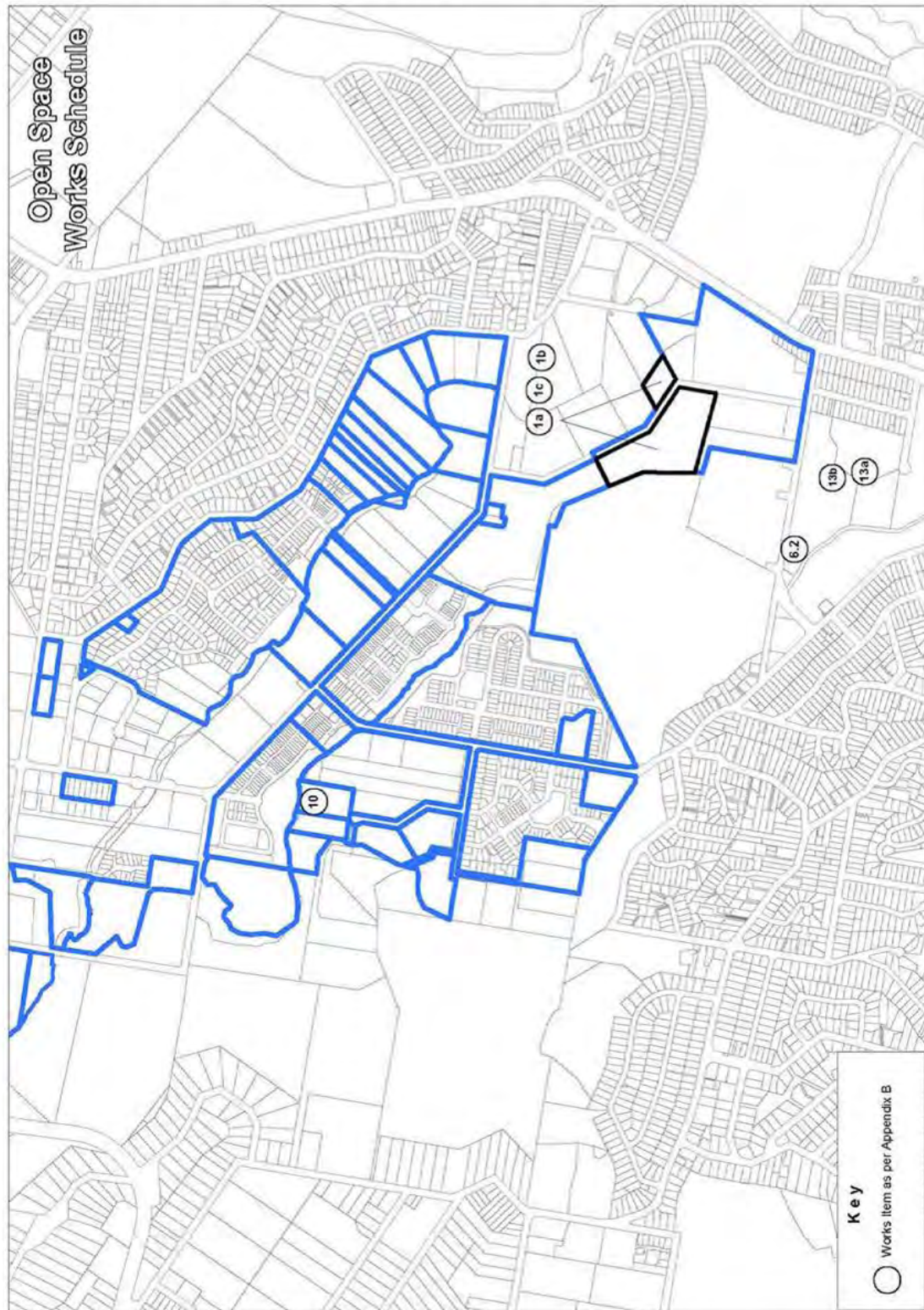
DRAFT FOR EXHIBITION 2018

104



APPENDIX B: WORKS SCHEDULE

Figure 13: Map of Public Recreation and Open Space Works Schedule



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105

APPENDIX B: WORKS SCHEDULE

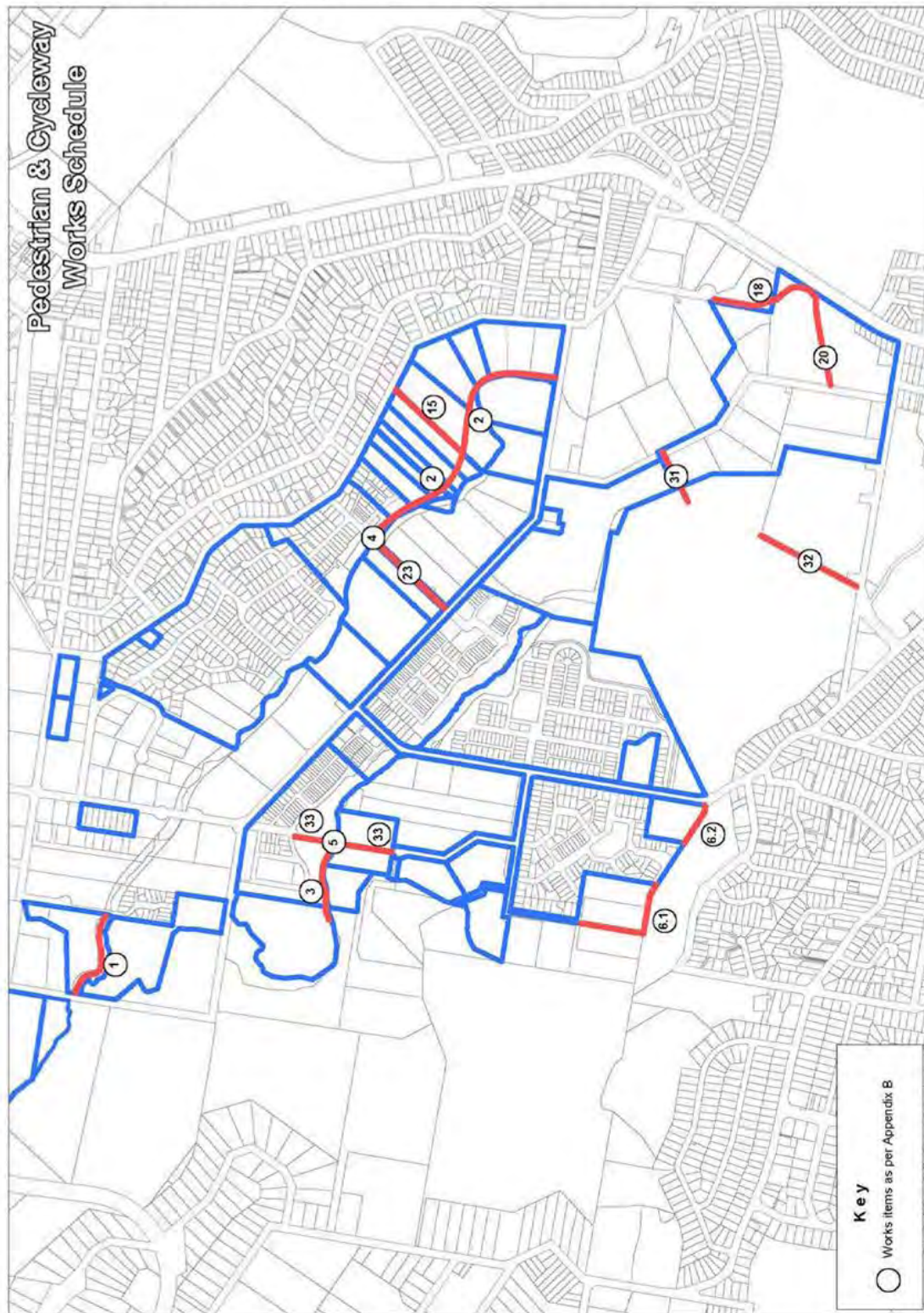
Pedestrian and Cyclist Network Strategy			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
1	Shared path along Narrabeen Creek – Sector 6	\$194,878	2019/20
2	Shared path along Narrabeen Creek – Buffer 1a to 1l	\$543,084	2019/20
3	Shared path along Fern Creek – Sector 8	\$137,527	2019/20
4	Pedestrian/cyclist bridge over Narrabeen Creek at Brands Lane	\$141,128	2018/19
5	Pedestrian/cyclist bridge over Fern Creek at Sector 8/9	\$141,128	2019/20
6.1	Shared path – Sector 10B	\$106,510	2019/20
6.2	Shared Path – Sector 10C	\$79,590	2019/20
15	Shared path connection (on road) from Narrabeen Creek to Warriewood Road	\$63,204	2019/20
18	Share path connection – Vuko Place to Pittwater Road	\$227,065	2021/22
20	Shared path connection – Pittwater Road to Boondah Road	\$214,776	2019/20
23	Shared path connection (on road) from Narrabeen Creek to Macpherson Street	\$141,038	2019/20
31	Shared path connection – Boondah Road to Warriewood Wetlands	\$144,549	2020/21
32	Shared path connections – Jacksons Road to Warriewood Wetlands	\$20,258	2017/18
33	Shared path connection from Fern Creek to Fern Creek Road and Fern Creek to Casuarina Drive	\$30,431	2019/20
Pedestrian and Cyclist Network Strategy Subtotal		\$2,185,168	

DRAFT FOR EXHIBITION 2018

106

APPENDIX B: WORKS SCHEDULE

Figure 14: Map of Pedestrian and Cyclist Network Works Schedule



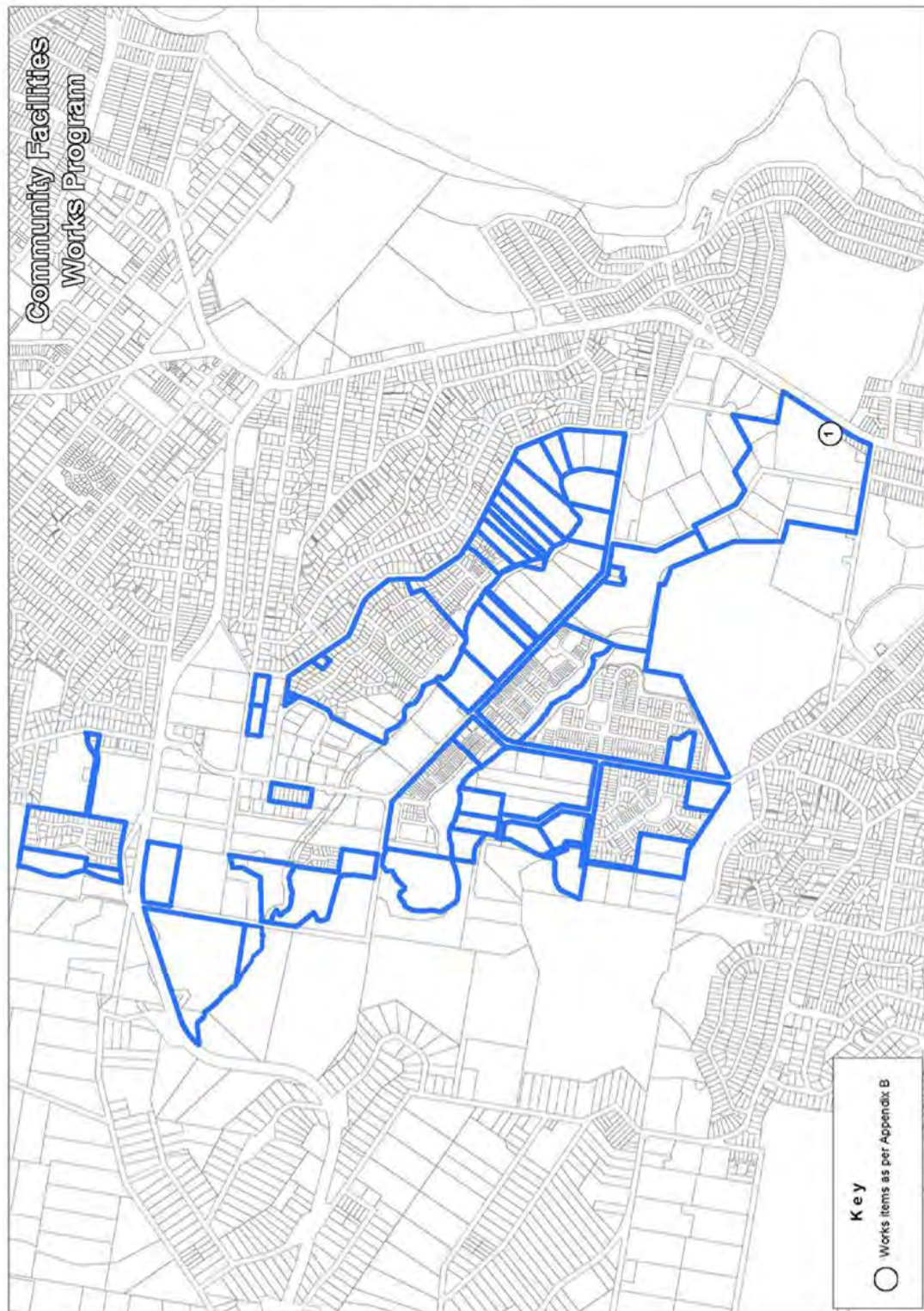
APPENDIX B: WORKS SCHEDULE

Community Facilities Strategy			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
	Community Facility Space – Design Stage 3	\$90,034	2019/20
	Community Facility Space – Construction Stage 1	\$1,744,407	2020/21
	Community Facility Space – Construction Stage 2	\$2,363,390	2020/21
	Community Facility Space – Equipment & fitout	\$225,085	2021/22
Community Facilities Strategy Subtotal		\$4,422,915	



APPENDIX B: WORKS SCHEDULE

Figure 15: Map of Community Facilities Works Schedule



APPENDIX B: WORKS SCHEDULE

Bushfire Protection Strategy			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
2	Connection - Causeway over Fern Creek at Sector 8/9	\$433,288	2019/20
3	Connection - Sector 5/8	\$38,264	2021/22
4	Connection - Sector 9/10	\$40,515	2021/22
Bushfire Protection Strategy Subtotal		\$512,068	

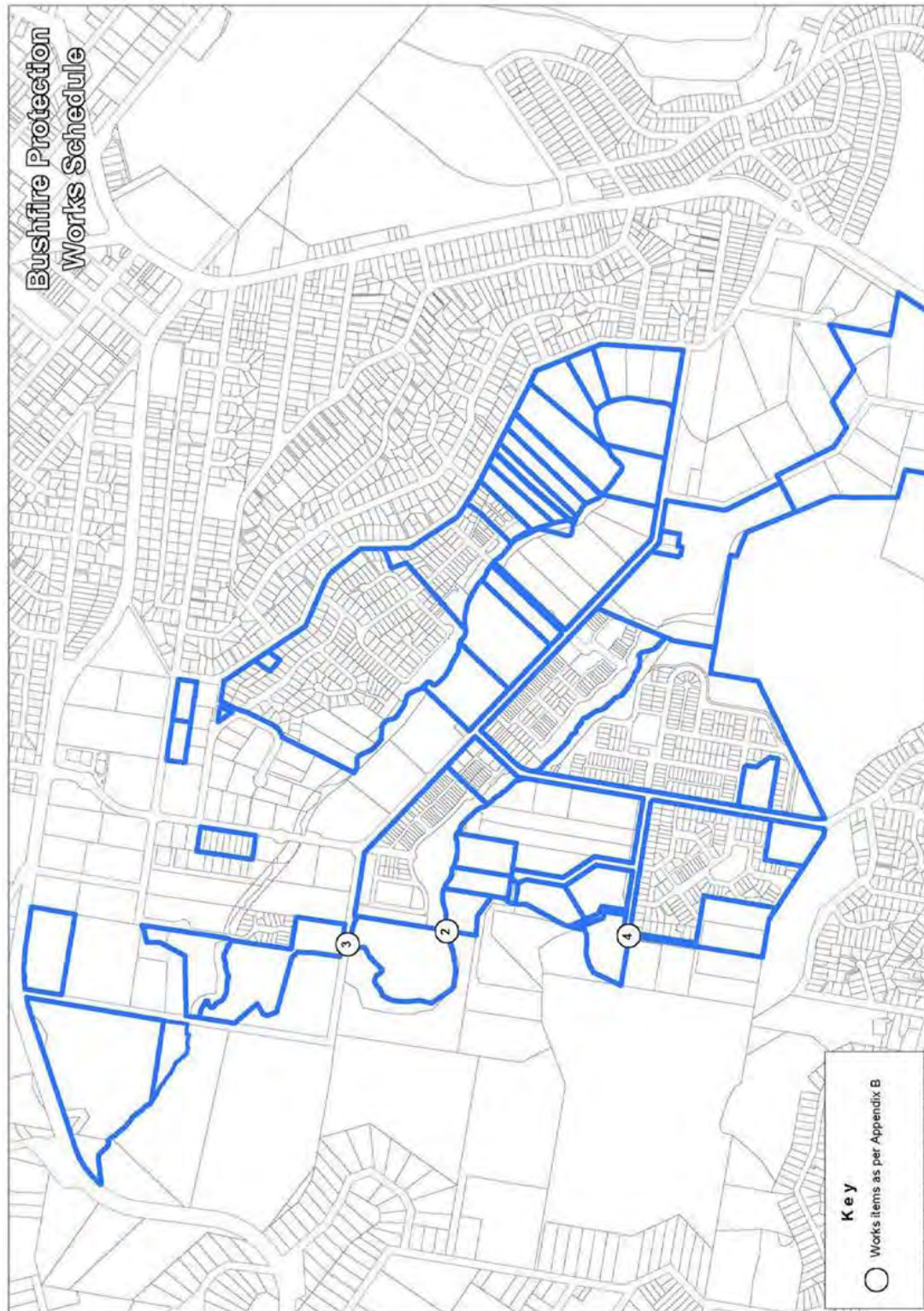
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110



APPENDIX B: WORKS SCHEDULE

Figure 16: Map of Bushfire Protection Works Schedule



APPENDIX B: WORKS SCHEDULE

Administration and Plan Management Strategy			
Location/ Item Number	Project Description	Expenditure (2017/18)	Commencement Year
Year 5	Administration and plan management fee	\$119,155	2017/18
Year 6	Administration and plan management fee	\$73,241	2018/19
Year 7	Administration and plan management fee	\$423,287	2019/20
Year 8	Administration and plan management fee	\$235,553	2020/21
Year 9	Administration and plan management fee	\$125,129	2021/22
Administration and Plan Management Strategy Subtotal		\$976,365	
Total Works Schedule		\$69,466,321	

APPENDIX B: WORKS SCHEDULE

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Warriewood Valley Landscape Master Plan and Design Guidelines (Public Domain)

June 2018



Guidelines Contents

1.0 Introduction

2.0 Landscape Masterplan

Plant Species List

3.0 Streetscape Guidelines

- S-1 Sub Arterial Street
- S-2 Collector Street
- S-3 Local Street
- S-4 Access Street
- S-5 Sector Entry
- S-6 Refuge Island
- S-7 Roundabout

4.0 Creepline Planting Guidelines

- C-1 Multi Use Areas
- C-2 Accessible Water
- C-3 Remnant Bush Margins
- C-4 Indicative Treatment Details

5.0 Central Local Park and Active Sportsfields

- P-1 Active Sportsfield
- P-2 Central Local Park
- P-3 Proposed Active Sportsfield

DISCLAIMER

NOTE:
The facilities and features on this plan are diagrammatic only and the actual location will be subject to regular reviews of the Section 94 Plan by Council, and will also be dependant on survey, site considerations and compliance with all relevant standards and requirements.

