

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
Key Community Submissions			
<p>1.Loss of bushland and natural habitat <i>87% of submissions</i></p>	<p>Concern about potential impacts associated with the loss of bushland and the impact on the flora and fauna, including:</p> <ul style="list-style-type: none"> • Loss of habitat for native fauna (including endangered wildlife) which currently reside in or near the proposed development area (80% of submissions). This includes impacts relating to the displacement of local species and the loss of the wildlife corridor across the Patyegarang site. • Loss of endangered flora and fauna species (37% of submissions). Species listed in the submissions as likely to be affected include the glossy black cockatoo, powerful owl, Rosenberg’s goannas, red-crowned toadlet, and the threatened Coastal Upland Swamp Endangered Ecological Community. • Loss of bushland which serves as “green lungs” and a carbon sink for the city. Submissions note that the bushland currently helps to mitigate 	<p>The Structure Plan and corresponding BDAR is the result of a lengthy investigative and assessment process to avoid and minimise impacts on biodiversity values at the regional, site, and project scales.</p> <p>Whilst it is acknowledged that a portion of the site will be cleared to accommodate future development and APZs, the preliminary BDAR and indicative structure plan have been prepared and revised in an iterative process to avoid and minimise impacts. In addition, the key design elements incorporated into the structure plan includes the protection of the riparian corridors. The existing structure plan also allows for flexibility for finer scale avoidance at the detailed design stage. Further to this, R2 and RE2 zoned land may include development areas that are existing disturbed areas (noting the historical use of the site for quarrying and agriculture). (Refer to 6.3.1 of PP). The Structure plan has also been developed in conjunction with the lengthy and comprehensive biodiversity fieldwork completed to date. It should be noted that high value biodiversity habitat is</p>	<p>Whilst the BDAR and other supporting documentation all acknowledge that the site is covered by in-tact native vegetation (with areas of weed species), it is not undisturbed. Large areas of the site have been previously cleared for agricultural and other primary industries, including as an orchard, as shown in the aerials below from the 1930s. From the 1980s it was left to re-vegetate, but not in a manner that was intended to regenerate the land in an ecologically restorative way, and therefore parts of the site have become subject to weeds and poor-quality vegetation. There has been very limited vegetation management on the site since the 1980s.</p> <p>Given the importance of a considered review of biodiversity impacts including loss of bushland and natural habitat, the PPA team also separately engaged an additional independent peer review of the BDAR (Hayes Environmental), the BCS submissions, and the BDAR Peer Review by Biosis to assist in understanding the fundamental matters of contention, and whether the work undertaken to date is</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>the impacts of climate change (26% of submissions) and lower local air temperatures (17% of submissions).</p> <ul style="list-style-type: none"> 36% of submissions suggest that clearing the equivalent of 45 football fields is excessive. Approximately 1% of submissions call for the land to be conserved as national park. <p>27% of submissions express concerns about the loss of bushland which is valued by the community for its contribution to the local character and landscape. Respondents note that, despite the site being private property, bushland is used by the local community for social and recreational purposes and contributes to mental health and wellbeing.</p>	<p>almost entirely located within the C2 & RE2 zones.</p> <p>The proposed Structure Plan would retain 29.7% (22.1 hectares) of native vegetation and habitat as a proposed C2 conservation zone. Additional direct and indirect impacts are minimised through design features of the structure plan and accompanying draft DCP which underpins the Planning Proposal.</p> <p>The subject land does not contain any threatened ecological communities listed under either the NSW BC Act or Commonwealth EPBC Act.</p> <p>The retained bushland will be actively managed in perpetuity and will passively contribute to local amenity that supports mental health and wellbeing. Access throughout the site will be formalised for the public with the proposed roads and walk/cycle paths, thereby facilitating recreational access on private land in less sensitive areas to minimise damage to biodiversity values or disturb the ecological communities.</p>	<p>satisfactory from a strategic planning threshold (planning proposal).</p> <p>The BDAR peer review confirmed that the proposal is consistent with relevant local, state and federal legislation related to protecting biodiversity and conservation, including mitigating loss of bushland. The summary of its findings are below:</p> <ul style="list-style-type: none"> The BDAR has produced evidence and surveys that comply with BAM; The plant community types (PCT) selected are sound; There are no threatened ecological communities (TECs) present on the site; The iterative filtering process for threatened flora and fauna is sound and correct; The seasonal surveys for flora are sound and the survey efforts described within the BDAR and shown on Figure 5b of the BDAR are consistent with the BAM survey guidelines. Where some surveys were carried out in the 'incorrect' season, those species had sufficient survey also carried out in the correct season;

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>Refer to PP Appendix 10 – Preliminary Biodiversity Development Assessment Report (BDAR).</p> <p>The outcomes of the BDAR have been confirmed by the Peer Review prepared by Biosis to meet the requirements of the Biodiversity Assessment Method under the Biodiversity Conservation Act 2016.</p>	<ul style="list-style-type: none"> • No serious and irreversible impact entities were identified on the project site, and this is supported in the BDAR with evidence-based justification; • Some minor updates or clarifications to the BDAR could assist in the assessment, however, would not likely alter the conclusions as to the presence of threatened species or PCTs selected; • Exclusion and inclusion of ecosystem credit species is sound and appropriate; • The surveys and conclusions of the BDAR would need to be carried out again at the development application (DA) stage due to the data currency requirements of BAM; and • The BDAR adequately describes the measures taken to ‘avoid or minimise’ impacts to biodiversity. This included a strategic assessment of the most suitable MLALC land holdings, through to altering design of ancillary facilities within the project site to avoid and minimise impacts.

