



Public Exhibition of Draft Amendments To Warringah Development Control Plan 2011 (WDCP)

(Amendments consequential to Planning Proposal - Mermaid Pool – PEX2018/0008)

Reference: PEX2018/0008

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EXECUTIVE SUMMARY

Council resolved to prepare a Planning Proposal to rezone four (4) parcels of land in the vicinity of 'Mermaid Pool' area from Low Density Residential (R2) to Public Recreation (RE1):

- Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale.
- Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close.
- Lot 7371 DP1165577 located to the rear of properties south of Blamey St and Bate Avenue, Allambie.
- Part unmade road at the southern end of Wandella Road, King Street, Manly Vale and east of the Manly Water Laboratory (Research Station).

The Planning Proposal also proposes to remove development standards for height and minimum lot size for subdivision for this land parcels given that residential development will no longer be permitted. Council's Local Planning Panel supported the progression of the draft Planning Proposal to a Gateway Determination at its ordinary council meeting on 26 February 2019.

Further Council also resolved to *'prepare and exhibit consequential amendments to Warringah DCP 2011 to remove residential development controls, including setbacks and minimum landscaped area controls, from these lands'*.

At least one of the land parcels subject to this Planning Proposal is identified in the following DCP maps either wholly or partially:

1. DCP wall height
2. Side Boundary Envelopes
3. Side Boundary Setbacks
4. Front Boundary Setback
5. Rear Boundary Setbacks
6. Landscaped Open Space and Bushland Setting
7. Land Adjoining Public Open Space

In accordance with the above mentioned Council resolution, it is proposed to remove all references to subject land parcels from the aforementioned maps.

BACKGROUND

Northern Beaches Council initiated a Planning Proposal to rezone four (4) parcels of land in the vicinity of Mermaid Pool area from R2 Low Density Residential to RE1 Public Recreation:

- Part Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale
- Part Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close
- Lot 7371 DP1165577, Allambie, south of Blamey Street
- Part unmade road at the southern end of Wandella Road, near King Street, Manly Vale