All internal Sector Road Layouts/ Landscaping/ Open Space (Apart from Sectors 1, 2, 8, 10, 11 and 12) are indicative only and reflect submissions by the Developers at the time of preparation of this Plan.

Council does not endorse or otherwise the proposals by the Developer in each Sector

Contents

June 2018

1.0

June 2018

Introduction

1.2 Structure of the Report

This report is presented in three principal sections:

Section 2	Landscape Masterplan Describes the overall landscape strategies for the release area incorporating creekline corridors, open space areas (Central Local Park, Neighbourhood Parks, and Sport Fields), and road corridors (Avenues, Industrial Avenues, and Sector Roads).
Section 3	Streetscape Planting Guidelines Landscape plan and sectional guidelines for design development of street corridor plantings.
Section 4	Creekline Planting Guidelines Landscape plan and sectional guidelines for design development of creekline corridors landscape treatments. Guidelines provide design principles which must be subject to site specific Hydraulic and Civil Engineering design.
Section 5	Central Local Park and Active Sportsfield Schematic plans of generic active sportsfield and schematic design of the Central Local Park.

1.1 Generally

The Warriewood Release Area Landscape Masterplan and Design Guidelines (Public Domain) have been prepared to provide Pittwater Council and the development community with a coordinated basis upon which planning and design of streetscape, open space and creekline corridor improvements can be undertaken through out staged development of the release area.

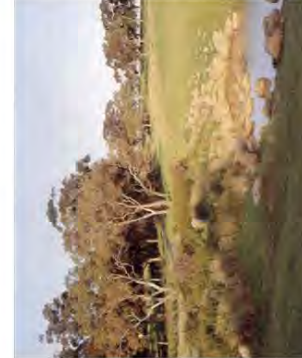
The design guidelines are aimed to provide minimum standards upon which site specific design development of sustainable landscape strategies can be undertaken. Landscape elements include:

- Setbacks of street tree planting to road corridors
- Standards for street tree planting materials and size
- Standards for open space and creekline landscape enhancement and key design principles

The Warriewood Valley Release Area project is a significant initiative which aims to establish a coordinated framework for integrated development to occur in the valley focusing upon the "green" corridors provided by creekline corridors and related open space and roadway links.

The recommendations and principles established by the masterplan/design guidelines supplement the landscape controls provided in these documents and should be read in conjunction with them.

The development of site specific design solutions by development consortiums must take into account detailed site conditions including levels, existing vegetation, etc. The solutions must integrate and respond to the requirements outlined in this document and the preceding planning controls identified above. Design solutions must also encompass the opportunities for innovative and stimulating landscape design which can enhance the lifestyles of permanent and workforce residents, and develop a sustainable and attractive environment for Warriewood Valley.



NORTHERN BEACHES
COUNCIL

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

2.1 Generally

The Landscape Masterplan on the following page summarises the landscape related components of the Warriewood Valley Release Area Planning Controls (DCP's, Section 94 Plan, and Roads Masterplan). These include:

- Street Corridors**
Street tree planting themes to avenues, industrial avenues, and sector streets. Street trees species for sector shareways and accessways are also identified.
- Creekline Corridors, Open Space and Buffer Zones**
Indicate the 50 m wide multi-use open space reservation to the Narrabeen and Fern Creek Corridors to incorporate pedestrian/cycleway access, creekline rehabilitation and bank stabilisation, weed removal and native revegetation, and passive use recreation.
- Open Space and Buffer Zones**
The Masterplan incorporates an indicative open space scheme for district and neighbourhood parks incorporating development conservation proposals. Buffer zones as indicated represent proposed location of dual purpose (buffer and access link) zones adjoining sensitive areas or required setbacks and screening.
- Service and Recreation**
Identify the indicative location of off road pedestrian and cycleway linkages, playground facilities and public transport nodes.

The aim of the masterplan is to provide a consolidated reference document encompassing all landscape related objectives and requirements of the planning controls for the release area.

Key Public Domain Principles outlined in the DCP which underpin the masterplan and design guidelines following include:

- Safety**
Provision of safe pedestrian and cycle access through road corridors, creek corridors, and open space areas.
- Connectivity**
Vehicular and pedestrian access is efficiently managed through a hierarchy network of attractive and clearly defined links.
- Bush in the Valley**
A minimum of 40% of creekline corridor area is to comprise native vegetation (existing and new) to establish interconnected flora and fauna corridors. The corridors are to support multi-use objectives including pedestrian/cycle access, and passive recreation.
- Recreation in the Valley**
Distribution of open space / parkland areas to cater for a variety of functions and user types including playground facilities and park furniture.

Streetscape guidelines have been prepared to guide those responsible for planning and development of the public domain in the Warriewood Valley in the implementation of Council's objectives for a coordinated, functional and attractive landscape image.

A key consideration in the development of guideline has been the objective of establishing common themes for the layout of streetscape elements such as tree planting, shared pedestrian/cycle paths and street lighting.

The presence of underground services and utilities places a significant constraint on the ability to provide meaningful street tree canopy. Street trees of adequate scale (height and spread) are the fundamental strategy by which Council's objectives of "Bushland in the Valley" and quality of living and working environment can be realised.

The cross sections shown on the streetscape guidelines indicate the options available for incorporation of street tree planting in the typical footpath reserve situation identified by Council's Masterplan.

These options indicate that for Sub Arterials a consistent setback 0.55 metres from the property boundary is preferred. To Avenues incorporating existing kerb and footpath formations and services/ utilities (eg. section of Macpherson Street) this may require adjustment based on exact location of Ausgrid Utilities.

For Collector Roads, a centred carriageway, enabling a tree alignment of 2.0 metres from property boundary is preferred.

Liaison will be required with Ausgrid (Avenues) and Telstra (Collector Roads) to ensure that tree alignments can be achieved for these corridor types.



2.0

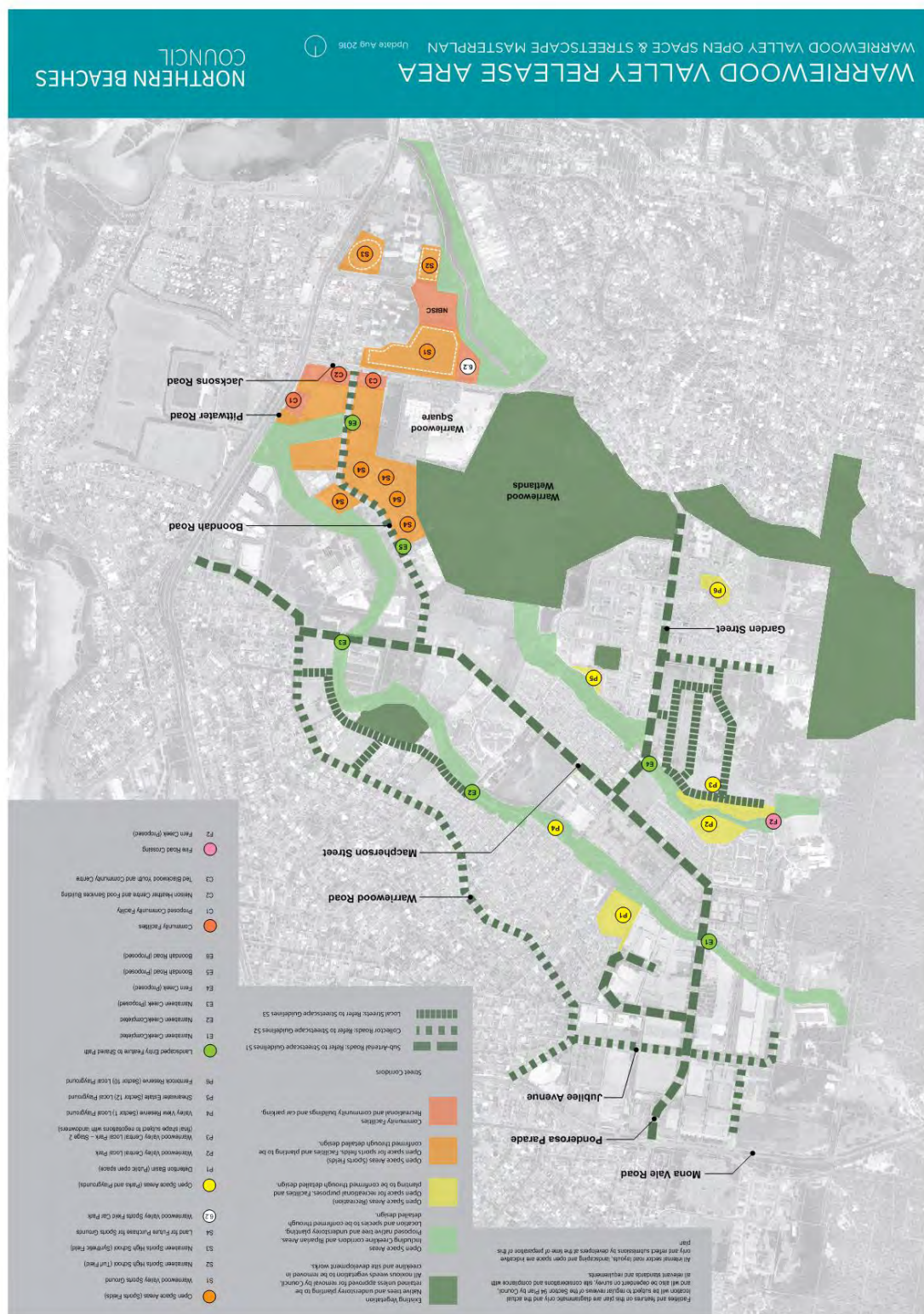
June 2018

Landscape Masterplan

NORTHERN BEACHES
COUNCIL

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

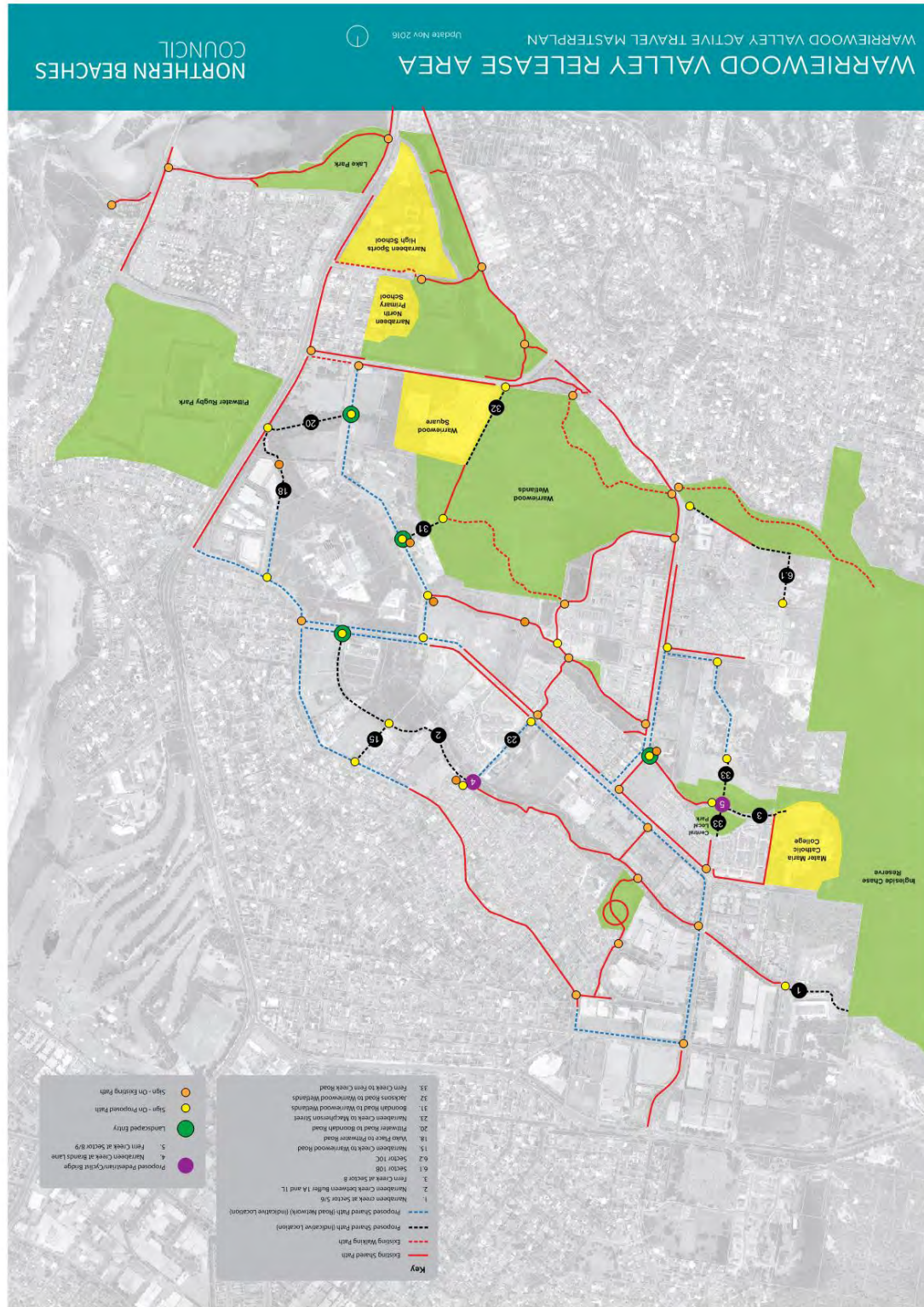
Landscap Masterplan



2.0

June 2018

Landscape Masterplan



NORTHERN BEACHES
COUNCIL

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES



June 2018

Plant Species

[illegible]

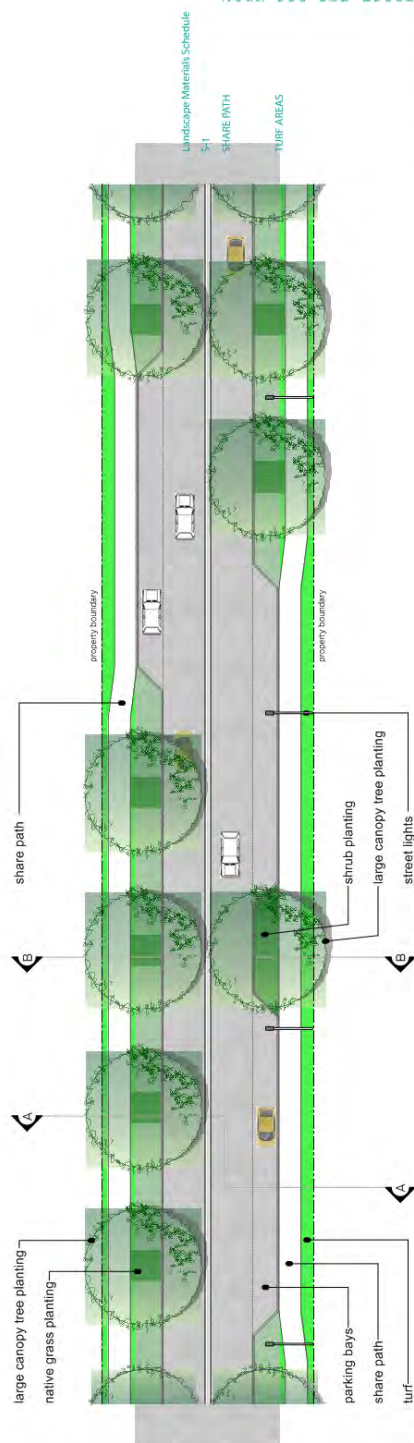
3.0

June 2018

Streetscape Guidelines

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

NORTHERN BEACHES
COUNCIL



Guidelines

Location	Principles
Ponderosa Parade, MacPherson Street, Warriewood Road (east of MacPherson Street), Garden Street	Street tree planting to be installed as per masterplan generally at 6-12m intervals dependant of the species characteristics, mature size and location.