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
<p>2. Location within area of bushfire risk <i>73% of submissions</i></p>	<p>Highlight the risk of bushfire, expressing concern that rezoning land identified as bush fire prone land for residential development may present a risk to life and dwellings. Some submissions note that in the context of climate change, there is potential for more frequent and severe weather events, including bush fire.</p> <p>24% of submissions identify that the limited ingress and egress routes may not be able to facilitate effective evacuation in the case of a bushfire and may hinder access for firefighters.</p>	<p>The Planning Proposal is supported by a strategic review, detailed assessment against Planning for Bushfire Protection 2019 (PfBP), and a subsequent peer review which detail the hazards and mitigation measures to ensure the future development is capable of managing any bushfire risks.</p> <p>All recommendations have been considered and incorporated into the design and the PP demonstrate that compliance with the PfBP 2019 has been achieved for the purposes of strategic planning and rezoning. The project is also capable of compliance at DA Stage. (Refer to PP Appendix 6 for compliance with Ministerial Direction 4.3 Planning for Bushfire Protection). The recommendation incorporated also ensure additional benefit and protection is provided to existing adjoining land uses.</p> <p>Where residential uses are located near protected bushland, the structure plan includes significant APZs to mitigate potential risk. To the south and east, the APZs extend to 100m as to ensure an extensive buffer to residential uses. (Refer to PP Appendix 11 – Bushfire Protection</p>	<p>Whilst the proponent and their technical team made several significant changes to the planning proposal to address bush fire risk, designing for PBP and meeting the Ministerial Direction, two recommendations were made by both the proponent’s specialist team and RFS that were not taken up, namely:</p> <ul style="list-style-type: none"> • Similar use of zoning RE2 below the perimeter roads on the south-east and south-west portions of the site, to that done at the southern perimeter road; and • Demonstrated evidence of two road accessibility for most dwellings to further assist with bushfire evacuation – particularly for smaller sized lots, and the need for a perimeter road in the south-west of the structure plan. <p>The PPA team reviewed the structure plan considering these two issues with the DPHI Urban Design team. The Urban Design team prepared an example of alternative structure plan that could address these two issues, whilst also considering the steep slope on parts of the site and realistic lot sizes for this land to minimise vegetation</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>Assessment. Refer to PP Appendix 12 – Strategic Bushfire Study)</p> <p>The Transport Assessment confirms that egress in a bushfire evacuation scenario can be accommodated safely pending the upgrade of the Morgan Road / Forest Way intersection. (Refer to PP Appendix 17 – Transport Assessment)</p>	<p>loss. The development outcome from this exercise reduced the maximum number of lots from 450 to 370, refer to Section 4.1.2 of the report for further discussion on these items.</p> <p>Whilst it is acknowledged that the 370 dwelling outcome designed by DPHI’s Urban Design team isn’t the only possible design solution, it does demonstrate that to implement two further design refinements recommended by specialists to minimise bushfire risk (perimeter roads and APZs, and second road access), a reduced dwelling number below 450 is likely necessary.</p> <p>Subject to the implementation of the reduced dwelling numbers to 370, and introduction of RE2 zones below perimeter roads at the south-east and west of the site, the PPA team consider that the planning proposal can meet the objectives of PBP 2019 and the Ministerial Direction. Inclusion of a perimeter road at the south-west of the DCP structure plan should also be considered by Council.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
<p>3. Availability of infrastructure and services</p> <p><i>65% of submissions</i></p>	<p>These question the availability of adequate infrastructure and services to support the development. Submissions note the high cost of providing the infrastructure and express concern that this will need to be borne by the residents of the Northern Beaches Council area or the residents of the proposed development.</p> <p>About 23% of submissions identify that the existing roads may not be able to cope with the increased traffic likely to result from development facilitated by the rezoning. A further 18% of submissions note that the public transport services may be inadequate to service the area. 4% of submissions comment on the availability of other infrastructure, including (but not limited to) schools, hospitals, wastewater and electricity.</p> <p>42% of submissions cite infrastructure provision more generally and do not identify a specific area of concern.</p>	<p>The Infrastructure Delivery Plan accompanying the PP demonstrates the likely development of the Belrose Precinct can be serviced adequately for potable water, wastewater electricity and telecommunications. The costs and responsibility of delivering this infrastructure is with the proponent and not the public. (Refer to the PP Appendix 20 – Infrastructure Delivery Plan)</p> <p>The Transport Assessment confirms that the surrounding road network, including Forest Way and the signalised intersection of Morgan Road / Forest Way can accommodate the expected level of day-to-day traffic generated under the rezoning proposal. (Refer to PP Appendix 17 – Transport Assessment)</p> <p>The site has good access to a variety of services and facilities including retail, recreational, recent and major hospital facilities, educational services, public transport, aged care facilities and key utilities and infrastructure. Large retail services are available at a number of nearby shopping centres including Warringah Mall (located approximately 8.5 km from the</p>	<p>The land is well located close to existing services that will be able to meet the future development needs from the planning proposal, subject to resolution of detailed development level agreements with relevant utilities and agencies.</p> <p>The PPA team referred the TfNSW and Council submissions to its specialist Transport Advisory team for review and comment. This team considered that:</p> <ul style="list-style-type: none"> • Access to the development can be achieved via intersection of Forest Way/Morgan Road and Oxford Falls Road / Wakehurst Parkway; • The traffic analysis estimates up to a total of 328 and 355 vehicles will be generated during the AM and PM Peak respectively, based on a full uptake of the dwelling capacity; and • Traffic analysis indicates that the existing intersection of Forest Way and Morgan Road will operate satisfactorily with the estimated development traffic during commuter peak periods. The overall Degree of Saturation (DOS for Morgan Road intersection is identified to be 0.491 during AM Peak.

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>Site), Forestway Shopping Centre (3.4 km away and anchored by Coles and 52 specialty stores) and Glenrose Shopping Centre (3km away and anchored by Woolworths and 50 plus specialty stores). A neighbourhood supermarket (IGA) is situated within walking distance (approximately 800m) from the Site's western boundary.</p> <p>There are close to 30 public and private schools within a 5km radius of the Site, including Frenchs Forest Primary School, Mimosa Primary School, Belrose Primary School, Kambora Primary School, Covenant Christian School, and Forest, Davidson and Beacon Hill High Schools, amongst others.</p> <p>There are significant major industrial and commercial centres in close proximity, providing key sources of employment opportunities. The Austlink business park is situated less than 2km from the Site and is home to the Belrose SuperCenta and major outlets such as Domayne and Bunnings.</p> <p>Frenchs Forest Health and Education Precinct, which includes major hospitals, universities and medical research institutions, is 6km to the south and</p>	<p><i>[Note: DOS is used to analyse the capacity of an intersection and to determine whether improvements are needed to reduce delay. Any number over 1.0 indicates oversaturated conditions. In general, DoS under 0.9 is considered acceptable for signalised intersections (Austroads, Part 3,pp,38)].</i></p> <p>The PPA team is satisfied with the response to submissions, and that community and agency concerns have been adequately addressed, as they relate to infrastructure capacity on the site at a level of detail required for a planning proposal.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>connects the community to health and education services. The new Northern Beaches hospital (3 km away) provides for significant health services in the area. Further east, Dee Why and Brookvale provide further employment opportunities and are a hub for regional public transport services.</p>	
