



Planning,
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Northern Beaches Development Delivery Plan

Finalisation Report

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Executive Summary

The amendment to *State Environmental Planning Policy (Planning Systems) 2021* (former *State Environmental Planning Policy (Aboriginal Land) 2019*) and supporting Northern Beaches Development Delivery Plan (DDP) establishes a framework to consider the development potential of six sites owned by the Metropolitan Local Aboriginal Land Council (MLALC) in the Northern Beaches Local Government Area (LGA).

In March 2022, *State Environmental Planning Policy (Aboriginal Land) 2019* (Aboriginal Land SEPP) was consolidated into *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). Chapter 3 'Aboriginal Land' in the consolidated Planning Systems SEPP includes the former provisions of the Aboriginal Land SEPP including provisions relating to the preparation of a DDP and criteria for regionally significant development.

The inclusion of the six MLAC sites in the Planning Systems SEPP ensures that the Northern Beaches DDP will be considered by planning authorities in future planning processes, including planning proposals and development applications (DA's).

The SEPP amendment identifies six sites which are considered to have potential for further investigation as part of a planning proposal or DA process. The SEPP amendment, in association with the Northern Beaches DDP, establishes the first stage of the planning process for the six sites. It should be noted that while the DDP establishes a pathway for this investigation it does not mandate a particular development outcome. Individual planning proposals will be required to establish the strategic and site-specific merit of proposals on the various sites.

Future detailed site investigations would be required to determine appropriate land uses and suitable development outcomes, and consider public benefits including conservation of sensitive land, provision of community facilities, and programs or activities that promote Aboriginal cultural heritage within the Northern Beaches LGA.

The draft Explanation of Intended Effect (EIE), draft Northern Beaches DDP and supporting studies, were exhibited from 7 February 2022 to 21 March 2022.

The exhibition package included the following supporting studies:

- Strategic Assessment prepared by Gyde on behalf of the MLALC
- Barr Planning Peer Review of Strategic Assessment
- Additional mapping (Strategic Assessment mapping)

The key issues raised during the exhibition related to:

- ensuring biodiversity, threatened species and bushland areas are protected
- ensuring adequate infrastructure is available to support any future development
- ensuring bushfire risk is appropriately considered and managed
- ensuring local heritage and culture is protected
- the importance of public open space and recreation areas

The feedback from the exhibition makes it clear that the community and council want to ensure that matters such as environmental impacts and measures to protect biodiversity, bushfire risk, heritage conservation, infrastructure, open space and recreation needs are appropriately considered in future development proposals.

In response to issues raised in submissions to the EIE and Northern Beaches DDP, post-exhibition amendments are recommended to the Northern Beaches DDP to include high level constraints mapping for all sites and clarify future planning processes and matters for consideration in future site investigations.

An overview of the post-exhibition changes is provided in Section 9 of this Report.

1 Introduction

The amendment to Chapter 3 'Aboriginal Land' of the Planning Systems SEPP, and the finalisation of the Northern Beaches DDP, recognises the development objectives for identified land owned by the MLALC and provides a link between the requirements of the *Aboriginal Land Rights Act 1983* and *Environmental Planning and Assessment Act 1979* (EP&A Act) to assist in planning and development decisions.

The amendment to the Planning Systems SEPP maps six MLALC owned sites. This would allow the MLALC to seek an independent review of planning proposals for the sites by the North District Planning Panel to consider whether they have strategic and site-specific merit to be submitted for a gateway determination. It also establishes the circumstances when a DA within the sites would be declared regionally significant development, to be determined by the North District Planning Panel. An overview of the planning process for future proposals is provided in Section 1.2 to 1.5.

The SEPP amendment and supporting Northern Beaches DDP is the first step in the planning process for the six sites. Detailed investigations and planning studies would be required to support any future planning proposal or DA to determine a sites suitability for development.

Any future planning proposals or DAs would be subject to the same environmental assessment criteria, legislative requirements, and consultation requirements as any other proposal at the planning proposal or DA stage.

The Northern Beaches DDP provides guidance on the six sites and key opportunities and constraints to be further considered in future site investigations. The Independent Planning Review prepared by WSP also sets out key recommendations to be addressed in future planning investigations for each site.

The Department has worked closely with the MLALC and Northern Beaches Council during the preparation and finalisation of the SEPP amendment and Northern Beaches DDP. The Department will continue to work closely with Council as part of any future planning proposals.

This Finalisation Report documents the consultation process, summarises the issues raised in submissions and reports on how the issues have been addressed to finalise the amendment to the Planning Systems SEPP and Northern Beaches DDP.

1.1 Overview of the Northern Beaches Development Delivery Plan

The Northern Beaches DDP establishes a framework for considering the potential development of the six MLALC owned sites in the Northern Beaches LGA.

The DDP aims to enable Aboriginal people to develop their land in ways that best support their community and protect Aboriginal cultural heritage. It will also deliver benefits to the wider community by providing new homes and jobs.

The Northern Beaches DDP is a strategic document approved under Chapter 3 of the Planning Systems SEPP. The Northern Beaches DDP sets out objectives for identified MLALC owned land and provides guidance on key constraints and opportunities to be considered in future site investigations and planning processes.

The Northern Beaches DDP is to be considered by planning authorities in key planning assessment processes including planning proposals and development applications on land where the DDP applies. Further discussion on the planning process for sites identified in the Northern Beaches DDP is provided in the following sections.

1.2 Amendment to State Environmental Planning Policy (Planning Systems) 2021

Chapter 3 of the Planning Systems SEPP (former provisions of the Aboriginal Land SEPP) provides for the preparation of DDP's for certain land owned by Local Aboriginal Land Council's (LALCs).

The Planning Systems SEPP aims to:

- enable the making of DDPs for land owned by LALCs and identify the process for approving and amending DDPs
- map LALC landholdings that the SEPP applies to
- require a consent authority to consider a DDP when assessing a development application made by a LALC for land mapped in the SEPP
- make certain development on land mapped under the SEPP and owned by a LALC regionally significant so that planning decisions will be made by the relevant planning panel rather than the local council

The amendment to the Planning Systems SEPP maps the six sites on the Land Application Map. The inclusion of the six sites means that the provisions of Chapter 3 of the Planning Systems SEPP will apply, and the Northern Beaches DDP will be a consideration in future planning processes for the sites.

The inclusion of the six sites in the Planning Systems SEPP allows the MLALC to seek an independent review of planning proposals by the North District Planning Panel to consider whether they demonstrate strategic and site-specific merit and should be submitted for a Gateway determination. The independent review process is further discussed in Section 1.4.

Chapter 3 of the Planning Systems SEPP also establishes that development applications may be declared regionally significant if certain criteria are met. This includes development with a value of more than \$5 million, applications that receive more than 50 submissions, or if Council's assessment timeframe exceeds 60 days. The North District Planning Panel is responsible for determination of regionally significant development applications. The six sites are shown in Figure 1.