Street tree planting to be installed as per masterplan generally at 6-12m intervals dependant of the species characteristics, mature size and location.

All street trees to be minimum 35-4000 litre stock, dependant of species selection and location, and this is subject to final approval by Council.

Existing trees over 3 metres in height are to be retained where possible, with consideration to health and condition, within the road reserve. Such trees are to be protected through perimeter 1.8 metre high temporary fencing during the construction of works.

All kerb widenings to incorporate mass planted areas of suitable low height shrubs and groundcovers. Planting should be selected relative to sight lines required for specific locations.

Street tree plantings to footpath should generally include underplantings of native grasses.

9 per m² for groundcovers) and generally include drought tolerant native species up to 1m in ultimate height. All shrub planting should be a minimum 5 litre pot size and groundcovers shall be 200mm pot size.

Water points to be provided to verge planting areas at 50-100m centres dependent on ultimate street layout.

DDA and Australian Standards.

Generally all plant material is to be endemic to the area. Plant material not endemic to the area may be used to accent planting for nominated entries or features but kept to a design minimum.

Street lighting poles must be conventional Energy Australia, i.e. neither Decorative Style No.1 or Style No.2.

1000000

Key Release Area

<p>2.1m wide min. concrete excavated to loosen the ground surface finish to Australian Standards.</p> <p>existing subgrade shall be excavated to loosen the ground conditions to 200mm depth retain all quality existing topsoil subject to approval from Council</p> <p>poor existing soils shall be replaced with minimum 100mm depth imported soil/s as approved and subject to approval from Council.</p>	<p>SHADE PATH</p> <p>TURF AREAS</p>
---	-------------------------------------

GARDEN AREAS

wildings or bracken shall be removed from the surrounding conditions to 400mm depth

retain all quality existing topsoil in place, subject to approval from Council

poor existing soils shall be replaced with a minimum depth imported soils as nominated, subject to approval from Council

garden bed areas shall be a minimum 100mm hardwood chip

all trees installed shall be certified as compliant to Nataspec's specifying trees

tree pits shall be a minimum of 700mm depth x 20m wide

tree pits shall be a minimum of 700mm depth x 2.5m wide

back-filling soilmix shall consist of approved existing site topsoil or equivalent soilmix subject to approval from Council

all tree pit back-filling shall consist of 100% sandy loam, followed by a 100mm depth

PLANTING

1 tree pits
35 to 200 litre stock

1 tree pits
400 litre stock

1 soilmix and mulch

toplayer or organic humus mix
mulch shall consist of 75mm
course hardwood chip mulch
shall be planted only when
existing services or road
infrastructure limit tree pit
size, or as advised by
Council

shall be planted for all Small
Canopy Trees listed in 2.0
Plant Species, or as advised by
Council

shall be planted for all Medium
and Large Canopy Trees listed in
2.0 Plant Species, or as advised
by Council

□ tree pits
200 litre stock

□ tree pits
400 litre stock

REFER TO CURRENT WARRIEWOOD CARRIAGEWAYS MASTER
PLAN FOR ROAD RESERVE AND VARIATION WIDTHS

Warriewood Valley
MASTERPLAN AND DESIGN

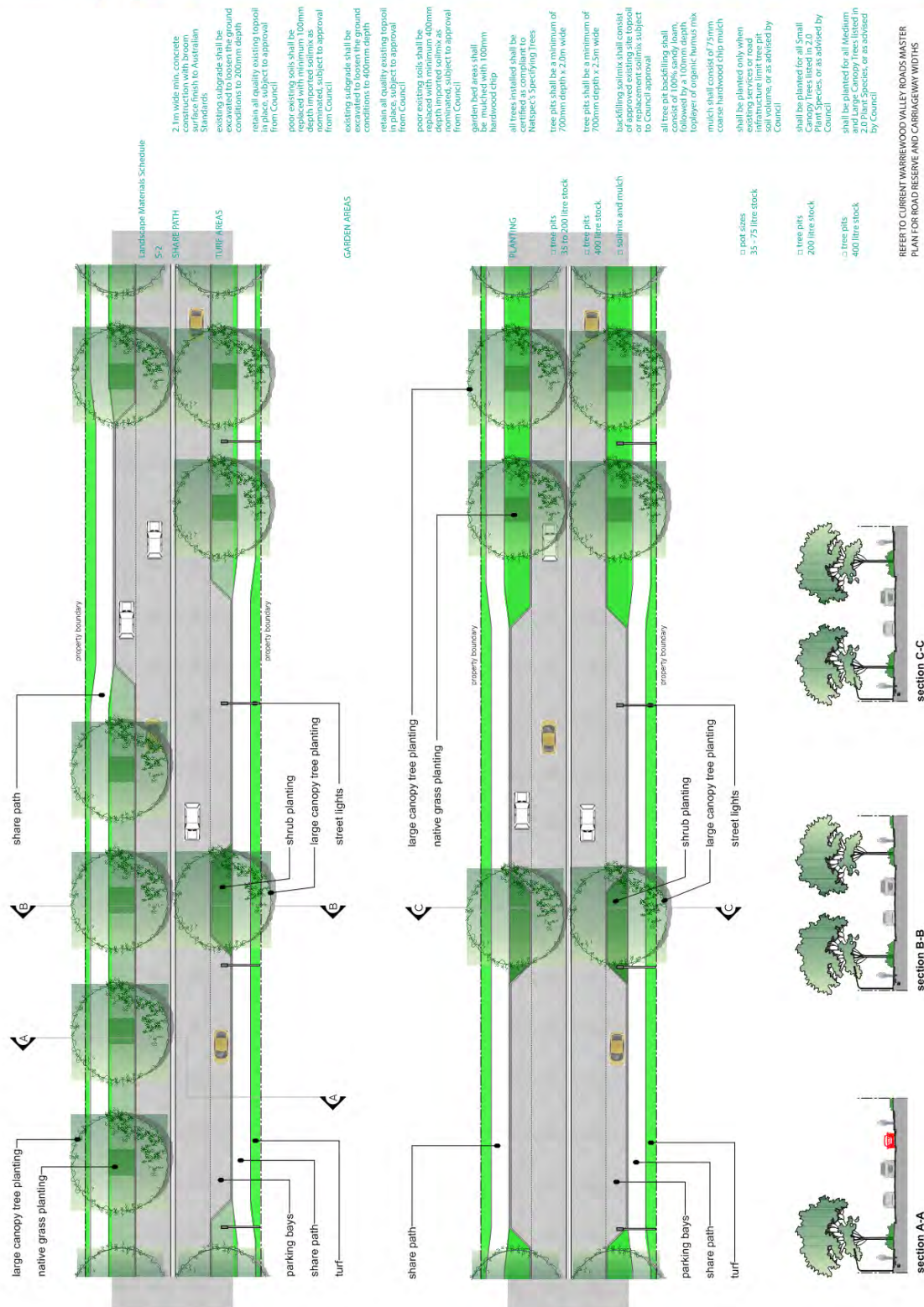
REFER TO CURRENT WARRIEWOOD VALLEY ROADS MASTER PLAN FOR ROAD RESERVE AND CARRIAGEWAY WIDTHS

NORTHERN BEACHES
COUNCILWarriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

Collector Street

S-2

June 2018

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINESNORTHERN BEACHES
COUNCIL

Local Street
S-3
June 2018

Guidelines:

Principles

Street tree planting to be installed as part of the overall landscape design intervals dependent of the species characteristics, mature size and location.

All street trees to be minimum 35-75 litre stock and to be selected on the basis of species selection and location and therefore subject to final approval by Council.

All street trees shall be subject to a minimum 100mm depth of backfilling to be grown by recognised nursery under native growing guidelines.

Existing trees over 3 metres in height are to be retained where possible, subject to the condition of the tree condition, within the road reserve.

Such trees are to be protected through perimeter 1.8 metre high construction of works.

All kerb widening to incorporate mass planted areas of suitable low height shrubs and groundcovers. The new kerb and footpath are to be constructed to suit times required for specific locations.

Street tree plantings to footpath should generally include underplantings of native grasses.

Garden area planting to be at a high density for the road reserve and generally include drought tolerant native species up to 1m in ultimate height and 100mm in ultimate spread. All plants to be a minimum 5 litre pot size and groundcovers shall be 200mm pot size.

Water points to be provided to verge plantings and to be dependent on climate street layout.

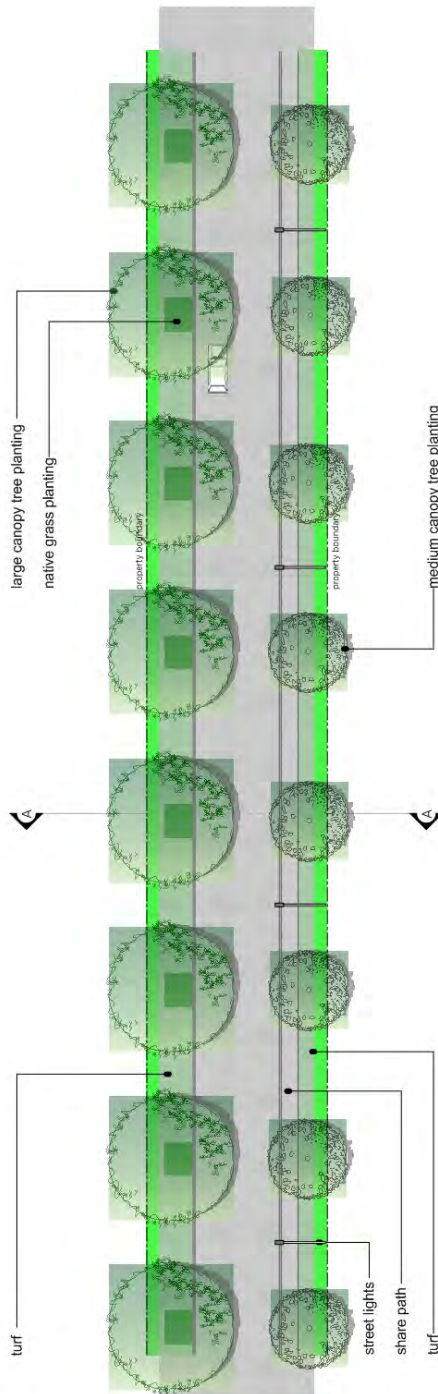
All signs or disabled access signs to be in accordance with Australian Standards.

All proposed works must be liaised with utility authorities (ie Dial Before You Dig) with utility location within 500mm of all street trees.

Trees planted in turf shall include hardwood edging and mulched pit.

Generally all plant material is to be endemic to the area. Plant material not endemic to the area nominated either as features but kept to a design minimum.

Street lighting poles must be conventional Energy Australia, i.e. No. 1, Decorative Style No. 1 or Style No. 2.



section A-A

Landscape Materials Schedule

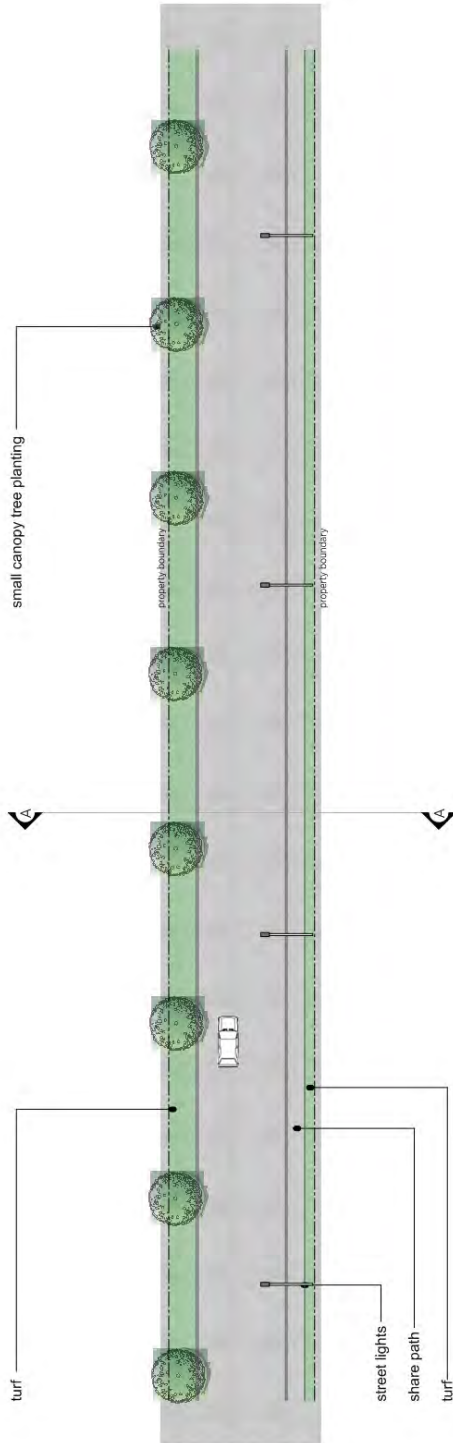
S-3	SHARE PATH	1.5m wide min. concrete construction to Australian Standards	GARDEN AREAS	existing subgrade shall be excavated to 400mm depth retain all quality existing topsoil in place, subject to approval from Council	PLANTING	all trees installed shall be NativeSpec Specifying trees	shall be planted only when approved by Council
4 Note		The exception to this provision for a 1.5m sharepath applies to Fern Creek Road, Warriewood Valley. The Council has agreed that the sharepath along Fern Creek Road		poor existing soils shall be replaced with minimum 100mm depth of topsoil, subject to approval from Council	tree pits 35 to 200 litre stock	tree pits shall be a minimum of 700mm depth x 2.0m wide	shall be planted only when approved by Council
				gravel bed areas shall be mulched with 100mm hardwood chip	tree pits 400 litre stock	tree pits shall be a minimum of 700mm depth x 2.5m wide	shall be planted only when approved by Council
			TURF AREAS	existing subgrade shall be excavated to 200mm depth retain all quality existing topsoil in place, subject to approval from Council	solmix and mulch	backfilling solmix shall consist of 100% sandy loam, followed by a 100mm depth of topsoil, subject to approval from Council	shall be planted only when approved by Council
				poor existing soils shall be replaced with minimum 100mm depth of topsoil, subject to approval from Council		mulch shall consist of 75mm grade hardwood chip mulch	shall be planted only when approved by Council

REFER TO CURRENT WARRIEWOOD VALLEY ROADS MASTERPLAN FOR ROAD RESERVE AND CARRIAGEWAY WIDTHS

Access Street

S-4

June 2018



section A-A

Landscape Materials Schedule

S-4

SHARE PATH

1.5m wide min. concrete construction with broom surface finish to Australian Standards

TURF AREAS

existing subgrade shall be excavated to loose the ground conditions to 200mm depth in place, subject to approval from Council

poor existing soils shall be replaced with minimum 100mm depth imported solmix at nominated, subject to approval from Council

poor existing soils shall be replaced with minimum 100mm depth imported solmix at nominated, subject to approval from Council

GARDEN AREAS

existing subgrade shall be excavated to loose the ground conditions to 400mm depth in place, subject to approval from Council

poor existing soils shall be replaced with minimum 400mm depth imported solmix at nominated, subject to approval from Council

garden bed areas shall be mulched with 100mm hardwood chip

PLANTING

- tree pits 35 to 200 litre stock
- solmix and mulch
- all trees installed shall be certified as compliant to Natapoc's Specifying Trees
- tree pits shall be a minimum of 700mm depth x 2.0m wide
- backfilling solmix shall consist of 100% sandy loam, followed by a 100mm depth topsoil or organic humus mix
- mulch shall consist of 75mm coarse hardwood chip mulch
- shall be planted only when existing services or road works are not in progress
- soil volumes, or as advised by Council
- shall be planted for all Small Canopy Trees listed in 2.0 Plant Species, or as advised by Council

solmix and mulch

REFER TO CURRENT WARRIEWOOD VALLEY ROADS MASTER PLAN FOR ROAD RESERVE AND CARBIDEWAY WIDTHS

Guidelines:

Principles
Street tree planting to be installed as per the following guidelines:
- minimum 1.8m high
- minimum 100mm diameter at 1.8m
- characteristics, mature size and location.

All street trees to be minimum 15-200 litre stock, dependent of species and location.
All street trees shall be subject to Council approval.
All street trees shall be subject to the approval of recognised nurseries under Natapoc growing guidelines.

Existing trees over 3 metres in height are to be retained where possible, with consideration to health and safety. Such trees are to be protected through perimeter 1.8 metre high concrete or steel bollards during the construction of works.

Water points to be provided to verge planting areas at 50-100m centres dependent on ultimate street layout.
All pram or disabled access ramps to be in accordance with Austroads, DDA and Australian Standards.

All proposed works must be listed and approved by the Council before 'You Do It' with utility location drawings kept on site at all times.

All trees planted in turf shall include timber edging with min. 2m x 2m hardwood edging and mulched pit. Generally all plant material is to be endemic to the area. Plant material may be used to accent planting for nominated entries or features but kept to a design minimum.