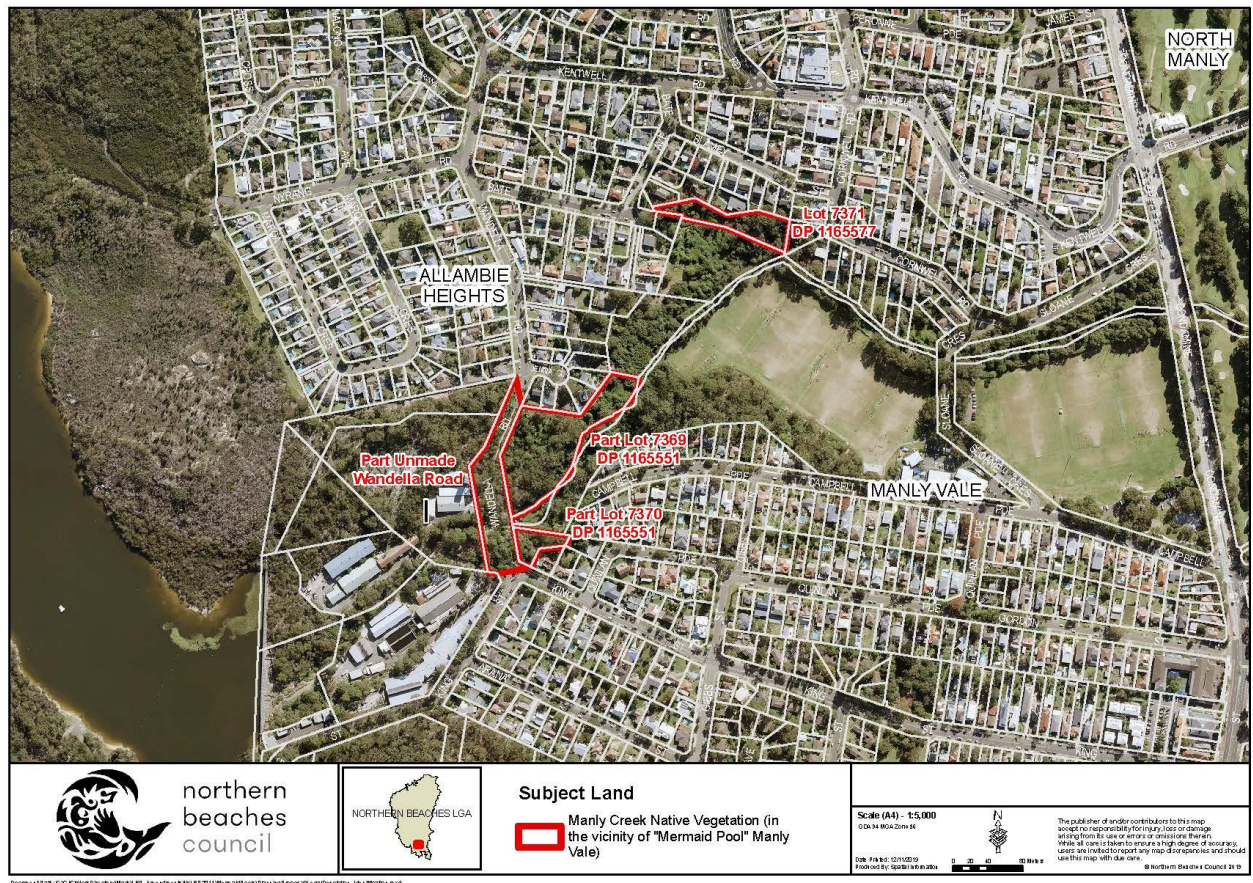


Figure 1 The Subject Land outlined in red

On 26 February 2019 at the Ordinary Council Meeting, it was resolved by exception to submit the Planning Proposal for Gateway Determination. The Planning Proposal is on public exhibition from 19 October to 1 December 2019, following the Gateway Determination received from 9 August 2019.

Further, it was resolved to prepare and exhibit consequential amendments to Warringah DCP 2011 (WDCP) to remove residential development controls, including setbacks and minimum landscaped area controls, from these lands.

The Warringah Development Control Plan 2011 (WDCP) has been prepared in accordance with Division 3.6 of the Environmental Planning and Assessment Act 1979 (the Act) and with Part 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The WDCP provides more detailed provisions than the Warringah Local Environmental Plan 2011 (LEP) for development in Warringah.

Parts of the WDCP

Development controls of WDCP are mainly divided into seven parts:

1. Part B Built Form Controls - includes setbacks and landscaped open space
2. Part C Siting Factors - includes subdivision, traffic and parking, stormwater erosion and the like.
3. Part D Design – includes matters relating to design form such as views, noise, and privacy

4. Part E The Natural Environment - covers issues relating trees on private property, flooding, vegetation, and riparian land.
5. Part F Zones And Sensitive Areas - covers development and activities in certain areas e.g. local and neighbourhood centres, Brookvale Brickworks and SP Special Activities zoned land.
6. Part G Special Area Controls - applies to particular areas of Warringah e.g. parts of Dee Why, Warringah Mall, Forestway shops and Belrose Corridor. In the event of any inconsistency between Part G and Parts C, D and E, the requirements of Part G will prevail.
7. Part H Appendices – includes relevant appendices e.g. car parking and vegetation matters.

JUSTIFICATION

In general, Part B Built Form Controls are not applied to land zoned RE1 Public Recreation in the former Warringah local government area and are therefore not identified in the DCP maps relevant to that section. In order to maintain consistency, once rezoned to RE1 Public Recreation, subject land parcels will be removed from the following WDCP maps:

1. B1 Wall Heights
2. B3 Side Boundary Envelope
3. B5 Side Boundary Setbacks
4. B7 Front Boundary Setbacks
5. B9 Rear Boundary Setbacks

Furthermore, Control D1 Landscaped Open Space and Bushland Setting also does not apply to land zoned RE1 in the former Warringah local government area. Therefore, it is proposed to remove the aforementioned land parcels from the DCP map - Landscaped Open Space and Bushland Setting.

Currently, WDCP control E7 Development on Land Adjoining Public Open Space is applied to Lot 7371 DP1165577 (one of the four land parcels) and is applicable to the corresponding DCP map. When rezoned to RE1 – Public Recreation, the use of the subject land will be public recreation therefore, this control will no longer be applicable. Hence, it is proposed to remove this lot from relevant map.

In summary, it is proposed to amend six (6) DCP maps to maintain consistency among the applicability of the DCP controls to RE1 zone land. Further, the Land Adjoining Public Open Space map will be amended to remove Lot 7371 DP1165577. In total, seven (7) DCP maps are proposed to be amended as summarised in the table below:

| DCP MAP Title | Action | | | | R = Remove N = No Action Required |
|---|--|---|--|---|--------------------------------------|
| | Part Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale | Part Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close | Lot 7371 DP1165577, Allambie, south of Blamey Street | Part unmade road at the southern end of Wandella Road, near King Street, Manly Vale | |
| 1. Wall height | R | R | R | R | |
| 2. Side Boundary Envelopes | R | R | R | R | |
| 3. Side Boundary Setbacks | R | R | R | R | |
| 4. Front Boundary Setback | R | R | R | R | |
| 5. Rear Boundary Setbacks | R | R | R | R | |
| 6. Landscaped Open Space and Bushland Setting | R | R | R | R | |
| 7. Land Adjoining Public Open Space | N | N | R | N | |

MAPS

Please refer to **Attachment 1** for existing and proposed DCP maps.

COMMUNITY CONSULTATION

The proposed amendment to WDCP will be placed on public exhibition in accordance with the Environmental Planning and Assessment Regulation 2000 and consistent with Council's Community Engagement Policy including:

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

TIMELINE

| Task | Anticipated timeframe |
|--------------------------|-------------------------------------|
| Public exhibition period | 23 November 2019 – 22 December 2019 |

| | |
|---|------------------------------|
| Consideration of submissions | December 2019 – January 2020 |
| Report to Council (along with the report for associated Planning Proposal) | February 2020 |
| Commencement | March 2020 |
| February 2020 | February 2020 |