



PLANNING PROPOSAL

to re-zone three carparks at:

Lot 1/ McIntosh Road, Narraweena

9 & 11 Lagoon Street, Narrabeen

6 Collaroy Street, Collaroy

January 2015



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1 Executive Summary

The proposal is intended to amend the zoning and height applying to three public carpark sites from the current RE1 Public Recreation to a zone which will reflect and be compatible with the surrounding land use zone.

The identified sites as discussed within this report and the intended zoning amendments are as follows:

- **Lot 1/McIntosh Road, Narraweena** RE1 Public Recreation to B1 Neighbourhood Centre
- **9 & 11 Lagoon Street, Narrabeen** RE1 Public Recreation to B2 Local Centre
- **6 Collaroy Street, Collaroy** RE1 Public Recreation to B2 Local Centre

In 2013 Council undertook a review of its public carpark's as an action within the Warringah Community Strategic Plan. This review established that under the Warringah Local Environmental Plan 2011 (WLEP 2011) carparks within local centres were zoned RE1 Public Recreation but do not provide carparking in association with open space usage, that is to support visitation to parks, playing fields or beaches.

As a result a number of carparks are inconsistent with the objectives of the open space zone including the three (3) subject sites as identified above. The proposed new zoning for the subject sites will resolve this inconsistency between the objectives of the current zoning of the sites and the manner in which they are being used (carpark).

In order to resolve this conflict and ensure that the function of the site better reflects the zone and the purpose for which it is used, it is proposed that the WLEP 2011 be amended to rezone the carparks as discussed in this report.



2 Lot 1/McINTOSH ROAD, NARRAWEENA

PROPOSED REZONING FROM RE1 PUBLIC
RECREATION TO B1 NEIGHBOURHOOD CENTRE



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1 Introduction

The subject site at Lot 1/ McIntosh Road, Narraweena (Lot 1 DP 35105) is a carpark which services the Narraweena neighbourhood centre. The site is of an irregular shape, and is located adjacent to the Narraweena shops and bound on three sides by roads – McIntosh Road (south), Alfred Street (west) and Alamein Avenue (north). This site is owned by the Department of Housing and managed by Warringah Council.

The proposal is to amend the zoning applying to the site from the current RE1 Public Recreation to B1 Neighbourhood Centre, which will reflect and be compatible with the surrounding land use zone which applies to the adjacent Narraweena shops.

In 2013 Council undertook a review of its public carpark's as an action within the Warringah Community Strategic Plan. This review established that under the Warringah Local Environmental Plan 2011 (WLEP 2011) carparks within local centres were zoned RE1 Public Recreation but do not provide carparking in association with open space usage, that is to support visitation to parks, playing fields or beaches.

As a result a number of carparks are inconsistent with the objectives of the open space zone including the subject site at Lot 1/McIntosh Road, Narraweena. The proposed new zoning for the subject site will resolve this inconsistency between the objectives of the current zoning of the site and the manner in which it is being used (carpark).

In order to resolve this conflict and ensure that the function of the site better reflects the zone and the purpose for which it is used, it is proposed that the WLEP 2011 be amended to rezone the carpark from RE1 Public recreation to B1 Neighbourhood Centre.

2 Site Analysis

2.1 Site details and features

The site is known as Lot 1/McIntosh Road, Narraweena. It is legally described as Lot 1 in Deposited Plan 35105. The site's key features in relation to the proposal are summarised as follows:

- *Currently being used as a public carpark servicing Narraweena neighbourhood centre (established land use).*
- *Site is owned by the NSW Department of Housing, managed by Warringah Council.*
- *Site area of 561m².*
- *Single directional vehicular access (enter and exit) points off Alamein Avenue (to the north of the site).*
- *Pedestrian access to the site is informal in nature and is generally directly from the public footpaths along the site street frontages directly adjoining the site. Car park is at-grade with pedestrian access.*
- *The site provides fifteen (15) regular carspaces and one (1) disabled/accessible carspace (16 total) .*
- *Carpark is not timed.*
- *There are a number of trees located on the site including four (4) paperbark trees located along the western boundary. A number of street trees also surround the site including two (2) eucalyptus trees along the northern boundary and three (3) trees of various species along the southern boundary.*

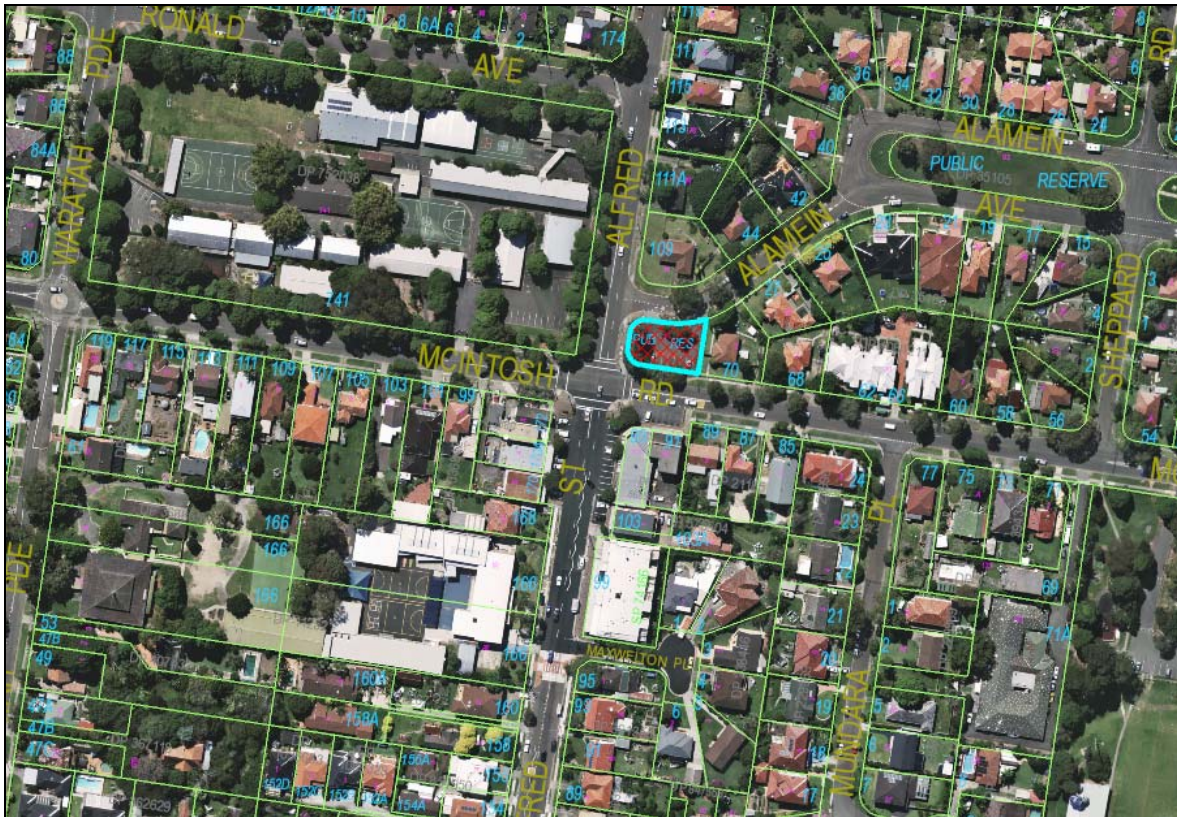


Figure 1: Aerial photograph showing subject site at Lot 1/McIntosh Road, Narraweena (highlighted) and surrounding context.

2.2 Site context and location

The site's key features with regards to its context and location in relation to the proposal are summarised as follows:

- Located at the intersection McIntosh Road and Alfred Street, and the intersection of Alfred Street and Alamein Avenue.
- Located directly to the north (adjacent to) of the Narraweena shops (neighbourhood centre);
- Located directly opposite from Narraweena Public School;
- Narraweena shops are on a local neighbourhood centre scale;
- Surrounding land uses include Narraweena local shops to the south (B1 neighbourhood centre zoning), low density residential development to the east (R2 low density residential zoning), and Narraweena Public School to the west (R2 low density residential zoning).

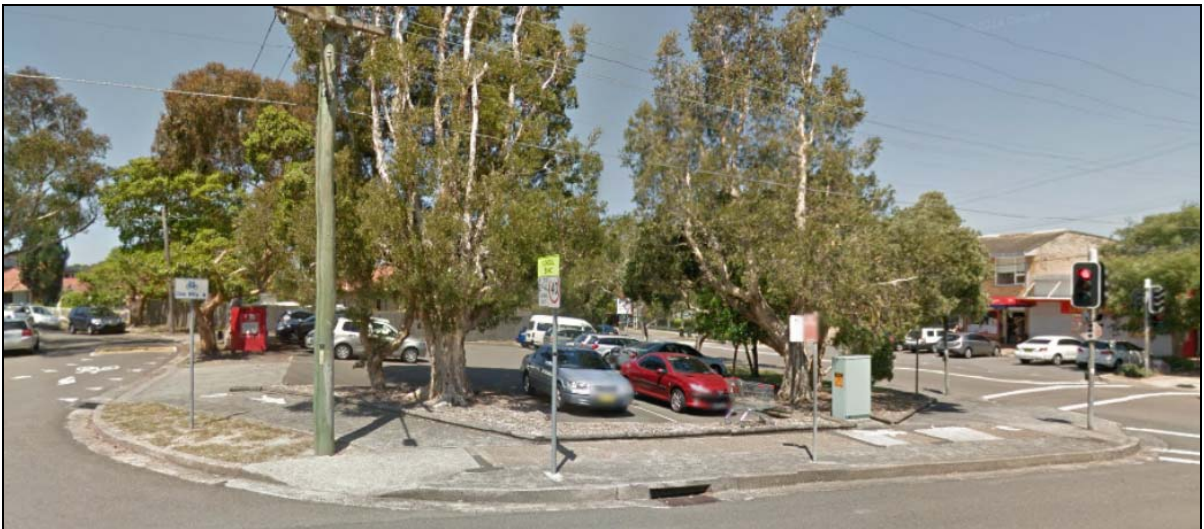


Image 1: The subject site - carpark - viewed from Alfred Street, looking east. Showing vehicular exit from the carpark to Alamein Avenue (on the left), pedestrian access via footpath and Narraweena neighbourhood shops in the background on the right (Source: Google maps, 2013).



Image 2: the subject carpark viewed from Alamein Avenue, with Narraweena shops visible in the background, and Narraweena Public School visible across Alfred Street (on the right) (Source: Google maps, 2013).



Image 3: The subject carpark viewed from Alamein Avenue. Showing site in context. Residential dwelling house adjacent (image left) (Source: Google maps, 2013).



3 Report Structure

The Department of Planning and Environment sets the form and structure for planning proposal reports. Accordingly, this the following sections of this report are set out in four main parts, as follows:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - Justification for those objectives, outcomes and provisions and the process for their implementation:
 - A. Need for the planning proposal
 - B. Relationship to strategic planning framework
 - C. Environmental, social and economic considerations
 - D. State and Commonwealth interests
- Part 4 - Details of the community consultation that is to be undertaken on the planning proposal.



4 Statement of the Objectives and Intended Outcomes

The objective of the planning proposal is to apply a zone that reflects the established land use of the subject site and the land that it serves, in this case the Narraweena shops zoned B1 Neighbourhood Centre.

The intended outcome of the planning proposal is that the applied zone to the subject site will reflect the established land use and be considered consistent with the zone of the associated Narraweena neighbourhood centre.

5 Explanation of the Provisions

The following is an explanation of the provisions that are proposed to be included in the LEP [EPA Act s.55 (2)(b)].

The proposed map changes to the LEP are provided below.