<p>4. Alignment with broader strategic planning directions <i>65% of submissions</i></p>	<p>Address strategic planning for the area. These submissions provide feedback on the proposed rezoning in the context of the current strategic planning frameworks such as the Greater Sydney Region Plan, the Northern Beaches Local Planning Statement – Towards 2040 and Local Housing Strategy which do not identify this land for future housing. A small number of submissions discuss the policy directions for housing to be located near to services and infrastructure, transport and existing centres.</p> <p>Some submissions also note that the proposed rezoning may not align with the proposed zoning of the land as C2 Conservation Zone as proposed by Northern Beaches Council's</p>	<p>The site is included within the amendment to the Planning Systems SEPP in 2022, which included a number of MLALC owned sites which were gazetted. This included the accompanying Northern Beaches Development Delivery Plan (DDP) which details the inclusion of this site. Section 5.2 of the Planning Proposal details the relationship to the strategic framework and Appendices 3-6 provide greater detail to the considerations and consistency with the relevant strategic plans and policies.</p> <p>The Sydney North Planning Panel (SNPP) has confirmed on 2 occasions (21 December 2022 and 23 May 2023) that the site has strategic merit, as follows:</p> <ul style="list-style-type: none"> The Planning Proposal primarily and directly responds to the 2022 amendment to the Planning Systems 	<p>The PPA team agrees that the strategic merit of the subject planning proposal has already been demonstrated. Both the SEPP and DDP processes relevant to the site demonstrated strategic planning priority, and the strategic merit of the proposal has been previously considered, and resolved in support by the Planning Panel on three previous occasions, being December 2022 (Independent Aboriginal Review), May 2023 (Support to progress to Gateway) and September 2023 (support to be publicly exhibited).</p> <p>The Greater Cities Commission (Commission) recognises the pathway for this planning proposal has been facilitated by the Development Delivery Plan approved under the State Environmental Planning Policy (Planning Systems) which</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>Environment Conservation Zone review.</p>	<p>SEPP and Northern Beaches Development Delivery Plan which applies to the site.</p> <ul style="list-style-type: none"> The Planning Proposal gives effect to the objectives of the Greater Sydney Region Plan and is consistent with key objectives. The Planning Proposal is consistent with and gives effect to a number of the endorsed Northern Beaches LSPS Planning Priorities. <p>(Refer to PP Appendix 25 – Development Delivery Plan)</p>	<p>supports Planning Priority N4 in the North District Plan to ‘strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Lands Councils to better understand and support their economic aspirations as they relate to land use planning.’</p> <p>The Commission considers the Planning Proposal is broadly consistent with relevant Objectives in the Greater Sydney Region Plan and associated Planning Priorities in the North District Plan.</p> <p>With respect to Planning Priority N18 Better Managing Rural Area, the GCC considers that while the overall intent of the objective is to protect rural areas, including the Metropolitan Rural Area (MRA), there is also acknowledgment that: ‘parts of the urban-rural fringe are owned by Local Aboriginal Land Councils. Future planning of these areas may be more flexible to balance rural values with greater economic participation, and community and cultural uses by Aboriginal people.’</p> <p>Planning Priority N4: Fostering healthy, creative, culturally rich and socially</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
			<p>connected communities: The proposal is generally consistent with this priority as it aims to deliver housing in conjunction with social infrastructure and a cultural community facility. It will also facilitate protection of First Nations heritage on the site and provide opportunities for cultural knowledge to be shared and facilitate the economic self-determination of First Nations peoples.</p> <p>The post-exhibition process has focussed on consideration and resolution of site-specific planning and environmental matters (site specific merit), which are detailed in the subject report and Attachments. Subject to the further changes recommended by the PPA team in Section 4.1.2 of this report (including a pathway for a 10% affordable housing contribution), the planning proposal (as amended) meets both the strategic merit and site-specific merit requirements.</p> <p>It is also noted that an updated draft DCP is being recommended to Council to review, update and finalise to enable additional planning controls where needed to resolve any outstanding site-specific matters.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
<p>5. Increased traffic and congestion <i>30% of submissions</i></p>	<p>concerns that the proposed rezoning may result in increased traffic volumes, congestion and commute times on local streets and/or major arterial roads on the Northern Beaches. Discussion highlights that the area is not served by nearby shops or social facilities, the topography is not conducive to walking and the location is not well served by public transport, resulting in a reliance on private cars.</p> <p>Specific feedback comments on the limited capacity of Morgan Road to accommodate the increased traffic and increasing congestion on Forest Way, Wakehurst Parkway and Warringah Road.</p> <p>Respondents also note that congestion could be compounded by the closure of Morgan Road and Wakehurst Parkway due to flooding during severe storms.</p>	<p>The surrounding road network, including Forest Way and the signalised intersection of Morgan Road / Forest Way can accommodate the expected level of day-to-day traffic generated under the rezoning proposal. The internal street network will be designed to limit through traffic movements within the site, accommodate movement of pedestrians and cyclists and allow for the safe and efficient movement of various vehicle types (including first responder vehicles). (Refer to PP Appendix 17 – Transport Assessment)</p> <p>The Morgan Road, Belrose site is not deemed as an area which is at risk of either flash flooding or lagoon flooding. The natural topography of the site also reduces the need for evacuation in the event of a flood. Any road crossings over flood ways and overland flow paths will need to be designed as bridges or contain culverts to allow flood waters to be conveyed underneath. (Refer to PP Appendix 16 – Flood Impact and Risk Assessment)</p>	<p>The PPA team referred the TfNSW and Council submissions to its specialist Transport Advisory team for review and comment. This team considered that:</p> <ul style="list-style-type: none"> • Access to the development can be achieved via intersection of Forest Way/Morgan Road and Oxford Falls Road / Wakehurst Parkway; • The traffic analysis estimates up to a total of 328 and 355 vehicles will be generated during the AM and PM Peak respectively, based on a full uptake of the dwelling capacity; and • Traffic analysis indicates that the existing intersection of Forest Way and Morgan Road will operate satisfactorily with the estimated development traffic during commuter peak periods. The overall Degree of Saturation (DOS for Morgan Road intersection is identified to be 0.491 during AM Peak. <p><i>[Note: DOS is used to analyse the capacity of an intersection and to determine whether improvements are needed to reduce delay. Any number over 1.0 indicates oversaturated conditions. In general, DoS under 0.9 is considered acceptable for</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
			<p><i>signalised intersections (Austroads, Part 3,pp,38)].</i></p> <p>It is also noted that TfNSW does not disagree with the proponent’s traffic consultant who has demonstrated that up to 50% of peak traffic coming to and from the site during the week could potentially utilise public transport. TfNSW raises no objection to the proposal and its traffic or congestion impacts, subject to further ongoing discussion once the first DAs are submitted related to road design and signalisation of roads (if proposed).</p>
<p>6. Negative impacts on waterways <i>26% of submissions</i></p>	<p>26% of submissions raise concerns about the potential impacts of development facilitated by the planning proposal on the Narrabeen Lagoon and its catchment. These suggest that construction activity and the day-to-day work associated with development could increase hard surfaces and erosion on the edge of creeks leading to increasing siltation and decreased water quality of flows into Narrabeen Lagoon. Respondents also comment on the potential consequences of these impacts for species living in or</p>	<p>At present, stormwater and overland flow on the site is unmanaged. Craig & Rhodes has confirmed that the upstream water catchment is currently untreated and as such, enters lagoon untreated. The Stormwater Management Plan prepared as part of the PP details an effective stormwater footprint and management system, which mimics flow volumes to the waterway. These strategies and WSUD are designed to preserve the natural frequency and volume of flow events in waterways which would otherwise result in erosion and the waterways’ ecological degradation. The</p>	<p>The subject site is not currently mapped on Council’s Flood Prone Land. However, the FIRA and supporting documentation shows that the site is affected by minor flooding which is mainly concentrated within the Snake Creek corridor and connecting overland flow paths. This area is zoned C2 and no development will be permitted within the area.</p> <p>The updated FIRA and Stormwater Management Plans submitted by the proponent in July 2024 provide significant additional modelling scenarios demonstrating that the site will have</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>dependent on the lagoon e.g. red-crowned toadlet.</p>	<p>development of this site would in fact improve water quality into downstream creeks and waterways.</p> <p>Critically the stormwater footprint methodology focuses on ensuring actions and design further support waterway health. (Refer to PP Appendix 19 – Stormwater Management Plan)</p> <p>The preliminary BDAR reinforces this by noting that the retained riparian corridor along Snake Creek has been designed to better maintain connectivity and protect water quality. (Refer to Appendix 10 – Preliminary Biodiversity Development Assessment Report)</p>	<p>acceptable stormwater, water quality and flood outcomes in a post-development scenario, and that the planning proposal satisfies the requirements of the Ministerial Direction related to Flooding (4.1).</p> <p>The PPA team is satisfied with the response to submissions, and that community and agency concerns have been adequately addressed, as they relate to flooding and stormwater on the site.</p>
