

<b>ITEM 8.4</b>	<b>OXFORD FALLS VALLEY AND BELROSE NORTH - AMENDMENT TO THE WARRINGAH DEVELOPMENT CONTROL PLAN 2011</b>
<b>REPORTING MANAGER</b>	<b>GROUP MANAGER STRATEGIC PLANNING</b>
<b>TRIM FILE REF</b>	<b>2015/048004</b>
<b>ATTACHMENTS</b>	<b>1 Study Area Oxford Falls Valley and Belrose North Map</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To seek Council endorsement for the preparation and public exhibition of an amendment to the Warringah Development Control Plan 2011 (WDCP 2011) for land in Oxford Falls Valley and Belrose North (OFV/BN) (Study Area Map).

#### SUMMARY

On 24 February 2015, Council resolved to proceed with the Planning Proposal to transfer planning controls from Warringah Local Environmental Plan 2000 (WLEP 2000) into Warringah Local Environmental Plan 2011 (WLEP 2011) for the land in Oxford Falls Valley and Belrose North. WLEP 2000 is an all-in-one planning instrument containing both DCP and LEP controls. As such, an amendment to WDCP 2011 is required to accompany the WLEP 2011 amendment, to make the DCP applicable to the area and to transfer the detailed planning controls from WLEP 2000 that cannot be included in the standard instrument WLEP 2011.

To enable stakeholders to consider and comment on the full suite of controls proposed for the land in Oxford Falls Valley and Belrose North, the WDCP2011 amendment is recommended to be prepared and placed on public exhibition concurrently with the Planning Proposal following a gateway determination.

This report seeks Council endorsement for the preparation and public exhibition of a WDCP 2011 amendment for land in Oxford Falls Valley and Belrose North, to transfer those controls from WLEP 2000 which are appropriate to this area. This will avoid unnecessary delays in gaining a Council resolution to exhibit the amendment to WDCP 2011, once gateway determination is given.

#### FINANCIAL IMPACT

Nil

#### POLICY IMPACT

Nil

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#### RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

That Council, subject to Gateway Determination of the Oxford Falls Valley and Belrose North Planning Proposal, endorses the preparation and exhibition of an amendment to the Warringah Development Control Plan 2011 for land in Oxford Falls Valley and Belrose North.

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## REPORT

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### BACKGROUND

A range of reforms were made in September 2005 to the *Environmental Planning and Assessment Act, 1979* (EP&A Act) including the gazettal of the New South Wales Government's Standard Instrument (LEPs) Order 2006 (standard instrument). As a result of the reforms, all NSW councils must prepare new comprehensive LEPs in the standard instrument format.

WLEP 2000 is a unique local planning instrument which took a 'place based' approach to landuse planning rather than relying on traditional land use zones. It embodied the concept of 'a one stop planning shop' in that all applicable State Environmental Planning Policies (SEPPs) and Development Control Plans (DCPs) were contained within the one document.

A place based plan presented unique challenges for Warringah Council, relative to other councils, because translating this document into the standard instrument LEP format required rationalising 73 place based 'localities' into standard instrument zones under WLEP 2011. It also required the simultaneous application of WDCP 2011 to provide detailed development controls that are not permitted to be included in the Standard Instrument statutory template.

In response to the submissions received during the public exhibition of the draft WLEP 2011 and draft WDCP 2011, on 31 August 2011, the Minister announced that he intended to defer land covered by the B2 Oxford Falls Valley and C8 Belrose North localities from WLEP 2011.

On 9 December 2011, when WLEP 2011 and WDCP 2011 were adopted, both the B2 Oxford Falls Valley and C8 Belrose North localities were deferred from WLEP 2011 and subsequently from the WDCP 2011. Therefore, planning controls under WLEP 2000 continue to apply to the deferred land.

Following an extensive Strategic Review Process, on 24 February 2015, Council resolved to proceed with an OFV/BN Planning Proposal, to transfer the planning controls for the deferred land from WLEP 2000 into WLEP 2011. As such, a WDCP 2011 amendment is also required to accompany this WLEP 2011 amendment, to transfer the detailed planning controls from WLEP 2000 that cannot be included in the standard instrument WLEP 2011.

### THE WDCP 2011 AMENDMENT

Indicative development controls that are likely to be included in the WDCP2011 amendment in accordance with the Planning Proposal (and generally in accordance with controls currently contained within WLEP2000 (where applicable) are:

- Side, Front and Rear Boundary Setbacks Requirements
- Wall Heights Requirements
- Side Boundary Envelope Requirements
- Landscaped Open Space / Bushland Setting Requirements
- National Park Setbacks Requirements
- Main Road Setbacks Requirements
- Land Adjoining Public Open Space Requirements
- Protection of Ridgetops and Skylines for land currently located within the B2 locality of WLEP2000.

Environmental mapping layers that have already been adopted by Council and that currently cover all other land within the Warringah Local Government Area under the WDCP 2011 are proposed to be 'switched on' to cover the subject land. These mapping layers include:

- Threatened and High Conservation Habitat Map
- Wildlife Corridors Map
- Native Vegetation Map
- Waterways and Riparian Lands Map
- High Flood Risk Planning Precinct Map
- Medium Flood Risk Planning Precinct Map
- Low Flood Risk Planning Precinct Map

If the Oxford Falls Valley and Belrose North Planning Proposal is modified during the assessment process, the content of the draft WDCP 2011 amendment may also need to be modified to accommodate these changes.