The proposal involves amending Map Sheet LZN10A of the Land Zoning Map of the Warringah Local Environmental Plan (WLEP) 2011:

Current:

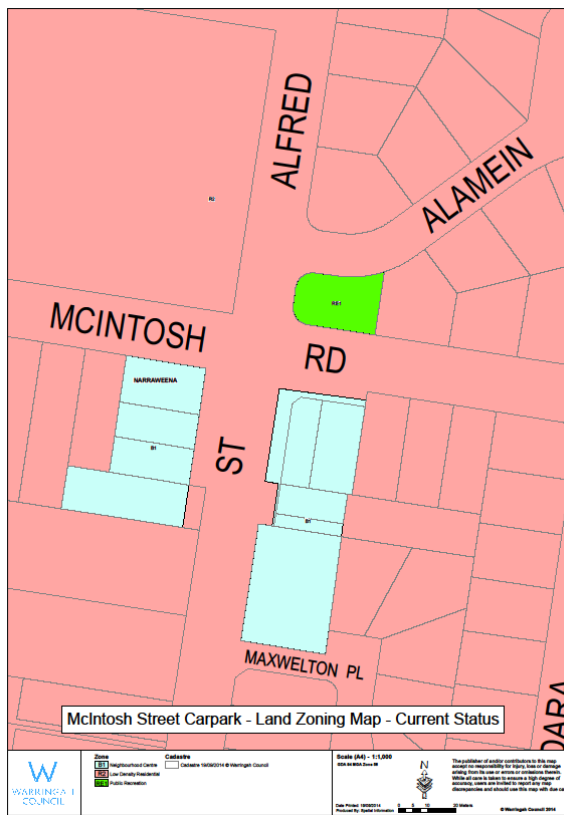


Figure 2: Lot 1/ McIntosh Road, Narraweena – current status on WLEP 2011 Land Zoning Map

Proposed:

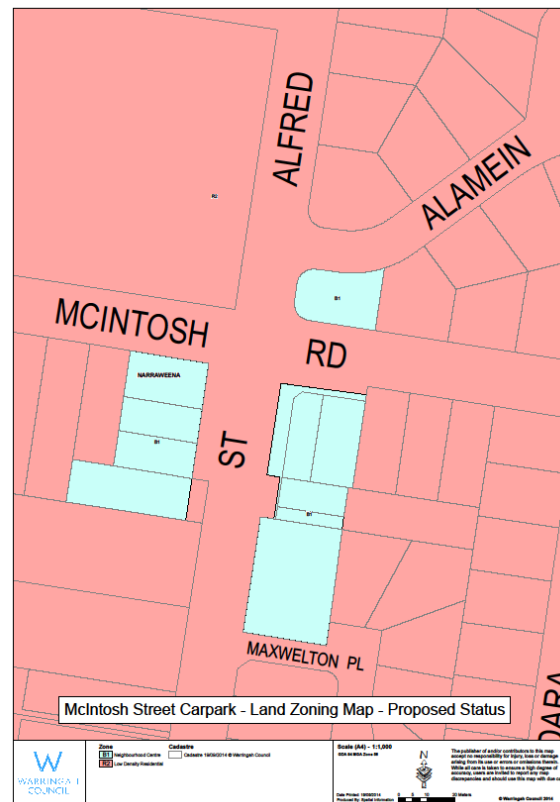


Figure 3: Lot 1/ McIntosh Road, Narraweena – proposed status on WLEP 2011 Land Zoning Map



In addition, the application of a height control to the site is necessary because no height standards apply to the land zoned RE1 Public Recreation (generally) in the Warringah LEP. A height standard of 8.5m has been selected to reflect the height control for surrounding land.

The proposal involves amending Map Sheet HOB010AA of the Height of Buildings Map of the Warringah Local Environmental Plan 2011:

Current:



Figure 4: McIntosh Road carpark, Narraweena – current status on WLEP 2011 Height of Buildings Map.

Proposed:



Figure 5: McIntosh Road carpark, Narraweena – proposed new status on the WLEP 2011 Height of Buildings Map.



6 Rezoning Justification

6.1 Need for the planning proposal

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

Yes. A strategic review of Council's public car parks has been undertaken. The planning proposal results from the findings of this review which was reported to Council on the 25 March 2014.

This has taken into account the relevant local and state planning policies, the site's context within the Narrabeena neighbourhood centre and the merits of a different zoning being applied.

Justification for Provisions

The proposed draft LEP provisions (detailed in the previous Section of this report) are needed to amend the LEP and make permissible a change of zone applying to the land (see Attachment 1 for proposed new LEP zoning and height map sheets).

Justifications for the carpark Planning Proposals below:

1. The use of RE1 Public Recreation zoned land as a carpark serving the Narrabeena Neighbourhood Centre is inconsistent with the objectives of the zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
2. The land operates as a carpark which is used mainly in association with the Neighbourhood Centre which not only includes local shops but also broader community uses like the Narrabeena primary school.
3. The carpark adjoins land zoned B1 Neighbourhood Centre (Narrabeena Neighbourhood Centre). It is most appropriate that the land be zoned to be consistent with the land use that it serves, in this case the neighbourhood centre. This will achieve compatibility between the established land use (carpark) and the zoning objectives, which are provided below:

To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

To ensure that neighbourhood centres provide a village-like atmosphere and safety and comfort for pedestrians.

To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.

In terms of the zone objectives (current RE1 Public Recreation and the proposed B1 Neighbourhood Centre) the following comments are made in support of the proposed zoning change:

4. The carpark meets the first objective of the B1 Neighbourhood Centre zone as it provides a small-scale community use that serves the needs of the people in the surrounding neighbourhood (Narrabeena shops).
5. The land's established use as a carpark bears no relationship to the RE1 Public Recreation zone, as evidenced by the objectives for this zone which are provided below:

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 public land that is of ecological, scientific, cultural or aesthetic value.



To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

It is evident in considering these objectives that they do not relate to the function of this carpark, and as a result, the established use of the land as a carpark is inconsistent with the above zone objectives.

On this basis the application of the Zone RE1 Public Recreation to this land is an anomaly. Changing the land's zoning B1 Neighbourhood Centre zone will correct these inconsistencies.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes?*

The proposal is an appropriate means of achieving the objectives for the current use of the land. The following points are noted in support of this view:

- The site supports a carpark and is zoned RE1 Public Recreation. However the site does not provide carparking in association with public recreation or open space usage, that is to support visitation to parks, playing fields or beaches. As a result the function of the site (carpark) does not reflect the zone and the purpose for which it is used.
- The location of the site is appropriate to support a *business zoning* because the carpark adjoins land zoned B1 Neighbourhood Centre (Narraweena Shops) and the most appropriate outcome is one where the land is zoned consistent with the land use that it serves, in this case the neighbourhood centre.
- The proposal is limited to a rezoning of the site with no other works proposed.

3. *Is there a net community benefit?*

The planning proposal will deliver a net community benefit. The key community benefits include:

- The planning proposal will address the current incompatibility between the land use of the site (carpark) and the objectives of the current zone by establishing a more appropriate zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
- The proposal supports the site continuing to provide a small-scale community use (carpark) that serves the needs of people in the surrounding neighbourhood (Narraweena shops).



7 Strategic Planning Considerations

The following strategic planning considerations are applicable to the site:

- Metropolitan Strategy for Sydney (draft and current)
- North Eastern Subregion – draft Subregional Strategy
- Warringah Community Strategic Plan 2023
- Applicable Ministerial Directions (Section 117)

These are addressed in-turn below.

7.1 *Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Strategy for Sydney and the draft Subregional Plan?*

Draft Metropolitan Strategy for Sydney to 2031

The current New South Wales Government's plan for Metropolitan Sydney is still in draft form. The Strategy is titled Draft Metropolitan Strategy for Sydney to 2031. Despite its draft status it nevertheless is a principal planning policy for consideration in relation to any Planning Proposal. The proposal is consistent with a number of strategic objectives and these are identified and responded to below:

The subject site is located within the identified North subregion.

Objective 8: Create socially inclusive places that promote social, cultural and recreational opportunities.

The proposal is consistent with this objective. This accessible public carpark is within a Neighbourhood Centre and performs a valued role in ensuring the continued use of the centre. An accessible carpark supports the local shops as well as broader community facilities including the Narraweena public school. The proposed re-zoning of the McIntosh Road carpark, Narraweena will support and strengthen the local community.

Objective 24: Plan and deliver transport and land use that are integrated and promote sustainable transport choices

The proposal is consistent with this objective. The application of the B1 Neighbourhood Centre zone onto the subject site will align the existing carpark land use with the land use objectives of the zone. The existing carpark acts as a support for future growth in the transport accessible Narraweena centre. The site performs a valued role in providing short term parking for shoppers, and parents in relation to pick-up and drop-off times for Narraweena Public School.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 is the adopted plan for Sydney's growth. It sets the strategic direction and context for decisions related to land use and transport planning in the Sydney Metropolitan Area.

The Metropolitan Strategy establishes a number of strategic Actions / Objectives. The planning proposal is consistent with the action identified and responded to below:

Action H3.1 aims to design and plan for healthy, safe, accessible and inclusive places.

In response: the proposal is consistent with this action in that it aims to allow the continued uninterrupted use of the site as a public carpark. The carpark offers safe and accessible parking for Narraweena shopping village. The planning proposal aims to consolidate the zoning of the Narraweena neighbourhood centre to ensure best practice planning can be applied in the future to this area. The land does not have metropolitan scale strategic importance.



North East Subregion - draft Subregional Strategy

The North East Subregion – draft Subregional Strategy translates the objectives of NSW Government's Metro Strategy to the local level. Indeed many of the aims of the draft Subregional Strategy mirror those of the companion Metropolitan Strategy which have been addressed above. The proposal is consistent with provisions of the draft Subregional Strategy. The land does not have metropolitan or subregional scale strategic importance.

7.2 *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?*

The one plan of particular relevance to consider in responding to this question is the Warringah Community Strategic Plan 2023. This is addressed in more depth below.

Warringah Community Strategic Plan 2023

The *Warringah Community Strategic Plan 2023* is the Council's principal forward planning document. The plan contains some objectives/goals relevant to the consideration of the planning proposal which are identified and addressed below.

The plan is established under six (6) Outcomes and twenty-two (22) Objectives. The 6 Outcomes include:

- *Vibrant Community*
- *Lifestyle and Recreation*
- *Healthy Environment*
- *Connected Transport*
- *Liveable Neighbourhoods*
- *Working Together*

Two of these Outcomes are relevant to the proposal:

Connected Transport and *Liveable Neighbourhoods*. These Outcomes and their corresponding objectives under each are addressed in turn below.

Connected Transport.

The proposal will apply a more appropriate zoning to the existing carpark site. Applying a zone with land use objectives that are consistent with the existing land use of the site (carpark) will ensure the continued provision of accessible and convenient parking close to the urban (neighbourhood) centre of Narraweena shops.

The accessible convenient location and layout of the carpark means that it is used by residents, in particular during drop-off and pick-up times for the Narraweena Public School located directly to the west, and during business hours for the Narraweena neighbourhood shopping centre. It also is able to act as a park and ride facility for local residents, being untimed and located near a number of bus stops going in various directions.

Liveable Neighbourhoods

The proposal will make consistent the zoning of the site with the Narraweena neighbourhood centre and ensure a consistent approach to the land use planning of the centre; supporting the land's function as a liveable neighbourhood.

In summary the site is currently used as a carpark, being asphalted and marked as such and this use is intended to continue in the future. Being in the immediate vicinity of a neighbourhood centre (the Narraweena Shops) the objectives of the current zoning of RE1 Public Recreation is inconsistent with the



carparking land use. The proposed zoning of the site as B1 Neighbourhood Centre will rectify this issue and ensure continued access to easy parking for the neighbourhood centre.

The proposal positively responds to, and is supportive of, the relevant Outcomes and Objectives within the Warringah Community Strategic Plan 2023.

7.3 *Is the planning proposal consistent with applicable state environmental planning policies?*

There are no State Environmental Planning Policies relevant to the assessment of this planning proposal.