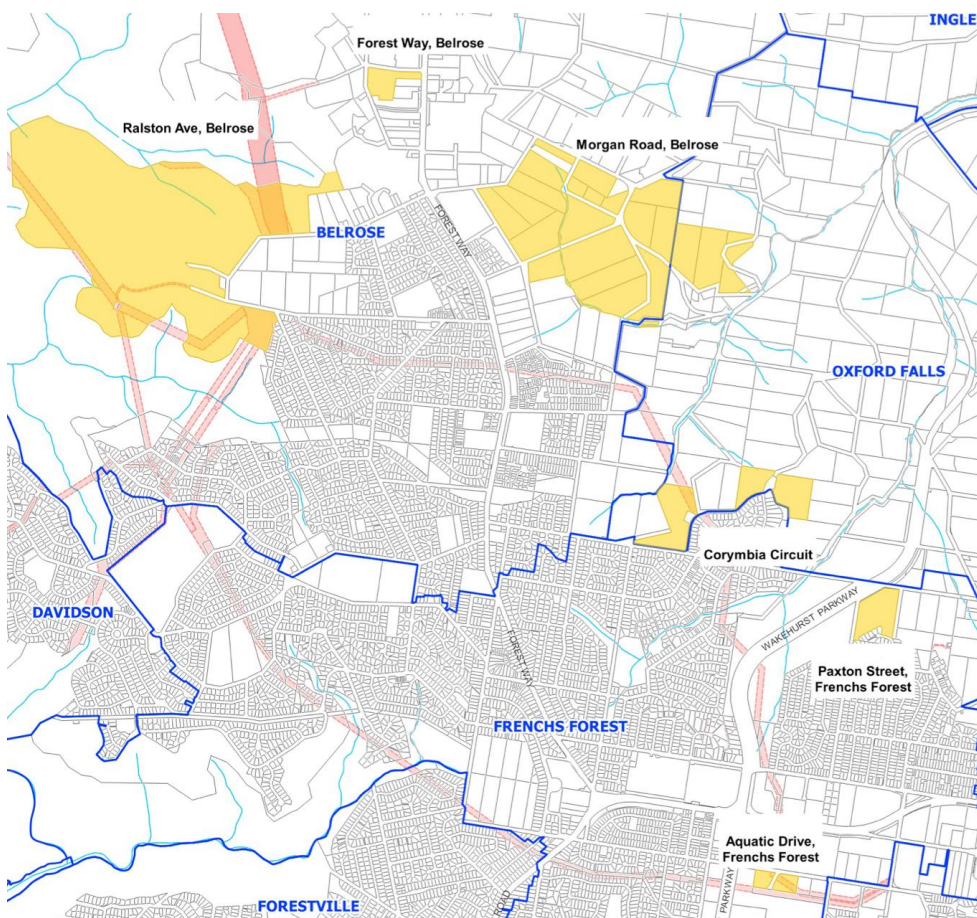


Figure 1: Map of the six sites in the Planning Systems SEPP

1.3 Ministerial Direction

Ministerial Direction 1.2 Development of Aboriginal Land Council Land applies to any future planning proposals for land within the six sites identified in the Northern Beaches DDP.

The objective of Direction 1.2 is to ensure DDP's prepared under Chapter 3 of the Planning Systems SEPP are considered when a planning proposal is prepared.

This Direction requires the Northern Beaches DDP to be considered in the preparation of any future planning proposals for land in the six sites.

1.4 Independent review of planning proposals for identified Aboriginal land

The inclusion of the six sites in the Planning Systems SEPP allows the MLALC to request an independent review of planning proposals for sites in the Northern Beaches DPP without submission to the Northern Beaches Council. This review would be undertaken by the North District Planning Panel.

Guidance on the review process is outlined in Planning Circular PS22-001 *Independent review of planning proposals for identified Aboriginal land*.

If an independent review is requested, the North District Planning Panel would undertake a strategic and site-specific merit assessment of the proposal.

The strategic merit test includes an assessment of a proposal's consistency with the Northern Beaches DDP, the North District Plan and any relevant local strategy endorsed by the Department.

Planning proposals must also demonstrate site-specific merit, which includes an assessment of the social and economic benefit to the Aboriginal community, the natural environment and environmental values, existing and future land uses, and the services and infrastructure available to support the proposal and funding arrangements.

Planning proposals that do not demonstrate strategic and site-specific merit would not proceed to Gateway determination.

For proposals that are determined to have strategic and site-specific merit and recommended to proceed to Gateway determination, there may be a need for further work to be undertaken prior to planning proposal being submitted for a Gateway determination.

Any planning proposals recommended to proceed to Gateway determination by the Panel would be submitted to the Department of Planning and Environment (the Department) for assessment.

An overview of the planning proposal process is provided in the *Local Environmental Plan Making Guideline 2021* (LEP Making Guideline).

1.5 Future planning investigations

The Planning Systems SEPP amendment and supporting Northern Beaches DDP is the first step in the planning process.

Prior to a planning proposal or development application being prepared, detailed site investigations and studies would be required to determine site opportunities, land suitability and appropriate land use outcomes, including conservation outcomes.

Any future proposal would be subject to the same environmental assessment criteria and legislative requirements as any other proposal at the planning proposal or development application stage. This includes requirements for agency consultation with relevant agencies such as NSW Environment and Heritage, NSW Rural Fire Service and Transport for NSW.

Future planning proposals would be guided by the Northern Beaches DDP and recommendations in the Independent Planning Review which identifies key matters to be addressed in future planning proposals. This includes technical studies and assessment of matters such as Aboriginal cultural heritage, traffic and transport, environmental impacts, bushfire risk, and urban design.

There would be opportunity for community consultation and feedback when a planning proposal or development application has been lodged.

The Strategic Assessment indicates that a planning proposal for the Morgan Road site could occur in the short term (1-2 years), while the remaining 5 sites could have planning proposals or development applications submitted in the next 2-5 years following detailed site investigations and planning studies to determine the potential for any land use change in these areas. The Northern Beaches DDP provides indicative constraints mapping and preliminary land use opportunities for the sites which would need to be confirmed in any future site investigations.

All sites require further investigation, but future land uses could include residential, industrial, employment and environmental conservation depending on the site constraints and opportunities. An overview of the high-level opportunities and constraints for each site are discussed in the Northern Beaches DDP.

The Independent Planning Review prepared by WSP provides recommendations for future site investigations to ensure key issues are appropriately addressed in future planning proposals and DA's.

1.5 Report structure

This Finalisation Report provides a summary of the submissions received during the exhibition period, the Department's consideration of issues, and the key changes to the proposed SEPP and Northern Beaches DDP. The key elements of this report include:

- an outline of the exhibition and engagement activities
- a submissions summary
- key issues raised by stakeholder groups
- post-exhibition amendments made to the proposed SEPP and DDP following exhibition

2 Exhibition details

2.1 Exhibition period

The Explanation of Intended Effect (EIE) and draft Northern Beaches DDP were made available for public comment on the NSW Government Planning Portal from 7 February 2022 to 21 March 2022. The following documentation was exhibited as part of the planning package:

- Explanation of Intended Effect
- Draft Northern Beaches DDP
- Strategic Assessment prepared by Gyde on behalf of the MLALC
- Barr Planning Peer Review of Strategic Assessment
- Mapping from the Strategic Assessment

The package was available on the Department's Planning Portal at:

<https://www.planningportal.nsw.gov.au/northern-beaches-aboriginal-land-development-delivery-plan>

The following communications activities were undertaken:

- dedicated project webpage
- letters and postcards distributed to residents in surrounding areas
- media release
- EDM sent to 303 subscribers

- advertisements in Northern Beaches Review, Koori Mail (print and digital) and on Koori Radio.
- social media advertising on Facebook

The following lists the engagement activities undertaken during the exhibition period:

- one webinar held through Adobe Connect
- one targeted Aboriginal group 'talk to a planner' session held through Teams

Project webpage

A dedicated webpage was available as a key resource for the public to access more information on the proposed SEPP amendment and draft Northern Beaches DDP, including a link to view the exhibition documents. The webpage also provided the opportunity to have your say with links to make a submission.

- a project webpage was available during the exhibition period between 7 February 2022 and 21 March 2022 on the Department's website at <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Northern-Beaches-Aboriginal-land>
- the page recorded 6,025 page views by 4,680 unique users.

Letters and postcards

- letters were sent to 1,086 properties in neighbouring areas in the first week of exhibition.
- postcards were distributed to 6,300 households in surrounding areas during the first week of exhibition.

Electronic Direct Mail (EDM)

One EDM was sent during the campaign:

- EDM sent on 24 February 2022 to 303 recipients.

Advertising

To support awareness of the public exhibition and provide the opportunity to share feedback, a range of communications tools were used.

- four ads were run on Facebook from 7 March 2022 to 8 March 2022, reaching 205,181 users and generating a click-through rate of 4.63%.
- advertisements were run in the Northern Beaches Review on 16 and 23 February 2022.
- an advertisement was run in the Koori Mail on 23 February 2022 and digital ads were placed in Koori Online from 21 February 2022. Ads were run on Koori Radio from 22 February 2022.

Engagement

Several engagement methods were made available to residents and interested stakeholders.

