

8.3**NON URBAN LAND STUDY****Reporting Officer**

Manager Strategic Land Use Planning

Purpose

The purpose of this report is to present to Council the final Non Urban Land Study.

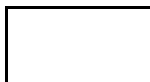
Summary

1. Council, in accordance with a previous Management Plan engaged PPK Environment and Infrastructure to undertake a Non Urban Land Study.
2. On the 27th October 1998 Council resolved to exhibit the Draft Non Urban Land Study. The study was publicly exhibited from 28 October to 23 December 1998. Council did not endorse the content of the Study before its exhibition.
3. The community response included 106 individual letters, a petition of 197 signatures and 270 form letters.
4. The submissions were assessed by the consultants and changes were incorporated into the study as a result.
5. The study identifies areas of land in Terrey Hills, Belrose, Red Hill, Oxford Falls and Beacon Hill as potentially “capable” of accommodating increased intensity of development. As the study did not examine the “capacity” of Warringah or these areas to accommodate further development, the consultants recommend further investigations including the completion of the commenced Environmental Strategy and a Transport Strategy. The results of these studies may prevent all or part of these areas from any further consideration for release.
6. The study also contains recommendations for the amendment of Locality Statements. Should these amendments be endorsed by Council, an amending LEP will need to be prepared, reported to Council and publicly exhibited.
7. This report discusses in detail each of the 6 recommendations of the consultants in the Non Urban Land Study.

Recommendation of Director Strategy

It is recommended that:

1. The Study be noted.
2. Council note that the proposals which increase the intensity of development should not be considered until the Environmental Strategy and Transport Strategy is completed. The timeframe for completion of these projects is 7 months as identified in the 2000 – 2003 Warringah Management Plan.
3. The ESD Policy proposed in the study be considered in the project identified in the Management Plan 2000-2003 to review the LEP to incorporate ecologically sustainable principles.
4. Any investigation into the feasibility and measures for “quarantining” land with high environmental values as recommended in the study be undertaken following Council’s



- consideration of the outcomes of the above projects, studies and investigations. This matter is to be reported to Council when Recommendation 5 is reported to Council.
5. In respect to recommended changes to the wording of the Locality Statements of the draft Local Environmental Plan, that Council resolve to prepare a draft Local Environmental Plan incorporating the consultants recommendations, as amended by staff. The report on this matter and written instrument to be brought back to Council following consideration of the re-exhibition of the draft Warringah Local Environmental Plan 2000.
 6. In accordance with the recommendations of the study the issue in relation to access to Mona Vale road be subject to a traffic study. That the appointment of an appropriate consultant be reported back when Council considers the draft LEP to amend the wording of Locality Statements.

RECOMMENDED TO COUNCIL by the General Manager.

BODY OF REPORT

Reporting Officer

Manager Strategic Land Use Planning

Management Plan

Program:	Urban Development
Program Goal:	To achieve a built environment which complements and enhances natural areas, public spaces and the desired character for Warringah.
Program Function:	Strategic land use planning
Strategy (if applicable):	Develop strategic plans for primary land use activities and areas that address current and projected future needs and issues.
Management Plan:	warringah PLAN 1999-2003

Purpose

The purpose of this report is to present to Council the final Non Urban Land Study.

Background

The Non Urban Land Study was first listed for actioning in 1996/97 and was included in the 1996-2000 Warringah Management Plan, and was forshadowed for funding in the 1997/98 Budget.

In March 1998 Council appointed PPK Environment and Infrastructure to undertake the Non Urban Land Study. The project objectives in undertaking the Non Urban Land Study were to:

1. investigate and identify likely future uses of non urban land;
2. identify the role of non urban land;
3. review the capability of non urban land to support identified future land uses;
4. review recommendations of earlier non urban land studies;
5. identify what planning controls are appropriate and provide direction for future use of the area;
6. formulate a draft policy and long term planning objectives based on the results of the Study, to guide planning decisions for the Study area within a twenty (20) year planning framework; and
7. respond to the needs of the community in regard to non urban land.

Eight community workshops were held between 14 May and 20 August 1998 by the consultants when preparing the Non Urban Land Study. Over 270 community members attended these workshops to discuss their values and concerns in relation to non urban land and to identify their desired future character for each locality.

A Strategy Session on the Non Urban Land Study was held with Councillors on 29 September 1998.

The draft Non Urban Land Study was subsequently reported to Council on 27 October, 1998. At that meeting Council resolved:

That the draft Warringah Non Urban Land Study be released for public exhibition for a period of eight (8) weeks.

It should be noted that Council did not discuss, adopt or endorse the study in any way before its public exhibition.

The draft study was exhibited from 28 October 1998 to 23 December 1998. The community response includes 106 individual letters, a petition of 197 signatures objecting to the proposed Terrey Hills Village extension (signatures were mostly from residents of Warringah, although not all) and a form letter sent by 270 people objecting to the proposed Terrey Hills Village extension.

On 24 December, 1998 PPK's consultancy brief was extended to include an assessment of the public submissions received and report such to Council. Throughout 1999 the progress of the Non Urban Land study suffered from protracted negotiations with the consultants who sought additional funds for work which Council staff objected to. Furthermore, an arrangement between previous staff and the consultants for the assessment of public submissions was not adequately documented and led to debate regarding the final work output expected of the consultants.

After a number of meetings held with PPK to discuss the content and direction of the draft study, Council officers forwarded a lengthy submission to PPK in January 2000. The submission outlined a comprehensive range of amendments to be made to the study to bring it to a satisfactory conclusion by properly reflecting the Council's and the community's issues and concerns. Only a number of Council's amendments/concerns have been addressed in the final study.

The final copy of the Warringah Non Urban Land Study, incorporating community and stakeholder submission amendments, was submitted to Council on 7 April, 2000.

Issues

The focus of the PPK study relies on providing a detailed urban capability analysis of the land based on existing information. The study does not, however, provide a discussion, analysis or review of whether the areas identified as potentially accommodating a greater intensity of development, contribute to an appropriate urban form and sensible strategic land use planning framework. It is for these reasons that a number of the recommendations require further studies and, in all cases, Council must provide direction on the appropriateness of the urban form that would result if one or more of the areas were rezoned.

The final report submitted to Council by PPK provide the following recommendations:

1. *That the locality “Desired Character” statements currently outlined in the Draft LEP (1999) be revised to reflect community vision for the locality, existing land use and environmental features. The proposed revisions are detailed in Chapter 11.*
2. *That the information on the suitability for Warringah’s non-urban lands to accommodate development and particular land uses detailed in Chapter 10 be used as a basis for determining intensity of future development of non-urban land.*
3. *That the hatched areas identified in Figure 10 as having potential for higher intensity development and land uses (as outlined in Chapter 11), be further investigated with particular regard to the respective areas’:*
 - *Transport and sewerage infrastructure constraints;*
 - *Bushfire hazard constraints;*
 - *The cumulative effects on environmental values (for example Narrabeen Lagoon); and*
 - *The regional demand for land generally.*
4. *That the ESD Policy for Non Urban Lands (detailed in Chapter 12) be adopted within Council’s planning framework.*
5. *That an Environmental Strategy (Agenda 21 Framework) be prepared in consultation with the community to determine the strategic objectives for Environmental Management and identify auditing and monitoring programs and incentive mechanisms. Further details of this are provided in Chapter 13.*
6. *That Council investigate the feasibility and merits of quarantining land with high environmental value (identified in Chapter 3) as conservation areas. Such investigation should include options for the status of such land, mechanisms for consideration and possible financial impacts associated with acquisition options.*

This report will consider the recommendations as presented by the consultants.

Recommendation 1: That the locality “Desired Character” statements currently outlined in the Draft LEP (1999) be revised to reflect community vision for the locality, existing land use and environmental features. The proposed revisions are detailed in Chapter 11.

Chapter 11 of the Non Urban Land Study make detailed recommended changes to individual locality statements. The recommended changes are contained in Attachment 1.

The non urban lands contain the 7 localities of A2 Booralie Road, A4 Myoora Road, A5 McCarrs Creek Road, B2 Oxford Falls Valley, B9 Mona Vale Road East, C8 Belrose North and C10 Mona Vale Road West. The study proposes changes to the Locality Statements for all 7 localities. However, for the A2 Booralie Road, B2 Oxford Falls Valley and C8 Belrose North the study suggests these areas be amended to accommodate increased intensity of development a matter which could only proceed after the completion of an Environmental

Strategy and Transport Strategy pursuant to Recommendations 3 and 5 discussed in this report.

It is recommended that the textual amendments to the locality statements by both PPK and staff (attachment 1) be noted by Council and that following the consideration of the draft Warringah LEP 2000 that a report be brought back before Council with a draft LEP to make the textual amendments to the locality statements that will subsequently amend the Warringah LEP 2000.

It should be noted that on the 11 May 1999 Council resolved to remove the words from the A4 locality statement which denied access from Mona Vale road. This issue will be re-appraised in association with the re-exhibition of the draft Warringah LEP 2000. The study notes that the issue of transport constraints in the Myoora Road locality is significant. Current problems are centred around safety issues associated with business access to Mona Vale Road and increased business traffic on Myoora Road. The study recommends that:

“A traffic study examine options for provision of safe access to Mona Vale Road for businesses through development of an access road.”

It is recommended in this report that Council authorise the appointment of appropriate consultants to prepare the traffic study recommended by the consultants. The outcomes of this study will be reported to Council and may result in recommended amendments to the Warringah LEP 2000.

Recommendation 2: That the information on the suitability for Warringah’s non-urban lands to accommodate development and particular land uses detailed in Chapter 10 be used as a basis for determining intensity of future development of non-urban land.

As discussed in this report, the study does not provide a discussion, analysis or review of whether the areas identified as potentially accommodating a greater intensity of development contribute to an appropriate urban form and sensible strategic land use framework.

Chapter 10 of the Study adopts the methodology of the NSW Department of Land and Water Conservation for identifying appropriate future land uses based solely on a strict urban capability analysis. The key component to this methodology is the examination of the environmental suitability of land to support various land uses by excluding inappropriate land uses where environmental constraints occur. This methodology also requires the consideration of constraints such as sewerage and transport and the “community vision”.