7.4 *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The following four (4) Ministerial Directions are applicable to the proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 4.3 Flood Prone Land
- Direction 6.1 Approval and Referral Requirements
- Direction 6.2 Reserving Land for Public Purposes

Consideration of the Ministerial Directions is provided below.

s117 Direction	Requirement/Objectives	Comment
1.1 Business and Industrial Zones	(1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	The planning proposal is consistent with this direction, in that it: • ensures all land associated with the Narraweena shops is used with consistent land use planning objectives; • will create consistency between the zone objectives and the current and anticipated future land use of the site (carparking); • does not affect any areas or locations of existing business and industrial zones; • will not reduce the total potential floor space area for employment and related public services in business zones or industrial uses in industrial zones;
4.3 Flood Prone Land	(1) 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	This Direction applies as the subject site is partially flood prone to a very minor degree. This affectation refers to properties affected by the Flood Planning Level (i.e. the 1 in 100 year flood plus 0.5m freeboard. The level of flood prone hazard is minor as shown in Figure 3, and of



s117 Direction	Requirement/Objectives	Comment
	and 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.	no consequence to the change in zone proposed.
6.1 Approval and Referral Requirements	(1) The objective of this direction is to ensure that LEP provisions encourages the efficient and appropriate assessment of development.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011 (draft LEP). The planning proposal is consistent with this direction, in that it: • will not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	(1) 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.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011. The planning proposal is consistent with this direction, in that it: • responds to an identified zoning inconsistency by proposing a change of zone. • seeks the approval of the relevant public authority and the Director General of the Department of Planning and Environment to alter the zoning of land for public purposes (public carpark). • will result in a positive social and economic outcome for the site and surrounding area as the proposed change of zone will ensure the function of the site relates to/reflects the zone and the purpose for which it is used.

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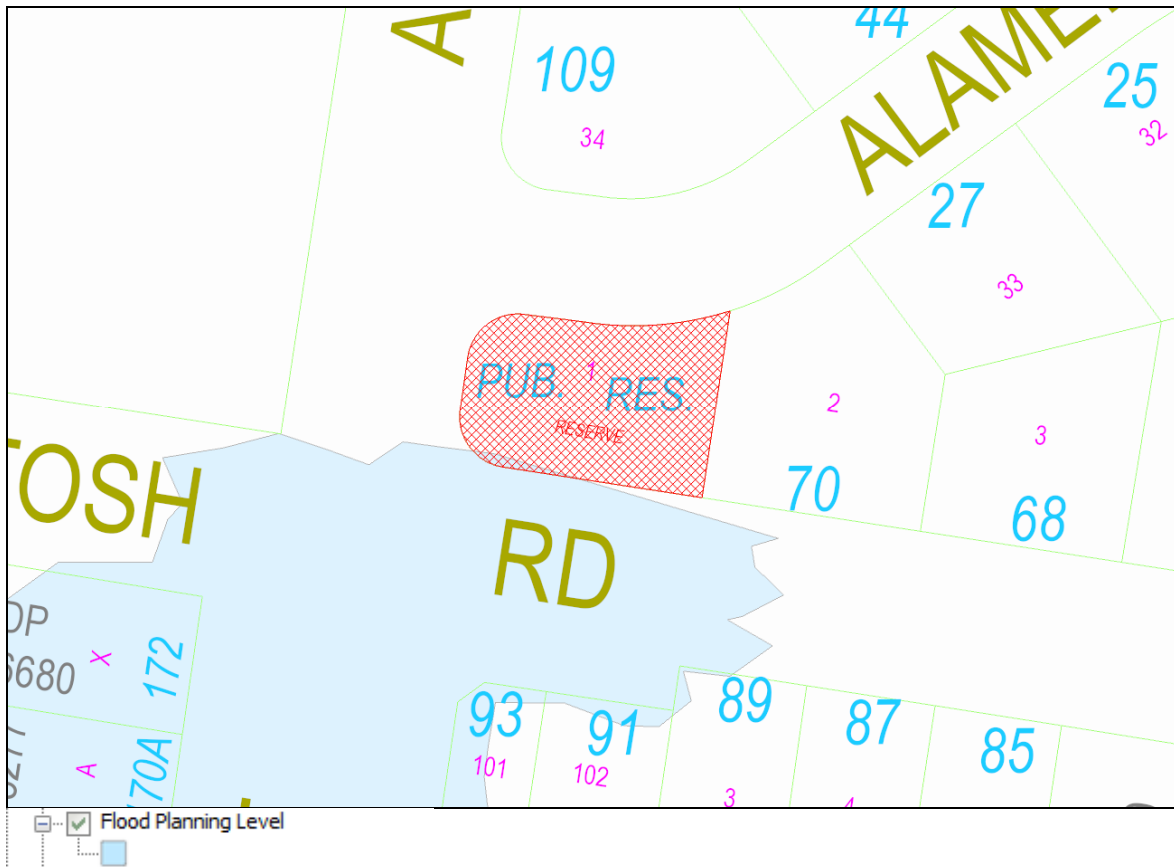


Figure 6: Extract from Warringah Flood Planning Level Map (WLEP 2011) showing minor flood affectation to the subject site.

There is a very minor flood affectation to the site as can be seen in *Figure 6*. Given this and that the established function of the site is not proposed to change, the inconsistency with this Ministerial Direction is considered of minor and justifiable.



8 Environmental Social and Economic Considerations

8.1 *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. Given the urban context of the site and the nature of the planning proposal (a site rezoning with no physical works) the proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats.

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

No. Council's record system (GIS) indicates that there are no areas of biodiversity/environmental significance on or in the vicinity of the site. The proposal is also limited to the rezoning of the site, with no physical works, change of use or change to lot boundaries.

8.3 *How has the planning proposal adequately addressed any social and economic effects?*

Yes. The site's current and continued use as a public carpark has social and economic benefits to the Narraweena Neighbourhood Centre.

The proposal to rezone the site is intended to address the current problem of an inappropriate zone that has been applied to the site but rezoning the land to a more appropriate zone for the current and future intended use of the site as public infrastructure for the Narraweena Shops and surrounding area. The proposal will support the continued use of the Narraweena Neighbourhood Centre.



9 State and Commonwealth Interests

9.1 *Is there adequate public infrastructure for the planning proposal?*

Yes. The site is an existing, functioning public carpark with the current land use intended to continue. The proposal is limited to a rezoning of the site. All relevant public infrastructure necessary to service a public carpark are available to the site.

9.2 *What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

There may be consultation with relevant Government agencies should the proposal proceed to become a statutory LEP amendment following a positive Gateway determination.



10 Community consultation to be undertaken on the Planning Proposal

There will be community consultation as part of the statutory assessment of the proposal if Council and the Department resolve to support the proposed draft LEP.

The views of the community will be matters to be considered once the application is publicly exhibited.



11 Conclusion

This planning proposal has been prepared in support of amending the Warringah LEP 2011 to rezone the land at Lot 1/McIntosh Road, Narraweena (Lot 1 DP 35105).

The merits of a rezoning of this site have been assessed and satisfy the relevant considerations established by the current planning policies.

It is assessed that there is a case to support the proposed LEP amendment and these reasons are summarised as follows:

- Rezoning of the site in the manner proposed will unite the zoning of the Narraweena neighbourhood centre and ensure consistency between the land use (carpark) and zoning objectives of the B1 Neighbourhood Centre zone.
- The proposal will ensure that the site can continue to function as an accessible neighbourhood centre public carpark.
- The proposal does not involve any changes to the existing streetscape amenity and function of the site as a public carpark.

It is recommended that the Department of Planning and Environment support the proposal and proceed in making a positive Gateway determination.



3 9 & 11 LAGOON STREET, NARRABEEN

PROPOSED REZONING FROM RE1 PUBLIC
RECREATION TO B2 LOCAL CENTRE



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1 Introduction

The subject site at 9 & 11 Lagoon Street, Narrabeen (Lot 1 DP 1117584 & Lot 5 Sec 38 DP 111254 respectively) is a carpark which services the Narrabeen Local Centre (shops). The regular rectangular site is located adjacent to the Narrabeen shops (immediately east), bound by mixed use buildings directly to the north and south, medium density residential development to the east, and bound by Lagoon Street to the west (access to the site). The site is owned and managed by Warringah Council.

The proposal is to amend the zoning applying to the site from the current RE1 Public Recreation to B2 Local Centre, which will reflect and be compatible with the surrounding land use zone which applies to the adjacent Narrabeen shops.

In 2013 Council undertook a review of its public carpark's as an action within the Warringah Community Strategic Plan. This review established that under the Warringah Local Environmental Plan 2011 (WLEP 2011) carparks within local centres were zoned RE1 Public Recreation but do not provide carparking in association with open space usage, that is to support visitation to parks, playing fields or beaches.

As a result a number of carparks are inconsistent with the objectives of the open space zone including the subject site at 9 & 11 Lagoon Street, Narrabeen. The proposed new zoning for the site will resolve this inconsistency between the objectives of the current zoning of the site and the manner in which it is being used (carpark).

In order to resolve this conflict and ensure that the function of the site better reflects the zone and the purpose for which it is used, it is proposed that the WLEP 2011 be amended to rezone the carpark from RE1 Public Recreation to B2 Local Centre.

2 Site Analysis

2.1 Site details and features

The site is known as 9 & 11 Lagoon Street, Narrabeen address it is legally described as Lot 1 in Deposited Plan 1117584 & Lot 5 Sec 38 in Deposited Plan 111254. The site's key features in relation to the proposal are summarised as follows:

- *Currently being used as a public carpark servicing Narrabeen local centre (established land use).*
- *Site is owned and managed by Warringah Council.*
- *Site area of 1872.66m².*
- *Single directional vehicular access (enter and exit) points off Lagoon Street (on the western boundary of the site).*
- *Pedestrian access to the site is informal in nature and is generally directly from the public footpath along the Lagoon Street frontage directly adjoining the site. Car park is at-grade with pedestrian access.*
- *The site Accomodates approximately 47 carspaces.*
- *The carpark is timed, permitting a maximum stay of 3 hours (Monday to Friday), 2 hours (Saturday), and being untimed on Sunday.*
- *The site contains a number of trees primarily located along the Lagoon Street frontage, along the rear (eastern) boundary and two located in the centre of the site.*



Figure 1: Aerial photograph showing subject site at 9 & 11 Lagoon Street, Narrabeen (highlighted) and surrounding context.

2.2 Site context and location

The site's key features with regards to its context and location in relation to the proposal are summarised as follows:

- Located directly to the west (adjacent) to the Narrabeen shops (local centre);
- One street frontage – to Lagoon Street, Narrabeen;
- Narrabeen shops are on a local centre scale;
- Located near the intersection of Lagoon Street and Waterloo Street;
- Surrounding land uses include Narrabeen local shops directly to the north and east (B2 Local Centre zoning), dwelling houses immediately to the south and west (R2 Low Density Residential zoning).



Image 1: Subject site (carpark) at 9 & 11 Lagoon Street, Narrabeen (Source: Google maps, 2013).



Image 2: Streetscape of Lagoon Street, Narrabeen showing entrance to the subject site and existing function of the site as a carpark (foreground right) looking east towards Pittwater Road (Source: Google maps, 2013).



Image3: Streetscape (Lagoon Street) looking west from the subject site (foreground left) showing existing residential development adjacent/opposite (Source: Google maps, 2013).



3 Report Structure

The Department of Planning and Environment sets the form and structure for Planning Proposal reports. Accordingly, this the following sections of this report are set out in four main parts, as follows:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - Justification for those objectives, outcomes and provisions and the process for their implementation:
 - A. Need for the Planning Proposal
 - B. Relationship to strategic planning framework
 - C. Environmental, social and economic considerations
 - D. State and Commonwealth interests
- Part 4 - Details of the community consultation that is to be undertaken on the Planning Proposal.