- one webinar was held on the 17 February 2022 and was attended by 91 people.
- one Aboriginal group 'talk to a planner' session was held on Microsoft Teams on 21 February 2022 and was attended by 4 people.

3 Submissions summary

3.1 Submissions received

A total of 1,132 submissions were received in response to exhibition of the draft EIE and Northern Beaches DDP.

Of the total submissions received, 1,099 submissions were received from members of the community.

The Department also received 19 submissions from Community Groups including Belrose Rural Community Association, ACF Northern Beaches, Northern Beaches EnviroLink Inc, Duffys Forest Residents Association Inc, Warringah Radio Control Society, and Friends of Narrabeen Lagoon Catchment.

The remaining submissions came from Northern Beaches Council and the Aboriginal Heritage Office, and NSW Government agencies and service providers including Transport for NSW, Environment, Energy and Science Group (now NSW Environment and Heritage), NSW Rural Fire Service and Telstra Corporation.

A summary of submissions grouped into stakeholder groups is provided at Table 1. Copies of the submissions received are available on the Department's website.

Table 1: Summary of submissions by group

Submission author	Number of submissions
Local community	1,099
NSW Government agencies and service providers	9
Council and Council groups	2
Community groups	19 (<i>several groups provided multiple submissions</i>)
State and Federal Members	2
Total	1,132

4 Submissions from community members

A total of 1,099 submissions were received from members of the community, predominantly interested individuals and residents from the Northern Beaches.

The key issues raised by the community during the exhibition related to:

- Biodiversity and threatened species
- Infrastructure
- Strategic framework and urban development
- Culture and heritage
- Bushfire
- Open space and recreation

A summary of the key issues raised by the community is provided in Table 2. A discussion of these issues and the Department's response is outlined in Sections 4.1 to 4.10.

Table 2: Summary of key areas of interest identified by the community

Issues raised in submissions by the community	Proportion of Submissions %
Biodiversity and threatened species	76%
Infrastructure	60%
Strategic framework and urban development	47%
Culture and heritage	41%
Bushfire	31%
Open space and recreation	30%
Waterways	12%
Site suitability	12%
Engagement process	8%
Policy development process	7%

4.1 Biodiversity and threatened species

The majority of community submissions (76%) raised biodiversity and flora and fauna as a key issue. Submissions raised concerns about potential impacts to biodiversity, bushland character and endangered flora and fauna.

4.1.1 Natural environment and bushland

Submissions noted the uniqueness of the bushland in the area and the need to preserve the existing bushland character. Submissions requested that remnant bushland is protected from future development, as well as the protection of habitat and native vegetation.

4.1.2 Flora and fauna

Submissions raised concern about potential impacts to endangered flora and fauna. Almost 40% of submissions outlined concerns about impacts to threatened fauna species including potential impacts to habitat and breeding grounds for threatened fauna including swamp wallabies, powerful owls, and red crowned toadlets among others. Over 30% of submissions raised potential impacts to local flora as a concern. This included potential impacts to protected flora species, such as *Angophora Crassifolia*.

Department Response

The SEPP amendment and Northern Beaches DDP establish a framework to investigate potential development and conservation outcomes within the six sites.

As part of these investigations, detailed studies including biodiversity impact assessments and ecological assessments, would need to be undertaken to consider the effect of any proposed development on threatened species, endangered ecological communities, and their habitats. These studies would also inform potential development areas and identify areas with conservation values to be protected.

High level constraints mapping indicates the sites contain threatened species, high value vegetation and ecologically significant areas. Detailed studies, including ground truthing of this

constraints mapping, would be required to confirm each sites biodiversity values and the legislative assessment requirements that would need to be addressed in any future development proposals.

Any future planning proposals or development applications would be subject to the same environmental assessment and legislative requirements as any other proposal at the planning proposal or development application stage. This includes addressing Ministerial Direction 3.1 Conservation Zones which requires a planning proposal to include provisions that facilitate the protection and conservation of environmentally sensitive areas, and the requirements of the *Biodiversity Conservation Act 2016* which aims to identify and protect threatened species, populations and ecological communities in NSW.

The Independent Planning Review prepared by WSP includes further information on biodiversity considerations to be addressed in future proposals.

4.2 Infrastructure

60% of community submissions raised infrastructure related matters as key issue. This comprised transport infrastructure, utilities infrastructure, and included concern about the capacity of existing infrastructure, the cost of upgrading or installing new infrastructure, and the ability to adequately service the sites.

4.2.1 Transport infrastructure

Transport infrastructure, including roads, public transport and parking was raised in 38% of submissions. Road infrastructure and potential impacts to traffic and parking was raised as a key concern in submissions.

Submissions also raised lack of public transport and reliance on car ownership, concern about increased traffic and congestion impacts, and the need for traffic assessments to be undertaken.

4.2.2 Utilities infrastructure

11% of community submissions provided comments relating to utilities infrastructure and the Telstra satellite facility at Oxford Falls. Key concerns included:

- Storm water and sewerage upgrades and capacity of the existing network and Warriewood Sewage Treatment Station to accommodate additional demand.
- Electricity and gas connections and the presence of high-voltage power lines across sites.
- Proximity to the Telstra satellite facility in Oxford Falls and potential interference from residential development.

Department Response

Future development would need to be supported by adequate infrastructure and this would be a matter for consideration in any future planning proposal or development application.

Once investigations have been undertaken and more detail is known about the development potential of sites, traffic studies and infrastructure servicing strategies would be required to determine required infrastructure upgrades and assess any impacts to existing infrastructure, including the Telstra satellite facility.

Further information on the nature of any of development proposed, including the location, type, and scale of any development, would be required to appropriately assess infrastructure needs and identify any necessary upgrades.

Any development proposal would need to be supported by an infrastructure servicing strategy and traffic assessment which considers existing infrastructure capacity, potential increased demand, and any necessary upgrades that may be required.

Infrastructure servicing requirements would be assessed as part of future proposals and the delivery of necessary infrastructure upgrades and utility services would be a requirement of any future development.

Any future development would be required to contribute toward the provision of local and state infrastructure through Council's Section 7.11 Contributions Plan and the Regional Infrastructure Contribution (RIC) if introduced or other state arrangements. This ensures that any future development contributes toward the provision of local and state infrastructure, including open space and community facilities.

Enabling infrastructure to service the sites would be a requirement of development. The *Pittwater Local Environmental Plan 2014* contains existing provisions which require essential services (water, electricity, sewage, stormwater, and vehicular access) to be available or adequate arrangements made, prior to development occurring. These works would be funded by the developer.

Consultation with relevant agencies, including Transport for NSW and School Infrastructure NSW, and utility providers would be undertaken as part of the planning proposal process to determine any impacts on state infrastructure.

The Department has consulted with Telstra as part of the exhibition (see Section 7.5) and will continue to work closely with Telstra as part of any future planning investigations in proximity to the Telstra satellite facility to ensure any impacts are addressed.

4.3 Strategic framework and urban development

Almost half of submissions identified the alignment of the DDP with the strategic planning framework and increased urban development as a concern.

4.3.1 Urban development

A quarter of all community submissions raised concern about increasing urban density. Submissions suggested that urban development within the sites could be limited by increasing development in areas already zoned for urban purposes. Submissions also suggested that development within the sites would not address housing diversity in the area and was not required to meet Council's housing targets.

4.3.2 Alignment with strategic planning framework

Over 20% of submissions raised concern about the alignment of the draft SEPP amendment and draft Northern Beaches DDP with the strategic planning framework. Submissions suggested the need for further consideration of the draft SEPP amendment and draft DDP's alignment with Council's Local Housing Strategy, Local Strategic Planning Statement, the Greater Sydney Region Plan and North District Plan.

Department response

As previously outlined, the inclusion of the six sites in the Planning Systems SEPP and the approval of the Northern Beaches DPP is the first stage of the planning process for the six sites.

Section 1.4 provides an overview of the strategic and site-specific merit assessment that must be undertaken for any future planning proposals for land within the six sites. This process ensures that future proposals are assessed against relevant strategic plans, and that a comprehensive assessment of strategic merit is undertaken.