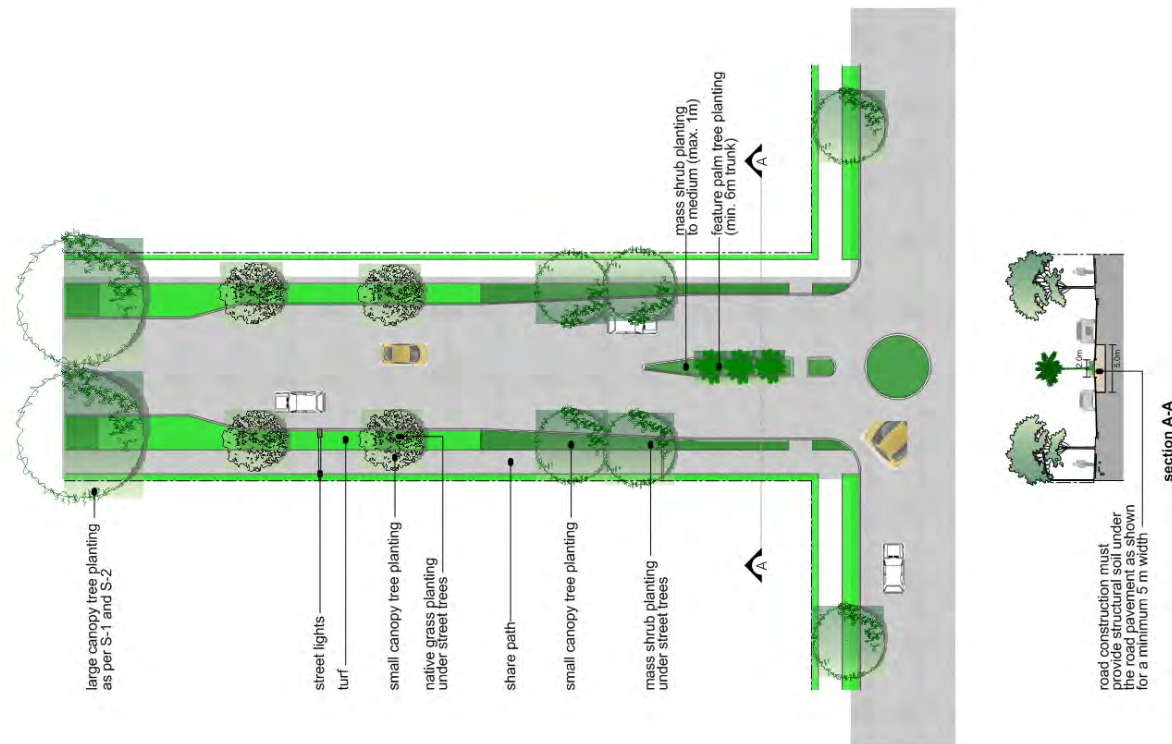
Street lighting poles must be installed in accordance with either Decorative Style No.1 or Style No.2.

**NORTHERN BEACHES
COUNCIL**

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

Sector Entry
S-5
June 2018

<p>Landscape Materials Schedule</p> <p>S-5</p> <p>SHARE PATH</p> <p>TURF AREAS</p> <p>GARDEN AREAS</p> <p>PLANTING</p>	<p>Guidelines:</p> <p>Principles</p> <p>Street tree planting to be installed as per masterplan generally at 6-12m intervals and to include a range of species characteristics, mature size and location.</p> <p>Feature palms at the Sector Entry shall be <i>Levstena australis</i> and shall be a minimum clear trunk height of 6 metres tall.</p> <p>All street trees at Sector Entry to be minimum 400 litre stock, with nominated free-species subject to final approval by Council.</p> <p>All palms and street trees shall be subject to a process of Plant Nominations to be placed and grown by recognised nursery under native-spec growing guidelines.</p> <p>The feature palms within the median must be installed within a structural protection zone and the road pavement to be designed to facilitate structural soil under the pavement as detailed.</p> <p>Existing trees over 3 metres in height shall be retained and protected with consideration to health and condition, within the road reserve. Such trees are to be protected by a minimum 1.8m high temporary fencing during the construction of works.</p> <p>All kerb widenings to incorporate trees planted areas of suitable low height trees. Planting should be selected relative to sight lines required for specific locations.</p> <p>Garden area planting to be at a high density of 4 per 100m² and generally include drought tolerant native species up to 1m in ultimate height and 150mm in pot size. Groundcovers shall be a minimum 5 litre pot size and groundcovers shall be 200mm pot size.</p> <p>Water points to be provided to verge plantings and to be dependent on ultimate street layout.</p> <p>All signs or disabled access signs to be in accordance with Australian Standards.</p> <p>All proposed works must be liaised with utility authorities (via Dial Before You Dig) with utility location and depth to be confirmed.</p> <p>All trees planted in turf shall include mulch and shall be installed in hardwood edging and mulched pit.</p> <p>Street lighting poles must be either Conventional Energy Australia, i.e. either Decorative Style No.1 or Style No.2.</p> <p>2.1m wide min. concrete construction with 100mm reinforcement to Australian Standards.</p> <p>existing subgrade shall be excavated to loosen the ground conditions to 200mm depth retain all quality existing topsoil in place, subject to approval from Council</p> <p>poor existing soils shall be replaced with minimum 100mm depth imported soil mix as nominated, subject to approval from Council</p> <p>existing subgrade shall be excavated to loosen the ground conditions to 400mm depth retain all quality existing topsoil in place, subject to approval from Council</p> <p>poor existing soils shall be replaced with minimum 100mm depth imported soil mix as nominated, subject to approval from Council</p> <p>garden bed areas shall be excavated to 100mm hardwood chip</p> <p>all trees installed shall be subject to a process of Plant Nominations</p> <p>tree pits shall be a minimum of 700mm depth x 2.0m wide</p> <p>tree pits shall be a minimum of 700mm depth x 2.0m wide</p> <p>backfilling soils shall consist of 100% sandy loam, topsoil and organic humus mix, topsoil shall consist of 75mm coarse hardwood chip mulch</p> <p>all tree pit backfilling shall consist of 100% sandy loam, topsoil and organic humus mix, topsoil shall consist of 75mm coarse hardwood chip mulch</p> <p>shall be planted only when infrastructure limit tree pit soil volume, or as advised by Council</p> <p>pot sizes</p> <p>35 - 75 litre stock</p> <p>tree pits</p> <p>200 litre stock</p> <p>tree pits</p> <p>400 litre stock</p> <p>soil mix and mulch</p> <p>road construction must provide structural soil under the road pavement as shown for a minimum 5m width</p>
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4.0
June 2018

Creekline Guidelines

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

NORTHERN BEACHES
COUNCIL

Creekline: Integrated
Multiuse Corridor

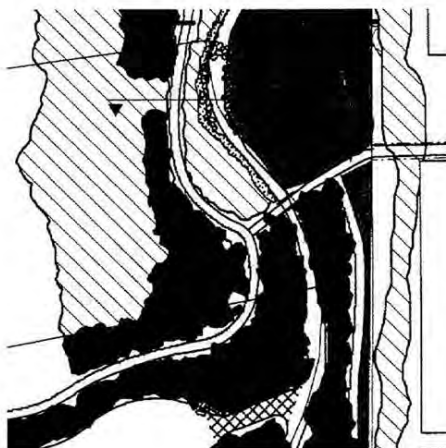
C-1

June 2018

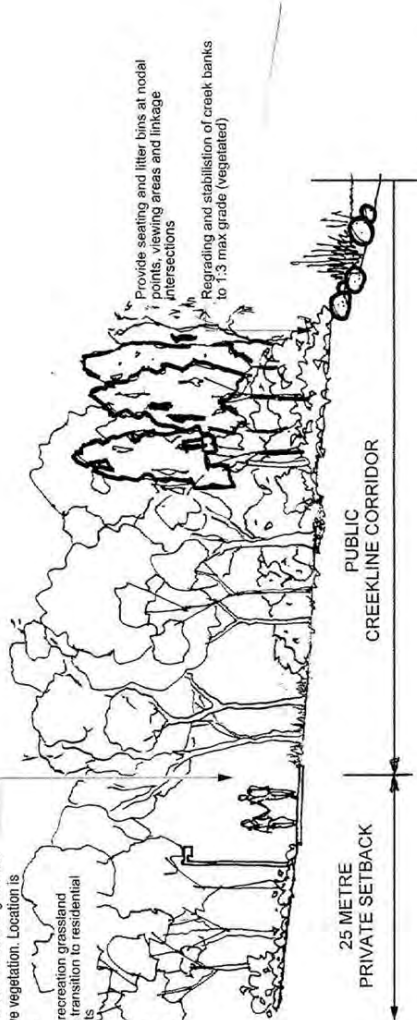
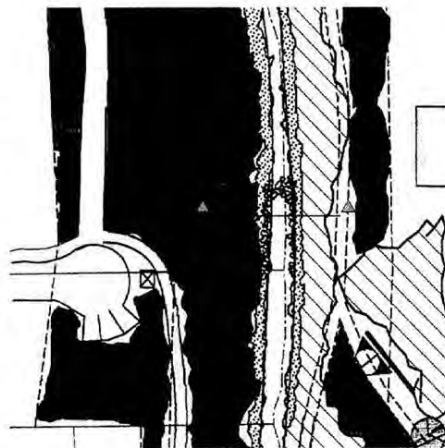
Section: Multiuse corridor areas

Pedestrian/cycle path to form primary
buffer between maintained grassland
and native vegetation. Location is
variable.

Passive recreation grassland
provides transition to residential
allotments



Plan: Vegetated corridor



Section: Native flora/fauna corridor

Maintained grassland areas to
be provided with native shade
tree planting

Pedestrian/cycle path to form
primary buffer between maintained
grassland and native vegetation

Native aquatic planting to form
margins of creekbanks

Regrading and stabilisation
of creek banks to 1:3
max grade (vegetated)

Provide seating and litter bins at
nodal points, viewing areas and
linkage intersections

Provide Solar Lighting units at
nodal points, and pedestrian/
cyclopeth intersections

Shareways and paths provide transition
to residential allotments

25 METRE PRIVATE
SETBACK

Guidelines:
The 50 metre creekline revegetation of
Namburn and Fern Creek.
Principles:
30 metre creekline revegetation to
be planned and implemented as
a series of 'linkage' corridors to
incorporate:
- Creekline rehabilitation/grading
and stabilisation of creek banks to
a maximum of 1:3 max grade at
water access points, set C-2)
- Rock armouring of waterlines to
reduce propensity for erosion. Weed
management and revegetation
- Revegetation of creek banks to
incorporate native vegetation
- Integrate corridors with
residential allotments, pedestrian/
cycle linkages to residential areas
and for district access.
- Integrate corridors with
residential allotments, pedestrian/
cycle linkages to residential areas
and for district access.
- Integrate corridors with
residential allotments, pedestrian/
cycle linkages to residential areas
and for district access.
- Integrate corridors with
residential allotments, pedestrian/
cycle linkages to residential areas
and for district access.

Locate pedestrian/cycle path to form
primary buffer between maintained
grassland and native vegetation. Where
possible, the path should be located
within the 15m width of Namburn Road
margin as maintenance barrier.
Pedestrian/cycle paths to be
located above the 20m APD Road
margin. The path should be located
as a transition between the
maintained grassland and the Outer
25 metre Creekline
Corridor. The location is variable to
suit the topography and existing
vegetation. The path should be
located within the 15m width of
Namburn Road margin as
maintenance barrier.

Maintained grassland areas to be
provided with native shade tree
planting.
Provide seating to creek
waterbody where possible to show
water movement and provide
additional environmental feature.
Additional environmental feature:
Pedestrian/cycle path alignment to
meet Ausroads standards.
Provide seating and litter bins at
nodal points, viewing areas and
linkage intersections.
- Seats at litter bins at nominal 250
metre spacing
- Solar lights at nominal 100 metre spacing
- Solar lights at nominal 50 metre
spacing
- Refer to Water Management
Specification

Creekline:
Water Access Points

C-2

June 2018

Guidelines

Location:
Adjoin Water Quality
Detention ponds and at creek
waterbody widenings

Principles:

Provide varied and safe access
to creek and waters edge at
select locations
Extend Pedestrian/cycleway to
serve as access points to water
Modulate planting to ensure
view and sightlines into
waterbody
Revegetate creekline margins
with native aquatic species
Provide

appropriate terracing at waters
edge to ensure safe walking
gradients and where bank
gradients require.

Provide rock work in naturalistic
horizontal patterns to protect and
enhance creekline
Do not adopt maintained grass
zones - minimum 2 metre native
planting buffer required
Refer to DCP No.20 for
recommended creekline species
for vegetation prescripts.

Maintain Pedestrian/cycle
paths to ensure safe alignment
of path and planting design.

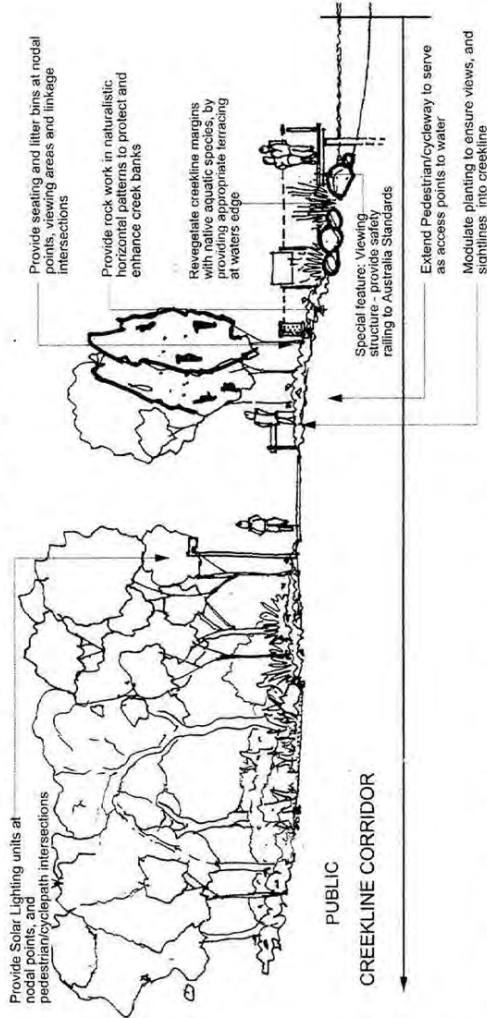
Pedestrian/cycle paths to be
located above the 20% AEP
location. It is preferred the
pedestrian/cycle path acts as a
25 metre Creekline Corridor and
the Outer 25 metre Creekline
Corridor in locations with stable
existing sections of the path and
vegetation conservation.

Provide seating and litter bins at
nodal points, viewing areas and
linkage intersections.

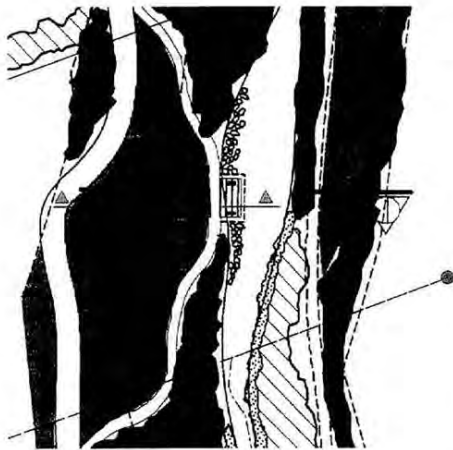
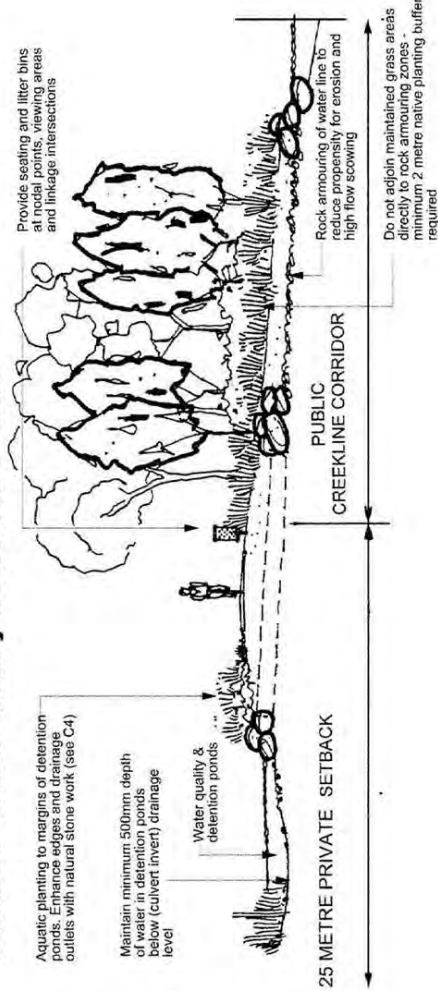
Seating at nominal 100 metre
spacings
Litter bins at nominal 50
metre spacings

Lights to conform with Category
B2 for minor streets and
cycleways.