4 Statement of the Objectives and Intended Outcomes

The objective of the planning proposal is to apply a zone that reflects the established land use of the subject site and the land that it serves, in this case the Narraweena shops zoned B1 Neighbourhood Centre.

The intended outcome of the planning proposal is that the applied zone to the subject site will reflect the established land use and be considered consistent with the zone of the associated Narraweena neighbourhood centre.

5 Explanation of the Provisions

The following is an explanation of the provisions that are proposed to be included in the LEP [EPA Act s.55 (2)(b)].

The proposed map changes to the LEP are provided below.

The proposal involves amending Map Sheet LZN009 of the Land Zoning Map of the Warringah Local Environmental Plan 2011:

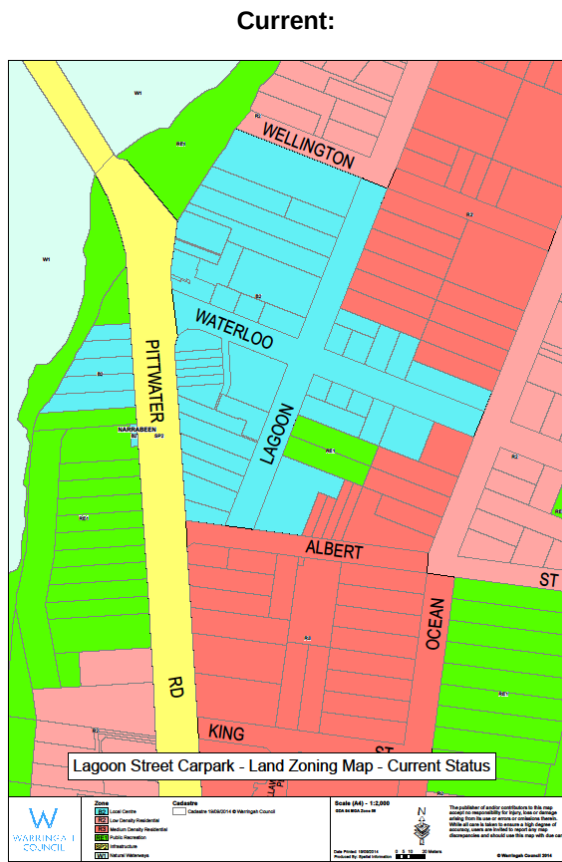


Figure 2: 9 & 11 Lagoon Street, Narrabeen – current status on WLEP 2011 Land Zoning Map

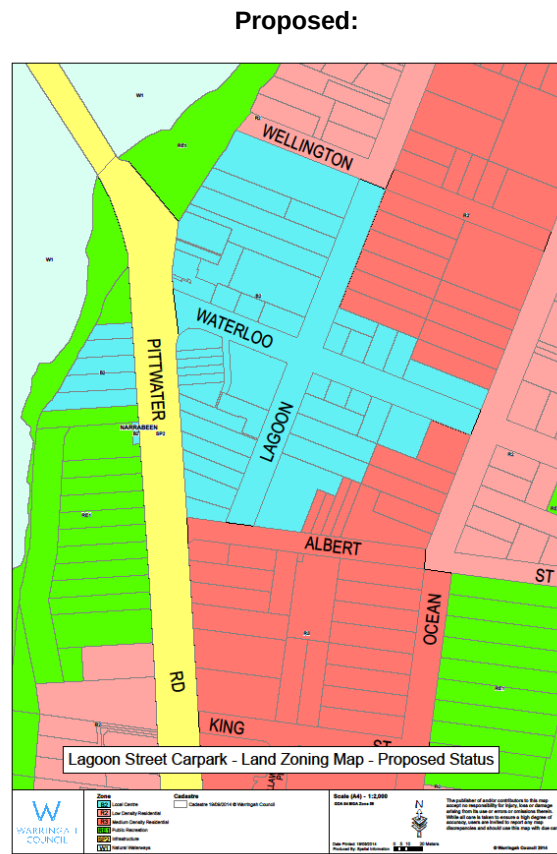


Figure 3: 9 & 11 Lagoon Street, Narrabeen – proposed status on WLEP 2011 Land Zoning Map

In addition, the application of a height control to the site is necessary because no height standards apply to the land zoned RE1 Public Recreation (generally) in the Warringah LEP. A height standard of 11m has been selected to reflect the height control for surrounding land.

The proposal involves amending Map Sheet HOB009 of the Height of Buildings Map of the Warringah Local Environmental Plan 2011:

Current:

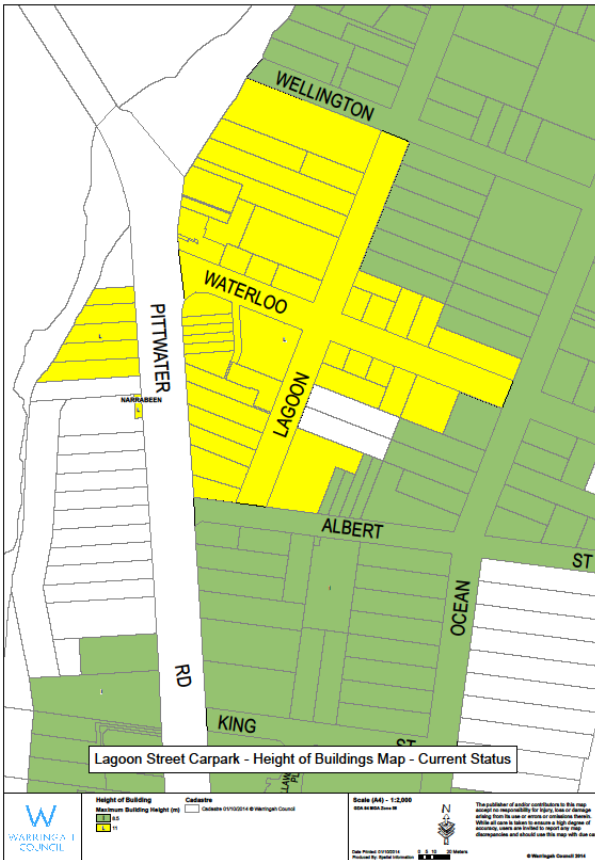


Figure 4: Lagoon Street carpark, Narrabeen – current status on WLEP 2011 Height of Buildings Map.

Proposed:

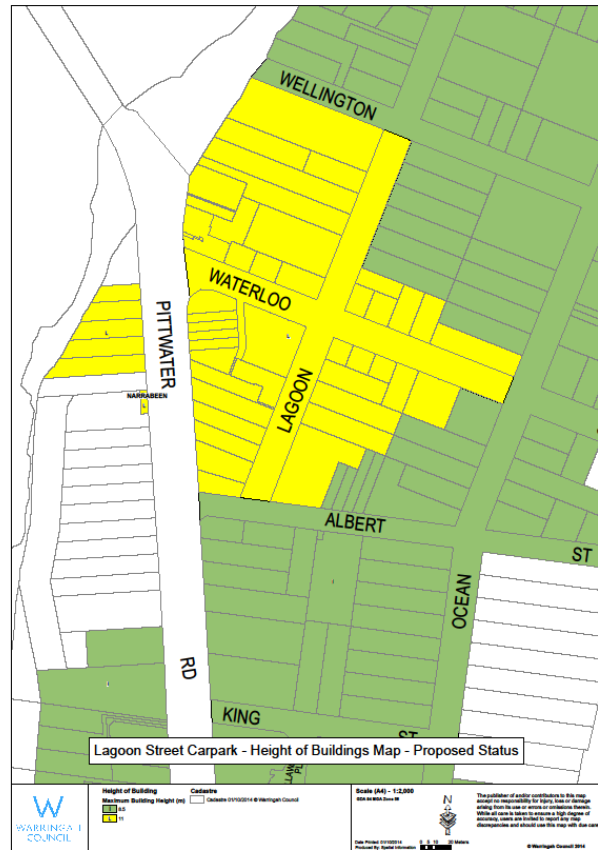


Figure 5: Lagoon Street carpark, Narrabeen– proposed new status on the WLEP 2011 Height of Buildings Map.



6 Rezoning Justification

6.1 Need for the planning proposal

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

Yes. A strategic review of Council's public car parks has been undertaken. The planning proposal results from the findings of this review which was reported to Council on the 25 March 2014.

This has taken into account the relevant local and state planning policies, the site's context within the Narrabeen neighbourhood centre and the merits of a different zoning being applied.

Justification for Provisions

The proposed draft LEP provisions (detailed in the previous Section of this report) are needed to amend the LEP and make permissible a change of zone applying to the land (see Attachment 1 for proposed new LEP zoning and height map sheets).

Justifications for the carpark Planning Proposals below:

6. The use of RE1 Public Recreation zoned land as a carpark serving the Narrabeen Local Centre is inconsistent with the objectives of the zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
7. The land operates as a carpark which is used mainly in association with the Local Centre which includes local shops and other businesses.
8. The carpark adjoins land zoned B2 Local Centre (Narrabeen Local Centre). It is most appropriate that the land be zoned to be consistent with the land use that it serves, in this case the local centre. This will achieve compatibility between the established land use (carpark) and the zoning objectives, which are provided below:

To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

To ensure that neighbourhood centres provide a village-like atmosphere and safety and comfort for pedestrians.

To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.

In terms of the zone objectives (current RE1 Public Recreation and the proposed B2 Local Centre) the following comments are made in support of the proposed zoning change:

9. The carpark meets the first objective of the B2 Local Centre zone as it provides a small-scale community use that serves the needs of the people who live in, work in and visit the local area (Narrabeen shops).
10. The land's established use as a carpark bears no relationship to the RE1 Public Recreation zone, as evidenced by the objectives for this zone which are provided below:

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 public land that is of ecological, scientific, cultural or aesthetic value.



To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

It is evident in considering these objectives that they do not relate to the function of this carpark, and as a result, the established use of the land as a carpark is inconsistent with the above zone objectives.

On this basis the application of the Zone RE1 Public Recreation to this land is an anomaly. Changing the land's zoning B2 Local Centre zone will correct these inconsistencies.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes?*

The proposal is an appropriate means of achieving the objectives for the current use of the land. The following points are noted in support of this view:

- The site supports a carpark and is zoned RE1 Public Recreation. However the site does not provide carparking in association with public recreation or open space usage, that is to support visitation to parks, playing fields or beaches. As a result the function of the site (carpark) does not reflect the zone and the purpose for which it is used.
- The location of the site is appropriate to support a *business zoning* because the carpark adjoins land zoned B2 Local Centre (Narrabeen Shops) and the most appropriate outcome is one where the land is zoned consistent with the land use that it serves, in this case the local centre.
- The proposal is limited to a rezoning of the site with no other works proposed.

3. *Is there a net community benefit?*

The planning proposal will deliver a net community benefit. The key community benefits include:

- The planning proposal will address the current incompatibility between the land use of the site (carpark) and the objectives of the current zone by establishing a more appropriate zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
- The proposal supports the site continuing to provide a small-scale community use (carpark) that serves the needs of people in the surrounding neighbourhood (Narrabeen shops).



7 Strategic Planning Considerations

The following strategic planning considerations are applicable to the site:

- Metropolitan Strategy for Sydney (draft and current)
- North Eastern Subregion – draft Subregional Strategy
- Warringah Community Strategic Plan 2023
- State Regional Planning Policy (Infrastructure) 2007
- Applicable Ministerial Directions (Section 117)

These are addressed in-turn below.

7.1 *Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Strategy for Sydney and the draft Subregional Plan?*

Draft Metropolitan Strategy for Sydney to 2031

The current New South Wales Government's plan for Metropolitan Sydney is still in draft form. The Strategy is titled Draft Metropolitan Strategy for Sydney to 2031. Despite its draft status it nevertheless is a principal planning policy for consideration in relation to any Planning Proposal. The proposal is consistent with a number of strategic objectives and these are identified and responded to below:

The subject site is located within the identified North subregion.

Objective 8: Create socially inclusive places that promote social, cultural and recreational opportunities.