This analysis has merits as a “broad brushed” approach to examining the environmental suitability and possible future use of large areas of land. However, there are significant limitations to using this methodology to determine precise locations of land uses. Additionally, the urban capability analysis is suitable for identifying known opportunities and constraints on existing lots. However, it does not address the broader cumulative impact of development particularly, in the case of Warringah, on sensitive natural catchments.

This approach fails to quantify a number of important issues that assist in shaping the use of land and the resulting urban form of the local government area. These issues include social and economic forces, sound planning practices, political forces, the value of the current use of the land and so on.

The analysis contained within the study provides assistance for planning purposes but is not definitive and should not ***“be used as a basis for determining intensity of future development of non-urban land”***, without a direction from Council as to the desired form of its urban areas and studies addressing transport capacity and impacts on the environment including the catchment and water body of Narrabeen Lagoon. The studies proposed to be done in the 2000-2003 Warringah Management Plan will provide the necessary information as to whether Warringah can sustain further urban releases based on transport infrastructure and environmental impact. Once this information is known and if it suggests releases can be accommodated Council will have to provide direction on the urban form and location of such.

Recommendation 3: That the hatched areas identified in Figure 10 as having potential for higher intensity development and land uses (as outlined in Chapter 11), be further investigated with particular regard to the respective areas’:

- ***Transport and sewerage infrastructure constraints;***
- ***Bushfire hazard constraints;***
- ***The cumulative effects on environmental values (for example Narrabeen Lagoon); and***
- ***The regional demand for land generally.***

Following the application of the methodology discussed above the consultants generated Figure 10 which indicates lands (by hatching) that **may** be capable of supporting higher intensity development and land uses. It is noted that the exhibition of this Figure has led to some community expectation that land would be developed in the future, some speculative purchasing of land and the formation of pressure groups for or against development.

The merit of the methodology that led to the drawing of Figure 10 is discussed above. However, the consultants recognise in Recommendation 3 that significant additional work will need to be undertaken to determine the final location of higher intensity development, if at all.

The areas that have been identified by the consultants for changes to land uses are nominated in Figure 10 following page 69 in the study. The areas are:

1. A2 Booralie Road

A proposed 38 hectare extension to the Terrey Hills Village that may support increased density from 1 dwelling per hectare to 15 dwellings per hectare. It is noted that the primary constraint to further development appears to be sewerage infrastructure which currently limit development to 3 dwellings per hectare. The area is generally bound by

Booralie Road, Laitoki Road, Cooyong Road, and Kallaroo Road. Although the consultants have recommended that a number of properties west of Kallaroo Road also be considered for increased density of land use.

This proposal has been the subject of numerous submissions to Council. A total of 270 form letters, a petition containing 197 signatures and numerous letters have been received objecting to the proposal to extend Terrey Hills Village and the suggested diminishing of the existing character of the land under consideration. Other letters have been received supporting the proposal to increase density, while other submissions have been received which seek to have further lands nominated for increased density of development.

2. B2 Oxford Falls Valley

While the study recognises that much of this locality has severe environmental limitations to development, the locality covers a large area and the study recommends that the B2 locality become 5 distinct localities.

(a) Adjacent Forest Way –the study considers that the hatched area adjacent Forest Way may be suitable for residential development. However, this is subject to sewerage constraints and the cumulative impact assessment on the Narrabeen Lagoon catchment.

(b), (c) and (d) Hatched areas – the study identifies three other hatched areas in Figure 10 that may be suitable for higher density development with 1 dwelling per 1 or 2 hectares. The study also suggests that small areas within these may be suitable for higher density development provided sewerage, cumulative environmental impact and transport constraints can be overcome. The study makes the following observations in this regard:

“These areas are currently rural-residential with the area along Oxford Falls Road supporting a number of development of higher intensity. The hatched area in the south east adjacent to Willandra Road is currently undeveloped, however, much of this area is a rehabilitating quarry site. Appropriate land use intensity for each of these areas will be determined following identification of sewerage options currently under investigation.”

These areas have been the subject of a number of submissions supporting increased density of development. It is worthy to note that these areas will continue to be subject to the pressure of urban development via State Environmental Planning Policy No.5 – Aged and Disabled Housing (SEPP 5). However, Council should not proceed to rezone land for urban purposes to avoid an onerous State planning provision without first considering the broad impacts of such, including the other recommendations of this study. Accordingly, a thorough investigation of the impacts of increased urban development in these areas on transport and sewerage infrastructure and the cumulative impact upon the environment needs to be undertaken.

(e) B2 Oxford Falls Valley – The study makes the following comment regarding the unhatched remaining land:

“The remaining large area of Oxford Falls is in a relatively pristine condition with much of the area unsuitable for development due to severe environmental constraints and the undesirability of heavily developing the majority of the Narrabeen Lagoon catchment. Future development within this area will aim to maintain the existing environmental values.

Community submissions have provided a variety of responses including, support of the study findings, concern with the hatching identified on Figure 10, requests for inclusion of additional land for increase of development potential and request that land be placed on the State governments Urban Development Programme.

3. C8 Belrose North

The study recommends that the B2 locality become 3 distinct localities. Each locality will have a unique character and consist of rural-residential, community support and bushland-recreation.

(a) Community Support – The study recommends that the area bounded by Forest Way, Wyatt Avenue, Linden Ave and north of Bundaleer Street running parallel to Forest Way become a community support area with a locality statement the same as A4 Myoora Road. This proposal appears to have been generated from an analysis of the existing mixed uses of this area and in response to the community workshops and submissions received. The study does not provide any analysis of the demand for such an area and whether two areas of similar purpose in such close proximity will lead to development pressure over time. The future of this area should be closely related to the proposal for adjacent rural-residential development.

(b) Rural-residential – The study recommends that on the western side of the community support area and at the western end of Ralston Avenue that a rural-residential locality be created. It is recommended that this locality have a locality statement the same as A5 McCarrs Creek Road. The study recommends that the density for the area be reduced from 1 dwelling per 20 hectares to 1 dwelling per 2 hectares. The size of the proposed locality is approximately 45 hectares and therefore it is estimated will yield a population of approximately 63 persons.

Similar to the other areas in A2 and B2 proposed for increased density, investigation needs to be made into the infrastructure requirements. However in addition, consideration will need to be made into the planning practicality of providing increased housing density on two sides of a linear community support area, the viability of the support zone, and the likely long term pressure to develop the community support area for residential purposes.

A number of submissions have been received supporting increased development opportunities in both the proposed rural-residential and community support localities.

(c) The study further recommends that a bushland recreation area be recognised as an extension of the Bare Creek Locality. This may need negotiation with existing landowners (primarily the Electricity Commission) and be the subject of further investigations including identification of clear boundaries

Where to from here?

Consistent with the recommendations of the consultants a number of projects have been incorporated into the draft Management Plan for 2000-2003. Should Council endorse the further investigation of lands identified in the study for increased density of development the following projects have been proposed:

Non Urban Land –Stage Two

(a) Review planning controls for existing developed land identified in Stage One.

It is noted that this report to Council largely incorporates this review in the proposed amendments to Locality Statements (attachment 1).

(b) Transport Strategy – Stage One

Computer model examining impact of potential urban releases on road functioning.

It is anticipated that the early appointment of a Traffic Modelling Consultancy will result in the completion of this project before the end of this year. It is noted that the Section 117 Direction from the Minister of Planning - **S2 Warringah Urban Release Areas** requires that, prior to any major increase in residential zoning on Warringah Peninsula, evidence that additional employment opportunities exist or have been created and/or that the capacity of the transport system has been upgraded to cater for the proposal. This study will focus on this assessment.

(c) Examine impact of development within natural catchments project (examining recommended urban releases).

As previously discussed in this report, there is concern that the methodology used by the consultants in identifying the areas capable of increased density is limited. The assessment of planning potential based largely on urban capability of lots or land areas fails to consider the broader issues of cumulative environmental impacts, economic, social and political forces, etc. Accordingly, the above project seeks to examine the impact of development proposed in the study on natural catchments.

This limitation of the study is important for the Narrabeen Lagoon catchment which has been the subject of specific planning controls since 1973 which seek to limit development in the catchment to protect the water quality of Narrabeen Lagoon and visual and environmental qualities of the catchment. The above project will seek to quantify the impact of potential urban releases upon natural catchments through catchment modelling. Investigations have been made with relevant consultants to clarify this opportunity for modelling. The

requirement of SREP No. 20 which applies to the Hawkesbury/Nepean Catchment will also require a detailed water cycle management study.

Recommendation No.4: That the ESD Policy for Non Urban Lands (detailed in Chapter 12) be adopted within Council's planning framework.

The ESD Policy has received significant community comment. The issue most discussed is that proposed in the exhibited plan to restrict the ownership of horses, dogs and cats on land adjacent to the National Park or Council managed bushland reserves. The consultants have amended the final version of the study to suggest Council develop a policy which minimises the effects of introduced animals on native flora and fauna. Many submissions have been received in support of the ESD Policy and have requested its application to the entire Warringah area.

The Warringah LEP 2000 contains most of the provisions of the ESD Policy within the General Principles of Development Control and in individual Locality Statements. Accordingly, the public requests for application of the policy to all of Warringah has partly been heeded. The General Principle for "Watercourses and aquatic habitat" covers some of the issues presented in the ESD policy.

While the Warringah LEP 2000 incorporates aspects of the ESD Policy, the draft Management Plan 2000-2003 identifies a project that will thoroughly review Ecological Sustainable Development practices and their incorporation into the Warringah LEP. It is anticipated that this project will be informed not only by the ESD Policy proposed in the study, but will be directed by the outcomes of the Environmental Strategy. Accordingly, it is recommended that the ESD Policy proposed in the study be considered in the project identified in the Management Plan to review the LEP to incorporate ecologically sustainable principles.

Recommendation No.5: That an Environmental Strategy (Agenda 21 Framework) be prepared in consultation with the community to determine the strategic objectives for Environmental Management and identify auditing and monitoring programs and incentive mechanisms. Further details of this are provided in Chapter 13.

The Environmental Strategy is currently being undertaken by the Strategy Group which is to be publicly exhibited as a draft in November 2000.

Recommendation No.6: That Council investigate the feasibility and merits of quarantining land with high environmental value (identified in Chapter 3) as conservation areas. Such investigation should include options for the status of such land, mechanisms for consideration and possible financial impacts associated with acquisition options.