A key consideration in any future planning proposal would be the proposals consistency with relevant strategic plans, including the North District Plan and Council's Local Housing Strategy. These documents were considered in the preparation of the Northern Beaches DDP, but a detailed assessment of a proposal's consistency with the strategic planning framework would be undertaken once more detail is known about the site constraints, location and type of development proposed. The Department has engaged with the Greater Cities Commission regarding the application of the Region and District plan and will continue to refine future DDPs in response to exhibition feedback.

The Northern Beaches DDP provides guidance on the indicative constraints and opportunities for each site, however detailed site investigations would be required to determine the extent of any areas suitable for development and appropriate land use and conservation outcomes

The Northern Beaches DDP does not provide approval for a specific footprint or amount of development within each site.

The type, scale and location of development is not known at this stage and more work is required to consider potential land use outcomes, including the extent of any development areas with the six sites. This work would be undertaken as part of any future planning proposal or development application to determine appropriate development areas and land use outcomes based on each sites' opportunities and constraints, and suitability for development.

4.4 Culture and heritage

Over 40% of submissions raised the protection of cultural and heritage significance as a key concern. Submissions raised concern about the potential impacts to important heritage and cultural sites, including the potential for increased exposure and vandalism.

Submissions requested that detailed cultural and heritage assessments be completed to determine the extent of Aboriginal cultural heritage sites and objects and to ensure local culture and heritage is protected.

Department Response

The protection and celebration of Aboriginal cultural heritage is a key objective of the Northern Beaches DDP.

The Northern Beaches DDP guides strategic planning for the six sites and includes objectives for the MLALC to utilise land to gain economic independence while maintaining the cultural significance of the sites.

The inclusion of the sites in the Planning Systems SEPP and Northern Beaches DDP is an opportunity celebrate and preserve Aboriginal cultural heritage. The sites have the potential to provide broader community benefits that promote and support the preservation of Aboriginal cultural heritage and conservation outcomes.

Any future proposal would need to be supported by an Aboriginal cultural heritage assessment which investigates, assesses, and considers potential impacts to any identified sites or artefacts.

Future proposals would need to address the legislative requirements for the protection of Aboriginal cultural heritage in NSW and implement appropriate conservation measures to protect significant sites and objects, particularly at Lizard Rock. This includes addressing Ministerial Direction 3.2 Heritage Conservation which requires a planning proposal to include provisions which facilitate the conservation of items, areas and places of indigenous heritage significance, and the requirements of the *National Parks and Wildlife Act 1974* which aims to identify and protect Aboriginal cultural heritage.

The Independent Planning Review prepared by WSP also sets out the need for further heritage assessments to be undertaken to ensure the protection of any significant sites or objects.

4.5 Bushfire

30% of community submissions raised bushfire risk as a concern. Submissions identified the potential for more frequent and severe extreme weather events and increased bushfire risk in the future.

Submissions referenced previous bushfire investigations and concern about potential bushfire risk to development. Submissions also raised concern about evacuation routes and capacity of the local road network in an emergency.

Department Response

Bushfire risk would be a key consideration in any future site investigations on bushfire prone land.

Any future proposals would need to undertake a comprehensive bushfire risk assessment to determine the level of bushfire risk, identify suitable development areas, and determine appropriate mitigation measures, including appropriate asset protection zones (APZ) and ongoing management and maintenance requirements.

Any future planning proposal or development application would need to ensure that bushfire risk is appropriately assessed, and that development can satisfy the statutory requirements for bushfire planning, including Ministerial Direction 4.3 Planning for Bushfire Protection, and the requirements in *Planning for Bushfire Protection 2019*. Consultation with the NSW Rural Fire Service would also be required for any future proposal.

The Independent Planning Review prepared by WSP also identifies the need for detailed bushfire risk assessments to support any future development proposal.

4.6 Open space and recreation

30% of community submissions raised the importance of maintaining access to the sites for recreation purposes. Submissions raised concern about potential loss of access to open space and recreational opportunities and requested that access to the sites for recreational activities such as bushwalking and mountain biking continue.

Department Response

The current use of the sites for bushwalking, cycling and other recreational pursuits is acknowledged; however, the sites are privately owned and are not formal public recreation areas.

Notwithstanding the sites are currently wholly owned by the MLALC, there may be future opportunities to consider recreation outcomes as part of any future development of the sites.

The Northern Beaches DDP does identify the potential for recreation and conservation outcomes within the sites, and this could include new recreation areas which could provide recreational benefits for the broader community.

When compared to the significant areas of national parks and public reserves within close proximity, the sites represent only a relatively small proportion of available bushland in the locality for recreation and bushwalking.

Future proposals would need to consider the recreation needs of existing and future residents generated by the development of the land and ensure that the opportunity for new open space and recreation areas are considered as part of any future development proposal.

4.7 Waterways

12% of community submissions raised concern about potential impacts to local waterways. This included concern about increasing hard surfaces and run-off and the potential to impact water flow and water quality in creeks and waterways, including Narrabeen Lagoon.

Submissions also raised concern about the potential to increase flooding events downstream and suggested the conservation of hanging swamps were important to regulate hydrology throughout the region.

Department Response

Potential impacts to waterways, including riparian corridors and water quality would be a matter for consideration in any future planning proposal or development application.

As discussed in Section 4.1, any future planning proposals or development applications would be subject to the same environmental assessment and legislative requirements as any other proposal at the planning proposal or development application stage.

This includes addressing the requirements in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, the *Biodiversity Conservation Act 2016* and the *Water Management Act 2000* which include provisions to protect riparian zones and wetlands, water quality in the Hawkesbury-Nepean catchment, and manage land clearing.

Consultation with NSW Environment and Heritage (including the Environment Protection Agency) and Water NSW would be undertaken as part of any future planning proposal or development application.

4.8 Site suitability

12% of submissions from the community raised concerns over the suitability of the land for development.

Submissions suggested that the geographic features of the sites, including steep slopes, uneven topography and rocky outcrops would impact the suitability of sites for development, and require substantial site work and vegetation clearing.

Submissions also suggested that the instability of ground surfaces and general erodibility of soils would be exacerbated by land clearing and an increase in hard surfaces and runoff.

Department Response

As outlined in Section 1.4, any future planning proposal would need to demonstrate strategic and site-specific merit. As part of the site-specific merit test, a planning proposal would need to include an assessment of the suitability and capability of the site to accommodate development.

Detailed site investigations, including geotechnical studies would be required to ensure that any future development is appropriately sited and that any geotechnical constraints, including land stability and soil erodibility, are adequately considered in future development proposals.

The map of the six sites in the Planning Systems SEPP includes the entire extent of MLALC landholdings, with further refinement required to determine areas that may be suitable for development and areas that should be retained as conservation areas. The suitability of land to support development, including appropriate locations, would be a key consideration in any future site investigations.

4.9 Engagement process

8% of community submissions raised concerns related to the engagement process. Submissions raised concern about lack of consultation with agencies and utility providers including NSW Rural Fire Service, TransGrid and Sydney Water. Submissions also raised concern about the notification and advertisement of exhibition, and the timeframe to provide feedback. Submissions also suggested there was no evidence of consultation with local indigenous community members.

Department Response

As outlined in Section 2 of this report the Department undertook a range of consultation activities and advertised widely during the exhibition of the proposed SEPP amendment and draft DDP.

This included advertisements in newspapers, letters and postcards distributed to over 7,300 residents in surrounding areas, email notifications and social media campaigns. One online information session was held to provide more information on the proposed SEPP amendment and draft DDP and the Department held a targeted consultation session for Aboriginal people which was advertised in the Koori Mail and on Koori Radio to connect with Aboriginal people and groups.

The Department consulted with State Government agencies, including NSW Environment and Heritage (former EES Group), NSW Rural Fire Service and Sydney Water. Feedback received from agencies and service providers is provided in Section 7 of this report.

Further consultation would be undertaken as part of the assessment of any future planning proposals. This would include community consultation and consultation with State Government agencies.

4.10 Policy development process

7% of community submissions were concerned that the policy development process and relationship between the Department and the Metropolitan Local Aboriginal Land Council represents a conflict of interest.