The proposal is consistent with this objective. This accessible public carpark is within a Local Centre and performs a valued role in supporting the continued use of the centre. An accessible carpark supports the local shops. The proposed re-zoning of the Lagoon Street carpark, Narrabeen will support and strengthen the local community.

Objective 24: Plan and deliver transport and land use that are integrated and promote sustainable transport choices

The proposal is consistent with this objective. The application of the B2 Local Centre zone onto the subject site will align the existing carpark land use with the land use objectives of the zone. The existing carpark acts as a support for future growth in the transport accessible Narrabeen centre. The site performs a valued role in providing short term parking for shoppers off the street and directing traffic away from Pittwater Road.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 is the adopted plan for Sydney's growth. It sets the strategic direction and context for decisions related to land use and transport planning in the Sydney Metropolitan Area.

The Metropolitan Strategy establishes a number of strategic Actions / Objectives. The Planning Proposal is consistent with the action identified and responded to below:

Action H3.1 aims to design and plan for healthy, safe, accessible and inclusive places.

In response: the proposal is consistent with this action in that it aims to allow the continued uninterrupted use of the site as a public carpark. The carpark offers safe and accessible parking for the Narrabeen shops. The Planning Proposal aims to consolidate the zoning of the Narrabeen Local centre to ensure



best practice planning can be applied in the future to this area. The land does not have metropolitan scale strategic importance.

North East Subregion - draft Subregional Strategy

The North East Subregion – draft Subregional Strategy translates the objectives of NSW Government's Metro Strategy to the local level. Indeed many of the aims of the draft Subregional Strategy mirror those of the companion Metropolitan Strategy which have been addressed above. The proposal is consistent with provisions of the draft Subregional Strategy. The land does not have metropolitan or subregional scale strategic importance.

7.2 *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?*

The one plan of particular relevance to consider in responding to this question is the Warringah Community Strategic Plan 2023. This is addressed in more depth below.

Warringah Community Strategic Plan 2023

The *Warringah Community Strategic Plan 2023* is the Council's principal forward planning document. The plan contains some objectives/goals relevant to the consideration of the Planning Proposal which are identified and addressed below.

The plan is established under six (6) Outcomes and twenty-two (22) Objectives. The 6 Outcomes include:

- *Vibrant Community*
- *Lifestyle and Recreation*
- *Healthy Environment*
- *Connected Transport*
- *Liveable Neighbourhoods*
- *Working Together*

Two of these Outcomes are relevant to the proposal:

Connected Transport and *Liveable Neighbourhoods*. These Outcomes and their corresponding objectives under each are addressed in turn below.

Connected Transport.

The proposal will apply a more appropriate zoning to the existing carpark site. Applying a zone with land use objectives that are consistent with the existing land use of the site (carpark) will ensure the continued provision of accessible and convenient parking close to the urban (local) centre of Narrabeen shops.

The accessible convenient location and layout of the carpark means that as a service it is able to operate at times convenient to residents, in particular during business hours for the Narrabeen local shopping centre.

Liveable Neighbourhoods



The proposal will make consistent the zoning of the site with the Narrabeen local centre for the future and ensure a consistent approach to the land use planning of the centre, in turn supporting the land's function as a liveable neighbourhood.

In summary the site is currently used as a carpark, being asphalted and marked as such and this use is intended to continue in the future. Being in the immediate vicinity of a local centre (the Narrabeen Shops) the objectives of the current zoning of RE1 Public Recreation is inconsistent with the carpark land use. The proposed zoning of the site as B2 Local Centre will rectify this issue and ensure continued access to easy parking for the local centre without visitors having to cross Pittwater Road to reach them (from the Berry Reserve carpark).

The proposal positively responds to, and is supportive of, the relevant Outcomes and Objectives within the Warringah Community Strategic Plan 2023.

7.3 *Is the planning proposal consistent with applicable state environmental planning policies?*

There are no relevant State Environmental Planning Policies to the assessment of this planning proposal. The proposal complies.

7.4 *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The following five (5) Ministerial Directions are applicable to the proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 4.1 Acid Sulfate Soils
- Direction 4.2 Mine Subsidence and Unstable Land
- Direction 6.1 Approval and Referral Requirements
- Direction 6.2 Reserving Land for Public Purposes

Consideration of the Ministerial Directions is provided below.

s117 Direction	Requirement	Comment
1.1 Business and Industrial Zones	(2) The objectives of this direction are to: (d) encourage employment growth in suitable locations, (e) protect employment land in business and industrial zones, and (f) support the viability of identified strategic centres.	The planning proposal is consistent with this direction, in that it: • ensures all land associated with the Narrabeen shops is used with consistent land use planning objectives; • will create consistency between the zone objectives and the current and anticipated future land use of the site (carparking); • does not affect any areas or locations of existing business and industrial zones; • will not reduce the total potential floor space area for employment and related public services in business zones or industrial uses in industrial zones;



s117 Direction	Requirement	Comment
4.1 Acid Sulphate Soils	(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	This direction applies as the subject site is located within an area of Class 4 acid sulphate soil as shown in Figure 2.
4.2 Mine Subsidence and Unstable Land	(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	The surrounding land is developed and therefore it is unlikely that there are any issues with mine subsidence which render the site unusable for the proposed purposes (Refer to Figure 3).
6.1 Approval and Referral Requirements	(2) The objective of this direction is to ensure that LEP provisions encourages the efficient and appropriate assessment of development.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011 (draft LEP). The planning proposal is consistent with this direction, in that it: will not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	(2) The objectives of this direction are: (c) to facilitate the provision of public services and facilities by reserving land for public purposes, and (d) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011. The planning proposal is consistent with this direction, in that it: - responds to an identified zoning inconsistency by proposing a change of zone. - seeks the approval of the relevant public authority and the Director General of the Department of Planning and Environment to alter the zoning of land for public purposes (public carpark). - will result in a positive social and economic outcome for the site and surrounding area as the proposed change of zone will ensure the function of the site relates to/reflects the zone and the purpose for which it is used.

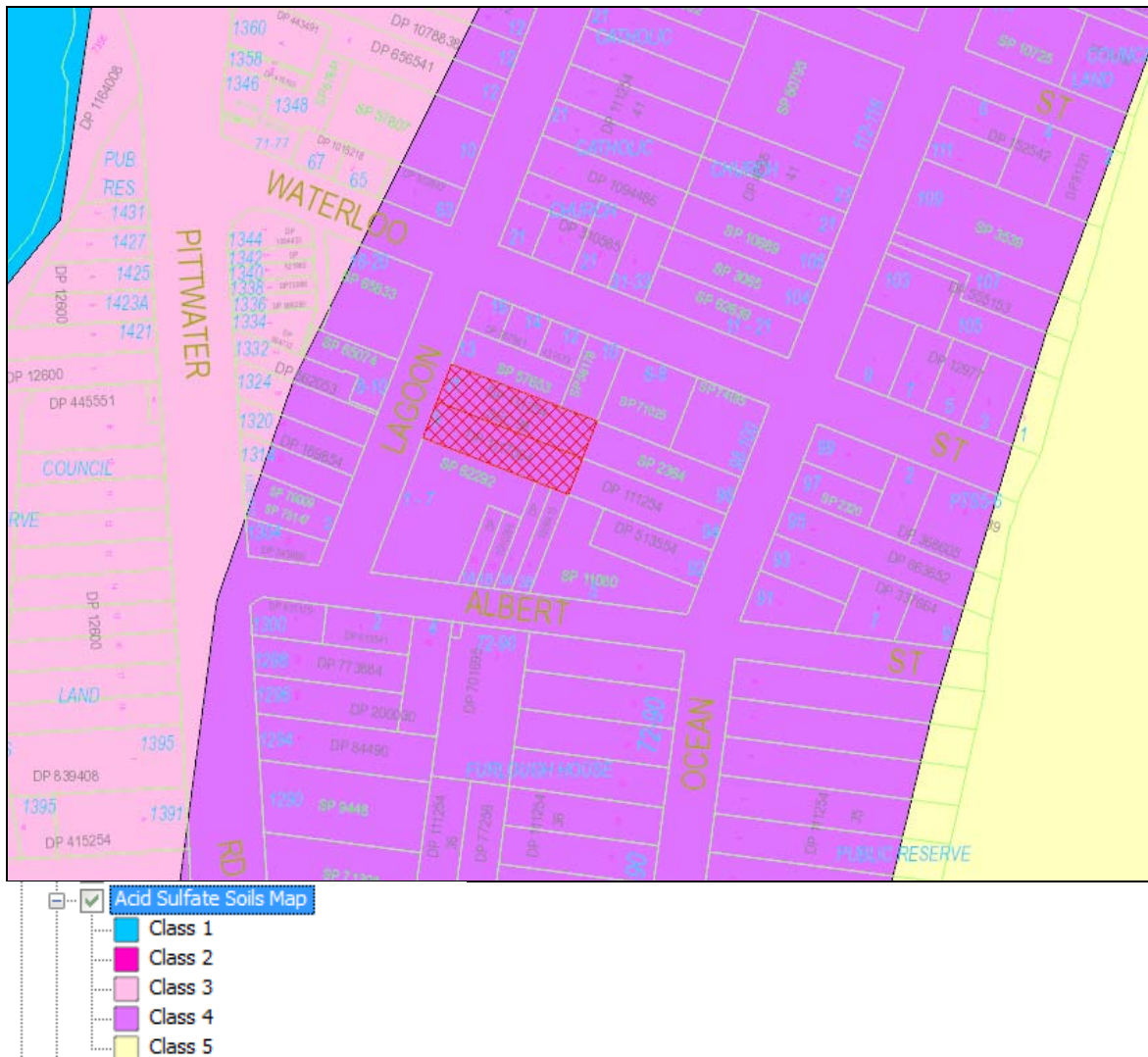


Figure 6: Extract from Warragah Acid Sulfate Soils map and legend (WLEP 2011) showing affectation by Class 4 acid sulphate soils.

The subject site contains Acid Sulfate Soils Class 4 as shown in Figure 6. The proposal to rezone the land at 9 & 11 Lagoon Street, Narrabeen will not result in a disturbance to the ground level/soil as the established function of the site is not proposed to change. Given the limited scope of the proposal and compliance with the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning, the proposal is considered consistent with this Ministerial Direction.