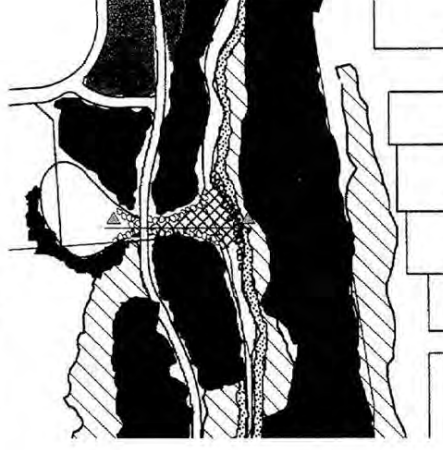
Section: Water bodies and viewing area



Section: Water Quality Detention Ponds



Plan: Accessible water



Plan: Water Management bodies

NORTHERN BEACHES
COUNCIL

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

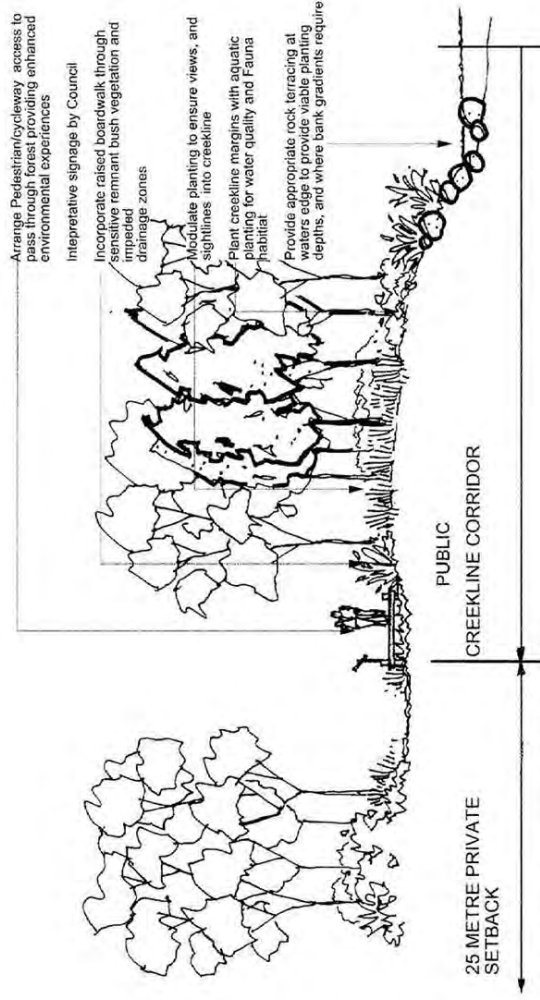
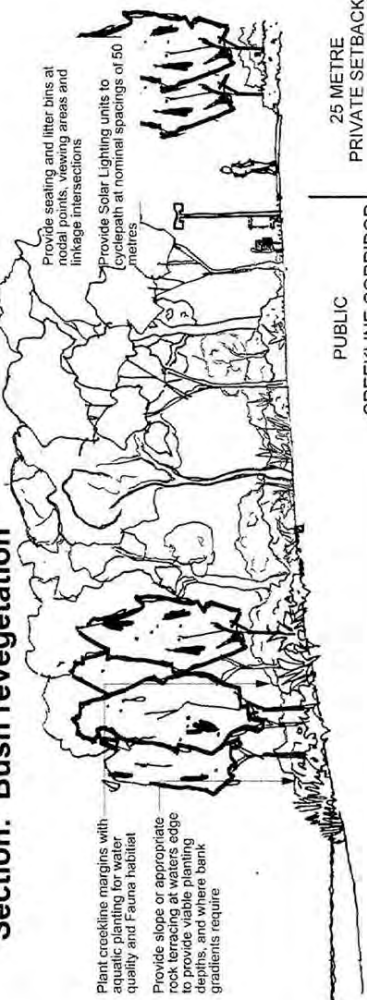
Creekline:
Bushland Protection

C-3

June 2018

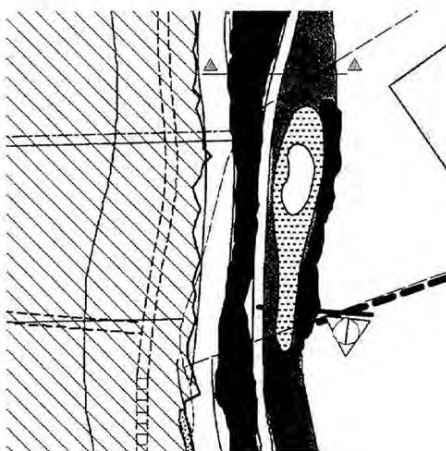
Guidelines
Location:
Adjacent remnant stands of native bush land vegetation, and revegetation zones along creekline reservations.
Principles:
Provide a buffer of Swamp Mahogany forest to creekline margin.
Extend Pedestrian/Cycleway to access points to waters edge in the form of boardwalks.
Arrange Pedestrian/Cycleway access to pass through riparian vegetation and environmental experiences.
Incorporate raised boardwalk through impeded drainage zones.
Provide Swamp Mahogany vegetation community through natural bushland revegetation techniques to appropriate revegetation zones and vegetation strategy.
Provide Environmental Impact Assessment of design proposals (DAI) Development Application (DAI).
Plant creekline margins with aquatic-planting for water quality and fauna habitat, and appropriate revegetation at waters edge for viable planting depths.
Provide appropriate rock terracing at waters edge to provide viable planting depths, and where bank gradients require.
Modulate Pedestrian/Cycle surveillance through alignment of path and planting design, to ensure views and sightlines into creekline.
Pedestrian/cycle paths to be located at least 25 metres from flood level for that specific location. It is preferred the pedestrian/cycle path acts as a 25 metre Creekline Corridor and the Outer 25 metre Creekline to ensure connectivity with existing sections of the path and vegetation conservation.
Provide signage and interpretation at nodal points and linkage areas and linkage intersections.

Section: Bush revegetation



Section: Remnant Bush

Plan: Remnant Bush



Plan: Bush revegetation



**Creekline: Typical
Landscape Treatment**

C-4

June 2018

Guidelines	Location: The 50 metre creekline reservation of Narrabeen and Fern Creek generally. Adjacent Detention ponds: Adjacent to the creekline at creek waterbody widening.
Principles:	30 metre creekline reservation to be planned and implemented as a landscape treatment corridor to incorporate water management.
Features:	Locate rock plunge weir to widened waterbody zones, where gradient allows. Rock work to be natural sandstone, placed and arranged in naturalistic patterns. Water management features such as weirs, stormwater outlets and rockwork should also meet water management and engineering specifications. Incorporate raised boardwalk through impeded drainage areas. Plant creekline margins with aquatic planting for water quality and fauna habitat. Provide appropriate rockwork to creekline to provide viable planting depths, and where bank gradients require. Do not add maintained grass zones - minimum 2 metre native planting buffer required. Provide widening to creekline to allow for future access to slow water movement and provide additional environmental features. Provide planting buffers at nodal points along creekline and linkage intersections. Seals at litter bins at nominal 250 metre spacing. Signs at nominal 100 metre spacing. Solar lights at nominal 50 metre spacings.

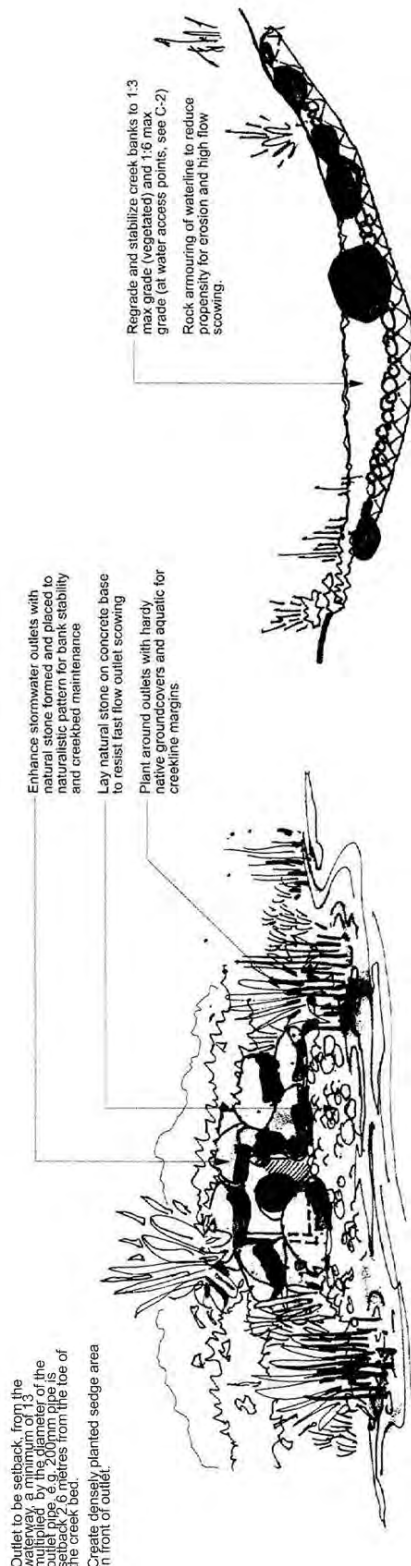


Illustration: Stormwater outlet

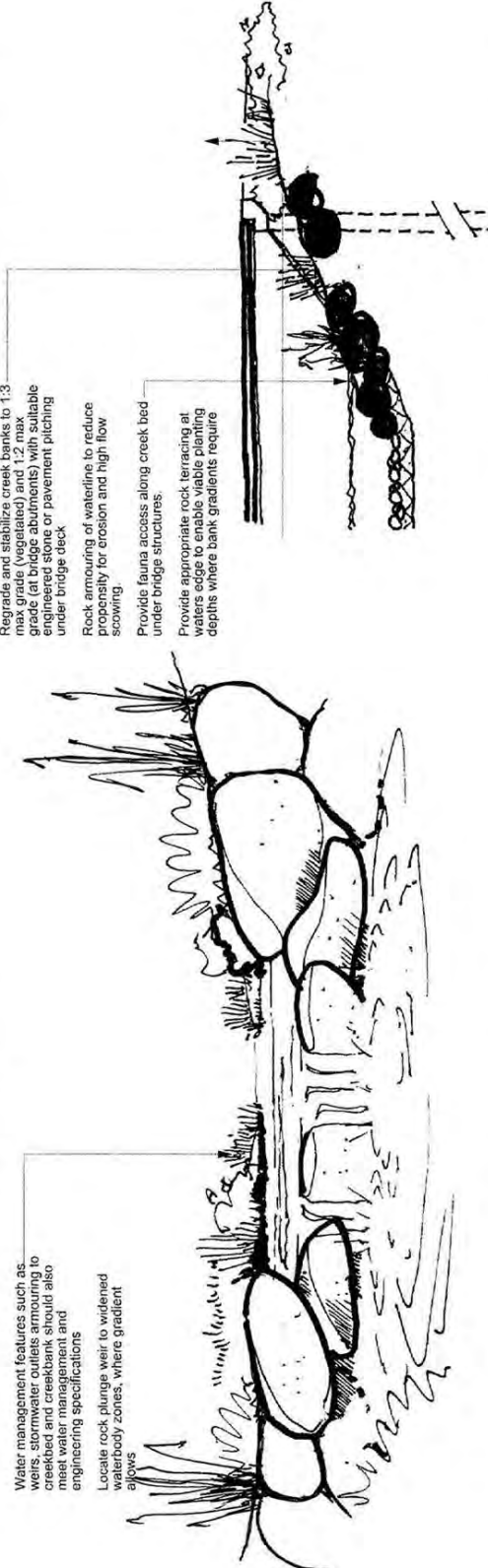


Illustration: Natural weir and rills

Section: Rock armouring

Section: Bridge abutments

5.0

June 2018

Central Local Park and Active Sportfields

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

NORTHERN BEACHES
COUNCIL

Active
Sportsfield
P-1

June 2018

- Guidelines**
- Typical Infrastructure:
 - Earthworks (incl re-contouring, levelling & sub-grade preparation)
 - Drainage (incl sub-soil drainage)
 - Irrigation (incl water supply & irrigation (beyond fittings))
 - Sealed Carpark (50 spaces incl kerbbedging, surfacing & planting bays)
 - Access/Pathways
 - Lighting (Solar 110)
 - Fencing (incl topolling & laying out)
 - Landscaping (incl topsoil, trees/shrub planting, mulching, staking & edging)
 - Fencing (painted timber post & rail)
 - Signage & Furniture (incl bench seats & litter bins)



DISCLAIMER

NOTE:
The facilities and features on this plan are diagrammatic only and the actual location will be subject to regular reviews of the Section 94 Plan by Council, and will also be dependant on survey, site considerations and compliance with all relevant standards and requirements.

All Internal Sector Road Layouts/ Landscaping/ Open Space (Apart from Sectors 1, 2, 10, 11 and 12) are indicative only and reflect submissions by the Developers at the time of preparation of this Plan.

Council does not endorse or otherwise the proposals by the Developer in each Sector

**NORTHERN BEACHES
COUNCIL**

Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

Central Local
Park
P-2 & P-3

June 2018

Guidelines

- Concept plan for southern component of park was adopted by Council in March 2018. The concept plan for the northern component of park to be developed in consultation with community.
- Typical Infrastructure:
- Drainage (incl sub-soil drainage)
 - Structural Work (eg retaining walls)
 - Water Service/Irrigation (bayonet fittings)
 - Sealed Carpark (incl kerb/edging, surfacing & planting)
 - Access: Pathways/Bikepaths
 - Lighting
 - Turfing (incl topsoiling & laying turf)
 - Landscaping (incl topsoil, tree/shrub planting, mulching, staking & edging)
 - Shelter (including electric BBQs/tables and seating)
 - Signage & Furniture (incl benches, picnic tables & shade structure)
 - Shade Structure (over playground)



June 2018



Warriewood Valley Release Area
MASTERPLAN AND DESIGN GUIDELINES

NORTHERN BEACHES
COUNCIL



Warriewood Valley Roads Masterplan

June 2018

Contents

1.	Introduction	1
2.	Road Cross Sections	2
2.1	Sub-Arterial Streets	2
2.2	Collector Street	3
2.3	Local Street	4
2.4	Access Street	4
2.5	Laneway (not Primary Street Frontage)	5
2.6	Sector Entry Street	5
3.	Traffic Calming and Management	6
3.1	General Road Principles	6
3.2	Pedestrian/Cycle Refuges	6
3.2.1	List of Facilities	6
3.2.2	Design	6
3.3	Thresholds/Gateways	7
3.4	Bus Bays	7
3.4.1	Locations	7
3.4.2	Design	7
3.5	Pedestrian Facilities	7
3.6	Cycling Facilities	7
3.7	Priority Intersection Controls	8
3.7.1	List of Controls	8
3.7.2	Design	8
3.8	Roundabouts	8
3.8.1	List of Facilities	8
3.8.2	Design	9
3.9	Traffic Signals	9
3.9.1	List of Facilities	9
4.	Road Construction	10
5.	Bridges	11
6.	Other Design Items	12

Appendices

- Appendix A1
Typical Road Plans and Cross Sections Sub-Arterial Streets
- Appendix A2
Typical Road Plans and Cross Sections Collector Streets
- Appendix A3
Typical Road Plans and Cross Sections Local Streets
- Appendix A4
Typical Road Plans and Cross Sections Access Street
- Appendix A5
Typical Road Plans and Cross Sections Laneway
- Appendix A6
Typical Road Plans and Cross Sections Sector Entry Street
- Appendix B1
Sub-Arterial Street Pedestrian Refuge Standard Concept Design
- Appendix B2
Collector Street Pedestrian Refuge Standard Concept Design
- Appendix C
Bus Shelter Dimensions
- Appendix D
Concept designs for Traffic Signals
- Appendix E
Council Standard Street Signs
- Appendix F
Lighting Poles
- Appendix G
Roads Masterplan Drawing

1. Introduction

The Warriewood Valley Roads Masterplan (2015 Review) documents the technical requirements for road cross sections, traffic calming and management measures for implementation in the Warriewood Valley Urban Release Area. Pedestrian and cycle routes are also documented for the area.

This document must be read in conjunction with, and references the following documents:

- Pittwater 21 Development Control Plan,
- Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain),
- Warriewood Valley Urban Land Release Roads Masterplan (Jamieson Foley & Associates, 1999),
- NAT-SPEC 2 – Pittwater Council Edition,
- Warriewood Valley Water Management Specifications 2001,
- AUSTROADS,
- Australian Standards.

This document has been prepared by Northern Beaches Council to reflect the updated land use data applicable to Warriewood Valley and the associated amended transport network requirements (only the outstanding works items from the current Warriewood Valley Section 94 Contributions Plan are referred to).

2. Road Cross Sections

- Typical road cross sections are provided below for each of the road types in the road hierarchy:
 - Section 2.1 Sub-Arterial Streets
 - Section 2.2 Collector Streets
 - Section 2.3 Local Streets
 - Section 2.4 Access Street
 - Section 2.5 Laneway
 - Section 2.6 Sector Entry Street.
- The roads also include traffic calming and other related traffic devices, detailed in Section 3.0 and on the Roads Masterplan Drawing **Appendix H**. The roads should be designed to incorporate these devices.
- Barrier kerb or non-mountable kerb and gutter shall be provided in all roads (public or community title) except for Laneways.
- The use of a road cross section of a higher street classification (higher traffic volume) may be used on a street of lower classification (lower traffic volume).
- Community Title roads shall provide for unrestricted vehicular and pedestrian access to the public, all private dwellings (e.g. not be gated), public community recreation/ open space reserves , and shall have road cross sections as specified in this Roads Masterplan for the applicable traffic volume. The Traffic Acts applicable to public roads shall also apply to Community Title roads.
- Provided there is direct connection to public or private roads with traffic volumes less than 300 vehicles per day (vpd), vehicular access to a maximum of 6 dwellings may be accommodated via a short private driveway/car court directly off such roads. This is an acceptable alternative to an Access Street or Laneway. The private driveway/car court is to have a maximum length of 40 metres, be located on private land, provide safe pedestrian access, sight lines and passing areas.
- A Sector Entry Street is to be provided for the primary entry street to any Sector where this primary entry street directly connects onto a Sub Arterial Street or Collector Street – these are to generally include a roundabout controlled intersection.
- Streets providing access to industrial areas are to comply with the Sub Arterial Street cross section.
- All streets are to have a consistent type of titling for their entire length.
- All streets intended to be used as a thoroughfare are to be public roads subject to Council's agreement and dedicated to Council free of charge.
- Vehicular connections are to be provided within the original or primary sectors/buffer areas in accordance with the original Roads Masterplan 1999 (for example Sectors 301, 302 and 303 are to have an internal network connecting all three sectors), or Pittwater 21 DCP e.g. Buffer Area 1a is to connect to Buffer Area 1b and 1c etc. but Sector 1 is not to connect to Sector 2.
- Laneways must not provide the primary street frontage to any development, any lot or dwelling.