<p>7. Setting a precedent for rezoning and development <i>22% of submissions</i></p>	<p>22% of submissions comment on the potential impact of the planning proposal on future expectations for rezoning and development in areas of bushland. Submissions discuss the possibility that the development facilitated by the planning proposal will encourage more development in the local area.</p>	<p>The NSW Government has established a planning proposal process that requires the strategic and site-specific merit of any rezoning proposal be determined based on the unique context and circumstances applicable.</p> <p>The strategic merits of this site have been determined through a long and detailed process including the Northern Beaches Development Delivery Plan, which applies</p>	<p>The PPA team agrees with the proponent that the site has been subject to extensive strategic planning processes and has met the relevant threshold tests, and therefore could not be considered to be ‘setting a precedent for rezoning and development’.</p> <p>Redevelopment of any other site in the area would need to go through the same strategic planning processes and demonstrate strategic and site specific</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>to a limited number of sites, including this site.</p> <p>(Refer to the Planning Proposal for details on the project history and its relationship to the wider planning framework.)</p>	<p>merit. No precedent has been set in this proposal.</p>
<p>8. Potential loss of cultural heritage <i>4% of submissions</i></p>	<p>A key theme in the submissions is preserving sites of cultural and heritage significance. 4% of submissions note that there is potential for these to be lost or damaged if the land is rezoned and developed.</p> <p>A total of 4% of submissions relate to the land council's intention to raise funds through development of the land. Some respondents support development while others want the site retained as a valued cultural asset, A small number of submissions suggest the site should form part of an Aboriginal National Park or call on the NSW government to work with the MLALC to consider alternatives, including a land swap.</p> <p>These comments don't recognise that the land is in freehold ownership, meaning it is not required to held and</p>	<p>A key objective of the planning proposal is to conserve and protect the Site's Aboriginal heritage. The structure plan has been designed around the cultural site and utilises design to preserve the site while utilising the surrounding area to enhance the future cultural significance. (Refer to PP Appendix 22 – Aboriginal Cultural Heritage Assessment Report and Appendix 23 – Aboriginal Archaeology Report)</p> <p>In addition, the development, including the cultural centre works to support the self-determination of the Aboriginal people through land development that is within the urban context and balance environmental values with the objectives of greater economic participation and cultural use of the land. We acknowledge the comments in support of the cultural centre.</p> <p>The land is in freehold ownership and not all of the site is of cultural significance.</p>	<p>The PPA agrees with the proponent that the proposal is intended to conserve and protect the site's aboriginal heritage through zoning and planning controls including a draft DCP that has been recommended to Council to review and finalise.</p> <p>A preliminary ACHAR was also submitted to HNSW for comment through the assessment process, noting that a comprehensive ACHAR will be submitted with any future development application.</p> <p>It is also noted that other relevant reports and consultation will also be required at later development stages to comply with Aboriginal Land Rights Act 1983, the National Parks and Wildlife Regulation Act, Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, and Code of Practice for the</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>can be sold by the MLALC, and not all of the site is of cultural significance.</p> <p>Some submissions indicate support for the proposed cultural centre.</p> <p>A small proportion of respondents comment on the process for consultation with local Aboriginal groups in the Northern Beaches.</p>		<p>Archaeological Investigation of Aboriginal Objects in NSW.</p> <p>The land dealings of the MLALC on the subject land are subject to separate legislation and obligations that have and continue to be met.</p> <p>DPHI can only assess the planning proposal before it, which does not include matters such as a land swap or creating an Aboriginal Park.</p>
<p>9. Suitability of the site for development</p> <p><i>4% of submissions</i></p>	<p>4% of submissions raise comments about the suitability of the land identified for residential development. Respondents note that the geographic features of the sites will result in high development costs and have flow-on effects across the ecosystem. These include:</p> <ul style="list-style-type: none"> • Topography and steep slopes, which will require substantial preparation work and clearing prior to development. • Instability of ground surfaces and general erodibility of soils will be exacerbated by land clearing and 	<p>Detailed studies including a Land capability in relation to contamination, soil salinity and slope stability assessments were undertaken by SMEC Australia and accompany this Planning Proposal. Overall, the assessments find the areas assessed to be suitable for the proposed development. (Refer to the preliminary Site Investigation Report and Slope Risk Assessment Report prepared by SMEC at Appendix 13 and 14 of PP).</p> <p>The indicative structure plan is based on the site’s constraints and opportunities, including topography. The indicative structure plan identifies of potential areas suitable for residential and public space</p>	<p>The PPA team agrees with the proponent that extensive studies have been undertaken that demonstrate the suitability of the site for development. However, the PPA team has recommended a number of further changes to the planning proposal to further resolve particular site specific issues related to bushfire, biodiversity and site slope.</p> <p>It is also noted that an updated draft DCP is being recommended to Council to review, update and finalise to enable additional planning controls where needed to resolve any outstanding site-specific matters to ensure suitable development occurs on different parts of the site.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>an increase in hard surfaces and runoff.</p> <p>Some respondents suggest that that the high development costs will mean that housing may not be as affordable as other homes in the area</p>	<p>development, and areas classed as environmentally sensitive land and riparian and habitat corridors.</p> <p>The accompanying site-specific DCP sets out detailed controls on the future layout and development of the site that respond to the topography, natural features and landforms. (Refer to PP Appendix 27 – Site Specific DCP).</p>	
<p>10. Housing Supply <i>4% of submissions</i></p>	<p>4% of submissions address housing supply. Of these, 1% support the planning proposal highlighting that the rezoning will allow for additional housing in the area. These submissions highlight the limited housing supply in the Northern Beaches area and express the hope that the additional housing will improve affordability in the area.</p> <p>1% of submissions suggest that the Northern Beaches Council does not require this additional housing to meet its housing target.</p>	<p>The Northern Beaches Local Housing Strategy stipulates that the Northern Beaches need to plan for about 12,000 new dwellings by 2036.</p> <p>The NSW Government has committed to building 377,000 new homes across the state in the next 5 years to align with the National Housing Accord. Under this commitment, the Northern Beaches Council has a housing target of 5,900 new to be completed homes by 2029.</p> <p>The proposal has been designed to yield a maximum of 450 residential dwellings in a suitable location adjacent to existing residential development and infrastructure with good access to jobs, education, health facilities, and services to enable sustainable</p>	<p>The PPA team agrees with the proponent that the proposal will contribute additional housing in the Northern Beaches LGA, which is a critical matter given the urgent need for housing within Sydney and wider NSW.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