Department Response

To ensure all potential probity issues are identified and addressed, the Department has prepared a Probity Plan which sets out actions to address any risks and ensure accountability and transparency throughout the planning process. This includes measures such as publishing all relevant information on the Department's website, engaging consultants to undertake independent reviews of the DDP and submissions and ensuring any Gateway assessments for future planning proposals are prepared by an independent consultant to manage any potential conflicts of interest.

The Department engaged an independent consultant, Barr Planning, to conduct a peer review of the Strategic Assessment prior to exhibition. This document was exhibited with the proposed SEPP amendment and DDP.

An independent consultant was also engaged to review submissions in response to the exhibited documents and prepare a report to the Department with recommendations. The Independent Planning Review prepared by WSP sets out recommendations for the DDP and provides further detail on the planning process for future development proposals in response to key issues raised in submissions.

The Probity Plan ensures that potential conflicts of interest are appropriately managed, and measures are in place to minimise any potential risks.

5 Submissions from community groups

The submissions from community groups raised many of the same key issues as raised in submissions from the local community.

The submissions from community groups identified similar issues across a range of key themes. The key issues raised in the community group submissions include:

- Alignment of the DDP with the strategic planning framework, zoning of deferred lands prior to finalisation of DDP and need to consider previous planning investigations for sites.
- Environmental impacts including potential impacts to biodiversity, threatened species and ecologically endangered communities (EEC's)
- Potential flooding and water quality impacts, including downstream impacts on Narrabeen Lagoon
- Bush fire risk
- Heritage conservation
- Impact on infrastructure, including local roads, and concern about the cost of infrastructure being borne by Council and the community

As the submissions raised consistent themes and issues, a consolidated response to the key issues raised in submissions is provided at the end this section.

A summary of the key issues raised in each submission is provided in Section 5.1 to 5.14.

5.1 Duffys Forest Residents Association (DFRA)

The Duffys Forest Residents Association support the intent of the Northern Beaches DDP in providing income to Aboriginal people; however, do not consider the scale of development

proposed to be suitable at Lizard Rock (Morgan Road site). The Association's submission related to the Morgan Road site only.

The submission raised concerns about the alignment of the Northern Beaches DDP with the existing local environment plans and strategic planning documents, including the Greater Sydney Region Plan and North District Plan which include part of the Morgan Road site within the Metropolitan Rural Area.

The submission also raised Aboriginal heritage, scenic values, endangered flora and fauna, bushfire risk and potential impacts to waterways as key concerns. The submission suggested further investigation should be undertaken before potential development could occur.

5.2 Belrose Rural Community Association Inc

The Belrose Rural Community Association made submissions in relation to four of the sites in the Northern Beaches DDP. These submissions related to Morgan Road Belrose, Ralston Avenue Belrose, Forest Way Belrose, and Corymbia Circuit.

The submissions requested that the zoning of deferred lands be progressed prior to the finalisation of the DDP and SEPP amendment. The submissions also raised consistency and alignment with strategic planning documents, noting that some sites have land within the Metropolitan Rural Areas in the North District Plan. Other general comments raised in the submissions included the legibility of diagrams and plans, the length of the exhibition period, notification limited to nearby residents, and consultation with the local MP.

The submission also requested that the DDP and SEPP amendment should include only the area that is proposed to be developed, not areas of land that would be retained as bushland. A summary of the issues raised in each site submission is provided below.

Morgan Road Belrose (Lizard Rock)

- Maintaining access to the site for recreation purposes, including walking, running and mountain biking
- Suggestion that Lots 2600 and Lot 89 are not owned by the MLALC and should not be included
- Concern about road reserves being included as Ausgrid require access and the public use them for recreation
- Potential impacts to high value bushland, habitat areas and threatened species
- Portions of the sites are not suitable for development due to steep slopes
- Lack of amenities and public transport to support any development
- Potential impacts to bushland areas and threatened species
- Bushfire risk
- Potential electrical interference impacting the Telstra Satellite Facility
- Concern that increasing hard surface areas will increase potential flooding
- Concern about potential impacts to roads and increased traffic, including road access impacts during flood events
- Visual impacts from development on the bushland character
- Need to ensure heritage conservation of important Aboriginal sites

Site 4 – Forest Way Belrose

- Potential impacts to native bushland areas and threatened species
- Water quality impacts to Narrabeen Lagoon and Middle Harbour
- Site constraints need to be considered to determine if site can be developed. The site should not be included in the SEPP.

- Infrastructure funding should be responsibility of developer

Site 5 – Corymbia Circuit

- Steep slopes and bushfire risk
- The site is at the headwaters of Middle Creek which flows into Narrabeen Lagoon
- Potential impacts to threatened species including eastern pygmy Possum, Red Crowned Toadlet, Heath Monitor, Glandular Pink bell.
- Potential impacts to high conservation value vegetation and core habitat
- Significant rock outcrops

Site 9 - Ralston Ave Belrose

- The submission notes previous planning proposals for the site which have been considered and not progressed. The submission suggests that the site should not be included in the DDP and SEPP without considering the recommendations of the previous planning proposal for the site.
- The submission raises concern that the site includes a plateau with unique biodiversity systems, threatened and endangered species and rock formations with friable soils.
- The submission raises concern that the site contains scenic areas and rocky outcrops, wildlife corridors, hanging swamps and angophora crassifolia and suggest the site should be added to the adjoining Garigal National Park West
- The Local Strategic Planning Statement identifies this site as part of the 'Future MRA investigation area' where the precautionary principle should apply until the zonings are established in this area.
- The submission requests that the site should not be included in the DDP and SEPP without certainty about funding arrangements for infrastructure
- Concern that development may extend over steep slopes into proposed conservation areas
- Potential for runoff and erosion of ridgetops and steep hillsides are disturbed or developed.
- Bushfire risk and concern about how the proposed development will meet the objectives of the Ministerial Direction 4.4, to protect life, property and the environment from bushfire hazards.

5.3 Friends of Narrabeen Lagoon Catchment

Friends of Narrabeen Lagoon Catchment provided three submissions to the Northern Beaches DDP relating to the Morgan Road site, Corymbia Circuit and Paxton Street sites.

General comments provided in the submissions raised concern about the zoning of the deferred lands and work underway on the draft Northern Beaches LEP for these areas. The submission suggested that the zoning of deferred lands should be resolved prior to any proposal being progressed. The submission also raised concern about alignment of the DDP with the strategic planning framework.

In relation to Site 1 Morgan Road, the submission raised the following issues:

- Environmental attributes of the site that should be protected including, Aboriginal heritage, scenic values, ridgelines and rocky outcrops, endangered species, wildlife corridors and core habitat, and hanging swamps.
- Potential for water quality impacts and increased flooding, and need to protect riparian areas
- Bushfire risk
- Erodible soils
- Potential impacts to the Telstra satellite facility and Warriewood Sewage treatment plant

- Limited road access
- Lot 2600 and Lot 89, and road reserves not in MLALC ownership
- Infrastructure costs and funding
- Concern the traditional Aboriginal owners were not consulted

In relation to Site 5 Corymbia Circuit and Site 6 Paxton Street, the submission raised the following key issues:

- Location at the headwaters of Middle Creek and important part of protecting Narrabeen Lagoon
- Riparian zones and need to provide riparian buffers
- Oxford and Snake Creeks and associated riparian habitat occurs on Site 5A and is identified on the NSW Biodiversity Values Map. Oxford Creek Catchment is identified as a High- Quality Catchment
- The sites are within the non-urban locality of Oxford Falls Valley and urban development is not considered suitable in this location
- Bushfire prone land and requirement for excessive amount of clearing for APZ purposes should development occur
- Important biodiversity values, areas of 'core habitat' and remnant native vegetation including ridgetop woodland.
- Rock outcrops visible from other parts of Narrabeen Lagoon Catchment.
- Threatened species- including Eastern Pygmy-possum, Red-crowned toadlet, Glossy Black-cockatoo.

5.4 Northern Beaches Envirolink Inc.

The submission from Northern Beaches Envirolink Inc acknowledges the areas owned by MLALC are used by the public for recreation and is considered by the community to be a part of the Garigal National Park and access to this land for recreation should be maintained.