This recommendation is seen to be the logical consequence of the various investigations discussed above and that have been incorporated into the draft Management Plan 2000-2003. For example the investigation into the cumulative impacts of development upon catchments may reveal that for Narrabeen Lagoon to maintain the current level of swimming days per

year, further development of the catchment should be limited to 50 dwellings. Accordingly, it would then be the correct time to investigate the feasibility and measures for quarantining land with not only high environmental values but are also of high environmental consequence. This subsequent investigation is recommended for action following the completion of other preliminary actions identified above. Depending on the final outcomes of the catchment studies an "Environmental Protection" zoning should be placed on land with high environmental values. The effect of this zoning would be to prohibit housing for the aged and disabled pursuant to State Environmental Planning Policy No.5.

Mapping

A number of submissions have been received raising concerns about the accuracy of the mapping within the study as it relates to individual properties. While there is likely to be some inaccuracy in the mapping given the scale, it is noted that these maps will not be used to determine the final locations of increased density of development and therefore do not require alteration. Such detailed investigations would be subsequently performed to the recommendations outlined in this report.

It is noted that the study includes a map broadly identifying the location of aboriginal heritage items. This map has been removed due to legal implications of publishing such a map pursuant to the National Parks and Wildlife Act.

Consultation

Extensive community consultation has been undertaken in the preparation of this study.

Eight community workshops were held between 14 May and 20 August 1998 by the consultants when preparing the Non Urban Land Study. Over 270 community members attended these workshops to discuss their values and concerns in relation to non urban land and to identify their desired future character for each locality.

The draft study was exhibited from 28 October 1998 to 23 December 1998. A total of 106 individual letters, 270 form letters and a petition containing 197 signatures were received. A summary of the submissions is provided at Attachment 2.

Options and Financial Considerations

1. Impact on Council Budget

The projects recommended for completion as a result of the study are all budgeted for except for the traffic study for the A4 Myoora Road area. This work will need to be undertaken under the approved budget of the Strategic Land Use Planning Unit.

2. Timing

The Management Plan 2000-2003 establishes the timing for projects recommended in this report.

3. Public Presentation

LOCALITY A2 TERREY HILLS/DUFFYS FOREST~~BOORALIE ROAD~~**DESIRED FUTURE CHARACTER**

The Booralie Road locality will remain a rural-residential area consisting of houses in distinctly ~~non-urban~~ quiet, open, bushland settings and occasionally business or community uses that are compatible with the rural-residential nature of the locality and scale of existing development such as horse keeping.

(COMMENT: It is recommended in this locality and statement and all others that the “non urban” character of the land be recognised in the Desired Future Character statement. This recognition is considered necessary to ensure exemption of these lands from State Environmental Planning Policy No.5. The DFC’s will be amended accordingly. The inserting of a reference to “horse keeping” is unnecessary as it is a Category 1 use)

The impact of new development on views from the adjacent National Park will be minimised by the use of articulated building forms, generous landscaped spaces around buildings and building materials that blend in with the colours and textures of the natural landscape.

Emphasis will be given to protecting and where possible enhancing the natural landscape, including landforms and vegetation. The increased planting of indigenous canopy trees will be strongly encouraged.

(COMMENT: It is recommended that in each relevant Desired Future Character Statement that a reference be made to new development being “low intensity and low impact uses”.

LAND USE**Category One**

Development for the purpose of the following:

- housing
- agriculture

Category Two

Development for the purpose of the following:

- animal boarding or training establishments
- child care centres
- community facilities
- health consulting rooms
- hospitals

- housing for older people or people with disabilities (on land described in paragraph (b) under the heading “housing density”)
- retail plant nurseries
- veterinary hospitals
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart A - Cowan Creek Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities (other than on land described in paragraph (b) under the heading “housing density”)
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

Note. Before granting consent to the following:

- composting facilities or works,
 - waste management facilities or works,
 - marinas,
 - maintenance dredging and extractive operations,
 - waste management facilities or works,
 - sewerage systems or works,
- within this locality, Council must consult with the Hawkesbury Nepean Catchment Management Trust in accordance with the relevant Code of Practice for Consulting with the Trust.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 2 ha of site area, except:

- (a) where this standard would prevent an existing allotment accommodating one dwelling, or

- (b) on land that adjoins a locality which is used primarily for urban purposes, but only if the development is for the purpose of “housing for older people or people with a disability” and the development complies with the minimum standards set out in clause 28.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit or maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained, and
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below,

- a storey is the space between two floors, or the space between any floor and its ceiling or roof above,
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre heights standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

Site Coverage

Development should have a maximum total building site coverage of 20 per cent of the site and a total site coverage of impervious surfaces, including buildings, paved areas, etc no greater than 30 per cent of the site.

(COMMENT: The inserting of this built form control is objected to. The application of this control on a parcel of land of 2 ha would permit a building covering 4000m² and a hard surface coverage of 6000m². This is clearly inappropriate. It is recommended by staff that all site coverage controls recommended be deleted and that the clear description of the DFC which describes the impact of development and the landscaped setting be the key control along with the landscaped open space requirements.)

Front Building Setback

Development should maintain a minimum front building setback.

The minimum front building setback is 20 metres.

The minimum front building setback area should be landscaped using predominantly local native species or maintained as natural bush and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this “creekline buffer area” should be maintained or revegetated with local native species.

(COMMENT: The Rivers and Foreshores Protection Act implements a consent process for development within 40 metres of a watercourse. This is noted within the General Principles for Development Control. The implementation of a built form control establishing a setback to creeks is supported.)

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

(COMMENT: This control in the relevant locality statements is to be amended to clearly describe the need for a 20 metre bushland buffer within private land adjacent to National Park boundaries and the need for fire control measures within private land in addition to the buffer.)

Bushland Setting

To maintain the bushland setting a minimum of 30 per cent of the site area should be of natural bushland or landscaping with local species.

(COMMENT: The consultants propose the renaming of the landscaped open space Built Form Control. This is objected to as Landscaped Open Space is a term recognised throughout all locality statements in the Warringah LEP and in the General Principles of Development Control.)

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with for it to be complying development.

Column A Development for the purpose of:	Column B
Single Storey Detached Houses, being: <ul style="list-style-type: none">• construction of new single storey houses.• alterations to single storey houses.• additions to single storey houses.• constructions of carports, garages and outbuildings associated with a dwelling.	As described in Schedule 12 - Part A
Swimming Pools	As described in Schedule 12 - Part B

HERITAGE ITEMS

The following items of **local heritage significance** are within this locality:

- 1 Kinka Road, Duffys Forest

LOCALITY A4 MYOORA ROAD

DESIRED FUTURE CHARACTER

The Myoora Road locality will provide an environment for low intensity business, community and leisure uses which do not rely on exposure to passing trade for their continued operation. Rural residential development may also occur within this environment. Along Mona Vale Road an effective screen of native vegetation ~~dense bushland buffer~~ will be established.

(COMMENT: The sentence referring to rural residential development is not recommended for insertion as the land use table clearly recognises housing as a Category 1 use)

New development or further intensification of existing development will provide safe vehicular access to the satisfaction of Council and the Roads and Traffic Authority. Signs that are in keeping with the colours and textures of the natural landscape and that are not illuminated will be permitted. ~~Signs will not be permitted where they are visible from Mona Vale Road.~~

COMMENT: It is recommended that this wording clearly indicate that the purpose of signage is for identification purposes and not for attracting passing trade.

Articulated building forms, generous landscaped spaces around buildings, ~~and~~ building materials that blend with the colours and textures of the natural landscape and the retention of natural bushland will be used to minimise the visual impact of development on long distance views of the locality.

LAND USE

Category One

Development for the purpose of the following:

- agriculture
- animal boarding and training establishments
- further education
- housing
- primary schools
- recreation facilities
- restaurants
- retail plant nurseries
- veterinary hospitals

Category Two

Development for the purpose of the following:

- short term accommodation
- child care centres
- community facilities
- health consulting rooms
- hospitals
- housing for older people or people with disabilities (on land described in paragraph (b) under the heading “housing density” below)
- places of worship
- registered clubs
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart A - Cowan Creek Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities (other than on land described in paragraph (b) under the heading “housing density” below)
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

Note. Before granting consent to the following:

- composting facilities or works,
- waste management facilities or works,
- marinas,
- maintenance dredging and extractive operations,
- sewerage systems or works,

within this locality, Council must consult with the Hawkesbury Nepean Catchment Management Trust in accordance with the relevant Code of Practice for Consulting with the Trust.

Additionally, Council must consult with the Director of National Parks and Wildlife regarding applications for maintenance dredging and extractive operations unless the Director already has a concurrence role in accordance with Part 4 of the Act.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 2 ha of site area, except:

- (a) where this standard would prevent an existing allotment accommodating one dwelling, and
- (b) on land that adjoins a locality used primarily for urban purposes, where there is no housing density standard if the development is for the purpose of “housing for older people or people with a disability” and the development complies with the minimum standards set out in clause 28.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained,
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below,

ATTACHMENT

- a storey is the space between two floors, or the space between any floor and its ceiling or roof above,
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the
downslope sides of the land.

Front Building Setback

Development should maintain a minimum front building setback. The minimum front building setback to Mona Vale Road is 30 metres.

The minimum front building setback to other roads is 20 metres.

The minimum front building setback area should be ~~densely~~ landscaped using predominantly locally occurring species of canopy trees and shrubs to ensure buildings are completely screened from the road. The minimum front building setback area should be free of any structures, carparking or site facilities other than driveways and letterboxes. Carparking may encroach up to a maximum of 15 metres into the 30 metre setback if it covers no more than 50% of this area and dense screen landscaping is maintained.

(COMMENT: It is noted that Council on 11 May, 1999 resolved that the A4 locality statement be amended to delete wording that denied access to from Mona Vale Road for any purpose other than housing or home businesses. This issue will be further considered as a result of the re-exhibition of the draft Warringah LEP 2000. It is noted that the locality statement proposed contains conflicts with this Council decision as all buildings will be required to be screened from the road and signage is only permissible only buildings pursuant to the draft LEP. Accordingly, this issue will be further reported to Council following Council's consideration of the draft Warringah LEP and resolved the issue of access from Mona Vale Road.)

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this "creekline buffer area" should be maintained or revegetated with local native species.