		<p>residential development to positively impact the housing supply targets.</p> <p>The development proposes various lot sizes, ranging from small to larger lots to ensure diversity of housing choice and is underpinned by necessary finance feasibility assessment which incorporates an offer of affordable housing. (Refer to Appendix 23 - Non-binding VPA offer).</p> <p>We acknowledge the submissions in support of housing delivery in the area, including the letter of support from NCOSS – detailed in Section 5 of the Response to Consultation Outcomes Report.</p>	
<p>11. Scale of proposed development <i>3% of submissions</i></p>	<p>A total of 3% of respondents address the scale or density of development that will be facilitated by the planning proposal, with 2% of submissions indicating that they do not support the proposed density. A further 1% indicate that they support higher density development.</p>	<p>The proposal seeks to introduce an R2 low density zone with a maximum of height of 8m, which is consistent with adjoining and nearby residential land. It also seeks to establish a dwelling cap of 450 dwellings which together with the substantial consideration and recreational areas proposed is considered a suitable and contextually appropriate development response for the site.</p>	<p>The proposal seeks to deliver low-density residential dwellings in certain, well-located areas within the site. The proposed density is appropriate given the site’s environmental constraints.</p>
<p>12. Process</p>	<p>Some submissions provide feedback on the process for the rezoning. Some</p>	<p>The planning proposal process set out under Part 3 of the Environmental Planning</p>	<p>The DDP guides the delivery of this planning proposal as it is directly relevant</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>of these submissions address the role of the department in the rezoning process. Other submissions request that the same planning ‘rules’ apply to the MLALC as apply to other landowners. Two submissions request that a public hearing be held in relation to the planning proposal.</p>	<p>and Assessment Act 1979 and the NSW Government’s Local Environmental Plan Making Guideline (August 2023) has been adhered to throughout the project timeline.</p> <p>A public hearing is not a requirement in this circumstance.</p>	<p>to the strategic context and merit of the site. In approving the DDP, the Minister has established the strategic merit for the site.</p> <p>This PP provides detail solely for the Patyegarang site and addresses all other matters as per the LEP making guidelines, and all other relevant policies. The detail provided in the PP can be sufficiently relied upon by the Planning Proposal Authority to assess all factors on the merit.</p> <p>Though the site has not been identified in an Urban Investigation Area, it is identified in the DDP, which was put forward after the creation of the GSRP. The DDP undertakes a strategic investigation of the area that identifies it as a key location for residential uses with close connection to cultural landscapes, and a bushland setting as per the GRSP, which is also acknowledged by the GCC in its submission.</p> <p>This PP is not an “ad hoc” approach as the DDP provides a strategic vision set out for the MLALC owned land. The proposed subdivision layout reflects the local character and assists Council in reaching their housing targets. Further it is a scheme that directly address the constraints of the</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
			site and works to mitigate these and will also allow for improved road and walking infrastructure.
Submissions from Community Groups and Peak Bodies (Attachment L)			
Australian Conservation Foundation Northern Beaches Community Group	<p>The Australian Conservation Foundation Northern Beaches (ACFNB) Community Group does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Loss of high biodiversity value bushland providing habitat for flora and fauna and serving as ‘green lungs’ for Sydney. • Negative impacts on the Narrabeen Lagoon, its catchment and threatened species from stormwater. • Risks associated with locating housing in an area of very high to extreme bush fire risk. • Likely increase in traffic and local congestion. • Poor alignment with broader strategic planning being undertaken by Northern Beaches Council. 	<p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. Negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. Location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “5. Increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “4. Alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “7. Setting a precedent for rezoning and development”.</i></p>	<p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. Negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. Location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “5. Increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “4. Alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “7. Setting a precedent for rezoning and development”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<ul style="list-style-type: none"> Potential to set a precedent for the rezoning privately owned bushland in the Metropolitan Rural Area. 		
Coastal Environment Association	<p>The Coastal Environment Association does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> Inadequate consideration of the increased risk of bush fire due to climate change and difficulties with evacuation. Loss of natural bushland and biodiversity. Lack of alignment with broader strategic planning objectives and strategies. Insufficient buffer areas to protect Aboriginal cultural sites and landscapes. Inconsistencies with management strategies for the Narrabeen Lagoon catchment and potential for siltation of water courses leading to increased flood risk. Poor resolution of requirement for asset protection zones with 	<p>As detailed in Appendix 12A of the PP the current PBP still does not address climate change as part of strategic planning decision-making, and hence it would be difficult for any proponent to address this without a clear policy framework in which to address this issue of impacts of climate change. (Refer to PP Appendix 12A – Peer Review to Strategic Bushfire Study)</p> <p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p>The structure plan, and future cultural centre will enable the long-term and ongoing care and protection of the Aboriginal heritage sites. The cultural centre will help better define the access to the sandstone platform and reduce accumulated impacts to the sites that may result from increased public visitation. (Refer to PP Appendix 23 – Aboriginal Archaeology Report)</p>	<p>The PPA team agrees with Dr Douglas that through the planned removal of bushfire hazards, the planning proposal will provide a marked decrease in hazard, with the PP development entity providing a hard edge to the urban development precincts that directly abut Forest Way. It is also noted the current vegetation is a huge risk to the landowners and occupiers including in Morgan Road, Oates Place, Lyndhurst Way, Caley Way and Ocean View Way.</p> <p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p>The updated stormwater and flooding information provided by the proponent in July 2024 show that the draft structure plan is compatible with the existing floodplain environment and is adequate to support the planning proposal from a flooding perspective. The flood assessment demonstrates the site can be developed in</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>protection of natural conservation areas.</p> <ul style="list-style-type: none"> The high cost of required urban infrastructure and services. 	<p><i>Refer to above response regarding issue of "5. increased traffic and congestion".</i></p> <p>All APZs are located within urban zoned areas, and will not impact the proposed conservation area. (Refer to Appendix 10 – Preliminary Biodiversity Development Assessment Report)</p> <p><i>Refer to above response regarding issue of "3. availability of infrastructure and services".</i></p>	<p>accordance with Council and DPHI's flood planning requirements, without causing adverse offsite impacts to water levels and peak discharge downstream of the site, including the Narrabeen Lagoon catchment.</p> <p>The proposed stormwater detention features located within the lots and roads can manage the increase in catchment runoff due to the proposed development in storm events up to and including the 0.5% AEP event by reducing the post-development peak discharge from each sub-catchment to within a reasonable amount as predevelopment.</p> <p>The independent peer review undertaken by Dr Graham Douglas recommended a revised structure plan, which was introduced and ensured appropriate APZ areas are integrated.</p>