The submission raised concerns about impacts to biodiversity and remnant bushland in the area if development proceeds. The submission outlines that the area is a highly effective carbon sink to combat climate change and that removing vegetation and increasing hard surfaces would exacerbate flooding in the area.

The submission also raised concern about the alignment of the DDP with NSW planning strategies, and the precautionary principle for land in the Metropolitan Rural Area. The submission states that the Local Housing Strategy indicates that all housing can be accommodated in existing developed areas. The submission raised concern about the lack of infrastructure and requested that zoning of deferred land is finalised prior to the SEPP amendment and DDP.

The submission also raised issues specific to the Morgan Road site, which included:

- Not all land is owned by MLALC – Lots 2600 and Lot 89 are Crown land
- The need for road reserves to be maintained for access to powerlines and for recreation
- The site is isolated, with a lack of public transport and surrounded by bushland.
- Potential impacts to high value bushland, biodiversity, core habitat and threatened species
- Need to include climate change predications for intensified weather events
- Replacing bushland with hard surfaces will lead to increased flooding
- Bushfire risk
- Flooding constraints on Oxford Falls Road and need for improvements
- Visual impacts
- Impacts to Aboriginal cultural heritage

5.5 ACF Northern Beaches

The submission from ACF raised concerns about the alignment of the DDP and SEPP amendment to the strategic planning framework and need to ensure future development addresses relevant strategic documents including the Greater Sydney Region Plan. The submission also suggested that the zoning of deferred land should be resolved prior to any potential proposals being considered.

The submission also raised infrastructure capacity such as public transport, schools, health care and utilities (wastewater) as a key issue. The submission suggested that development will result in flooding and downstream impacts and outlined concerns regarding potential impacts to Aboriginal heritage sites, scenic values, biodiversity and threatened species, soils erosion and bushfire risk.

5.6 Sustainable Northern Beaches

The submission from Sustainable Northern Beaches (a subgroup of Climate Action Pittwater Inc) raised concerns about the potential loss of biodiversity and bushland areas, the inclusion of land in the Metropolitan Rural Area in the SEPP amendment and development applications being deemed regionally significant which would remove decision making by Council.

The submission also raised concerns about the suitability of Lizard Rock for development, with bushfire evacuation, soil erosion, water quality and proximity to urban development being key areas of concern. The submission suggested alternatives to the inclusion of the sites in the DDP and SEPP, such as MLALC working with the local councils to look for land that may have development without affecting the surrounding bushland or selling blocks back to the government as biodiversity offsets or a new National Park.

5.7 Warringah Radio Control Society Inc

The submission from the Warringah Radio Control Society raised concern that previous studies for some of the sites indicated the land was not suitable for development. The submission suggests that Northern Beaches Council is able to meet its housing quota from better suited areas with existing infrastructure and raised concerns about infrastructure requirements and costs to support development at the Morgan Road site.

The submission also outlined concern about the planning process which would remove Council's decision-making powers and suggested that urban density is not required so close to the city with the new way of working from home. The submission also outlined concern about potential risks to threatened fauna and flora, and the need to preserve important cultural sites and native bushland. The submission suggested a lease back option as an alternate model, providing the Aboriginal community with an income stream while protecting the area.

5.8 Aboriginal Support Group Manly Warringah Pittwater (ASG)

The Aboriginal Support Group Manly Warringah Pittwater group felt the MLALC does not truly represent the wider Aboriginal community of the Northern Beaches. A National Park option with a financial benefit for the Aboriginal community was suggested instead, in order to protect the sacred sites, native flora and fauna and the heritage and cultural footprint from their ancestors.

5.9 Save Manly Dam Catchment Committee Inc.

The Save Manly Dam Catchment Committee is concerned about the adverse effects on the ecology of the sites along with the riparian corridors and recommend conservation zoning continue. The submission suggested that creeks and catchments may be impacted by development upstream and will see a degradation of water quality, aquatic fauna and surrounding flora.

5.10 NSW Aboriginal Land Council

The NSW Aboriginal Land Council supports the ability to access dedicated planning pathways to facilitate the aspirations of all Aboriginal Land Councils across NSW.

5.11 Garigal Landcare

The following concerns were raised in the submission from Garigal Landcare:

- The potential impact to local flora and fauna in the area
- Bushfire risk
- Lack of infrastructure and urban development
- Destruction of visual amenity
- Single road access which has issues with flooding
- Loss of carbon holding capacity
- Flood potential with more hard surfaces
- Loss of character in the area
- Lack of alignment with the Greater Sydney Region Plan, North District Plan and the Local Strategic Planning Statement Towards 2040
- deferred Land zoning should be resolved first
- Northern Beaches Council is able to achieve its housing targets in existing centres with public transport nearby
- The seeming conflict of interest with DPE assisting MLALC to prepare the DDP and to also decide on the SEPP and DDP outcomes.

5.12 Mona Vale Residents Association

The Mona Vale Residents Association supports the Northern Beaches Council submission, citing unsuitability of the Morgan Road (Lizard Rock) site due to the topography, difficulty to service and accessibility of the location, adverse environmental impacts, bushfire risk and the special natural conservation value of the area.

5.13 Pittwater Natural Heritage Association

The Pittwater Natural Heritage Association understands the desire of MLALC to gain an income source in order to undertake economic, social and cultural work for the benefit of their community. However, the submission suggests that the Morgan Road site is not suitable for development due to the significant Aboriginal sites, scenic value of bushland and ridgetops, biodiversity of the area, bushfire risk, potential for pollution from water runoff and parts of the site being within the Metropolitan Rural Area (MRA).

The submission raised concern that the amendment to the Planning Systems SEPP would override local strategic plans and LEP's which have been developed through extensive investigation and consultation. The submission notes that Northern Beaches Council has indicated that its housing target can be met in existing urban areas with necessary infrastructure and this land is not required. The submission suggests a lease back scheme with the State Government, so the area can be made into a National Park and provide an income to MLALC.

5.14 National Parks Association NSW – Sydney Region Branch

The submission from the National Parks Association raises concern for the ongoing protection of cultural heritage, the environment, and flora and fauna. The submission suggests that the DDP may fast-track proposals to achieve potential benefits (local tourism and cultural education), without detailed planning, adaptation and management of issues affecting endangered species.

The submission states that the DDP has not adequately explored the potential environmental impacts such as the movement of soil and other surface materials downstream (which may increase flooding of Wakehurst Parkway and sediment impacts to Narrabeen Lagoon). The submission states that the draft DDP and accompanying Strategic Assessment make no reference to climate change impacts. The submission also suggests that it is unclear of the extent of changes to other lands under the control of MLALC.

Department response

As discussed in Section 4, the SEPP amendment and DDP is a strategic document that provides a framework to investigate potential development and conservation outcomes. The supporting Strategic Assessment identified that the six sites included in the DDP may have potential for future development, subject to further investigation and detailed studies.

A key consideration in any future planning proposal would be the proposals consistency with the strategic planning framework, including the North District Plan and Council's Local Housing Strategy. A planning proposals consistency with the relevant strategic planning documents would need to be demonstrated as part of the strategic merit test. Further information on this process is provided in Section 1.4.

Submissions raised the need to resolve the zoning of deferred lands prior to the finalisation of the DDP, and consider previous planning proposals for sites, including Ralston Avenue. The Department acknowledges there have been previous planning proposals and investigations that have been undertaken over the years for land within parts of the sites. The matters considered in previous planning proposals, including bushfire risk, would be a consideration in any future planning proposals and would need to be addressed. The DDP and SEPP amendment do not remove the requirement for these matters to be addressed in future proposals.

The Northern Beaches Council is currently preparing a new local environmental plan for the Northern Beaches LGA and the zoning of deferred lands will be considered as part of this process. The zoning of the deferred lands in the LEP does not need to be resolved prior to the finalisation of the DDP and SEPP amendment as the DDP and Planning Systems SEPP do not alter the zoning of land within the six sites. Any future proposal, including a proposed change to zoning, would be a matter for consideration once submitted for assessment.