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

Building Site Coverage

The maximum building site coverage is 20 per cent of the site area except on allotments of an area of less than 3,500m² where the maximum building site coverage is 30 per cent.

To measure building site coverage:

- the total building footprint/s is expressed as a percentage of the site area.

The total site coverage of impervious surfaces including buildings, paved areas, etc should be no greater than 30 per cent of the site.

~~Landscaped Open Space~~Bushland Setting

The minimum area of landscaped open space is 70 per cent of the site area except on allotments of an area of less than 3,500m² where the minimum landscaped open space is 50 per cent.

30 percent of the landscaped open space should be bushland or landscaped with native local species.

To measure an area of landscaped open space:

- impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area, and
- the water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the landscaped open space area, and
- landscaped open space must be at ground level, and
- the minimum soil depth of land that can be included as landscaped open space is 1 metre.

(Comment: "Access to Mona Vale Road" deleted - see exhibited plan dated October 1998)

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with for it to be complying development.

Column A
Development for the purpose of:**Column 2**

Single Storey Detached Houses, being:

- construction of new single storey houses.
- Alterations to single storey houses.
- Additions to single storey houses.
- Construction of carports, garages and outbuildings associated with a dwelling.

As described in
Schedule 12 -
Part A

LOCALITY A5 McCARRS CREEK ROAD**DESIRED FUTURE CHARACTER**

The McCarrs Creek Road locality will remain a rural-residential area consisting of houses in ~~distinctly non-urban~~ quiet, bushland settings with ~~and occasionally business or community~~ uses that are compatible with the rural-residential nature of the locality.

The impact of new development on views from the adjacent National Park will be minimised by the use of articulated building forms, generous landscaped spaces around buildings and building materials that blend in with the colours and textures of the natural landscape.

Emphasis will be given to protecting and where possible enhancing the natural landscape, including landforms and vegetation. The increased planting of indigenous canopy trees will be strongly encouraged.

LAND USE**Category One**

Development for the purpose of the following:

- housing
- agriculture

Category Two

Development for the purpose of the following:

- child care centres
- community facilities
- health consulting rooms
- hospitals
- housing for older people or people with disabilities (on land described in paragraph (b) under the heading “housing density” below)
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart A-Cowan Creek Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities (other than on land described in paragraph (b) under the heading “housing density” below)
 - potentially hazardous industries
 - potentially offensive industries
 - vehicle body repair workshops

Canal estate development is also prohibited within the locality.

Note. Before granting consent to the following:

- composting facilities or works,
 - waste management facilities or works,
 - mannas
 - maintenance dredging and extractive operations
 - sewerage systems or works
- within this locality, Council must consult with the Hawkesbury Nepean Catchment Management Trust in accordance with the relevant Code of Practice for Consulting with the Trust.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 2 ha of site area, except:

- (a) on land that adjoins a locality primarily used for urban purposes, where there is no housing density if the development is for the purpose of “housing for older people or people with a disability” and the development complies with the minimum standards set out in clause 28.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained,
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below, and
- a storey is the space between two floors, or the space between any floor and its ceiling or roof above, and
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

Front Building Setback

Development should maintain a minimum front building setback. The minimum front building setback is 20 metres.

The minimum front building setback area should be landscaped using predominantly local native species or maintained as natural bush and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this "creekline buffer area" should be maintained or revegetated with local native species.

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

Bushland Setting

To maintain the bushland setting a minimum of 30 per cent of the site area should be of natural bushland or landscaping with local species.

COMMENT: It is recommended that this standard be increased to a minimum of 50%)

Site Coverage

Development should have a maximum total building site coverage of 20 per cent of the site and a total site coverage of impervious surfaces, including buildings, paved areas, etc no greater than 30 per cent of the site.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with for it to be complying development.

Column A
Development for the purpose of:

Single Storey Detached Houses, being:

- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- construction of carports, garages and outbuildings associated with a dwelling.

Swimming Pools

Column 2

As described in
Schedule 12 -
Part A

As described in
Schedule 12 -
Part B

LOCALITY B2 OXFORD FALLS VALLEY**DESIRED FUTURE CHARACTER**

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new houses conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

LAND USE**Category One**

Nil.

Category Two

Development for the purpose of the following:

- agriculture
- hospitals
- housing
- housing for older people or people with disabilities (on land described in paragraph (c) under the heading “housing density” below)
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart B - Narrabeen Lagoon Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities (other

than on land described in paragraph (c) under the heading
“housing density” below)

- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 20 ha of site area, except:

- (a) where this standard would prevent the erection of one dwelling on an “existing parcel of land”, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha, and
- (b) on Portions 199, 200, 985, 986, 1001, 1002, 1003, 1004, 1011, 1012, 1018 and 1019 Parish of Manly Cove, where one dwelling may be erected provided the land exceeds 4,000 m² in area and was lawfully created prior to 13 August 1982, or was otherwise lawfully created, and
- (c) on land that adjoins a locality primarily used for urban purposes and on which a dwelling house is permissible, where there is no maximum housing density if the development is for the purpose of “housing for older people or people with a disability”, the development complies with the minimum standards set out in clause 28.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained,
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
 - the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below, and
 - a storey is the space between two floors, or the space between any floor and its ceiling or roof above, and
 - foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
 - the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

~~Front~~ Building Setback

Development should maintain a minimum front building setback. The minimum front building setback from the street alignment is 20 metres.

The minimum front building setback area should be landscaped using predominantly local native species or maintained as natural bush and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this “creekline buffer area” should be maintained or revegetated with local native species.

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

Bushland Setting

To maintain the bushland setting a minimum of 30 per cent of the site area should be of natural bushland or landscaping with local species.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with for it to be complying development.

Column A Development for the purpose of:	Column B
<p>Single Storey Detached Houses, being:</p> <ul style="list-style-type: none"> • construction of new single storey houses. • alterations to single storey houses. • additions to single storey houses. • construction of carports, garages and outbuildings associated with a dwelling. 	<p>As described in Schedule 12 - Part A</p>
Swimming Pools	<p>As described in Schedule 12 - Part B</p>



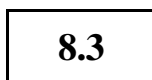
HERITAGE ITEMS

The following items of **local heritage significance** are within this locality:

- Oxford Falls Public School, Dreadnought Road, Oxford Falls

CONSERVATION AREAS

- Land adjacent to Wakehurst Parkway as shown on the map.



LOCALITY B9 MONA VALE ROAD EAST**DESIRED FUTURE CHARACTER**

The present character of the Mona Vale Road East locality, consisting of rural-residential development in bushland settings, will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new houses conforming with the housing density standards set out below and low intensity, low impact uses. The impact of development on views from the National Park will be minimised.

LAND USE**Category One**

Nil

Category Two

Development for the purpose of the following:

- agriculture
- community facilities
- hospitals
- housing
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart B - Narrabeen Lake Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 20 ha of site area, except where this standard would prevent the erection of one dwelling on an “existing parcel of land”, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained, and
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Site Coverage

The total building site coverage of impervious surfaces, including buildings, paved areas, etc should be no greater than 30 per cent of the site.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below, and

- a storey is the space between two floors, or the space between any floor and its ceiling or roof above, and
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
- number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where the site consists of significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

Front Building Setback

Development should maintain a minimum front building setback. The minimum front building setback from Mona Vale Road ~~or Forest Way~~ is 3020 metres.

Otherwise, the minimum front building setback is 10 metres.

The first 15 metres of the minimum front building setback from Mona Vale Road should be free from impervious surfaces and should be landscaped using predominantly local native species or maintained as natural bush.

Generally ~~The~~ the minimum front building setback area should be landscaped and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this "creekline buffer area" should be maintained or revegetated with local native species.

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

Bushland Setting

To maintain the bushland setting a minimum of 50 per cent of the site area should be of natural bushland or landscaping with local species.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development.

Column A Development for the purpose of:	Column B
Single Storey Detached Houses, being: <ul style="list-style-type: none">• construction of new single storey houses.• alterations to single storey houses.• additions to single storey houses.• construction of carports, garages and outbuildings associated with a dwelling.	As described in Schedule 12 - Part A
Swimming Pools	As described in Schedule 12 - Part B

COMMENT: As the study proposes the deletion of locality C8 and its replacement with 3 new locality statements, no recommended amendments to this locality were incorporated into the study. The amending of the locality statements will precede any decision to rezone land and therefore the C8 locality statement will be amended consistent with the amendments recommended for all other locality statements. This will be reported to Council.

LOCALITY C8 BELROSE NORTH

DESIRED FUTURE CHARACTER

The present character of the Belrose North locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new houses conforming with the housing density standards set out below and *low intensity, low impact uses*.

LAND USE

Category One

Development for the purpose of extractive industries (on land covered by Licence Number 64/193 Metropolitan, Belrose -Warringah Gravel and Stone Supplies)

Category Two

Development for the purpose of the following:

- agriculture
- hospitals
- housing
- housing for older people or people with disabilities (on land described in paragraph (b) under the heading “housing density” below)
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart C - Middle Harbour Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- housing for older people or people with disabilities (other than on land described in paragraph (b) under the heading “housing density” below)
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 20 ha of site area, except:

- (a) where this standard would prevent the erection of one dwelling on an “existing parcel of land”, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha, and
- (b) on land that adjoins a locality primarily used for urban purposes and on which a dwelling house is permissible, where there is no maximum housing density if the development is for the purpose of ‘housing for older people or people with a disability’, and the development complies with the minimum standards set out in clause 28.

However, consent may be granted for development that will contravene these housing density standards but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained, and
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below, and
- a storey is the space between two floors, or the space between any floor and its ceiling or roof above, and
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

Front Building Setback

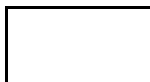
The minimum front building setback from Forest Way is 20 metres. Otherwise, the minimum front building setback is 10 metres.

The minimum front building setback area should be landscaped and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Extractive Industry

In this provision, “the quarry” means the quarry operated by Warringah Gravel and Stone Supplies at the appointed day.