<p>Friends of Narrabeen Lagoon Catchment</p>	<p>The Friends of the Narrabeen Lagoon Catchment does not support the planning proposal. The following concerns are raised:</p> <ul style="list-style-type: none"> The potential loss of a large area of native bushland and the lack of 	<p><i>Refer to above response regarding issue of "1. Loss of bushland and natural habitat".</i></p> <p><i>Refer to above response regarding issue of "2. location within area of bushfire risk".</i></p>	<p><i>Refer to above response regarding issue of "1. Loss of bushland and natural habitat".</i></p> <p>The site, once fully developed, will still retain over 21 hectares of C2 conservation land, and significant areas of RE2 private recreation, which will include other open</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>reference to the requirements of the NSW Biodiversity Conservation Act 2016 in the proposal.</p> <ul style="list-style-type: none"> • The lack of consideration of the importance of bushland in supporting mental and physical health. • The location of the site within an area of bushfire risk with limited evacuation routes, and extensive clearing required for asset protection zones. • The potential for increased stormwater runoff and potential negative impacts on water flows and quality and vegetation buffers. • Poor alignment with the strategic planning studies and strategies which do not support urban development in this location. • The site is in an isolated location with no infrastructure and no public transport services and will place an increased burden on Council, community and emergency services. 	<p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “3. availability of infrastructure and services”.</i></p> <p><i>Refer to above response regarding issue of “11. scale of proposed development”.</i></p> <p>There is an established process for transfer of surplus Crown lands into private holdings. This is a separate and parallel process, which is currently underway.</p> <p>The DDP identifies that the detailed planning, technical studies and assessment of the strategic and site-specific merits of the proposal are undertaken at the planning proposal stage. The planning proposal and the associated appendices have adequately addressed this.</p> <p>The lands identified in this proposal are existing landholdings of the MLALC and were identified as an opportunity for residential development under the Development Delivery Plan which assisted</p>	<p>space areas sufficient to support mental and physical health.</p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “3. availability of infrastructure and services”.</i></p> <p><i>Refer to above response regarding issue of “11. scale of proposed development”.</i></p> <p>The process related to Crown Lands is separate and not strictly relevant to the finalisation of the subject planning proposal.</p> <p>The PPA team agrees that the strategic merit of the subject planning proposal has already been demonstrated. Both the SEPP and DDP processes relevant to the site demonstrated its strategic priority.</p> <p>The post-exhibition process has focussed on consideration and resolution of site-</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<ul style="list-style-type: none"> The scale and density of development proposed for the site is an overdevelopment, compared to the scale of development permissible under current controls and will have high environmental impacts. Crown lands within the site should remain within public ownership. That not all issues identified in the independent assessment of the Development Delivery Plan, particularly relating to the natural environment, have been investigated and informed the proposal. The planning proposal is inconsistent with the Aboriginal Land Rights Act 1983, which requires that the land is not identified for residential purposes before transfer to the MLALC. The planning proposal and accompanying non-binding offer by the MLALC offer no benefit for the broader community or the environment, beyond what is usually required for subdivision, 	<p>in the amendment of the State Environmental Planning Policy (Aboriginal Land) 2019 (Aboriginal Land SEPP). The SEPP Amendments have since been gazetted. Refer to PP Appendix 25 – Development Delivery Plan.</p> <p>The non-binding VPA offer various benefits to the community, including 10% affordable housing, new slip lane, retention of the 19.8 hectares of land and its ongoing maintenance.</p> <p>The amendment to the Aboriginal Lands SEPP was gazetted in 2022. As below, the role of DPHI is defined in the LEP Making Guidelines.</p> <p>As per the LEP Making Guidelines, the PPA will evaluate and assess the submissions and the proponent response.</p> <p>The proposal works to establish self-determination of the Aboriginal people through land development. This proposal reflects the rights of MLALC to development the land via the appropriate planning pathways and establish the cultural protection within their landholdings. The</p>	<p>specific planning and environmental matters (site specific merit), which are detailed in the subject report and Attachments. Subject to the further changes recommended by the PPA team in Section 4.1.2 of this report (including a pathway for a 10% affordable housing contribution), the planning proposal (as amended) meets both the strategic merit and site-specific merit requirements.</p> <p>It is also noted that an updated draft DCP is being recommended to Council to review, update and finalise to enable additional planning controls where needed to resolve any outstanding site-specific matters.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>apart from the dedication of some conservation land.</p> <ul style="list-style-type: none"> The role of the Department of Planning, Housing and Infrastructure in the Development Delivery Plan, recommending the inclusion of sites including Patyegarang in the previous Aboriginal Lands SEPP and assessing this planning proposal. <p>Detailed information relating to the importance of the site, including significant Aboriginal heritage sites, scenic values, rocky outcrops, endangered species and wildlife corridors is included in the submission. Details relating to site constraints including the capacity of the Warriewood Sewage Treatment Station, highly erodible soils and creek catchments are provided.</p> <p>The Friends of the Narrabeen Lagoon Catchment recommends that submissions received, and the planning proposal are assessed by an independent planning authority. It also suggests alternative solutions for funding Aboriginal Land Councils to</p>	<p>funding of the MLALC is outside the scope of the Planning Proposal.</p>	

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>reduce the need for the Aboriginal Land Councils to develop their landholdings.</p>		
<p>Northern Beaches Labor Environment Action Network (NBLEAN)</p>	<p>Northern Beaches Labor Environmental Action Network (NBLEAN) does not support the proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Poor alignment with the state and Northern Beaches Council strategic planning framework. • Loss of biodiversity, remnant bushland and core habitat for threatened species of flora and fauna. • The location within an area of high bushfire risk. • Negative impact on wetlands, watercourses and soils within the Narrabeen catchment. • Lack of support by Northern Beaches Council, local community and the principal environmental groups. • The potential to establish a precedent for rezoning of other areas of urban bushland. 	<p><i>Refer to above response regarding issue of “alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p>The concerns raised by the community, and community groups have been addressed via the amendments to the planning proposal and detailed within the Response to Consultation Outcomes Report (RCOR). Refer to Table 1 of the RCOR. Gyde has also provided a separate response to Council’s concerns. (Refer to Appendices 0B, 0C and 0D for the Response Letters)</p> <p><i>Refer to above response regarding issue of “7. setting a precedent for rezoning and development”.</i></p>	<p><i>Refer to above response regarding issue of “alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p>Through the exhibition and post-exhibition period, the PPA team has carefully considered concerns raised by Northern Beaches Council and community and environmental groups. As a consequence of this consideration, the PPA team requested changes to the planning proposal from the proponent, and is also recommending further changes to be implemented prior to finalisation.</p> <p><i>Refer to above response regarding issue of “7. rezoning precedent”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
<p>Friends of Ku-ring-gai Environment</p>	<p>Friends of the Ku-ring-gai Environment does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Impact of clearing of bushland on habitat, endangered species, air quality and urban temperatures. • Negative impact on the Narrabeen Lagoon from stormwater runoff. • Risks associated with development in an area of extreme bushfire risk with limited evacuation routes. • Poor alignment with broader strategic plans and policies. • Lack of infrastructure and services servicing the site. • Potential for increased traffic congestion. • The potential to establish a precedent for similar rezoning requests. • Lack of support from the local community. <p>Friends of Ku-ring-gai Environment recommends that the site, that they consider rich in Aboriginal cultural</p>	<p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “3. availability of infrastructure and services”.</i></p> <p><i>Refer to above response regarding issue of “5. increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “7. setting a precedent for rezoning and development”.</i></p> <p>The concerns raised by the community, and community groups have been addressed via the amendments to the planning proposal and detailed within the RCOR. Refer to Table 1.</p> <p>We agree with Friends of Ku-ring-gai Environment, as this proposal works to protect and manage the Aboriginal cultural</p>	<p><i>Refer to above response regarding issue of “1. Loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “3. availability of infrastructure and services”.</i></p> <p><i>Refer to above response regarding issue of “5. increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “7. setting a precedent for rezoning and development”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	heritage and high conservation value should be celebrated and protected.	heritage site and produce an opportunity for education and celebration of the Aboriginal culture in the cultural centre that could be provided in the future.	