2.1 Sub-Arterial Streets

The Sub-Arterial Streets in the Warriewood Valley Urban Release area are:

- Ponderosa Parade
- Macpherson Street
- Warriewood Road east of Macpherson Street
- Garden Street
- Streets serving industrial areas.

Sub-Arterial Street cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A1**.
- A minimum of two clear traffic lanes with indented parking bays on both sides of the carriageway with landscape blister separations.
- Kerb extensions between parking bays are to be of a size to allow large trees to be planted (minimum 5.0 metres length along edge of traffic lane).
- Collector Streets are to connect to a Local or Sub-Arterial Street.
- Shared paths are to be located 600mm from the property boundary, subject to site constraints, except at bus bays and indented parking bays where shared paths should be directly adjacent to the kerb.
- Services are to be contained within a combined services trench under the shared path.
- Bicycle symbols are to be painted on shared paths.
- Bus stops on either side of the carriageway are to be staggered so that they are not directly opposite.
- Shared paths are to be in accordance with the Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain).
- Must cater for two way traffic.

Sub-Arterial Streets	
Traffic Volume	10,000 vehicles per day – approximate upper limit.
Design Speed	50km/h
Speed Limit	50km/h
*Traffic Lane Width	4.2m
Cycle Lane Width	Share roadway with vehicles.
Indented Parking Lane Width	2.1m
Indented Bus Bay Width	3.0m
Shared Path Width	2.1m – 2.5m shared path on both sides of the carriageway.
Total Road Reserve Width	20m minimum.

Note: A reduced 3.7m lane width may be permitted where existing traffic lanes in front of adjacent sites are 3.7m and off road shared paths exist. In such circumstances, the shared path is to increase to 2.5m width where practicable.

2.2 Collector Street

Collector Streets in the Warriewood Valley Urban Release area are:

- Foley Street
- Jubilee Avenue
- Orchard Street (not a bus route)
- Daydream Street (not a bus route)
- Boondah Road (not a regular bus route)

Warriewood Valley Roads Masterplan

- Warriewood Road (North of Macpherson Street)
- Any new Roads with 2000 to 5000 vpd.

Collector Street cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A2**.
- Minimum two traffic lanes with indented parking bays on both sides of the carriageway.
- Kerb extensions between parking bays are to be of a size to allow large trees to be planted (minimum 5.0 metres length along edge of traffic lane).
- Allow for the provision of a bus shelter in a footprint as shown in **Appendix C**.
- No more than 8 parallel parking spaces are to be provided between successive kerb extensions.
- Shared paths are to be located 600mm from the property boundary, subject to site constraints, except at bus bays and indented parking bays where footpaths should be directly adjacent to the kerb.
- Services are to be contained within a combined services trench under the shared path.
- Bus stops on either side of carriageway are to be staggered so that they are not directly opposite.
- Shared paths are to be in accordance with the Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain).
- For Boondah Road a shared path adjoining the STP is not proposed.
- Must cater for two way traffic.

Collector Streets	
Traffic Volume	5,000 vehicles per day – approximate upper limit.
Design Speed	50km/h
Speed Limit	50km/h
Traffic Lane Width	3.7m
Cycle Lane Width	Share roadway with vehicles.
Indented Parking Lane Width	2.1m
Indented Bus Bay Width	3.0m
Shared Path Width	2.1m shared path on both sides of the carriageway.
Total Road Reserve Width	20m minimum

2.3 Local Street

Local Streets cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A3**.
- Local Streets to have two way traffic with on-street parking on one side of the street at any location along their length where it is legally permissible to do so.
- Cyclists are to share road pavement.
- A footpath is to be provided directly adjacent to the kerb, on the same side as services.
- Services are to be contained within a combined services trench under the shared path.
- All driveways entering on the street must be shared, and designed with sufficient width to allow for safe entry and exit onto the Local Street.

Warriewood Valley Roads Masterplan

Local Streets	
Traffic Volume	2000 vehicles per day – approximate upper limit.
Maximum Number of Dwellings	200
Design Speed	40km/h
Speed Limit	50km/h
Traffic Lane Width	Total 7.5m carriageway to cater for traffic, parking, cyclists.
Cycle Lane Width	Share roadway with vehicles.
Parking Lane Width	No parking lane marked, park adjacent to kerb.
Bus Bay Width	N/A
Verge Width	4.25m on both sides of carriageway to cater for street tree planting.
Footpath Width	1.5m footpath one side of carriageway.
Total Road Reserve Width	16.0m minimum

2.4 Access Street

Access Streets cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A4**.
- Access Streets are to have two way traffic with on-street parking on one side of the street at any location along their length where it is legally permitted to do so.
- Cyclists are to share road pavement.
- A footpath is to be provided directly adjacent to the kerb on the same side as services.
- Services are to be contained within a combined services trench under the shared path.
- Driveways entering on the street are to be shared, and designed to have sufficient width that allows for safe entry and exit on to the Access Street.

Access Streets	
Traffic Volume	<300 vehicles per day – approximate upper limit.
Maximum Number of Dwellings	30
Design Speed	30km/h
Speed Limit	50km/h
Traffic Lane Width	Total 7.5m carriageway to cater for traffic, parking, cyclists.
Cycle Lane Width	Share roadway with vehicles.
Bus Bay Width	N/A
Verge Width	2.5m on both sides
Footpath Width	1.5m on one side of the carriageway.
Total Road Reserve Width	12.5m minimum

2.5 Laneway (for rear vehicular access only)

Laneway cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A5**.
- Laneways are not suitable for single frontage lots and must not form the primary street frontage for any buildings.
- Maximum length of 80 metres as a Shared Zone to cater for two way traffic, pedestrians and cyclists.
- No parking is permitted along the Laneway.
- No services, with the exception of garbage collection areas, are to be located in the Laneway (All other services are to be located in the primary street).
- It must be constructed as a Shared Zone in accordance with the RMS standards.
- Driveways entering on the Laneway are to be designed with sufficient width to allow for safe entry and exit.
- One way traffic Laneways may be considered on merit subject to the Laneway having a maximum length of 40m, for up to 6 dwellings, and have demonstrated efficiency and safe circulation for up to the 6 dwellings including safe and convenient entry and exit from driveways.

Laneway	
Traffic Volume	<300 vehicles per day – approximate upper limit.
Maximum Number of Dwellings	30 for two way traffic lanes (noting maximum length for Laneway is 80 metres)
Design Speed	10km/h
Speed Limit	10km/h/Shared Zone.
Traffic Lane Width	5.5m
Cycle Lane Width	Share roadway with vehicles.
Bus Bay Width	N/A
Verge Width	0.75m on both sides.
Total Road Reserve Width	7m

2.6 Sector Entry Street

A Sector Entry Street is to be provided for the primary entry street to any Sector where the primary entry street, not privately owned, directly connects onto a Sub Arterial Street or Collector Street.

Sector Entry Street cross section guidelines are to be in accordance with the following:

- Typical plans and cross sections as shown in **Appendix A6**.
- A minimum two clear traffic lanes on both sides of carriageway.
- Shared paths are to be located 600mm from the property boundary, subject to site constraints, except at bus bays and indented parking bays where footpaths should be directly adjacent to the kerb.
- Bicycle symbols are to be painted on shared paths.
- Must be a minimum length of 50m before transitioning to road cross section applicable to the traffic volumes.
- Parking bays and bus bays are to be set back a minimum of 20 metres from the intersection of the Sector Entry Street with a Collector or Sub Arterial Road.
- 2.1m wide on street parking bays may be provided similar to the Sub Arterial Street cross sections.

Sector Entry Street	
Design Speed	50km/h
Speed Limit	50km/h
Traffic Lane Width	4.2m (includes 1.2 m cycle lane provision)
Cycle Lane Width	Share roadway with vehicles.
Parking Lane Width	2.1m
Bus Bay Width	3.0 m
Shared Path Width	As per Footpath/Bike Plan
Total Road Reserve Width	Variable – refer to cross section

3. Traffic Calming and Management

Traffic calming and management measures required for the Warriewood Valley Release Area are identified in the Warriewood Valley Section 94 Contributions Plan and are described below.

3.1 General Road Principles

- Parking bays are to be indented on Local Sub-Arterial, Collector Streets and Sector Entry Streets, and physically separated from bus bays to prevent parked cars encroaching into bus stop areas.
- All traffic facilities on bus routes are to be designed to cater for the maximum length State Transit Authority articulated buses so buses can stop without any part of the bus protruding into the traffic lane.
- The kerb extensions that separate indented parking provide opportunities for pedestrian crossing points and landscaping.
- Non mountable kerbing or kerb and guttering is to be provided on all roads (except Laneways).
- Mountable kerb is to be provided for traffic islands only (no provision for pedestrians).
- A 10km/h speed limit applies in shared zones. Approval is to be obtained from the RMS by the applicant.
- Pedestrian access ramps in kerbs are not to align with any traffic control device (other than refuges) or areas of textured/coloured road pavement.

Parking Facility Dimensions

Component	Dimension
Run-in	45° to 30°
Run-out	45° to 30°

3.2 Pedestrian/Cycle Refuges

3.2.1 List of Facilities

Refer to the most current version of the Warriewood Valley Section 94 Contributions Plan.

3.2.2 Design

- Refuges should comply with all relevant RMS Design Guidelines and be of similar style to those shown in **Appendix B1** and **Appendix B2**.
- The dimensions of pedestrian/cycle refuges are dependent on pedestrian and cyclist crossing requirements.
- Landscaping to be provided in accordance with Council's current adopted Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain).

Dimensions

Component	Dimension
Minimum width of traffic island for pedestrian Refuge	2.0 metres

3.3 Thresholds/Gateways

Design

The threshold items are intended to discourage through traffic and are to incorporate significant narrowing and surrounding landscaping.

Thresholds between Entry Sector Streets and internal sector streets are to include a textured or distinctive pavement surface, carriageway narrowing of the side of the road and vertical deflection.

Pedestrian access ramps are not to be provided where the road pavement is textured or coloured and area is to be isolated from pedestrians on the nature strips by a physical barrier.

The design is to comply with all relevant RMS Design Guidelines.

3.4 Bus Bays

3.4.1 Locations

Bus bays are to be provided at the location of all existing bus stops or at alternate locations approved in writing by Sydney Buses.

3.4.2 Design

- Bus bays are to be designed to allow the provision of a bus shelter with the footprint dimensions as shown in **Appendix C**.
- Bus bays are to be separated from parking to prevent encroachment into the bus stop areas.
- The location of the shelter is to be directly adjacent to where the bus will stop with signage in accordance with Transport for NSW requirements.
- Kerb extensions associated with bus bay facilities are to provide opportunities for pedestrian crossing points and landscaping.
- Bus stops on either side of the carriageway are to be staggered so that they are not directly opposite each other.
- Bus bays to be designed to cater for articulated buses used by Sydney Buses.

3.5 Pedestrian Facilities

Pedestrian facilities are to be provided in accordance with the street cross sections.

- Standard footpaths are to be 1.5 metres wide and shared paths are to be a minimum of 2.1 metres wide.
- Shared paths adjacent to bus bays and parking bays are to be directly next to the kerb.

3.6 Cycling Facilities

Council is a strong advocate for active transport and the importance of reasonable infrastructure to support walking and cycling activities, which in turn promotes a healthy and active community.

Given the existing road reservation width constraints for Sub-Arterial and Collector Streets (generally 20m existing width), the need to match with existing segments of road completed to date and the need to accommodate streetscape landscaping, the majority of the road related

Warriewood Valley Roads Masterplan

cycling infrastructure for Warriewood Valley is via shared paths on both sides of the carriageway within the road verges. The use of these shared paths is encouraged with appropriate cycling etiquette; however this does not preclude the use of the road traffic lanes for cycling.

The use of shared paths also recognises that to have intermittent variable widths of road pavement with or without cycle lanes, may present problems for cyclists, particularly at transition points where an on road cycle lane may terminate.

In addition to the cycling network within road reserves there is a network of shared paths along creekline corridors that provide alternate/additional cycle connections.

In the case of Sub-Arterial roads, where on road bike lanes are not practical, the road pavement width can be reduced to 7.4m, and in lieu, the shared path width is to be increased from 2.1m to 2.5m.

The developer of the development is to directly provide the cycle infrastructure as part of the half road reconstruction.

The Warriewood Valley Section 94 Contributions Plan will fund those remaining locations not directly provided as identified in the Plan.

On road and off road cycling facilities are to be provided in locations shown on the street cross sections and Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain).

- All off-road share paths are to be line-marked and signposted in accordance with AUSTROADS Guide to Traffic Engineering Practice Part 14 - Bicycles (1999).
- Shared paths adjacent to bus bays and parking bays are to be directly next to the kerb.

3.7 Priority Intersection Controls

3.7.1 List of Controls

Location
Warriewood Road and Alameda Way (East)
Warriewood Road and Manooka Place
Jubilee Avenue at bend west of Daydream Street
Jacksons Road and Boondah Road

3.7.2 Design

The layout of each of the priority intersections are shown in the Roads Masterplan Drawing **Appendix G**. Where pedestrian refuges are shown as part of the intersection, refer to Section 3.2 – Pedestrian Refuges for design guidelines.

3.8 Roundabouts

3.8.1 List of Facilities

Refer to most current version of the Warriewood Valley Section 94 Contributions Plan.

Location

Warriewood Road and Macpherson Street
Jubilee Avenue and Ponderosa Parade Roundabout (Stage 1 Complete)
Jubilee Avenue and Warriewood Road
Macpherson Street and Brands Lane
Macpherson Street and Garden Street
Orchard Street and Fern Creek Road
Warriewood Road and Hill Street

3.8.2 Design

All roundabouts are to comply with the relevant RMS Design Guidelines and expected vehicle sizes.

For roundabouts on sub arterial roads and collector roads, land acquisition may be required from adjacent properties to provide for splay corners.

The central roundabout island is to be of concrete construction to Council's specification. Landscaping features are to be incorporated within the roundabout, where safe and practical.

3.9 Traffic Signals

3.9.1 List of Facilities

Location

Upgrade Traffic Signals – Pittwater Road and Warriewood Road
New Traffic Signals – Mona Vale Road and Ponderosa Parade
Upgrade Traffic Signals – Pittwater Road and Jacksons Road

Concept designs for the Pittwater Road/Warriewood Road and Mona Vale Road/Ponderosa Parade intersections are included in **Appendix E**.

4. Road Construction

The items listed in this section are required as roads in the Warriewood Valley that are to be constructed or re-constructed as development occurs.

Refer to most current version of the Warriewood Valley Section 94 Contributions Plan.

Location

Warriewood Road pavement correction and strengthening
Macpherson Street reconstruction
Boondah Road upgrade (staged)
Orchard Street reconstruction
Warriewood Road (outside 12 Apollo Street) – road widening
Garden Street road widening (Sector 12A to Mullet Creek)

- The following shall be adopted as design ESA's for the appropriate street types:
 - Sub-arterial: 4×10^6
 - Collector: 2×10^6
 - Local: 6×10^5
 - Access: 1×10^5
- All pavement design is to comply with AUS-SPEC 1 – Pittwater Council Edition, and relevant Australian Standards, and the ESA's identified above.
- The developer is to provide kerb and guttering and half road reconstruction for existing roads for all street frontages of the development site.
- Shared trenching for services is to be used as detailed in AMCORD.

Item 26 – Boondah Road Upgrading

Where the road adjoins new land release development - Boondah Road is to be widened and raised as a collector road along its existing alignment (unless an acceptable alternate road alignment is agreed to by Council) and is to be above the flood planning level and must provide a floodway for overbank flows. The reconstruction is to be undertaken in stages as adjacent developments proceed.

Where the road passes through existing zoned land and public open space – The road upgrade is to include road widening and pavement strengthening generally on top of existing road levels where feasible but not necessarily above flood levels.

5. Bridges

The items listed in this section are the bridges which will require construction or reconstruction as development occurs and roads that are reconstructed.

Location

Macpherson Street – Bridge at Narrabeen Creek between Boondah and Warriewood Roads

Boondah Road – Bridge over Narrabeen Creek near Jacksons Road

Macpherson Street – Bridge at Narrabeen Creek between Boondah and Warriewood Roads

A two lane bridge plus approaches and shared paths on both sides of the road are to be provided.

Boondah Road – Bridge over Narrabeen Creek near Jacksons Road

A two lane bridge plus shared paths on both sides of the road are to be provided.

6. Other Design Items

A number of additional items are required which are listed below.

Street Name Signs

- Council standard to be used as shown in **Appendix E**. Note that the current Council logo is to be used.

Services

- Services are to be contained within a combined services trench under the shared path.
- Street lights are to be provided in accordance with current Australian Standards.
- Lighting of pathways between properties is to be provided in accordance with the current Australian Standards.
- Lighting poles are to be a current style which Ausgrid will maintain. The style to be similar to that in **Appendix F**.

Driveways

- Driveways are to conform to Council specifications in the Pittwater 21 Development Control Plan.

Drainage Swales on Roads

- Drainage swales are not permitted on any road.