- Consent is not to be granted for extractive industry at the quarry unless:
 - (a) the consent authority has considered the effect of the proposed development on flood behaviour, the water quality and the quantity and hydrodynamics of Bare Creek or underground waters, and
 - (b) it has considered a rehabilitation plan for the site, and



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- (c) it is satisfied that rehabilitation measures will be carried out in accordance with the guidelines in the Managing Urban Stormwater, Soils and Contamination Handbook (1998) prepared by the Department of Housing, and
 - (d) it is satisfied that, while development is being carried out, noise and vibration levels will be in accordance with the appropriate Environment Protection Authority guidelines.
- The consent authority will consult with the Director-General of the Department of Mineral Resources when considering an application for extractive industry. The consent authority will also consider the recommendations for future extraction outlined in the Extractive Industry Report in considering such an application.
- New development will not be permitted in the vicinity of the quarry which may be adversely affected by noise, dust, vibration or reduced visual amenity because of the operation of the quarry or which may hinder or prevent the quarry realising its full economic potential.
- Subdivision of land within 50 metres of an access road to the quarry which will allow the erection of a dwelling will not be permitted.
- Consent must not be granted to allow the quarry to be used for the disposal of waste brought from other land. Consent must not be granted for extractive industry at the quarry unless the consent authority is satisfied that the extraction will be carried out in such a way as maximises the quality of the material and minimises the creation of waste.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development.

Column A	Column B
Development for the purpose of:	
Single Storey Detached Houses, being:	As described in
<ul style="list-style-type: none"> • construction of new single storey houses. • Alterations to single storey houses. • Additions to single storey houses. • construction of carports, garages and outbuildings associated with a dwelling. 	Schedule 12 - Part A
Swimming Pools	As described in
	Schedule 12 - Part B

LOCALITY C10 MONA VALE ROAD WEST**DESIRED FUTURE CHARACTER**

The present character of the Mona Vale Road West locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

Development will be limited to new houses conforming with the housing density standards set out below and low intensity, low impact uses.

LAND USE**Category One**

Nil

Category Two

Development for the purpose of the following:

- agriculture
- hospitals
- housing
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category Three

Development identified in Use Chart C - Middle Harbour Catchment.

PROHIBITED DEVELOPMENT

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

BUILT FORM

Housing Density

The maximum housing density is 1 dwelling per 20 ha of site area, except where this standard would prevent the erection of one dwelling on an “existing parcel of land”, being all adjacent or adjoining land held in the same ownership on 8 March 1974 and having a combined area of not less than 2 ha.

However, consent may be granted for development that will contravene this housing density standard but, if by more than 10 per cent, only with the concurrence of the Director.

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard in issue raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by this plan.

To measure housing density:

- the site area is divided by the number of dwellings proposed on the site, including any existing dwellings which are to be retained,
- the site is the allotment which existed on the day this plan came into effect, and
- granny flats are not considered to be a dwelling and are limited to one per allotment.

Building Height

Buildings are not to exceed 2 storeys and 8.5 metres.

To measure the height of a building:

- buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres;
- the maximum height in metres is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and natural ground level below, and
- a storey is the space between two floors, or the space between any floor and its ceiling or roof above, and
- foundation spaces, garages, workshops, store rooms and the like which do not project more than 1 metre above natural ground level (at any point) are not counted as storeys, and

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- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

Buildings should not exceed 2 storeys in height except where on significantly sloping land and if the additional storey:

- does not exceed the 8.5 metre height standard, and
- is designed and located to minimise the bulk of the building, and
- has minimal visual impact when viewed from the downslope sides of the land.

Front Building Setback

Development should maintain a minimum front building setback. The minimum front building setback from ~~Forest Way~~ Mona Vale Road is ~~20-30~~ metres.

Otherwise, the minimum front building setback is 10 metres.

The first 15 metres of the minimum front building setback from Mona Vale Road should be free from impervious surfaces and should be landscaped using predominantly local native species or maintained as natural bush.

Generally ~~The~~ the minimum front building setback area should be landscaped and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

Development should maintain a minimum setback from natural drainage lines of 10 metres from the bank. The natural vegetation of this “creekline buffer area” should be maintained or revegetated with local native species.

Development should maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area should be maintained as bushland with appropriate fire control measures.

Bushland Setting

To maintain the bushland setting a minimum of 80 per cent of the site area should be of natural bushland or landscaping with local species.

COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with to be complying development.

Column A**Development for the purpose of:**

Single Storey Detached Houses, being:

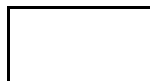
- construction of new single storey houses.
- alterations to single storey houses.
- additions to single storey houses.
- construction of carports, garages and outbuildings associated with a dwelling.

Swimming Pools

Column B

As described in
Schedule 12 -
Part A

As described in
Schedule 12 -
Part B

**ATTACHMENT****Non Urban Land Study Summary of Submissions**

Number	Writer	Locality	Submission Summary
GEN 1	Mary Newlinds	General	<ul style="list-style-type: none"> * Consultant demonstrates lack of knowledge of the area. * Disagrees with the general comment that there is “a standardisation and monotony of developments which are not conducive to the character of the Non Urban Lands”. * Concerned with conflict between the draft LEP containing “place specific” controls yet the studies emphasis is “site specific”. * Concerned that Recommendation 2 identifies particular sites for rezoning rather than identify suitable areas. * Would prefer passive recreation in the NUL areas due to concerns re traffic generation. * Strongly supports the retention of the existing character of the A2 area that serves as a buffer between the national park and Duffys Forest. * Concern that mapping may be incorrect when used at the individual site scale. * Believes the consultants have not met their brief and have focused on environmental issues with a lack of detail on social and economic issues and relying on future reports regarding transport, water and sewerage. * Concerns regarding the recommended provisions for second dwellings on rural properties. * Recommends re-assessment of the study by Council planners and requests a re-exhibition of the study after such re-assessment.
GEN 2	Duffy’s Forest Residents Association	General	<ul style="list-style-type: none"> * The Association see the report as flawed and having no credibility. * Requests the NULS to be placed on exhibition again after a further assessment process.

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			<ul style="list-style-type: none">* NULS does not identify the likely future land uses of the study area as required in the brief.* Concern about the accuracy of environmental data throughout the study.* Concerned that the study promotes a site specific approach and does not take into consideration the locality in which the site is located as promoted in the draft Warringah LEP.* Bushfire hazard should be regarded as a constraint to development.* The study provides an overview of current transport, water and sewerage infrastructure but does not provide information regarding the opportunities to service areas in the study that are recommended for rezoning. Therefore figure 10 can not be substantiated and needs further work.* The study does not recognise the importance of horse riding facilities, dog kennels etc in the section detailing the current role of the NUL's.* Despite the study extolling the virtues of environmental values, land capability and visual assessment, the study supports developments on land of varying capability which do not fit the Desired Future Character of the area.* Concern with table 10.3 that assess landuse appropriateness based on environmental constraints alone and does not consider the way in which development meets the needs of the area or is consistent with the Desired Future Character.* Submission provides a suggested Locality Statement for A2.* The draft Warringah LEP should not be altered to the extent required to incorporate the changes recommended in the study. Concerned that the study will lead to greater flexibility of land uses.* Concern with recommendation to remove pets.* Study fails to quantify many of the recommendations contained within it.* The study needs to be re-assessed because of contradictory statements and an
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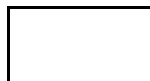
			emphasis on more flexible land uses.
GEN 3	Ann Sharp	Gen	<ul style="list-style-type: none"> * Well done and comprehensive report. * The best use of much of the non urban land would be to incorporate it into a National Park. * The reports approach to determining land uses is fragmented and does not convey a broad and holistic vision for the most suitable use of land. * Concerned with the approach of planning based on the class or merit of bushland on a site by site basis. * Recommends a 20m buffer on each side of any waterway. * The reason for identifying non urban areas for urban release is not clear. * Concerns with impacts of development upon Narrabeen Lagoon. * The ramifications of developing areas have not been thoroughly explored and concern is expressed that pressure to develop these areas will be imposed prematurely. *.Agrees with suggestion to reward land owners for environmental performance. *.Discusses using an environmental levy for the purchase of privately owned land. *.Commends the recommendation to include an ESD policy into the draft Warringah LEP. *.Concern about cumulative impacts.
GEN 4	Curl Curl Lagoon Friends Incorporated	Gen	<ul style="list-style-type: none"> *.Recommend that all creeklines should have a buffer or setback area of at least 20 metres. *.Preservation policies for creeks should be established now before future development pressures are brought to bear.

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GEN 5	Barry Condon	Gen	*. The study is a constructive step towards a rational land-use management framework.
GEN 6	The Narrabeen Lagoon Committee	Gen	*.Pleased with classification of Deep Creek Catchment as 4 and 5. *.Recommend areas of land owned by MLALC be incorporated into a Conservation Agreement between MLALC and National Parks. .
A2-1	Malcolm Taylor	A2	*.Additional development at Terrey Hills will destroy the unique village like atmosphere. *.Concern with lack of community consultation. *.Commend Council for placing NULS on web site for comment.
A2-2	Matt Robinson	A2	*.Concern with proposal for 38 hectare extension to Terrey Hills urban area. *.Village extension finishes right on our property boundary. *.Mona Vale road unable to cope with additional traffic.
A2-3	Heather and Mark Dawson	A2	*.Concern with proposal for 38 hectare extension to Terrey Hills urban area. *.Additional development at Terrey Hills will destroy the unique village like atmosphere.
A2-4	Peter Carblis	A2	*.Interested in seeing areas within the developed infrastructure of the city developed to the fullest capacity of the infrastructure. *.Terrey Hills proposed village extension would not represent over development.
A2-5	Mr and Mrs B.R. Carpenter	A2	*.20% coverage of housing on a 2ha site is excessive. *.Object to any urban release in the Terrey Hills/Duffys Forest area. *.Gun Club creates unwanted noise. *.Objects to prohibition of introduced animals.

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			<ul style="list-style-type: none"> *.Non urban land should be maintained in its existing state. *.LEP should not proceed the completion of NULS controls.
A2-6	JD Goble	A2	<ul style="list-style-type: none"> *.Concern that the decision has been made to subdivide land without regard to the limitations and reservations set out in the study. *.No introduced animals a ridiculous embargo. *.More needs to be done re water, sewerage and transport before any areas are rezoned. *.Further investigation is needed before responsible and reasonable decisions can be made by Council.
A2-7	Susan Litster	A2	<ul style="list-style-type: none"> *.1 ha is an adequate lot size in the A2 area. *.Recommends a variety of lot sizes throughout the non urban area. *.Supports 38 ha extension of Terrey Hills village. This area is weed infested. *.Objects to a further tax that would be inequitable with regard to environmental rewards. However, rate rebates for undeveloped portions of lots supported. *.Introduced species should be properly managed. *.Please consider low impact recreational activities in future developments.
A2-8	Mr and Mrs B Phillips	A2	<ul style="list-style-type: none"> *.Concern with proposal for 38 hectare extension to Terrey Hills urban area*. *.Additional development at Terrey Hills will destroy the unique village like atmosphere. *.Inadequate bus service for population increase. *.Traffic problems will arise or exacerbate. *.Sewerage infrastructure inadequate and would lead to excessive prices of future blocks.