Some submissions queried the ownership of lots within the Morgan Road site. Lots 2600 and 89 are unformed roads and are currently in the process of being considered for sale to the MLALC. A formal road closure process is underway by Crown Lands and the closure was exhibited in April and May 2022. As part of this process discussions are underway with Crown Lands and council to ensure access can be provided to nearby existing landowners prior to any road closure.

Detailed site investigations would be required to determine the suitability of sites for development, confirm the constraints and opportunities and assess the potential impacts associated with any proposed development. Any future planning proposals or development applications would be subject to the same legislative and consultation requirements as any other proposal at the same stage. This ensures that key considerations, including biodiversity, bushfire, heritage conservation and infrastructure, are adequately addressed in any future proposal. An overview of these requirements is provided below and discussed in Section 4.

- *Biodiversity and threatened species* - Any future planning proposals or development applications would be subject to the same environmental assessment and legislative requirements. This includes addressing Ministerial Direction 3.1 Conservation Zones which requires a planning proposal to include provisions that facilitate the protection and conservation of environmentally sensitive areas, and the requirements of the *Biodiversity Conservation Act 2016* which aims to identify and protect threatened species, populations and ecological communities in NSW.
- *Infrastructure* - Future development would need to be supported by adequate infrastructure and this would be a matter for consideration in any future proposal. Infrastructure servicing requirements would be assessed as part of future proposals and the delivery of necessary infrastructure upgrades and utility services would be a requirement of development. Any future development would be required to contribute toward the costs of local and state infrastructure, including open space and community

facilities. Enabling infrastructure to service the sites would be a requirement of development and funded by the developer.

- *Heritage* - Any future proposal would need to be supported by an Aboriginal cultural heritage assessment and would need to address the legislative requirements for the protection of Aboriginal cultural heritage in NSW and implement appropriate conservation measures to protect significant sites and objects, particularly at Lizard Rock. This includes addressing Ministerial Direction 3.2 Heritage Conservation which requires a planning proposal to include provisions which facilitate the conservation of items, areas and places of indigenous heritage significance, and the requirements of the *National Parks and Wildlife Act 1974* which aims to identify and protect Aboriginal cultural heritage.
- *Bushfire* - Any future proposals would need to undertake a comprehensive bushfire risk assessment to determine the level of bushfire risk, identify suitable development areas, and determine appropriate mitigation measures. Any future proposal would need to ensure that development can satisfy the statutory requirements for bushfire planning, including Ministerial Direction 4.3 Planning for Bushfire Protection, and the requirements in *Planning for Bushfire Protection 2019*. Consultation with the NSW Rural Fire Service would also be required.
- *Waterways and flooding* – Potential impacts to waterways, including riparian corridors and water quality would be a matter for consideration in any future proposal. Future proposals would need to address the requirements in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, the *Biodiversity Conservation Act 2016* and the *Water Management Act 2000* which include provisions to protect riparian zones and wetlands, water quality in the Hawkesbury-Nepean catchment, and manage land clearing. The submission from the NSW State Emergency Service advises that the sites are not flood affected, but localised impacts from creeks would need to be considered in future proposals.

6 Submissions from Federal and State Members

6.1 Submission from Jonathan O’Dea MP Member for Davidson

The submission from the Mr O’Dea MP Member for Davidson raised the following issues:

- Potential probity issues with the Department having two conflicting roles and lack of process to manage conflict. The Department had a role in assisting the MLALC with the DDP and would also have a role in approving the DDP and SEPP amendment.
- The importance of many sites for biodiversity and habitat for threatened species, and EEC’s connected to Garigal National Park. Consideration should be given to undevelopable areas being purchased by Government for consultation into the National Park.
- Bush fire risk at sites proposed for residential or industrial development. Submission noted previous bush fire assessments for Ralston Avenue and previous planning proposal process for the site which did not progress due to bushfire risk.
- Lizard Rock and other sites are deferred areas under the existing LEP and should be considered as part of the new comprehensive Northern Beaches LEP prior to finalisation of the proposed SEPP and DDP.
- The DDP claims to align with the Northern Beaches Council Local Housing Strategy. However, Council’s submission states that the Local Housing Strategy does not require any housing development outside of existing centres that are already well serviced with necessary infrastructure.

- Constituents have expressed concerns about potential impacts on sensitive, threatened and endangered flora and fauna.

Department response

The Department has a Probity Plan in place to ensure any potential conflicts of interest are appropriately managed throughout the planning process.

The SEPP amendment and DDP do not remove the need for detailed site investigations or studies to be undertaken, and any proposal would be subject to the same legislative and assessment requirements as any other proposal assessed in NSW. This ensures matters such as a proposals consistency with relevant strategic plans, and site-specific issues such as biodiversity, threatened species, heritage and bushfire are appropriately assessed as a part of any future proposal.

Northern Beaches Council is currently preparing a new local environmental plan for the Northern Beaches LGA and the zoning of deferred lands will be considered through that process. The Department recently handed back the consideration of future zoning of Ingleside to council and should the 980 dwellings not be provided in that location, housing will need to be provided in alternative locations. As the exhibited DDP noted, by virtue of the lands available to claim under the ALR Act they are generally not located near centres making alignment with council's LHS unlikely. However, where environmental constraints can be managed and new development can be appropriately serviced by infrastructure, land councils should be able to contemplate development per the Aboriginal Land Planning Framework which is a comprehensive set of planning measures to assist LALCs across NSW achieve better economic outcomes from their land and strengthen the economic self-determination of Aboriginal communities.

The Department will work closely with Council as part of the preparation of a new comprehensive LEP for the Northern Beaches; however, the zoning of the deferred lands does not need to be resolved prior to the finalisation of the DDP and SEPP amendment. This is because the DDP and Planning Systems SEPP do not alter the zoning of land within the six sites. Any future proposal, including a proposed change to zoning, would be a matter for consideration once submitted for assessment.

6.2 Submission from Dr Sophie Scamps MP Federal Member for Mackellar

A submission from the Federal candidate Dr Sophie Scamps was received during the exhibition of the DDP. Dr Sophie Scamps is now the Federal Member for Mackellar but was not the Federal Member at the time at the time of the submission.

The submission raised the following key issues:

- Concern that the DDP and SEPP lack long term planning, conflicts with the Council's housing and planning strategies and does not consider the opportunities that an overarching strategic plan for all of the 912ha Aboriginal owned land in the area could provide.
- Environmental concerns, including bushfire risk and protection of endangered flora and fauna, including the requirement to protect biodiversity under federal and state legislation.
- Inconsistency with the strategic planning framework, including Council's Local Strategic Planning Statement and Local Housing Strategy. Council's adopted Local Housing Strategy states that development in existing non-urban areas is not required to meet Council's housing targets.
- The proposal for Gai-mariagal National Park - Sydney's first Aboriginal Owned Park and how this relates to the sites in the DDP.
- The lack of time to consider all options and need for more thorough investigation of options and responsibilities.

Department response

Any future planning proposal would need to demonstrate how it achieves the objectives and priorities of the relevant strategic plans, including the Greater Sydney Region Plan and North District Plan.

The DDP has been updated to include high level constraints mapping for each site. The high-level constraints mapping indicates the sites contain threatened species, bushfire prone land, high value vegetation and ecologically significant areas. Detailed studies, including ground truthing, would be required to confirm each sites biodiversity values and the federal and state legislative assessment requirements that would need to be addressed in any future development proposals

The MLALC land holdings included in the DDP exclude most of the areas proposed for inclusion in the proposed Gai-mariagal National Park. The MLALC currently owns 912ha of land in the Northern Beaches LGA, and 70% of this land is not included in the DDP and not under investigation.

A key objective for the MLALC and the aim of DDP is to achieve self-determination by utilising developable land to deliver tangible economic, social and cultural prosperity for members and the Aboriginal community. The national park proposal has not progressed at this time, and this would be a matter for the MLALC to progress. The Department does not consider that a national park proposal would not be significantly affected by the inclusion of the six sites in the DDP and Crown land in the Northern Beaches LGA in vicinity of the national park was considered for inclusion based on significance when the park was established.