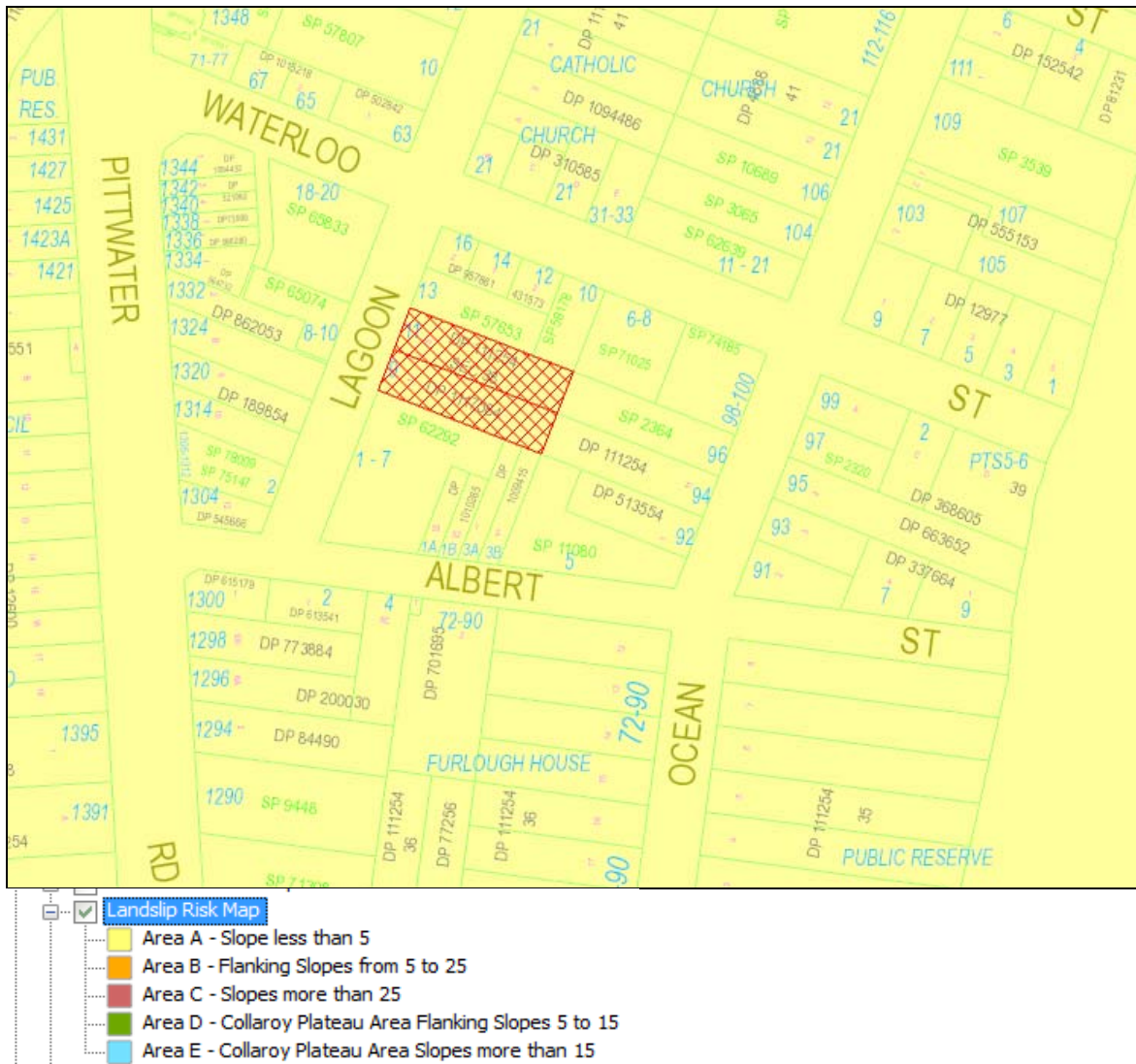


Figure 7: Extract from Warringah Landslip Risk map and legend (WLEP 2011) showing identification as Area A – slope less than 5m.

The site has been identified on the Warringah Landslip Risk Map (WLEP 2011) as Area A – slope less than 5m. The site is fairly level with a slope of less than 5 meters as established in Figure 7. Given this and that the established function of the site is not proposed to change (no earthworks or other tangible works proposed), the inconsistency with this Ministerial Direction is considered of minor and justifiable.



8 Environmental Social and Economic Considerations

8.1 *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. Given the urban context of the site and the nature of the planning proposal (a site rezoning with no physical works) the proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats.

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

No. Council's record system (GIS) indicates that there are no areas of biodiversity/environmental significance on or in the vicinity of the site. The proposal is also limited to the rezoning of the site, with no tangible works, change of use or change to lot boundaries.

8.3 *How has the planning proposal adequately addressed any social and economic effects?*

Yes. The site's current and continued use as a public carpark has social and economic benefits to the Narrabeen Local Centre.

The proposal to rezone the site is intended to address the current problem of an inappropriate zone that has been applied to the site but rezoning the land to a more appropriate zone for the current and future intended use of the site as public infrastructure for the Narrabeen Shops and surrounding area. The proposal will support the continual use of the Narrabeen Local Centre.



9 State and Commonwealth Interests

9.1 *Is there adequate public infrastructure for the planning proposal?*

Yes. The site is an existing, functioning public carpark with the current land use intended to continue. The proposal is limited to a rezoning of the site. All relevant public infrastructure necessary to service a public carpark are available to the site.

9.2 *What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

There may be consultation with relevant Government agencies should the proposal proceed to become a statutory LEP amendment following a positive Gateway determination.



10 Community consultation to be undertaken on the Planning Proposal

There will be community consultation as part of the statutory assessment of the proposal if Council and the Department resolve to support the proposed draft LEP.

The views of the community will be matters to be considered once the application is publicly exhibited.



11 Conclusion

This Planning Proposal has been prepared in support of amending the Warringah LEP 2011 to rezone the land at 9 & 11 Lagoon Street, Narrabeen (Lot 1 DP 1117584 & Lot 5 Sec 38 DP 111254 respectively).

The merits of a rezoning of this site have been assessed and satisfy the relevant considerations established by the current planning policies.

It is assessed that there is a case to support the proposed LEP amendment and these reasons are summarised as follows:

- Rezoning of the site in the manner proposed will unite the zoning of the Narrabeen local centre and ensure consistency between the land use (carpark) and zoning objectives of the B2 Local Centre zone.
- The proposal will ensure that the site can continue to function as an accessible local centre public carpark.
- The proposal does not involve any changes to the existing streetscape amenity and function of the site as a public carpark.

It is recommended that the Department of Planning and Environment support the proposal and proceed in making a positive Gateway determination.



4 6 COLLAROY STREET, COLLAROY

PROPOSED REZONING FROM RE1 PUBLIC
RECREATION TO B2 LOCAL CENTRE



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1 Introduction

The subject site at 6 Collaroy Street, Collaroy (Lot 36 DP 11374) is a carpark which services the Collaroy Local Centre (shops). The regular rectangular site is located adjacent to the Collaroy shops (immediately east), bound by low density residential dwelling houses to the south and west, and bound by Collaroy Street to the north (access to the site). The site is owned and managed by Warringah Council.

The proposal is to amend the zoning applying to the site from the current RE1 Public Recreation to B2 Local Centre, which will reflect and be compatible with the surrounding land use zone which applies to the adjacent Collaroy shops.

In 2013 Council undertook a review of its public carpark's as an action within the Warringah Community Strategic Plan. This review established that under the Warringah Local Environmental Plan 2011 (WLEP 2011) carpark's within local centres were zoned RE1 Public Recreation but do not provide carparking in association with open space usage, that is to support visitation to parks, playing fields or beaches.

As a result a number of carpark's are inconsistent with the objectives of the open space zone including the subject site at 6 Collaroy Street, Collaroy. The proposed new zoning for the site will resolve this inconsistency between the objectives of the current zoning of the site and the manner in which it is being used (carpark).

In order to resolve this conflict and ensure that the function of the site better reflects the zone and the purpose for which it is used, it is proposed that the WLEP 2011 be amended to rezone the carpark from RE1 Public Recreation to B2 Local Centre.

2 Site Analysis

2.1 Site details and features

The site is known as 6 Collaroy Street, Collaroy address it is legally described as Lot 36 in Deposited Plan 11374. The site's key features in relation to the proposal are summarised as follows:

- *Currently being used as a public carpark servicing Collaroy local centre (established land use).*
- *Site is owned and managed by Warringah Council.*
- *Site area of 471.7m².*
- *Multi directional vehicular access point (entry and exit) from 6 Collaroy Street (northern boundary of the site).*
- *Pedestrian access to the site is informal in nature and is generally directly from the public footpath along the Collaroy Street frontage directly adjoining the site. Car park is at-grade with pedestrian access.*
- *The site accommodates 18 carspaces.*
- *The carpark is timed, permitting a maximum stay of 3 hours (Monday to Friday), 2 hours (Saturday), and being untimed on Sunday.*
- *The site contains a number of trees and shrubs located along the site boundaries.*



Figure 1: Aerial photograph showing subject site at 6 Collaroy Street, Collaroy (highlighted) and surrounding context.

2.2 Site context and location

The site's key features with regards to its context and location in relation to the proposal are summarised as follows:

- Located directly to the west (adjacent) to the Collaroy shops (local centre);
- Located near the intersection of Pittwater Road and Collaroy Street;
- Single street frontage to Collaroy Street, Collaroy;
- Collaroy Shops are on a local centre scale;
- Surrounding land uses include Collaroy local shops directly to the north and east (B2 Local Centre zoning), dwelling houses immediately to the south and west (R2 Low Density Residential zoning).



Image 1: Streetscape of Collaroy Street, Collaroy showing entrance to the subject site and existing function of the site as a carpark (foreground right) looking east towards Pittwater Road (Source: Google maps, 2013).



Image 2: Streetscape (Collaroy Street) looking west from the subject site (foreground left) showing existing residential development adjacent/opposite (Source: Google maps, 2013).



3 Report Structure

The Department of Planning and Infrastructure (DP&I) sets the form and structure for Planning Proposal reports. Accordingly, the following sections of this report are set out in four main parts, as follows:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - Justification for those objectives, outcomes and provisions and the process for their implementation:
 - A. Need for the Planning Proposal
 - B. Relationship to strategic planning framework
 - C. Environmental, social and economic considerations
 - D. State and Commonwealth interests
- Part 4 - Details of the community consultation that is to be undertaken on the Planning Proposal.



4 Statement of Objectives and Intended Outcomes

The objective of the planning proposal is to apply a zone that reflects the established land use of the subject site and the land that it serves, in this case the Collaroy shops zoned B2 Local Centre.

The intended outcome of the planning proposal is that the applied zone to the subject site will reflect the established land use and be considered consistent with the zone of the associated Collaroy local centre.

5 Explanation of the Provisions

The following is an explanation of the provisions that are proposed to be included in the LEP [EPA Act s.55 (2)(b)].

The proposed map changes to the LEP are provided below.

The proposal involves amending Map Sheet LZN009 of the Land Zoning Map of the Warringah Local Environmental Plan 2011:

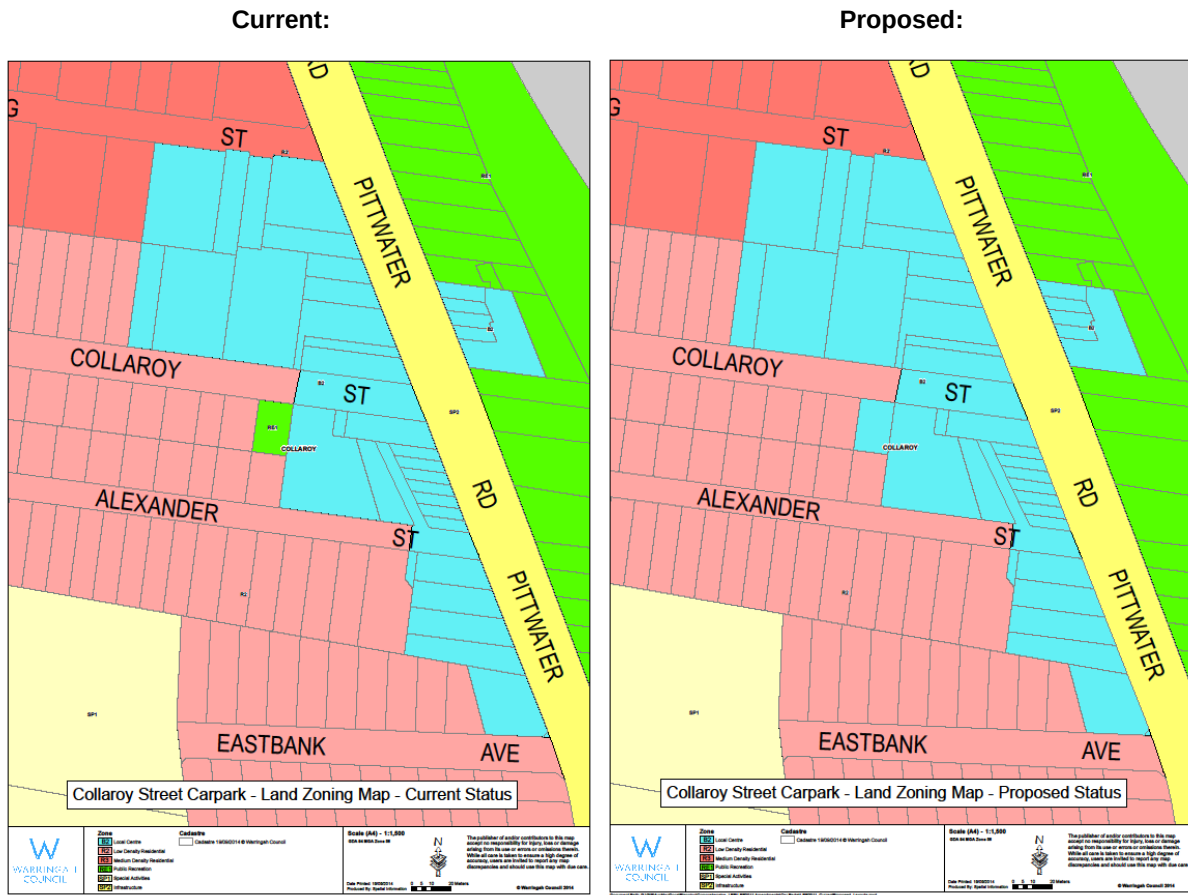


Figure 2: 6 Collaroy Street, Collaroy – current status on WLEP 2011 Land Zoning Map.