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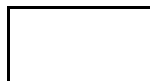
A2-9	Maria Pollifrone	A2	*.Supports recommendations in the Rust PPK report regarding 337-339 Mona Vale Road, Terrey Hills.
A2-10	J.A. Flew	A2	*.38Ha extension to Terrey Hills is an over utilising of land. *.Character of the area will be spoiled. *.Increase traffic congestion.
A2-11	Lynne Yegenian	A2	*.Opposed to 38 ha Terrey Hills urban extension. *.Objects to introduced animals not being allowed on properties bordering National Parks. *.State Government does not require Warringah to produce any further land for subdivision.
A2-12	Bryan F McEvedy	A2	*.Recommends that the second dwelling opportunity as proposed in the study be amended from 1 dwelling per 2 ha to 1 dwelling per 0.75 ha.
A2-13	Barry and Suzette Killham	A2	*.Supports 38 ha extension to Terrey Hills Village. *.Prefer 1 acre subdivision standard over the 15 dwgs per ha. *.1 acre subdivision will improve the current uncontrolled and unsightly area. *.Property owners should not be denied the return and their investment as a result of the urban release.
A2-14	Montello and Maria Murace	A2	*.Support the Terrey Hills village extension at the density recommended in the study. *.Supports the extension of the recommended area to include further properties for urban release. *.Development will assist business, retail, schools and the community.

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			<ul style="list-style-type: none"> *.Supports proposal for detached cottage of limited size on rural blocks. *.Recommends that the NULS be incorporated into the draft LEP prior to its gazettal.
A2-15	R&B Junghams	A2	<ul style="list-style-type: none"> *.Strong objection to the study in its current form. *.Study leaves a lot to be desired by way of supporting material, the level of argument and the conclusions drawn. *.Rural residential is the desire of the community, however, bushland is the thrust of the report. *.Recommends a “build and augmented with planting” approach to managing development and flora conflicts. *.Study based in incomplete and/or inaccurate base information. *.LEP and NULS to be merged now. *.Should not discriminate or limit the opportunities to develop land due to remnant flora. *.Supports rewarding land owners for environmental performance. *.Community desires second dwelling house opportunity of one large dwelling and one detached smaller 150sq.m max house per existing subdivision greater than 1 ha. *.Object to 38ha extension to Terrey Hills Village. *.Sympathetic with the concept of native bush allotment envelopes.
A2-16	Wayne L Pritchard	A2	<ul style="list-style-type: none"> *.Objects to 38ha extension of Terrey Hills Village. *.Such development will erode the existing character. *.Insufficient supporting facilities such as sewerage, utilities, shopping, public transport and road access.

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A2-17	Anne Prince	A2	<ul style="list-style-type: none"> *.Objects to further subdivision, particularly the 38ha extension of Terrey Hills Village *.Such development will change the rural amenity of the suburb *.Would increase pressures on National Park from run-off. Weed infestation and domestic and feral animals. *.Would prefer medium density development near public transport and other appropriate infrastructure.
A2-18	Edmund Horton	A2	<ul style="list-style-type: none"> *.Objects to 38 ha extension of Terrey Hills Village *.Inadequate infrastructure and community facilities *.
A2-19	Wendy and Richard Smallwood	A2	<ul style="list-style-type: none"> *.Believes the study contains several inconsistencies *.The study acknowledges the recreational values of the National Park such as horse riding but recommends such uses be banned. * Site coverage standard of 50% is too great. *Supports a second, smaller dwelling on 2ha of land but does not support subdivision of such dwellings.
A2-20	Caroline Hamilton-Smith	A2	<ul style="list-style-type: none"> *.Objects to 38 ha extension of Terrey Hills Village *.Change rural character of area * Increase in traffic * Objects to the banning of pets on properties bordering the National Park as they are part of the local culture.
A2-21	Barbara Oppl	A2	<ul style="list-style-type: none"> *.Concurs with all of the issues raised in the submission of the Duffys Forest Residents Association *.Considers the locality statement for A2 in the draft LEP to be incomplete.

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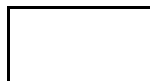
			More reference should be given to maintenance of the rural/residential character and issues such as bush fire hazard.
A2-22	Walter James and Mary Pinnell	A2	*.Supports the 38ha extension of Terrey Hills Village as owns land proposed to be rezoned.
A2-23	Maggie Nalbandian	A2	*.Objects to 38ha extension of Terrey Hills Village. *.The 38 ha area is subject to bush fire hazard * Inadequacy of existing sewerage system * Area subject to flooding * Traffic safety * Would prefer to see the Terrey Hills industrial area developed for medium density as it is currently not economically viable.
A2-24	E and K McGowan	A2	*.Objects to an increase in housing density as it will change the rural identity of the area.
A2-25	Nerses and Lesley Nalbandian	A2	*.Objects to 38 ha extension of Terrey Hills *.Area subject to bush fire hazard <ul style="list-style-type: none"> • Objects to reduction in lot sizes as they will no longer be able to support horse accommodation. • Risk of flooding • Not enough access roads to the suburb from Mona Vale Road to support additional population. • Prefer to retain the rural character
A2-26	Mary Newlinds (on behalf of Duffys Forest Progress Association)	A2	*.Would prefer the NULS be re-exhibited before being adopted by Council *.Would prefer the draft LEP be deferred until resolution of NULS issues.

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A2-27	David Harris	A2	<ul style="list-style-type: none"> *.Objects to 38 ha extension of Terrey Hills. *.Inconsistent with goal of maintaining the area as a bushland area.
A2-28	R Murace and F Stevens	A2	<ul style="list-style-type: none"> *.Support the 38 ha extension of Terrey hills (land owners) *.Rezoning will increase enrolments in local school which are currently diminishing. *Support provisions for detached cottage *Prefer LEP and NULS be adopted concurrently.
A2-29	Petition of retailers and business owners with 15 signatures	A2	<ul style="list-style-type: none"> *.Support the 38 ha extension of Terrey Hills and associated density provisions. *.Support the provisions permitting the second dwelling.
A2-30	Terrey Hills Progress Association	A2 and A4	<p>TERREY HILLS</p> <ul style="list-style-type: none"> *.Prefer the LEP and NULS be considered and adopted concurrently *.Objects to proposal to ban domestic animals from properties adjacent National Park. *Supports additional housing and suggests the area bound by Yulong Avenue, Booralie Road and McCarrs Creek Road may be suitable for medium density housing. <p>MYOORA ROAD</p> <ul style="list-style-type: none"> *. Suggests the area bound by Mona Vale Road, Cooyong Road and Myoora Road may be suitable for additional housing * Has submitted a copy of an alternative locality statement
A2-31	Diane Pounder	A2	<ul style="list-style-type: none"> *.Objects to the 38 ha extension of Terrey Hills. *.Existing high traffic levels on Booralie Road

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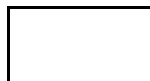
A2-32	Simon Chivers and Sharon Mullin	A2	<ul style="list-style-type: none"> * Objects to the restriction on vegetation removal as it disadvantages land owners who have not already cleared their land. * The basis of bushland categorisation is too broad and inaccurate. * Suggests set back zones to ensure some bushland retention * Suggests rate reduction incentives for people who revegetate their land with appropriate species. * Questions the need for a buffer to the National Park as the 1st 100m of the Park is itself a buffer.
A2-33	James Press	A2	<ul style="list-style-type: none"> * Notes that Portion 117 Duffys Forest is incorrectly identified as being in private ownership when it is Crown land.
A2-34	John and Elizabeth Barraclough	A2 and A4	<p>TERREY HILLS</p> <ul style="list-style-type: none"> * Signage are should be limited to 4m². * Objects to any more schools/churches/recreational facilities as feels there is enough already * Objects to the 38 ha extension to Terrey Hills * Will over burden facilities and destroy the village atmosphere <p>MYOORA ROAD</p> <ul style="list-style-type: none"> * Prefers western side of road as 2 ha residential lots, retention of existing businesses east of road with 1 acre residential lots. * Objects to the landscape setbacks
A2-35	RMS White	A2	<ul style="list-style-type: none"> * Study is incomplete and does not fully address the request for consultancy services * Prefer NULS and draft LEP be considered and adopted concurrently * Objects to the 38 ha extension of Terrey Hills * Objects to subdivision of land at 1 ha lots

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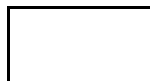
			<ul style="list-style-type: none"> * 20% site cover is too generous and will allow for 2 substantial homes * Raises concern that permitting 2 dwellings will result in pressure on Council for further subdivision. * Policy of no domestic animals will be too hard to police * Study is based on inaccurate maps
A2-36	Bill and Ruth McKendrick	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Rural character would be spoilt.
A2-37	Virginia Flanagan	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Subdivision would detract from rural character of the area
A2-38	Chris Flanagan	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Subdivision would detract from rural character of the area
A2-39	Ian J Muddle	A2	* Does not comment on the 38 ha extension of Terrey Hills but asks that if it go ahead that it be matched by better roads, services and facilities.
A2-40	Margaret and Peter Thomas	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Subdivision would detract from the rural character of the area * Unfair to dictate to land owners that they cannot own pets.
A2-41	Gordon and Louise Lynas	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * The increase in population would not be able to be absorbed by the community.
A2-42	John-Paul and Susan Burton-Clemence	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Subdivision would detract from the rural character of the area
A2-43	Scott Wilson	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * 15 dwellings per hectare is too high a density and is not suited to a semi-rural area * Would increase load on infrastructure and services * Semi-rural areas in Sydney are declining

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A2-44	Joanne Crosweller	A2	<ul style="list-style-type: none"> * Objects to any increase in housing density * Risks to threatened flora and fauna * Would detract from the rural character of the area.
A2-45	John Spresser	A2	<ul style="list-style-type: none"> * Objects to the prohibition on domestic pets * Cats and dogs in particular travel distances whether they live adjacent the National Park or not. * Would benefit more from community education * Objects to the 38 ha extension of Terrey Hills * Will increase pollutants in the Neverfail Creek catchment * Limited ingress and egress from Mona Vale Road will not cope with the increase in traffic
A2-46	Steve Barrett	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Will detract from rural atmosphere
A2-47	Rosemary Brinkworth	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Infrastructure is inadequate to support the development * Will destroy unique nature of Terrey Hills
A2-48	Alan Brinkworth	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Infrastructure is inadequate to support the development * Will destroy unique nature of Terrey Hills
A2-49	Graeme and Una Watson	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Will destroy unique nature of Terrey Hills
A2-50	John McFadden	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Infrastructure will not cope with the increase in population * Would detract from village atmosphere * Redevelopment should take the form of tourism and wildlife enterprises.