Pedestrian Fences

- Construction of pedestrian fencing related to traffic facilities is to be in accordance with the RMS standards.
- Fences are to be 1.2 metres high.
- Fences are to be of a dark and earthy tone approved by Council.

Landscaping

- Landscaping is to be in accordance with the most recent version of the Warriewood Valley Release Area Landscape Masterplan and Design Guidelines (Public Domain).
- Turf is to be of Couch variety.

Retaining Walls

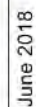
- Retaining walls are to be constructed to a size, function material and at a location that is to the satisfaction of Council.

Street Furniture

- Street furniture is to be provided in accordance with a style, quantity and location that is to the satisfaction of Council.

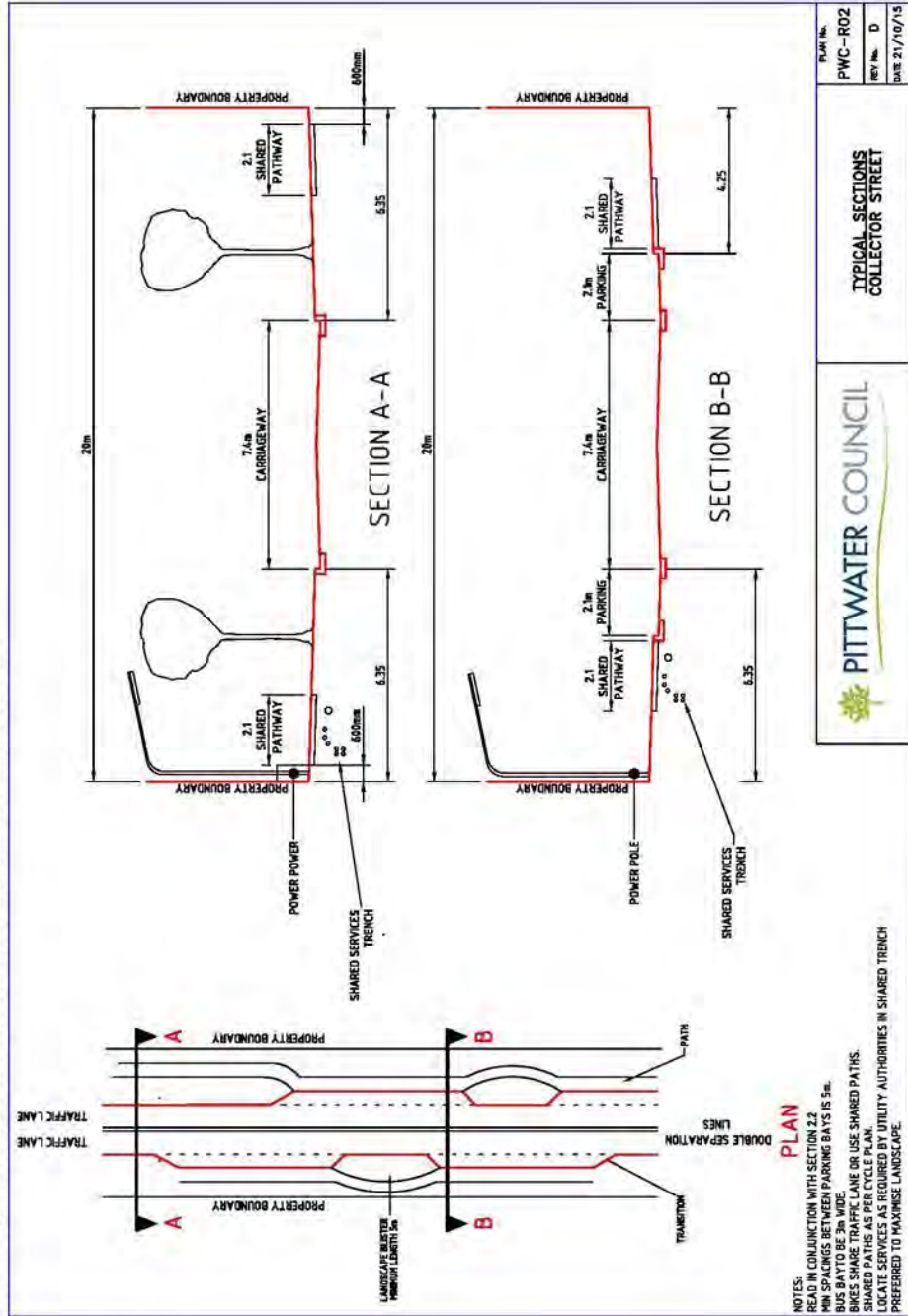
Accessible Pram Ramps

- An accessible pram ramp is to be provided at each intersection and pedestrian refuge and finished in the standard coloured concrete used in Pittwater.

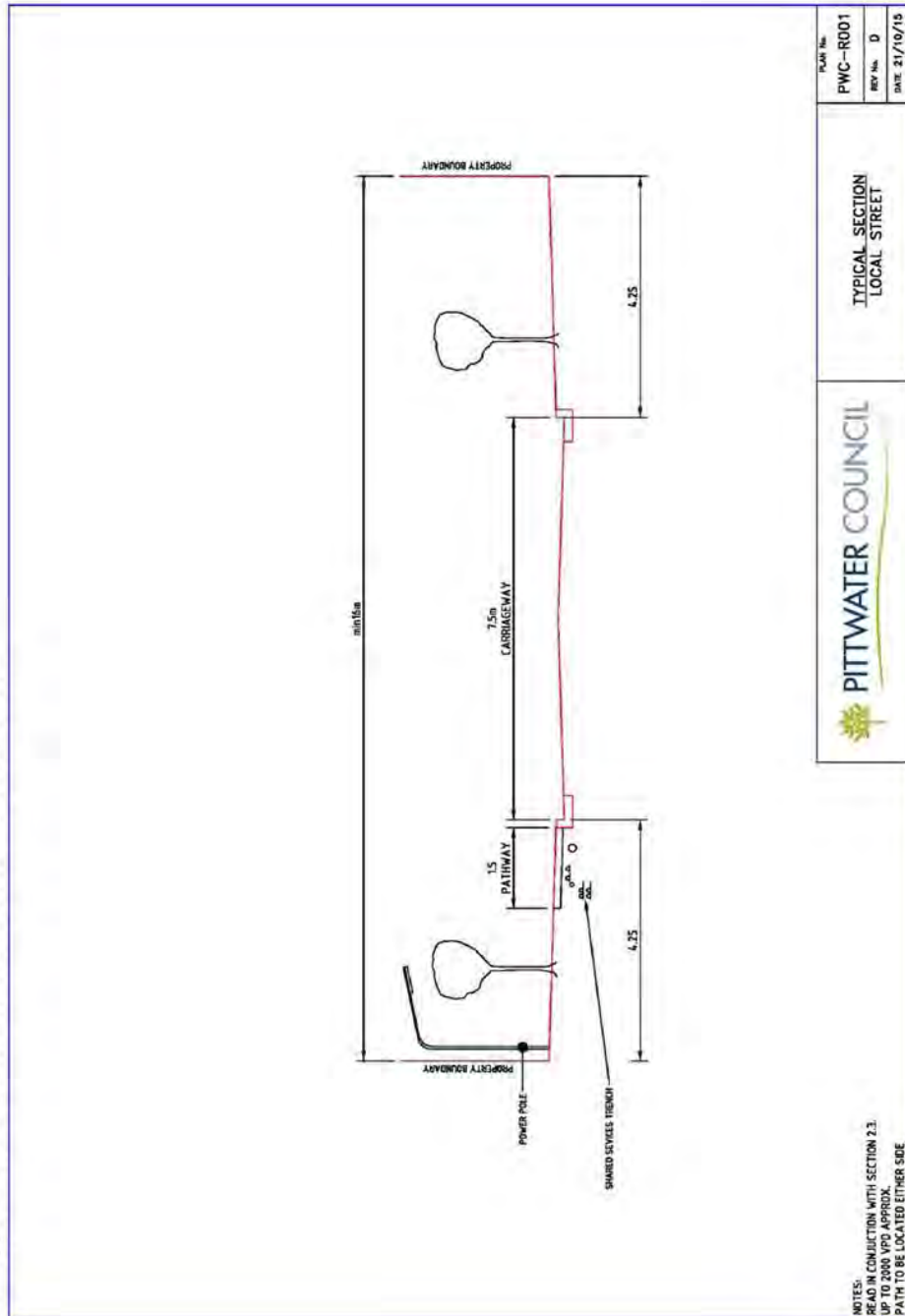




Appendix A2 - Typical Road Plans and Cross Sections Collector Streets

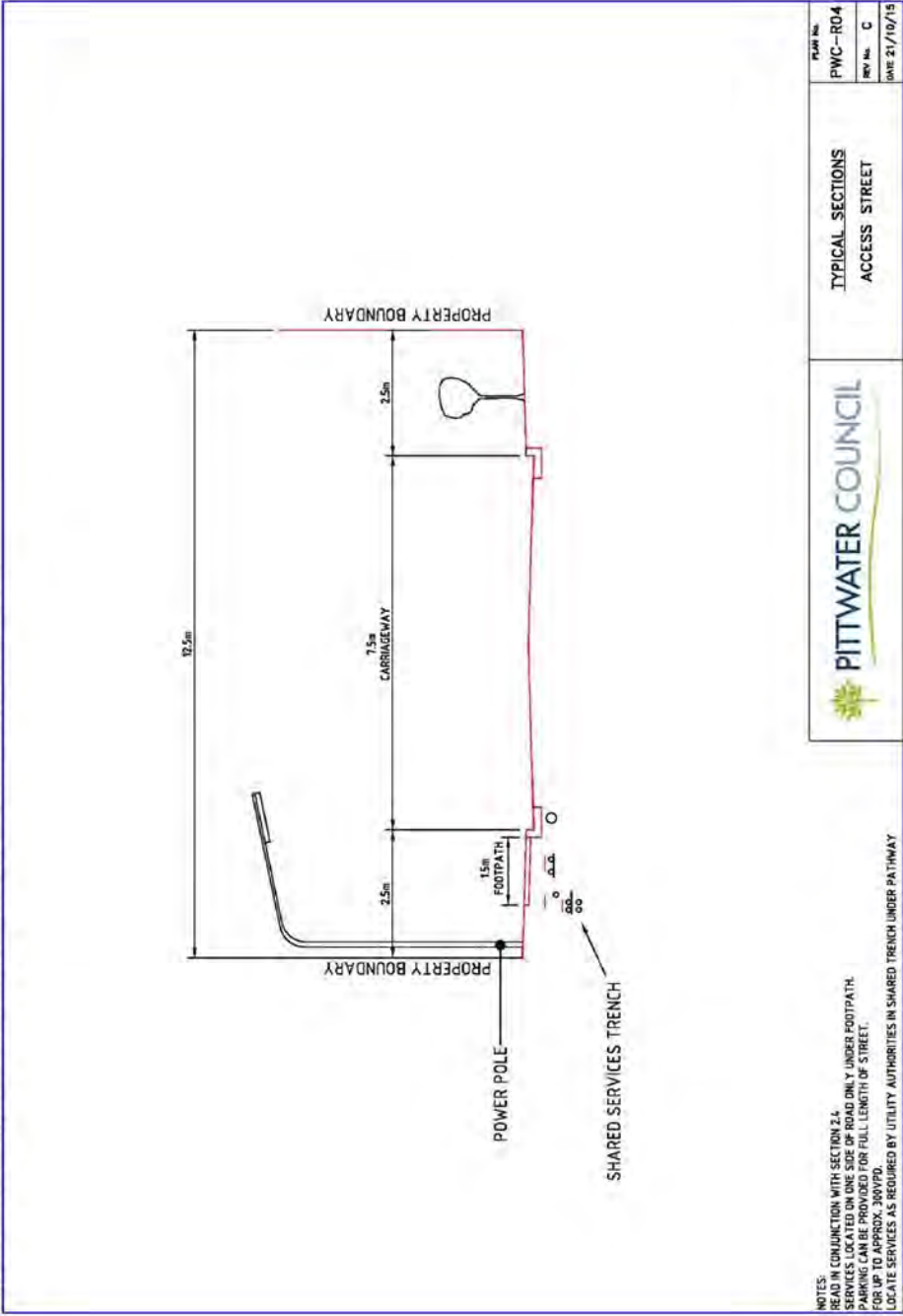


Appendix A3 - Typical Road Plans and Cross Sections Local Streets

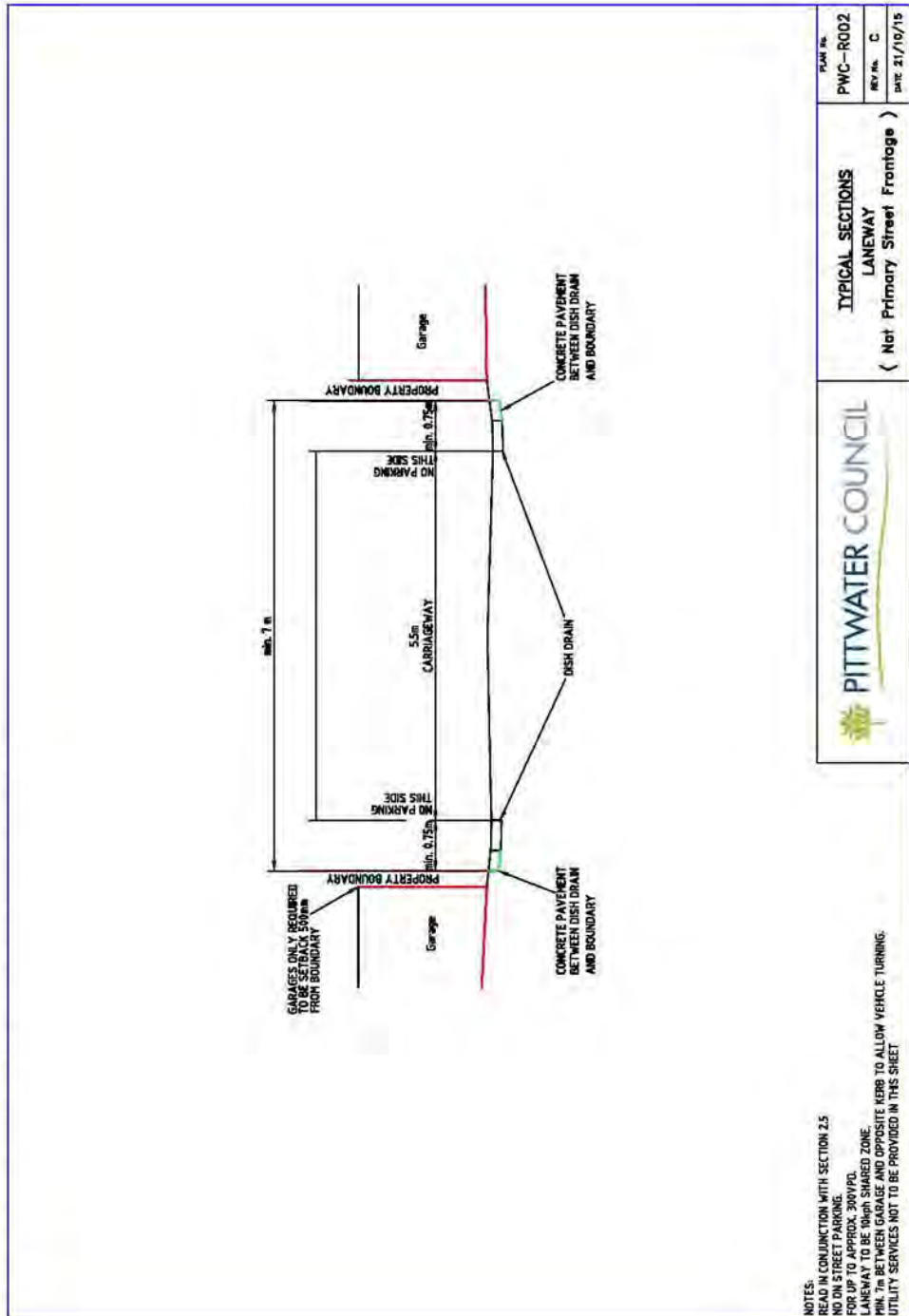




Appendix A4 - Typical Road Plans and Cross Sections Access Street



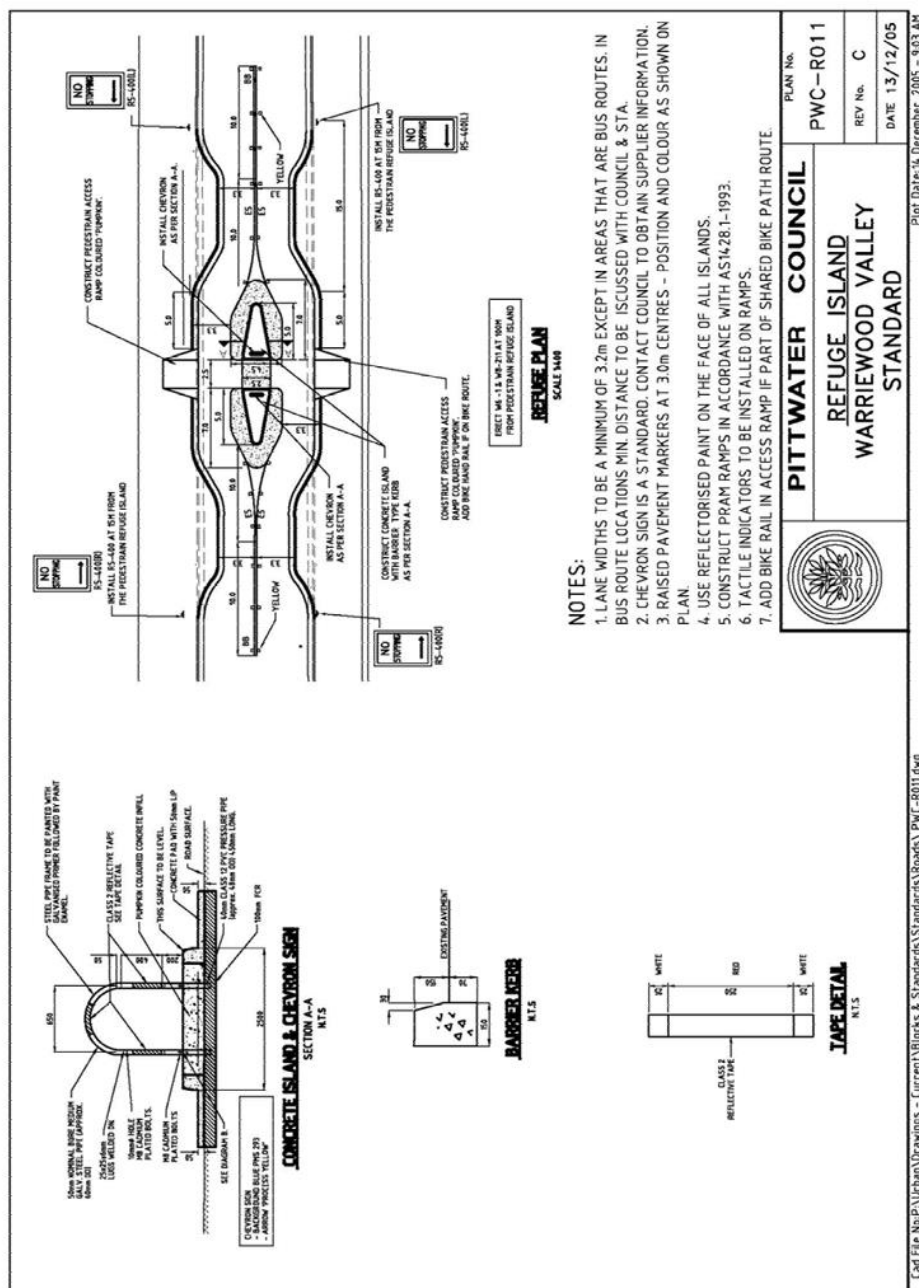
Appendix A5 - Typical Road Plans and Cross Sections Laneway