Figure 3: 6 Collaroy Street, Collaroy – proposed status on WLEP 2011 Land Zoning Map.

In addition, the application of a height control to the site is necessary because no height standards apply to the land zoned RE1 Public Recreation (generally) in the Warringah LEP. A height standard of 11m has been selected to reflect the height control for surrounding land.

The proposal involves amending Map Sheet HOB009 of the Height of Buildings Map of the Warringah Local Environmental Plan 2011:

Current:

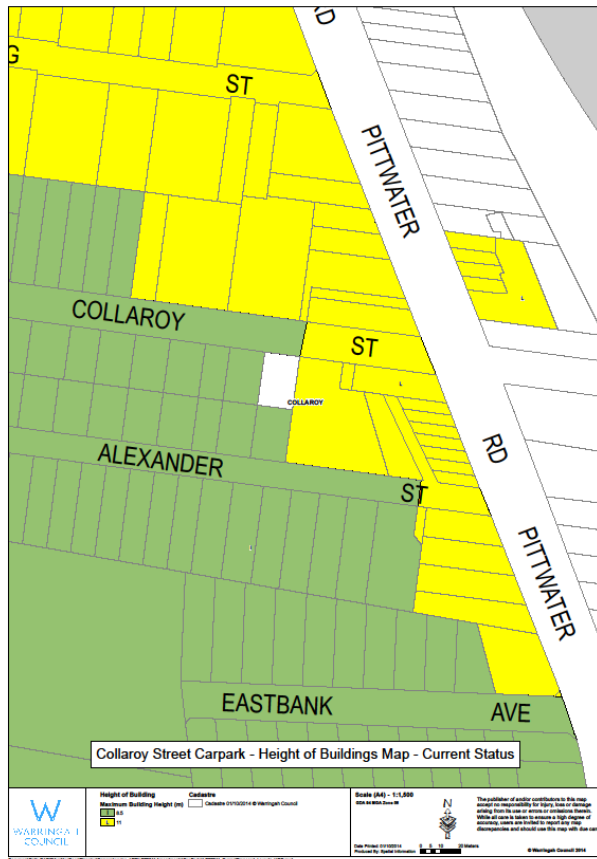


Figure 4: Collaroy Street carpark, Collaroy – current status on WLEP 2011 Height of Buildings Map.

Proposed:

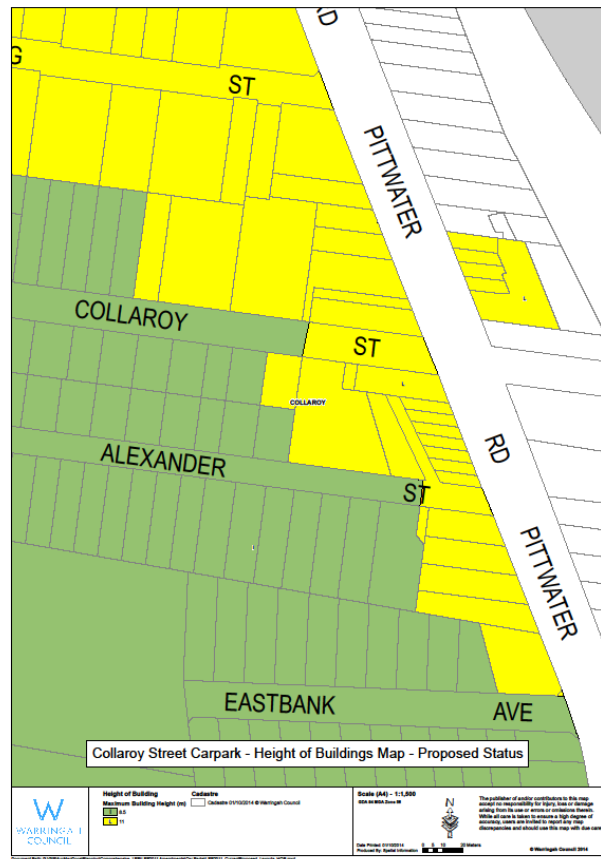


Figure 5: Collaroy Street carpark, Collaroy – proposed new status on the WLEP 2011 Height of Buildings Map.



6 Rezoning Justification

6.1 Need for the planning proposal

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

Yes. A strategic review of Council's public car parks has been undertaken. The Planning Proposal results from the findings of this review which was reported to Council on the 25 March 2014.

This has taken into account the relevant local and state planning policies, the site's context within the Collaroy local centre and the merits of a different zoning being applied.

Justification for Provisions

The proposed draft LEP provisions (detailed in the previous Section of this report) are needed to amend the LEP and make permissible a change of zone applying to the land (see Attachment 1 for proposed new LEP zoning and height map sheets).

Justifications for the carpark Planning Proposals below:

11. The use of RE1 Public Recreation zoned land as a carpark serving the Collaroy Local Centre is inconsistent with the objectives of the zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
12. The land operates as a carpark which is used mainly in association with the Local Centre which includes local shops and other businesses.
13. The carpark adjoins land zoned B2 Local Centre (Collaroy Local Centre). It is most appropriate that the land be zoned to be consistent with the land use that it serves, in this case the local centre. This will achieve compatibility between the established land use (carpark) and the zoning objectives.

To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

To ensure that neighbourhood centres provide a village-like atmosphere and safety and comfort for pedestrians.

To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.

In terms of the zone objectives (current RE1 Public Recreation and the proposed B2 Local Centre) the following comments are made in support of the proposed zoning change:

14. The carpark meets the first objective of the B2 Local Centre zone as it provides a small-scale community use that serves the needs of the people who live in, work in and visit the local area (Collaroy shops).
15. The land's established use as a carpark bears no relationship to the RE1 Public Recreation zone, as evidenced by the objectives for this zone which are provided below:

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 public land that is of ecological, scientific, cultural or aesthetic value.

To prevent development that could destroy, damage or otherwise have an adverse effect on those values.



It is evident in considering these objectives that they do not relate to the function of this carpark, and as a result, the established use of the land as a carpark is inconsistent with the above zone objectives.

On this basis the application of the Zone RE1 Public Recreation to this land is an anomaly. Changing the land's zoning B2 Local Centre zone will correct these inconsistencies.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes?*

The proposal is an appropriate means of achieving the objectives for the current use of the land. The following points are noted in support of this view:

- The site supports a carpark and is zoned RE1 Public Recreation. However the site does not provide carparking in association with public recreation or open space usage, that is to support visitation to parks, playing fields or beaches. As a result the function of the site (carpark) does not reflect the zone and the purpose for which it is used.
- The location of the site is appropriate to support a *business zoning* because the carpark adjoins land zoned B2 Local Centre (Collaroy Shops) and the most appropriate outcome is one where the land is zoned consistent with the land use that it serves, in this case the local centre.
- The proposal is limited to a rezoning of the site with no other works proposed.

3. *Is there a net community benefit?*

The planning proposal will deliver a net community benefit. The key community benefits include:

- The planning proposal will address the current incompatibility between the land use of the site (carpark) and the objectives of the current zone by establishing a more appropriate zone, because the carpark does not serve a park, playing field, beach or other type of land zoned for public recreation.
- The proposal supports the site continuing to provide a small-scale community use (carpark) that serves the needs of people in the surrounding neighbourhood (Collaroy shops).

7 Strategic Planning Considerations

The following strategic planning considerations are applicable to the site:

- Metropolitan Strategy for Sydney (draft and current)
- North Eastern Subregion – draft Subregional Strategy
- Warringah Community Strategic Plan 2023
- State Regional Planning Policy (Infrastructure) 2007
- Applicable Ministerial Directions (Section 117)

These are addressed in-turn below.

7.1 *Is the planning proposal consistent with the objectives and actions contained within the Metropolitan Strategy for Sydney and the draft Subregional Plan?*

Draft Metropolitan Strategy for Sydney to 2031

The current New South Wales Government's plan for Metropolitan Sydney is still in draft form. The Strategy is titled Draft Metropolitan Strategy for Sydney to 2031. Despite its draft status it nevertheless is a principal planning policy for consideration in relation to any Planning Proposal. The proposal is consistent with a number of strategic objectives and these are identified and responded to below:

The subject site is located within the identified North subregion.

Objective 8: Create socially inclusive places that promote social, cultural and recreational opportunities.

The proposal is consistent with this objective. This accessible public carpark is within a Local Centre and performs a valued role in supporting the continued use of the centre. An accessible carpark supports the local shops as well as broader community facilities including the YHA Collaroy Beach. The proposed rezoning of the Collaroy Street carpark, Collaroy will support and strengthen the local community.

Objective 24: Plan and deliver transport and land use that are integrated and promote sustainable transport choices

The proposal is consistent with this objective. The application of the B2 Local Centre zone onto the subject site will align the existing carpark land use with the land use objectives of the zone. The existing carpark acts as a support for future growth in the transport accessible Collaroy centre. The site performs a valued role in providing short term parking for shoppers off the street and directing traffic away from Pittwater Road.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 is the adopted plan for Sydney's growth. It sets the strategic direction and context for decisions related to land use and transport planning in the Sydney Metropolitan Area.

The Metropolitan Strategy establishes a number of strategic Actions / Objectives. The Planning Proposal is consistent with the action identified and responded to below:

Action H3.1 aims to design and plan for healthy, safe, accessible and inclusive places.

In response: the proposal is consistent with this action in that it aims to allow the continued uninterrupted use of the site as a public carpark. The carpark offers safe and accessible parking for the Collaroy shops. The Planning Proposal aims to consolidate the zoning of the Collaroy Local centre to ensure best practice planning can be applied in the future to this area. The land does not have metropolitan scale strategic importance.



North East Subregion - draft Subregional Strategy

The North East Subregion – draft Subregional Strategy translates the objectives of NSW Government's Metro Strategy to the local level. Indeed many of the aims of the draft Subregional Strategy mirror those of the companion Metropolitan Strategy which have been addressed above. The proposal is consistent with provisions of the draft Subregional Strategy. The land does not have metropolitan or subregional scale strategic importance.

7.2 *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?*

The one plan of particular relevance to consider in responding to this question is the Warringah Community Strategic Plan 2023. This is addressed in more depth below.

Warringah Community Strategic Plan 2023

The *Warringah Community Strategic Plan 2023* is the Council's principal forward planning document. The plan contains some objectives/goals relevant to the consideration of the Planning Proposal which are identified and addressed below.

The plan is established under six (6) Outcomes and twenty-two (22) Objectives. The 6 Outcomes include:

- *Vibrant Community*
- *Lifestyle and Recreation*
- *Healthy Environment*
- *Connected Transport*
- *Liveable Neighbourhoods*
- *Working Together*

Two of these Outcomes are relevant to the proposal:

Connected Transport and *Liveable Neighbourhoods*. These Outcomes and their corresponding objectives under each are addressed in turn below.

Connected Transport.