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A2-51	Mr and Mrs Donnelly	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Development will detract from village atmosphere * Currently inadequate car parking at the local shops and will not accommodate additional population. * Booralie Road is currently a busy road and will not cope with additional traffic
A2-52	Keith and Loan Taubman	A2	<ul style="list-style-type: none"> * Supports the 38ha extension of Terrey Hills (land owner) * Objects to prohibition on pets adjacent National Park * Supports rate rebate rewarding good performance but objects to any additional levy.
A2-53	Frank and Janet Peard	A2	<ul style="list-style-type: none"> * Objects to the 38 ha extension of Terrey Hills * Currently a high rate of theft and break-ins and little public transport
A2-54	The Turnbull Group Pty Limited on behalf of S&P Holt G Nixon JG Langley Belltower Securities P/L AG&KV Schebesta J&PG Diamond	A2	<ul style="list-style-type: none"> *.Objects to provisions of the draft Study *.The properties represented in the submission adjoin and form a logical extension of the hatched area adjacent the 38ha currently hatched on figure 10. *.The characteristics of the hatched land is identical to the properties being represented. *.Supports extension of the hatched area to encompass properties represented in the submission.
A2-55	Paul Moore	A2	<ul style="list-style-type: none"> *.Concerned with 38ha extension to Terrey Hills that will alter a unique character. *.Banning of dogs or horses a ludicrous suggestion.
A2-56–326	270 Form letters	A2	<ul style="list-style-type: none"> *.An attraction of living in Terrey Hills Village is the limited area available for residential development and the surrounding rural residential development. *.A unique area that could be spoiled by further residential development.

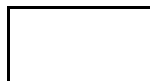


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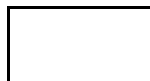
			<ul style="list-style-type: none"> *.38 ha proposed subdivision would lead to over development of the area and change the way of life of residents. *.Many landowners were not notified of the proposal. *.Strongly object to any more intensive development within the non urban areas.
A2-327 (Petition)	Petition of 197 Signatures. Note: Not all signatories reside in Warringah. Petition submitted through Councillor Julie Sutton as a late submission 3/2/2000)	A2	*.Opposed to the proposal for the subdivision 38 ha extension to Terrey Hills Village.
A4-1	Myoora Road Residents Action Group Inc.	A4	<ul style="list-style-type: none"> *.NULS has their “in principle” support. *.2 distinct land uses in A4 - the predominantly rural-residential area and the mixed business/commercial/other uses area. *.Submission recognises the dual aspects of the area and attempts to maintain this into the future. *.Businesses on Mona Vale road should have ingress and egress to that road. *.Submits a locality statement for consideration.
A4-2	Myoora Road Residents Action Group Inc.	A4	*.Requests that the NULS be incorporated into the LEP
A4-3	Lyn.M Rogers (M.D Rogers)	A4	<ul style="list-style-type: none"> *.Oppose a rural residential recognition of land within A4. *.Believes permissible uses should be expanded to comply with the intention of the area as a non urban support area. *.Dispute accuracy of environmental suitability map as it relates to their land. *.Concern that a minority group will force a rural residential recognition of land that has always been urban support. *.Special consideration should be given to unusual shaped blocks with regard to

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			<p>setbacks.</p> <p>*.Proposed amendment to the landscaping and building site coverage recommendations.</p> <p>*.Access to Mona Vale Road should be allowed for properties fronting Mona Vale Road.</p>
A4-4	PR and LM Storey	A4	<p>*.Recommends that the minimum subdivision be reduced from 2ha to approx 1.62ha.</p> <p>*.Pleased with the study and the community consultation.</p>
A4-5	Mrs Pollifrone (Form letter)	A4	<p>*.Submission relating to the draft LEP however has some minor references of relevance to the NULS.</p> <p>*.Preferred uses list should be widened.</p> <p>*.2 ha should be 1 ha subdivision standard.</p> <p>*.Mona Vale road criteria should apply to other roads</p> <p>*.Proposed changes to building site coverage and landscaping controls.</p> <p>*.Access to Mona Vale road should be allowed.</p> <p>*.NULs recommendations should be incorporated into the draft LEP prior to gazettal.</p>
A4-6	Sam Severino (Form letter)	A4	<p>*.Submission relating to the draft LEP however has some minor references of relevance to the NULS.</p> <p>*.Preferred uses list should be widened.</p> <p>*.2 ha should be 1 ha subdivision standard.</p> <p>*.Mona Vale road criteria should apply to other roads</p> <p>*.Proposed changes to building site coverage and landscaping controls.</p> <p>*.Access to Mona Vale road should be allowed.</p>

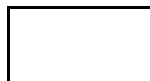
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			*.NULs recommendations should be incorporated into the draft LEP prior to gazettal.
A4-7	Joe Milotic (Form letter)	A4	*.Submission relating to the draft LEP however has some minor references of relevance to the NULS. *.Preferred uses list should be widened. *.2 ha should be 1 ha subdivision standard. *.Mona Vale road criteria should apply to other roads *.Proposed changes to building site coverage and landscaping controls. *.Access to Mona Vale road should be allowed. *.NULs recommendations should be incorporated into the draft LEP prior to gazettal.
A4-8	Mr Carlo Caruso (Form letter)	A4	*.Submission relating to the draft LEP however has some minor references of relevance to the NULS. *.Preferred uses list should be widened. *.2 ha should be 1 ha subdivision standard. *.Mona Vale road criteria should apply to other roads *.Proposed changes to building site coverage and landscaping controls. *.Access to Mona Vale road should be allowed. *.NULs recommendations should be incorporated into the draft LEP prior to gazettal.
A4-9	A.L & E.M Platt	A4	*.Recommends access to Mona Vale Road. *.One sign at least per property must be allowed. *.Add child care centre to preferred uses. *.Recommend deletion of some land uses.

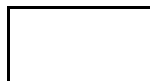


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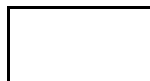
			<ul style="list-style-type: none"> *.Recommended changes to buffer controls along roads. *.Recommend subdivision standard reflect the existing average size of lots and that a second dwelling be permissible. *.Recommend incorporation of NULS into draft LEP prior to gazettal.
A4-10	Peter M Wayne & Associates on behalf of Diana Helen Wayne	A4	<ul style="list-style-type: none"> *.Concern about the diminishing of available uses on her property. *.Believe Council is considering preferences of new residents above those of long established ownership. *.Ratios and land uses should not be limited any further and the 1990 LEP should be retained.
A4-11	Gary and Helen Murcutt	A4	<ul style="list-style-type: none"> *.NULS and draft LEP be united. *.DFC too vague. *.More preferred uses should be provided. *.Requests Council to resist any pressure to convert western side of Myoora Road to rural-residential. *.Properties with frontage to Mona Vale road should be allowed access.
A4-12	Planning Overload Pty Ltd on behalf of the Urban Support Group	A4	<ul style="list-style-type: none"> *.Support findings of the NULS. *.Requests continuation of urban support activities, function and character. *.Requests a greater dwelling density. *.Submits an alternative locality statement. *.Submits a recommended definition for urban support industry
A5-1	Peter and Jeanette Vendrele	A5	<ul style="list-style-type: none"> *.Requests that 199 Mona Vale Rd be included in A4 urban support area. *.Land is isolated from rest of A5 by position and frontage to Mona Vale road. *.Is operated as a “trading block” and has done so successfully for the past 20

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			years.
B2-1	Joseph Earl	B2	*.Pleased with the level of community involvement in the community consultation workshops. *.NULS is a well considered and responsible plan.
B2-2	Betty Oates	B2	*.Pleased with PPK recommendation that her property is recommended for residential development subject to sewerage constraints and traffic considerations.
B2-3	Red Hill Preservation Society (Michael Paine)	B2	*.Overall an excellent document. *.Report should detail Council's objections to the imposition of SREP 21. *.Identifies lack of flora and fauna data within the study. *.Undisturbed stream headwaters should be added to the list as areas of particular value in addition to creek banks that are currently listed. *.Report does not discuss Acid Sulphate Soils. *.Rock outcrops should be classified as more sensitive. *.Study does not recognise visual importance of Governor Philip Lookout, bushland around Red Hill and Cromer Heights, and numerous rock outcrops. *.Strongly disagree with Map 10 hatching adjacent Willandra Road. *.Support the proposal to reward Environmental Performance. *.Report should address Council policy for acquiring and maintaining bushland.
B2-4	Bev Harris	B2	*.Would like the opportunity to develop their land despite Council measures to protect the Narabeen Lagoon. *.Argues that Council policy has led to non rural uses in Oxford Falls Valley that leads to greater pollution than rural development.