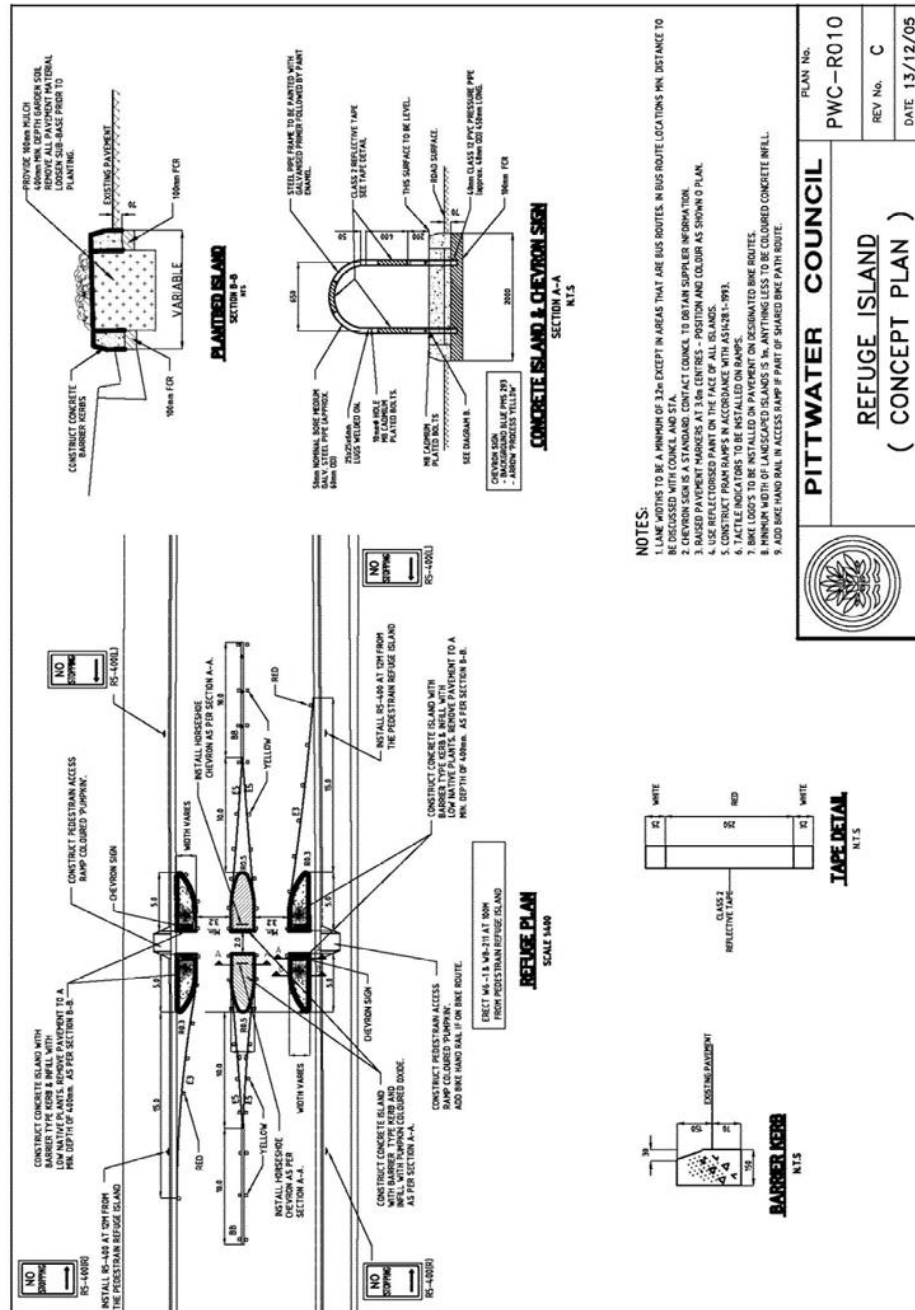


Appendix B1

Sub-Arterial Street Pedestrian Refuge Standard Concept Design



Appendix B2
Collector Street Pedestrian Refuge Standard Concept Design



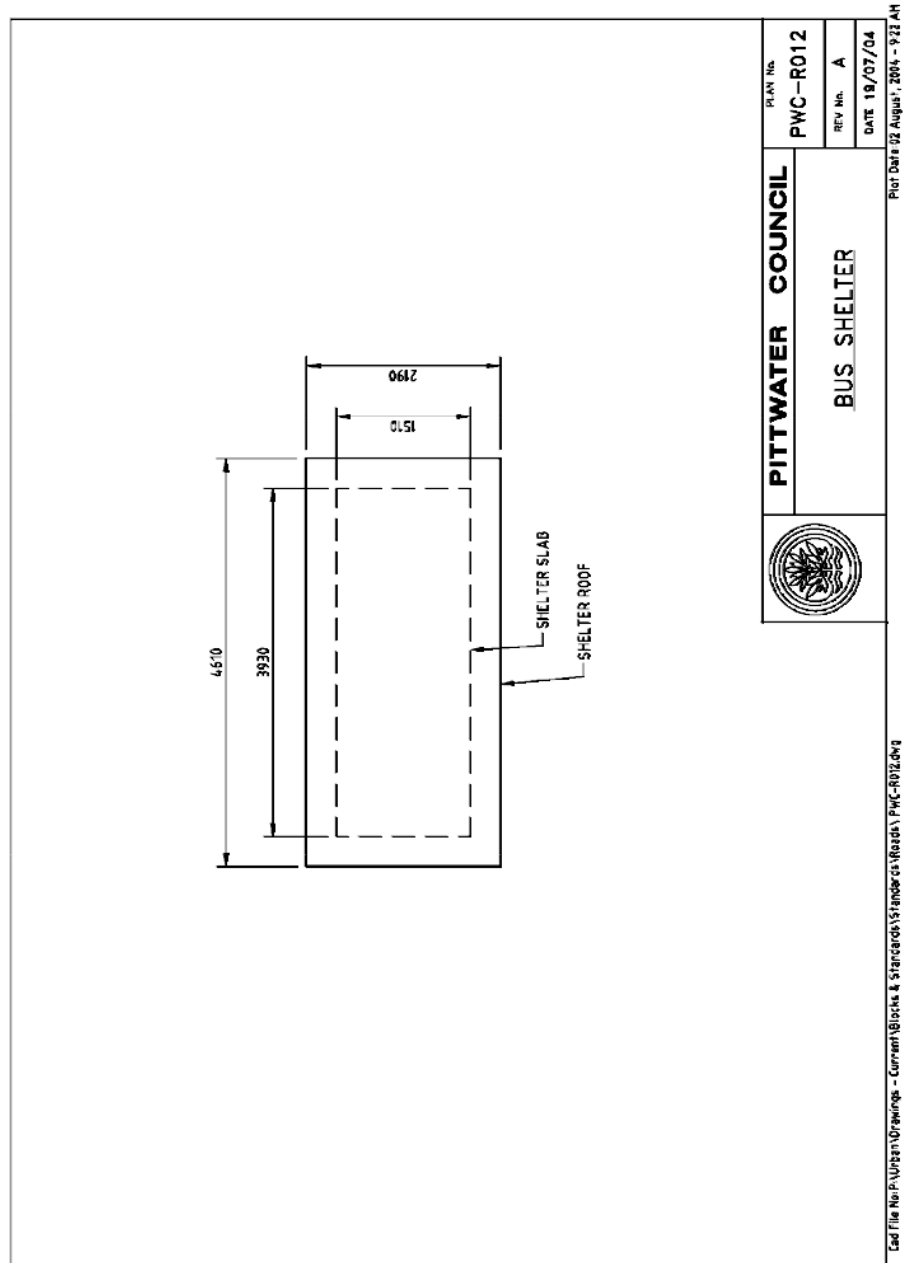
June 2018

22

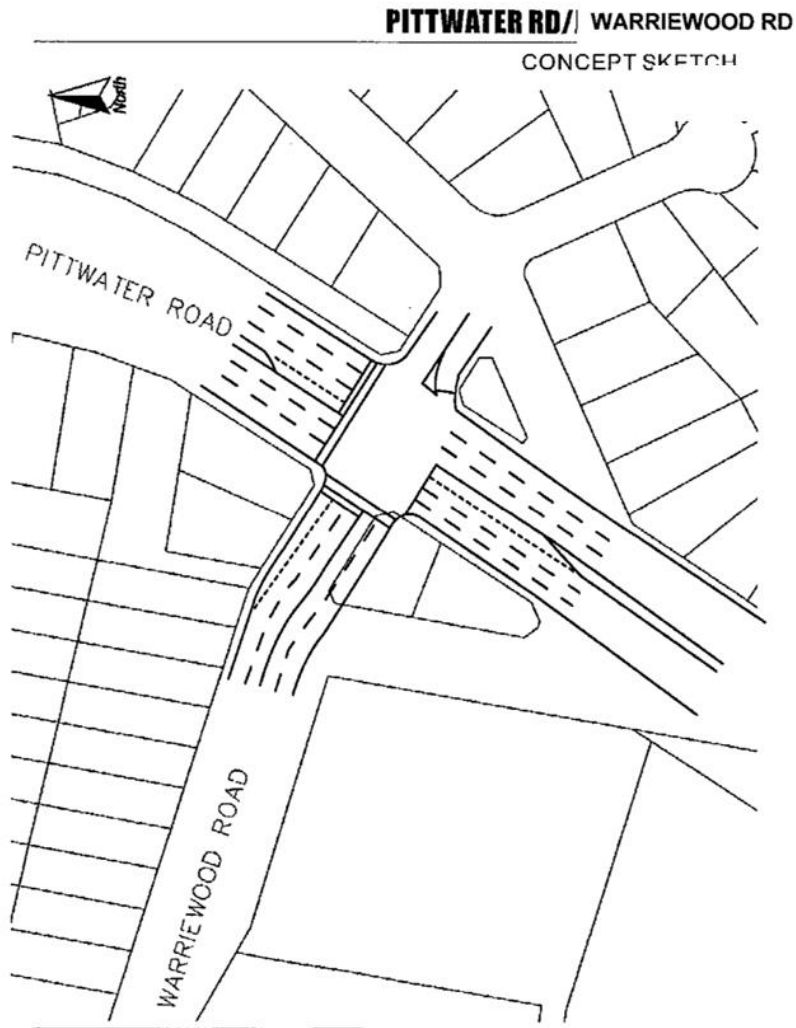
Appendix C

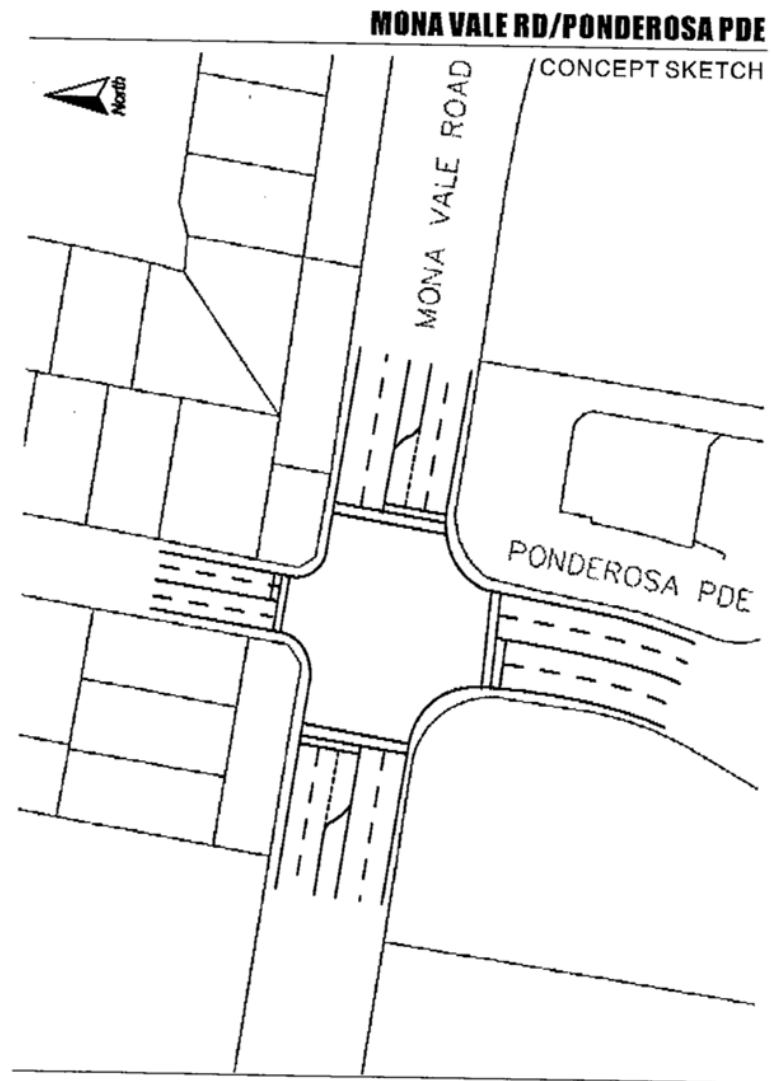
Bus Shelter Dimensions

Based on standard Adshel bus shelter dimensions



Appendix D
Concept designs for Traffic Signals





Appendix E

Council Standard Street Signs

BLUE CODE 1012 CLASS 1
BACKGROUND

PITTWATER COUNCIL LOGO

PITTWATER RD

YELLOW CODE 1021 CLASS 1 TEXT

SPECIFICATIONS

150 HEAVY GAUGE ALUMINIUM
DOUBLE SIDED
SINGLE POINTED

YELLOW CODE 1021 CLASS 1 TEXT ON BLUE CODE 1012
CLASS 1 BACKGROUND

TEXT – SERIES B, 100mm TEXT WITH WIDE SPACING
150mm WIDE FOR SINGLE LINE TEXT
200mm WIDE FOR DOUBLE LINE TEXT
LENGTH VARIES DEPENDING ON LENGTH OF STREET NAME.

REVISED DECEMBER 2003

PITTWATER COUNCIL

STREET SIGN
STANDARD

SCALE: 1:100 (A4 PLOT)

PLANT: 100

ST SIGN

1 1

Appendix F
Lighting Poles



JACKSON AREA TRANSIT STUDY
SECTION 1: EXISTING AND PROPOSED ROUTES
10-10-10
PITT WATER COUNCIL

LEGEND

- EXISTING ROAD
- PROPOSED TRANSIT ROUTE
- SECTION 1: EXISTING AND PROPOSED ROUTES
- COMPLETED ITEMS
- EXISTING BUS STOPS
- EXISTING BUS STOP SHELTERS
- NEW BUS BAYS/STOPS

STREET LIST:

- 10 JACKSON ST. INTERSECTION, JACKSON ST.
- 11 JACKSON ST. INTERSECTION, JACKSON ST.
- 12 JACKSON ST. INTERSECTION, JACKSON ST.
- 13 JACKSON ST. INTERSECTION, JACKSON ST.
- 14 JACKSON ST. INTERSECTION, JACKSON ST.
- 15 JACKSON ST. INTERSECTION, JACKSON ST.
- 16 JACKSON ST. INTERSECTION, JACKSON ST.
- 17 JACKSON ST. INTERSECTION, JACKSON ST.