The proposal will apply a more appropriate zoning to the existing carpark site. Applying a zone with land use objectives that are consistent with the existing land use of the site (carpark) will ensure the continued provision of accessible and convenient parking close to the urban (local) centre of Collaroy shops.

The accessible convenient location and layout of the carpark means that it is used by residents, in particular during business hours for the Collaroy local shopping centre.

Liveable Neighbourhoods

The proposal will make consistent the zoning of the site with the Collaroy local centre for the future and ensure a consistent approach to the land use planning of the centre; supporting the land's function as a liveable neighbourhood.

In summary the site is currently used as a carpark, being asphalted and marked as such and this use is intended to continue in the future. Being in the immediate vicinity of a local centre (the Collaroy Beach Shops) the objectives of the current zoning of RE1 Public Recreation is inconsistent with the carpark land use. The proposed zoning of the site as B2 Local Centre will rectify this issue and ensure continued access to easy parking for the local centre without visitors having to cross Pittwater Road to reach them.

The proposal positively responds to, and is supportive of, the relevant Outcomes and Objectives within the Warringah Community Strategic Plan 2023.



7.3 *Is the planning proposal consistent with applicable state environmental planning policies?*

There are no State Environmental Planning Policies relevant to the assessment of this Planning Proposal. The proposal complies.

7.4 *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The following five (5) Ministerial Directions are applicable to the proposal:

- Direction 1.1 Business and Industrial Zones
- Direction 4.1 Acid Sulfate Soils
- Direction 4.2 Mine Subsidence and Unstable Land
- Direction 6.1 Approval and Referral Requirements
- Direction 6.2 Reserving Land for Public Purposes

Consideration of the Ministerial Directions is provided below.

s117 Direction	Requirement	Comment
1.1 Business and Industrial Zones	(3) The objectives of this direction are to: (g) encourage employment growth in suitable locations, (h) protect employment land in business and industrial zones, and (i) support the viability of identified strategic centres.	The planning proposal is consistent with this direction, in that it: • ensures all land associated with the Collaroy shops is used with consistent land use planning objectives; • will create consistency between the zone objectives and the current and anticipated future land use of the site (carparking); • does not affect any areas or locations of existing business and industrial zones; • will not reduce the total potential floor space area for employment and related public services in business zones or industrial uses in industrial zones;
4.1 Acid Sulphate Soils	(2) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	This direction applies as the subject site is located within an area of Class 4 acid sulphate soil as shown in Figure 2.
4.2 Mine Subsidence and Unstable Land	(2) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	The surrounding land is developed and therefore it is unlikely that there are any issues with mine subsidence which render the site unusable for the proposed purposes (Refer to Figure 3).
6.1 Approval and Referral Requirements	(3) The objective of this direction is to ensure that LEP provisions encourages the efficient and appropriate assessment of development.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011 (draft LEP). The planning proposal is consistent with this direction, in that it:



s117 Direction	Requirement	Comment
		will not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	(3) The objectives of this direction are: (e) to facilitate the provision of public services and facilities by reserving land for public purposes, and (f) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	This direction applies as the proposal requires an amendment to the Warringah LEP 2011. The planning proposal is consistent with this direction, in that it: - responds to an identified zoning inconsistency by proposing a change of zone. - seeks the approval of the relevant public authority and the Director General of the Department of Planning and Environment to alter the zoning of land for public purposes (public carpark). - will result in a positive social and economic outcome for the site and surrounding area as the proposed change of zone will ensure the function of the site relates to/reflects the zone and the purpose for which it is used.

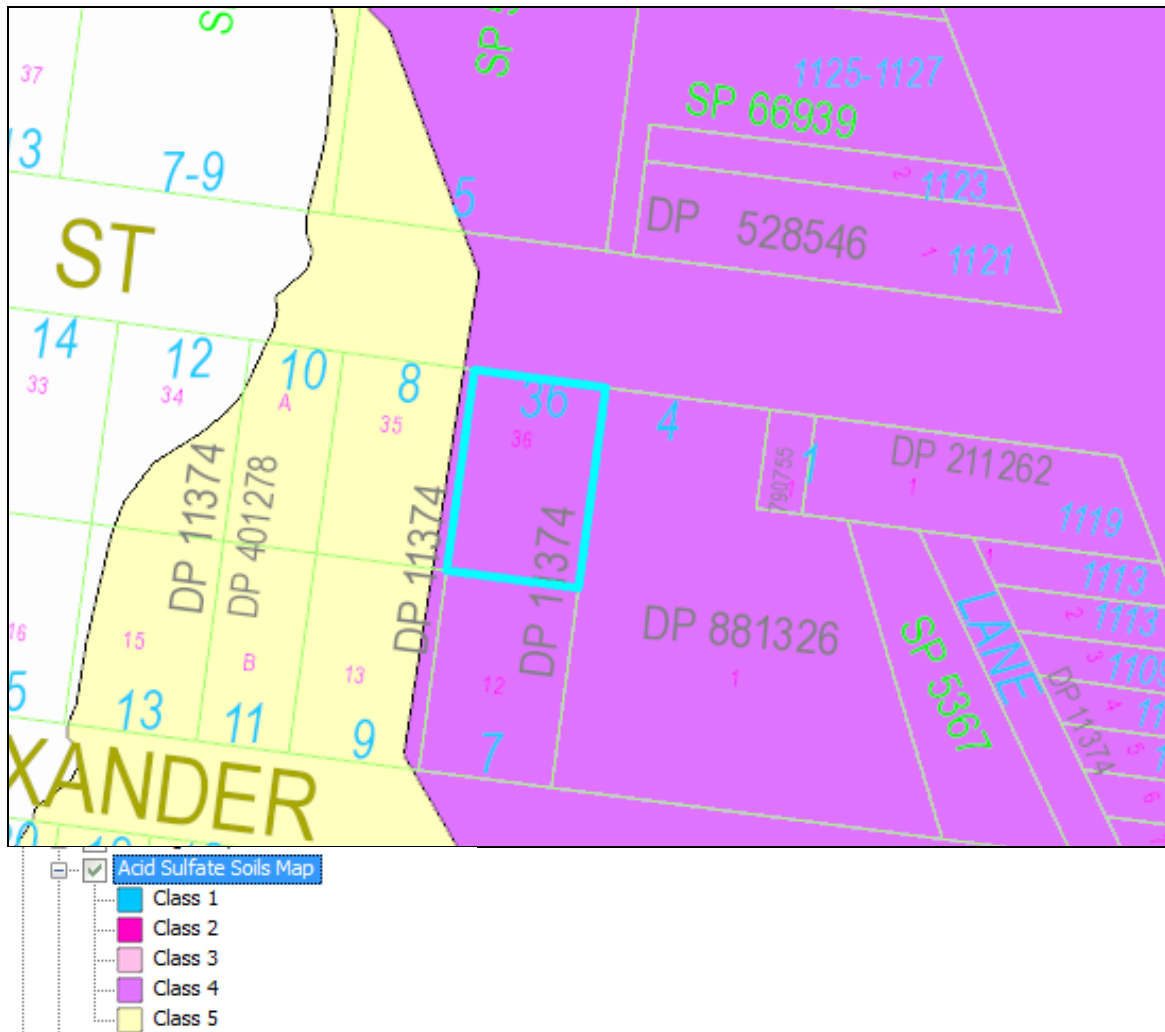


Figure 6: Extract from Warringah Acid Sulfate Soils map and legend (WLEP 2011) showing affectation by Class 4 acid sulphate soils.

The subject site contains Acid Sulfate Soils Class 4 as shown in Figure 6. The proposal to rezone the land at 6 Collaroy Street, Collaroy will not result in a disturbance to the ground level/soil as the established function of the site is not proposed to change. Given the limited scope of the proposal and compliance with the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning, the proposal is considered consistent with this Ministerial Direction.

The site has been identified on the Warringah Landslip Risk Map (WLEP 2011) as *Area D – Collaroy Plateau Area Flanking Slopes 5 to 15* (majority) with a very minor *Area A – Slope less than 5* affectation to the south western corner as established in Figure 7. Given this and that the established function of the site is not proposed to change (no earthworks or other tangible works proposed), the inconsistency with this Ministerial Direction is considered of minor and justifiable.



8 Environmental Social and Economic Considerations

8.1 *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. Given the urban context of the site and the nature of the planning proposal (a site rezoning with no physical works) the proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats.

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

No. Council's record system (GIS) indicates that there are no areas of biodiversity/environmental significance on or in the vicinity of the site. The proposal is also limited to the rezoning of the site, with no tangible works, change of use or change to lot boundaries.

8.3 *How has the planning proposal adequately addressed any social and economic effects?*

Yes. The site's current and continued use as a public carpark has social and economic benefits to the Collaroy Local Centre.

The proposal to rezone the site is intended to address the current problem of an inappropriate zone that has been applied to the site but rezoning the land to a more appropriate zone for the current and future intended use of the site as public infrastructure for the Collaroy Shops and surrounding area. The proposal will support the continual viability of the Collaroy Local Centre.



9 State and Commonwealth Interests

9.1 *Is there adequate public infrastructure for the planning proposal?*

Yes. The site is an existing, functioning public carpark with the current land use intended to continue. The proposal is limited to a rezoning of the site. All relevant public infrastructure necessary to service a public carpark are available to the site.

9.2 *What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?*

There may be consultation with relevant Government agencies should the proposal proceed to become a statutory LEP amendment following a positive Gateway determination.



10 Community consultation to be undertaken on the Planning Proposal

There will be community consultation as part of the statutory assessment of the proposal if Council and the Department resolve to support the proposed draft LEP.

The views of the community will be matters to be considered once the application is publicly exhibited.



11 Conclusion

This Planning Proposal has been prepared in support of amending the Warringah LEP 2011 to rezone the land at 6 Collaroy Street, Collaroy (Lot 36 DP 11374).

The merits of a rezoning of this site have been assessed and satisfy the relevant considerations established by the current planning policies.

It is assessed that there is a case to support the proposed LEP amendment and these reasons are summarised as follows:

- Rezoning of the site in the manner proposed will unite the zoning of the Collaroy local centre and ensure consistency between the land use (carpark) and zoning objectives of the B2 Local Centre zone.
- The proposal will ensure that the site can continue to function as an accessible local centre public carpark.
- The proposal does not involve any changes to the existing streetscape amenity and function of the site as a public carpark.

It is recommended that the Department of Planning and Environment support the proposal and proceed in making a positive Gateway determination.



5 Executive Conclusion

This Planning Proposal has been prepared in support of amending the Warringah LEP 2011 to rezone the land at:

- Lot 1/McIntosh Road, Narraweena (Lot 1 DP 35105);
- 9 & 11 Lagoon Street, Narrabeen (Lot 1 DP 1117584, Lot 5 Sec 38 DP 111254); and
- 6 Collaroy Street, Collaroy (Lot 36 DP 11374).

The merits of a rezoning of these sites have been assessed and satisfy the relevant considerations established by the current planning policies.

It is assessed that there is a case to support the proposed LEP amendments and these reasons are summarised as follows:

- Rezoning of the sites in the manner proposed will unite the zoning of the neighbourhood and local centres adjacent to the subject sites and ensure consistency between the land uses (carparks) and zoning objectives of the adjacent centres.
- The proposal will ensure that the sites can continue to function as accessible local centre public carparks.
- The proposal does not involve any changes to the existing streetscape amenity and function of the sites as public carparks.

It is recommended that the Department of Planning and Environment support the proposal and proceed in making a positive Gateway determination.



6 Attachment 1

Proposed WLEP 2011 Land Zoning Map Sheets and Height of Buildings Map Sheets

Land Zoning Map Sheet LZN_008
Land Zoning Map Sheet LZN_009
Land Zoning Map Sheet LZN_010A

Height of Buildings Map Sheet HOB_008
Height of Buildings Map Sheet HOB_009
Height of Buildings Map Sheet HOB_010A