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			*.The sooner the area is developed the better it will be.
B2-5	M Daystrow (?)	B2	*.Agree that the land should be released for residential building as there is a shortage of building land in the area.
B2-6	Turnbull Group P/L and behalf of Message Marketing P/L, Mr T Moss, Mr D Moore and Mrs J Chadwick	B2	*.Former amenity enjoyed has been compromised by nearby development within the Valley. *.Owners request that their pocket of land be considered for urban development independently and prior to any other land in B2. *. Support the findings of the study as it relates to their land.
B2-7	Turnbull Group P/L and behalf of Mr S Yaffe	B2	*.Subject site is incorrectly identified in the study and should be recognised as capable of further development and be included within the hatched area of Map 10.
B2-8	Turnbull Group P/L and behalf of Security Retirement P/L	B2	*.Portion 835 and 836 Northcott Road Cromer has no flora or archaeological restrictions for development. *.Some of the environmental characteristics ascribed to the site can be questioned as being too high. *.Requests that a limited subdivision option be permitted (10 lots of 2000m2).
B2-9	Planning Workshop Australia on behalf of the Catholic Archdiocese of Sydney and the Sisters of the Good Samaritan	B2	*.Seeking the inclusion of certain lands at Red Hill in the Urban Development Programme and their subsequent rezoning for urban purposes. *.Requests the NULS recommendations not be incorporated in the draft LEP and proceed separately. *.Recommends that the B2 locality be further divided and that a new locality be made incorporating the escarpment, plateau, properties fronting Willandra Road

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			and the land owned by the Church, including the disused and degraded quarry site.
B2-10	Parkes Developments P/L (N.Ryko)	B2	<ul style="list-style-type: none"> *.Primarily concerned with rezoning their 6000m2 site at Lot 229 Cromer Road, Cromer. *.Inaccurate base information in the report relating to the property. *.Property has no flora, fauna habitat or visual merit. *.Property has exceptional circumstances which should divorce its consideration from the B2 locality as a whole.
B2-11	Steve Williams	B2	<ul style="list-style-type: none"> *.Supports PPK conclusions. *.Character of B2 changed over time. *.Believes area could support one dwg per 0.4 ha. Hatched areas Fig 10 could support greater density than this.
B2 –12	Planning Overload P/L on behalf of A&EJ Molinia, P Papapetros and Norro P/L.	B2	<ul style="list-style-type: none"> *.Generally supports findings of the study. *.Requests a higher residential density. *.The DFC for B2 is too all encompassing and as a result is deficient in addressing sub areas within the locality. *.Submits an additional DFC for a portion of the B2 locality for consideration and inclusion. *.Extensive discussion of the history and merit of the proposal has been submitted. *.Recommends density of 1 dwg per 600m2.
B9-1	RJ Rushby	B9	<ul style="list-style-type: none"> *.Owns 10 acres and requests 5 acre subdivision opportunity. *.Disagrees that land with high environmental values are not suitable for any

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			<p>future development.</p> <p>*.His block is the last remaining 10 acre block while all others in the vicinity are already 5 acres.</p>
C8-1	David Stray – The Building Branch P/L on behalf of the owners of 214 Forest Way, Belrose.	C8	<p>*.Wish to place on record objection to any impediment on future use/development of the land which may be implied by the study.</p> <p>*.Concerned with the accuracy of the environmental constraints mapping as it relates to their property.</p> <p>*.Recommendation for a portion of C8 to be for “higher intensity landuse” is vague and open to a number of interpretations.</p> <p>*.Request re-exhibition prior to Council incorporating NULS into the LEP.</p>
C8-2	Donal Carr	C8 & GEN	<p>*.Submits that the study is recommending that the existing character of urban support be recognised and regulated, rather than promoting a new use for the area.</p> <p>*.Supports the 3 recommendations for the C8 locality.</p> <p>*(A2- disagrees with forbidding introduced animals and promotes controlling such)</p> <p>*(General – wishes to have ‘artificial light’ included as a pollution category)</p> <p>*(General - The terminology “higher intensity development” needs to be defined so that it is not misconstrued.)</p> <p>*(General – Rock outcrops and ridgetops should be recognised as environmental sensitive.)</p>
C8-3	Ross Soutar	C8	<p>*.Does not object to future residential release of land between Linden Ave and Crozier Road.</p> <p>*.Insists on being involved in any development planning on this matter.</p>

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C8-4	Mary Eileen White	C8	*.Desires to see the LEP amended to permit a dwelling house on her property and the setbacks altered to allow for such development. *.Supports community support role for a part of C8.
C8-5	Kamaroi – A Rudolf Steiner School	C8	*.Concerned that schools may be prohibited in the area. *.The school intends on purchasing further land for use as playing fields.
C8-6	Precise Planning per Jeffrey Bulfin	C8	*.The land and land in the vicinity of 56 Ralston Ave, Belrose (Lot 2634) is suitable for residential development. *.Discussion of the merits of the proposal is provided in relation to the Land Use Assessment criteria contained in the study. *.Recognises development of the land may meet community opposition. *.Development will not restrict access to Davidson State Recreation Park and may improve access. *.The proposal would utilise existing infrastructure.
C8-7	Michael Olofinksy	C8	*.Confused regarding the recommendations within the study and the opportunity or otherwise for development in the future of 168 Hilversum Cres Belrose.
C8-8	Retirement By Design – MW Flynn	C8	*.Company has an option to purchase land abutting Glenaeon Retirement Village for development of retirement village. *.Provide correspondence from Sydney Water and a preliminary threatened species investigation report. *.Discuss the benefits of a retirement village locating on the land.
C8-9	Mrs M Pryor	C8	*.Requests 202 Forest Way be permitted for residential use.

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C8-10	Mr and Mrs G Jones	C8	*.Requests 198 Forest Way be permitted for residential use.
C8-11	Cornelia Harris	C8	*.Document well put together and the format very satisfactory. *.The maps were not satisfactory. *.Her view is not reflected in the document despite attending workshops. *.Drainage lines along roads should be provided.
C8-12	The Leonis Foundation of Australia Limited - Peter Williams	C8	*.Endorse the recommendations for C8 that recommends the division of one locality statement into 3.
C8-13	The Belrose Waste Management Centre Community Monitoring Committee-Bill Henningham	C8	*.Interested in the proposed bushland recreation area as an extension of the Bare Creek locality as stated in the draft study.
C8-14	John and Colleen Lindley	C8	*.Proposes that Forestway become a separate locality by virtue of a unique character. *.Study is not clear in identifying what can be the expected outcome or development opportunity signified by the cross hatching on figure 10. *.Sewer and traffic should not be a constraint to development as the appropriate authorities should proceed to expand the existing infrastrucutre. *.Guidelines in the study need to be firmed up to give some certainty to landowners.
C8-15	G and I Jones M Pryor R Sooter Ms A Sammut	C8	*.Submission of an Expression of Interest for Rezoning and Proposed Subdivision. *.Submission outlines a proposed subdivision concept and provides an analysis for the establishment of such a subdivision.

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	(submission prepared by Residential Lifestyles P/L)		*.Submission includes references to flora and fauna, aboriginal heritage, bushfire hazard, transport, water, sewerage, power, telephone, shopping centres and schools.
State-1	Department of Urban Affairs and Planning		*.Generally impressed with the document. *.Study does not relate the Warringah area to the metropolitan context. *.Desirable to consider long term options for defining the limits to logical urban growth, which would assist Council in identifying initiatives to avoid certain classes of development where these are environmentally unacceptable. *.Vague on the process driving land use demands. *.If Council adopts the study it is suggested that discussions occur with the Housing Markets Branch's Urban Development Team to identify a workable timetable for further investigations of urban potential and potential inclusion of land in the Urban Development Program. *.List of minor comments attached to the submission.
State-2	Department of Land and Water Conservation		*.Note that reforms to water policy by DLWC may have an impact when completed. *.Any development should be in accordance with the Flood Prone Land Policy. *.Any planning strategy should have regard to the risks from the full range of flooding up to the Probable Maximum Flood (PMF) level. *.The merits in prohibiting development from all areas up to the PMF should be documented. *.Under the Native Vegetation Conservation Act Cowan Creek is a prescribed stream. Clearing or harming of any vegetation from within 20 metres either side of the banks of this stream requires consent from the Department, while the area is not zoned industrial or urban.

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State-3	NSW National Parks and Wildlife Service		<ul style="list-style-type: none"> *.NPWS supportive of the approach taken in the study. *.Recommends that appropriate protection mechanisms be put in place for areas of conservation significance (including both natural and cultural heritage values). *.Lists issues for consideration when drafting a LEP or amending planning controls. *.Recommends undertaking an assessment of potential Aboriginal Heritage values for the whole of the non urban lands. *.NPWS considers that it is the role of the Council and the applicant to determine whether a detailed aboriginal heritage values assessment of a site is required – although a NPWS IDA guideline will assist in this determination. *.Recommend that the study re-consider the proposal for every DA to be accompanied by an Aboriginal heritage assessment and should instead consider the circumstances when such an assessment would be appropriate.
State-4	Outline Planning Consultants P/L (Gary Peacock) on behalf of the Metropolitan Local Aboriginal Land Council (MLALC)		<ul style="list-style-type: none"> *.A clear and unambiguous document. *.The findings and recommendations contained in Section 6 reflect the wishes of the MLALC. *.The policies and management strategies outlined in Section 12 are timely and much needed. *.Concerned that Section 6 has not been fully incorporated into Section 12. *.Some parcels of MLALC land have not been mapped. *.Agree with 1 dwg per 2 ha density in A2 however concerned with 50% site coverage provision. *.Generally supportive of proposed B2 & B7 controls. MLALC aims to protect majority of its bushland and transfer development rights to other portions of land in their ownership.

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			<p>*.In C8 and C10 MLALC prefer controls in draft LEP over those proposed in NULS.</p> <p>*.Request that the Sustainable Development Policy be applied shire wide.</p>
State-5	Sydney Northern Beaches Catchment Management Committee Inc.		<p>*.The adopted document will make a significant contribution to the protection of Warringah's natural assets.</p> <p>*.Commends Council on the extensive community consultation.</p> <p>*.Greater emphasis needs to be given to the protection of remnant vegetation and vegetation adjacent to creeks.</p> <p>*.Catchment management principles must be incorporated into the study particularly in regard to the management of vegetated areas higher in the catchment.</p> <p>*.Concerned with the proposal for extension of Terrey Hills village, particularly in relation to sewerage.</p> <p>*.SNBCMC disagree that land adjacent Forest Way is suitable for urban development.</p> <p>*.Recommend top of the catchment protection of land.</p> <p>*.Sustainable Development Policy a step in the right direction that should be applied to all land in Warringah.</p> <p>*.Desired Character locality statements are restrictive and propose an alternative based on merit approach that allows innovation in design rather than prescriptive controls.</p> <p>*.Propose a set of clear policies to address run-off from non urban development.</p> <p>*.Support environmental levy and rate rebate for retaining bushland.</p>