### **CONSULTATION**

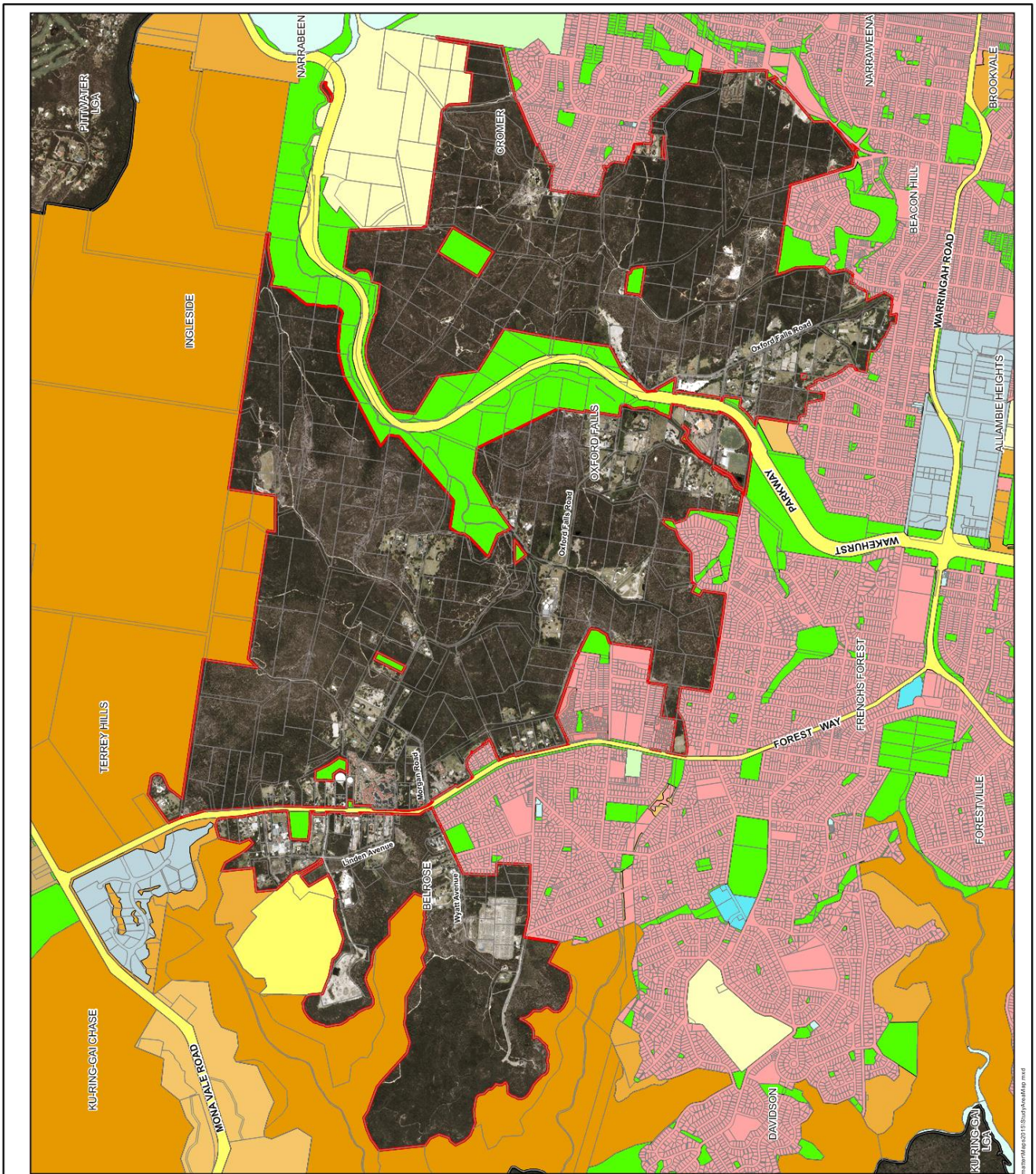
To enable stakeholders to consider and comment on the full suite of development controls proposed for the land in OFV/BN, the WDCP 2011 amendment should be prepared and placed on public exhibition concurrently with the OFV/BN Planning Proposal (post gateway determination). The exhibition will be in accordance with legislative requirements. The WDCP 2011 amendment will then be reported to Council following the consideration of submissions.

### **FINANCIAL IMPACT**

Nil

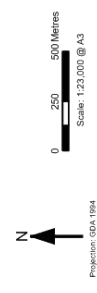
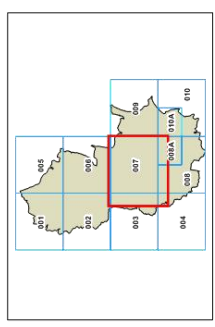
### **POLICY IMPACT**

Nil



**Study Area**  
**Oxford Falls Valley and Belrose North**

- WLEP 2011 Land Application Map**
- DM1 | Deferred matter (Study Area)
  - WARRINGAH
- WLEP 2011 Land Zoning Map**
- B1 | Neighbourhood Centre
  - B2 | Local Centre
  - B7 | Business Park
  - E1 | National Parks and Nature Reserves
  - E2 | Environmental Conservation
  - E3 | Environmental Management
  - R2 | Low Density Residential
  - R3 | Medium Density Residential
  - RE1 | Public Recreation
  - RE2 | Private Recreation
  - RU4 | Primary Production Small Lots
  - SP1 | Special Activities
  - SP2 | Infrastructure
  - LW1 | Natural Waterways
- Cadastral**
- Cadastral 18/02/2015 © Warringah Council



Projection: GDA 1984  
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 Document Path: G:\BIA\MapDocs\Planning\Comprehensive\_LEP\LEP2011\_Assessments\Belrose\warringah2011StudyAreaMap.mxd