Pittwater Environmental Group	<p>The Pittwater Environmental Heritage Group does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • The loss of bushland, biodiversity and habitat. • Potential risk associated with bush fire and lack of evacuation routes. • Poor alignment with broader strategic planning directions. • Lack of community support and understanding of the outcomes and impacts of the proposal. <p>The Group notes that a key challenge associated with the proposal is achieving asset protection while conserving and protecting Aboriginal heritage.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p>The concerns raised by the community, and community groups have been addressed via the amendments to the planning proposal and detailed within the RCOR. Refer to Table 1.</p> <p>The key Aboriginal heritage site is not located within an APZ and is topographically isolated from areas of APZ. The Aboriginal cultural heritage site will be subject to ongoing protection and conservation.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p>The concerns raised by the community, and community groups have been addressed via the amendments to the planning proposal and detailed within the Response to Community Outcomes Report.</p> <p>The PPA team notes the challenges associated with achieving asset protection while conserving and protecting Aboriginal heritage and considers that the planning proposal (as amended) is capable of achieving that balance.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
<p>Birdlife Australia (Southern NSW Branch)</p>	<p>Birdlife Australia does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • The likely loss of threatened woodland bird species, native birds and their habitat associated with the proposal. The critically endangered Regent Honeyeater and Swift Parrot are specifically referenced. • Fragmentation of bushland caused by clearing, roads and increased urbanisation generally, with remnant forest and woodland that comprises the most significant wildlife corridors in Snake Creek and Upper Oxford Creek being separated the Deep Creek area of bushland and ultimately Ku-rig-gai Chase National Park <p>The Birdlife Australia submission also provides feedback on the biodiversity assessment, which is included in the discussion in Section 7.</p>	<p>The issues put forward under this submission have been addressed in the updated planning proposal and the associated appendices.</p> <p>Refer to PP Appendix 10 – Preliminary Biodiversity Development Assessment Report for a detailed assessment on any impacts on species and habitats. The BDAR also assesses the potential impacts on the quality of the bushland should the development proceed. Since the time of this submission, the C2 zoned land has been expanded in the August 2024 amendment.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p>
<p>Mosman Parks and Bushland Association</p>	<p>The Mosman Parks and Bushland Association supports the cultural centre</p>	<p>We acknowledge and thank the Mosman Parks and Bushland Association for their support on the cultural centre. Any detailed</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>and recommends that it contain a natural history section.</p> <p>The Association is concerned about the loss of biodiversity and bushland. It recommends that the area to be developed is reduced and the environmental conservation area increased.</p>	<p>design of the cultural centre will be subject to the DA stage.</p> <p>Refer to the table above, which provides a direct response in relation to the concerns relating to the biodiversity and bushland. Since the time of this submission, the C2 zoned land has been expanded in the August 2024 amendment.</p>	<p>The planning proposal includes over 21 hectares of land zoned for Environmental Conservation C2.</p>
<p>Northern Beaches branch of the Australian Plant Society</p>	<p>The Northern Beaches branch of the Australian Plant Society does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • The richness of the vegetation across the site. • The high bushfire risk and limited evacuation routes. • Potential negative stormwater impacts downstream from the development. • Poor alignment with strategic planning directions and policies. • Poor alignment with national endeavours to reduce carbon emissions. 	<p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “alignment with broader strategic planning directions”.</i></p> <p>The urban design principles that inform the structure plan and the controls within the site-specific DCP work to reduce the impacts on the climate. Detailed design of built forms to directly address ongoing carbon emissions will be undertaken at DA stage.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>The submission also provides feedback on the Biodiversity Assessment which is included in the discussion in Section 7.</p> <p>The Society recommends:</p> <p>Additional biodiversity studies are conducted to address shortcomings in the existing biodiversity survey.</p> <p>An independent review of submissions and assessment of the proposal.</p>	<p>The outcomes of the BDAR have been confirmed by the Peer Review prepared by Biosis to meet the requirements of the Biodiversity Assessment Method under the Biodiversity Conservation Act 2016.</p> <p>As per the LEP Making Guidelines, the PPA will evaluate and assess the submissions and the proponent response.</p>	
<p>Save Northern Beaches Bushlands</p>	<p>Save Northern Beaches Bushlands does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Loss of bushland, biodiversity, habitat and established ecosystems which support native flora and fauna. • The land is subject to bushfire risk and identified as a flood prone area. • Increase in pollution of air, land, and waterways. • Impact on health and wellbeing of the community living in the area. 	<p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “loss of bushland and natural habitat” and “negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p>The proposed development will be subject to a community title scheme which will ensure that the conservation areas will be protected in perpetuity. An indicative community management plan has been</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>Save Northern Beaches Bushlands suggests that the bushland should be protected in perpetuity. It recommends reconsideration of a previous proposal for an Aboriginal Owned National Park (Gai-mariagal National Park) on this and other land in the Northern Beaches.</p>	<p>submitted as part of the PP to demonstrate how this can occur at DA Stage.</p> <p>This proposal does not relate to an Aboriginal Owned National Park and therefore should not be considered in the assessment of this PP.</p>	
<p>Save Manly Dam Catchment Committee</p>	<p>The Save Manly Dam Catchment Committee does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Poor alignment with the strategic planning directions on the location of housing. • Location in a bushfire prone area. • Loss of a significant area of bushland, habitat and wildlife corridors which connect to national parks. • Potential negative impacts on the Narrabeen Lagoon Catchment. • Traffic impacts and availability of infrastructure. <p>It requests that alternative ways to support the MLALC are investigated as</p>	<p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “loss of bushland and natural habitat”.</i></p> <p>MLALC’s Community Land and Business Plan outlines operating procedures and includes approval for land dealing on this site. Other sites considered for protection under the DDP.</p>	<p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “5. increased traffic and congestion”.</i></p> <p>The proposal works to establish self-determination of the Aboriginal people through land development. This proposal reflects the rights of MLALC to development the land via the appropriate planning pathways and establish the cultural protection within their landholdings. The funding of the MLALC is outside the scope of the Planning Proposal.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>there is limited remaining urban bushland in Sydney.</p>		
