

ITEM 8.5	PLANNING PROPOSAL TO REZONE THREE CARPARKS AT: LOT 1/ MCINTOSH ROAD, NARRAWEENA; 9 & 11 LAGOON STREET, NARRABEEN AND 6 COLLAROY STREET, COLLARROY
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2015/058161
ATTACHMENTS	1 Planning Proposal to Rezone Three Carparks and Map Sheets (Included In Attachments Booklet) 2 Council Resolution from Council Meeting held 25 March 2014 (Included In Attachments Booklet) 3 Gateway Determination from the Department of Planning and Environment (Included In Attachments Booklet) 4 Submissions - February 2015 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report the results of the public exhibition of the Planning Proposal to rezone three public car parks and to seek Council's endorsement to finalise the rezonings.

SUMMARY

On 25 March 2014, Council resolved to prepare a Planning Proposal to amend the Warringah Local Environmental Plan 2011 (WLEP 2011) as it relates to identified public carparks including the three sites at Lot 1/McIntosh Road, Narraweena; 9 & 11 Lagoon Street, Narrabeen; and 6 Collaroy Street, Collaroy. The proposed new zoning for the subject sites will resolve the inconsistency between the objectives of the current Public Open Space zoning of the sites and the manner in which they are being used (public carparks).

A gateway Determination was issued on 28 November 2014. The Planning Proposal was placed on public exhibition for a period of 37 days from Saturday 24 January 2015 to Sunday 1 March 2015. Two submissions were received during the public exhibition. No amendments are recommended to the proposal following consideration of the submissions.

Assessment of the matter is now complete and it is recommended that the draft LEP amendment proceed to finalisation.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council engage with the NSW Parliamentary Counsel's Office to draft and finalise a Local Environmental Plan to:

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- A. Rezone the sites at 9 & 11 Lagoon Street, Narrabeen (Lot 1 DP 1117584 & Lot 5 Sec 38 DP 111254), and 6 Collaroy Street, Collaroy (Lot 36 DP 11374) from RE1 Public Recreation to B2 Local Centre under Warringah Local Environmental Plan 2011, and
- B. Rezone the site at Lot 1/McIntosh Road, Narrabeena (Lot 1 DP 35105) from RE1 Public Recreation to B1 Neighbourhood Centre under Warringah Local Environmental Plan 2011.
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REPORT

BACKGROUND

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

At its meeting of 25 March 2014, Council resolved to prepare Planning Proposals to amend WLEP 2011 to rezone 9 & 11 Lagoon Street, Narrabeen, and 6 Collaroy Street, Collaroy from RE1 Public Recreation to B2 Local Centre, and to rezone Lot 1/McIntosh Road, Narraweena from RE1 Public Recreation to B1 Neighbourhood Centre.

A Gateway Determination was issued by the Department of Planning and Environment (the Department) on 28 November 2014. The Department reviewed the three Proposals and determined that prior to undertaking exhibition, Council was to consolidate the three individual planning proposals into one proposal that clearly identifies the three sites.

CONSULTATION
Public Consultation

In accordance with the Gateway determination the Proposal was placed on public exhibition for a period of 37 days from Saturday 24 January 2015 to Sunday 1 March 2015. Notification letters were sent to the adjoining properties and temporary notification signs were placed at each site. During the public exhibition period the Proposal and all relevant documentation were publicly available at the Civic Centre and on the Your Say Warringah website. An advertisement was placed in the Manly Daily Newspaper on 24 January 2015. Two submissions were received via email during the exhibition period (attached Submissions – February 2015).

Assessment of Submissions

Submission Issues	Response
Requesting re-zoning and re-classification of the Brookvale Carpark at Lot 10 DP 9999 at Winbourne Road, Brookvale.	The carpark raised in the submission is outside of the scope of this Planning Proposal. It is noted that the site has been identified for further investigation by Council.
Submission referred specifically to the site at 6 Collaroy Street, Collaroy. Concern over proposed height control and future development of the site.	<p>The submission raises concerns over the increased height limit of 11m from 8.5m. The site is currently zoned RE1 Public Recreation and does not carry any height control. The proposal will therefore actually be applying a decreased height control from potentially unlimited to the proposed 11m which is essentially a height restriction, as the submission advocates.</p> <p>The submission questions whether a different zoning would enable the application of a lower maximum height control. The 8.5m height control mentioned in the submission is what has been applied to the land zoned R2 Low Density Residential in the vicinity of the carpark. The 11m height control has been applied to land zoned B2 Local Centre also in the vicinity of the</p>

Submission Issues	Response
	<p>carpark.</p> <p>Because of the use of the site as a carpark, and the fact that the carpark services the businesses in the area, the business zone (B2) was identified as the most appropriate to rezone the subject site. The objectives of this zone are compatible with the use and function of the site. For the same reasons the application of a residential zone would not be an appropriate outcome and would cause the same problems that we currently have (with an inconsistency between the objectives of the zone and the manner in which the site is being used - as a carpark).</p> <p>Given that the most appropriate zoning for the site has been identified as B2 Local Centre, a height control that is the same as the height control on the adjacent business zoned land has been proposed to retain consistency between the zone and the maximum permissible height under that zone.</p> <p>The submission also raises a concern over the possible development of the site with the erection of a multi-storey carpark on the grounds that it would have a negative impact on the amenity of surrounding residences. The re-zoning proposal is not intended to facilitate the development of the site. No physical works are proposed to be carried out as a result of this proposal. The land remains classified as community and is its use is subject to the relevant provisions under the Local Government Act 1993.</p>

TIMING

The Draft amendment is on track to be finalised within the timeframe set by the Gateway Determination which is 27 August 2015.

FINANCIAL IMPACT

Nil

POLICY IMPACT

Nil