<p>National Parks Association of NSW – Sydney Region Branch</p>	<p>The National Parks Association - Sydney Region Branch (NPA) identifies the following concerns with the proposal:</p> <ul style="list-style-type: none"> • Substantial loss of vegetation and loss and fragmentation of habitat for threatened species. • Lack of consideration of or planning for climate change effects. • The potential impacts of development on water flows and availability for vegetated areas, both within the proposed conservation areas and outside the site. • The extent of bush fire risk in the area and limited evacuation routes. • The scale of development requiring significant loss of tree canopy and urban green space to deliver more dwellings than required in the Local Housing Strategy and only 45 affordable dwellings. 	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “11. scale of proposed development”.</i></p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “11. scale of proposed development”.</i></p> <p>Technical documents supporting the planning proposal have all been reviewed to ensure they meet relevant professional and legislative requirements and the relevant Ministerial Directions.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>The NPA also provides detailed comment on some of the supporting technical documents.</p>		
<p>Garigal Landcare Group</p>	<p>The Garigal Landcare Group does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> • Loss of high-quality bushland and biodiversity. • High risk of bushfire with few evacuation routes. • The creation of a car dependent community. • Poor alignment with overall strategic planning policies and strategies. • Potential for increased localised flooding and negative impact on water quality of local creeks. • The geological dyke and kaolin deposits in the area may have Aboriginal cultural significance which has not been assessed. <p>The Landcare Group also provides detailed comment on the Preliminary Biodiversity Assessment Report.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “5. increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p>The Aboriginal Cultural Heritage Assessment Report details that any artefacts of cultural significant Aboriginal items found during construction would require a stop working order to assess its ongoing protection. Refer to Appendix 22.</p> <p>The assessment of the Planning Proposal will be undertaken by the Planning Panel, as per the LEP Making Guidelines and relevant legislation.</p>	<p><i>Refer to above response regarding issue of “1. loss of bushland and natural habitat”.</i></p> <p><i>Refer to above response regarding issue of “2. location within area of bushfire risk”.</i></p> <p><i>Refer to above response regarding issue of “5. increased traffic and congestion”.</i></p> <p><i>Refer to above response regarding issue of “4. alignment with broader strategic planning directions”.</i></p> <p><i>Refer to above response regarding issue of “6. negative impacts on waterways”.</i></p> <p>A preliminary ACHAR was submitted to HNSW for comment, noting that a comprehensive ACHAR will be submitted with any future development application. It is also noted that other relevant reports and consultation will also be required at later development stages to comply with Aboriginal Land Rights Act 1983, the National Parks and Wildlife Regulation Act, Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>The Garigal Landcare Group requests that the planning proposal is independently assessed.</p>		<p>NSW, and Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW.</p>
<p>NSW Council of Social Service (NCOSS)</p>	<p>NCOSS supports the planning proposal as it will:</p> <ul style="list-style-type: none"> • Provide an opportunity for self-determination by the Metropolitan Local Aboriginal Land Council. • Increase housing supply, diversity and affordable housing in the Northern Beaches LGA. • Provide a range of community benefits including pedestrian and cycling paths and public open space. • Provide bushfire protection and management for the site through new Asset Protection Zone and fire trails and improve the level of bushfire protection for adjoining development. • Provide an opportunity for the broader community to engage with and better understand Aboriginal heritage through protection of Aboriginal heritage items, a 	<p>We acknowledge and thank NCOSS for its support of the planning proposal, it's intent and objectives, and its opportunity for the Aboriginal community.</p>	<p>Noted.</p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<p>proposed new cultural community facility and informative and interpretive signage and wayfinding.</p> <ul style="list-style-type: none"> assists State government and the Northern Beaches Council in meeting their responsibilities under the Closing the Gap agreement. 		
<p>Northern Beaches Envirolink Inc.</p>	<p>The Northern Beaches Environlink Inc does not support the planning proposal due to the following concerns:</p> <ul style="list-style-type: none"> Loss of significant amount of interconnecting habitat would have broader implications for the habitat and a range of species. Considers that the BDAR report is inadequate, and the proposal should be refused due to it's unacceptable environmental impacts and inadequate information provided. Considers the site has 11 vegetation types not the 3 vegetation types as described in the BDAR report and there is further potential for impact on Duffys Forest Endangered Ecological Community. 	<p>Refer to item 1 "Loss of bushland and natural habitat" with respect to biodiversity implications and adequateness of the BDAR.</p> <p>The Duffys Forest Endangered Ecological Community is not located on site. (Refer to PP Appendix 10 – Preliminary BDAR).</p> <p>The Response to Community Outcomes report details the proposal's appropriateness from a site-specific merit perspective and also outlines a detailed response to bushfire - Refer to PP Appendix 12 – Strategic Bushfire Study and Appendix 12A – Peer Review to Strategic Bushfire Study).</p> <p>The Aboriginal Cultural Heritage Assessment Report details that any artefacts of cultural significant Aboriginal items found during construction would require a stop working order to assess its</p>	<p><i>Refer to above response regarding issue of "1. loss of bushland and natural habitat".</i></p> <p><i>Refer to above response regarding issue of "2. location within area of bushfire risk".</i></p> <p><i>Refer to above response regarding issue of "5. increased traffic and congestion".</i></p> <p><i>Refer to above response regarding issue of "4. alignment with broader strategic planning directions".</i></p> <p><i>Refer to above response regarding issue of "8. Potential loss of cultural heritage"</i></p>

Summary of Community Submissions and responses

PP-2022-3802



Submission Name	Issues Raised	Proponent Response	PPA Team Response
	<ul style="list-style-type: none"> • The site has a large number of features which make it unsuitable for the proposed housing from a planning perspective. Concern over inappropriate proposed zone, lack of site specific merit and excessive number of housing lots is not consistent with local character • Concerns over bushfire risk to new residents and that the submitted reports do not align with Council's bushfire report by Blackash. • Concerns over potential increased traffic impacts with a lack of public transport resulting in increased car dependency. • The geological dyke and kaolin deposits in the area may have Aboriginal cultural significance which has not been assessed. 	<p>ongoing protection. Refer to PP Appendix 22.</p>	