The DDP forms part of the NSW Government's Aboriginal Land Planning Framework, a comprehensive set of measures to assist LALCs to secure suitable uses for their land and better economic outcomes. The DDP is the first phase of the planning process, and detailed investigations, including an assessment of options and outcomes, would be undertaken as part of any future proposals. There would be an opportunity for further review and feedback at that time.

7 Submissions from Local Government

7.1 Northern Beaches Council

Northern Beaches Council's (Council) submission raises process and statutory compliance issues, including alignment of the DDP and SEPP amendment with the strategic planning framework, environmental concerns, and infrastructure and design considerations.

The key issues raised by Council and the Department's response is provided in Table 3.

Table 3: Northern Beaches Council comments and Department response

Council comment	Department response
Process and statutory compliance Issues	
DDP does not adequately address Greater Sydney Region Plan and inconsistency of the draft DDP with the Plan objectives and the North District Plan priorities for the MRA have not been adequately addressed. Council considers it insufficient to suggest flexibility should be used for the Metropolitan Rural Area (MRA) land	<p>The DDP considers the relevant strategic plans, including the objectives and priorities of the Greater Sydney Region Plan and North District Plan. The DDP provides strategic context for the inclusion of the six sites in the Planning Systems SEPP, and overview of the regionally significant nature of the sites.</p> <p>However, future planning proposals would need to demonstrate strategic merit, which includes an assessment of the proposal's consistency with the relevant strategic plans. This ensures that a detailed</p>

Council comment	Department response
without addressing conflicts at DDP stage	assessment of strategic and site-specific merit is undertaken at the appropriate stage, once more information is known about the extent of any areas suitable for development and proposed development outcomes. For further information see discussion in Section 4.3.
The draft DDP inaccurately and selectively suggests compliance with Council's Local Strategic Planning Statement and Local Housing Strategy. The Local Housing Strategy states that development in non-urban areas is not required to meet Councils' housing targets.	<p>The DDP has been updated to consider the objectives of the Local Housing Strategy and provide further information on the relationship between the DDP and Local Housing Strategy.</p> <p>Future proposals would need to address the relevant objectives of the Local Housing Strategy. This would be a consideration for only 4 of the 6 sites that are considered to have potential for low density residential uses.</p> <p>It is noted that Council has identified shortfall of approximately 300 dwellings to meet the housing targets in the Local Housing Strategy. Any future development in the DDP sites may assist in reducing this shortfall by providing new housing in areas adjacent to developed areas.</p> <p>There is also uncertainty regarding the number of dwellings that may be provided in Ingleside given the responsibility to rezone the precinct was reverted to Council in June 2022.</p>
No independent review or assessment of the DDP was undertaken. The Peer Review by Barr Planning was a review of the DDP's compliance with the statutory requirements of the Planning Systems SEPP.	<p>The Department engaged Barr Planning to undertake a Peer Review of Gyde's Strategic Assessment to ensure compliance with the requirements of the Planning Systems SEPP. The Peer Review was undertaken by consultants with experience preparing the Darkinjung Interim DDP. The outcome of this review was that the DDP addressed the statutory requirements of the Planning Systems SEPP.</p> <p>The Department also engaged independent consultants to prepare an Independent Planning Review as part of post-exhibition work. The review provides further information on the planning process and considerations to be addressed in future planning proposals.</p>
DPE is conflicted in its role as both a collaborator with MLALC in the preparation of the DDP and as the determining authority for the DDP/SEPP amendment. A probity plan needs to address the conflicting roles.	A Probity Plan has been prepared which sets out potential risks and management measures to ensure all risks are mitigated throughout the planning process. This includes engaging independent consultants to undertake the Independent Planning Review and ensuring independent consultants prepare any future Gateway assessments.

Council comment	Department response
<p>DDP does not address all MALC holdings. Council is concerned about the cumulative impact of development and suggests that the DDP should address all MALC holdings to avoid piecemeal planning</p>	<p>The DDP applies to six sites where planning proposals or development applications may be progressed. The DDP was informed by the Strategic Assessment which identified six sites with potential for future development. Sites not recommended for inclusion in the DDP in the Strategic Assessment were not included.</p>
<p>Request for a more collaborative process. Suggestions for improved collaboration include pre-lodgement meetings with Council, consultative committee, engaging a probity advisor, etc.</p>	<p>The Department will continue to work closely with Council as a part of any future planning proposals, and Council would have an opportunity to consider and provide comments on any future development applications once submitted.</p> <p>Pending the outcomes of any independent reviews of planning proposals by the North District Planning Panel, there would be an opportunity for Council to be consulted through the planning proposal process.</p>
<p>The statutory consequences of the DDP are significant and Council will lose planning power.</p> <p>Key strategic planning issues should be addressed and not left to be resolved through individual planning proposals</p>	<p>The DDP has been amended post-exhibition to ensure it clearly outlines the high-level constraints and opportunities for each site, and the matters that would need to be addressed in any future planning proposal.</p> <p>The Independent Planning Review prepared by WSP also sets out the key issues to be addressed in future proposals.</p> <p>Any future proposal would need to address the statutory and consultation requirements that apply to all planning proposals, including the strategic and site-specific merit test. This ensures that strategic planning issues are appropriately considered in all future planning proposals.</p>

Environmental and land suitability

<p>Proposals would result in intensification of development in areas with high bushfire risk</p>	<p>Any future proposals would need to undertake a comprehensive bushfire risk assessment to determine the level of bushfire risk, identify suitable development areas, and determine appropriate mitigation measures.</p> <p>Any proposal for development on bushfire prone land would need to ensure that bushfire risk is appropriately assessed, and that development can satisfy the statutory requirements for bushfire planning, including Ministerial Direction 4.3 Planning for Bushfire Protection, and the requirements in <i>Planning for Bushfire Protection 2019</i>. Consultation with the NSW RFS would also be required.</p>
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Council comment	Department response
<p>Impact to core habitat for various threatened species of flora and fauna and Endangered Ecological Communities (EECs)</p>	<p>As discussed in Section 4.1, detailed studies, including ground truthing, would be required to confirm each sites biodiversity values and the legislative assessment requirements that would need to be addressed in any future development proposals.</p> <p>Any future planning proposals or development applications would need to address the relevant environmental assessment and legislative requirements, including Ministerial Direction 3.1 Conservation Zones which requires a planning proposal to include provisions that facilitate the protection and conservation of environmentally sensitive areas, and the requirements of the <i>Biodiversity Conservation Act 2016</i> which aims to identify and protect threatened species, populations and ecological communities in NSW. Consultation with NSW Environment and Heritage would also be required.</p>
<p>Impact on watercourses, wetlands, water dependant ecosystems, associated biodiversity and the quality and quantity of overland flow as it enters local and downstream waterways, including Narrabeen Lagoon</p>	<p>Potential impacts to waterways, including riparian corridors and water quality would be a matter for consideration in any future planning proposal or development application.</p> <p>Any future planning proposals or development applications would be subject to the same environmental assessment and legislative requirements and would need to address the requirements in <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, the <i>Biodiversity Conservation Act 2016</i> and the <i>Water Management Act 2000</i> which include provisions to protect riparian zones and wetlands, water quality in the Hawkesbury-Nepean catchment, and to manage land clearing.</p> <p>Consultation with NSW Environment and Heritage would be required.</p>
<p>Future investigations should respond to recommendations of Aboriginal Heritage Office, including Aboriginal cultural heritage assessments, and rock carvings/ significant sites at Lizard Rock to be within conservation area</p>	<p>A recommendation of the Aboriginal Heritage Office includes the requirement for comprehensive Aboriginal heritage assessments to be undertaken.</p> <p>As outlined in Section 4.4, the protection of Aboriginal heritage would be a key consideration in any future proposals.</p> <p>Future proposals would need to address the legislative requirements for the protection of Aboriginal cultural heritage in NSW and implement appropriate conservation measures to protect significant sites and objects, particularly at Lizard Rock.</p> <p>This includes Ministerial Direction 3.2 Heritage Conservation which requires a planning proposal to</p>

Council comment	Department response
	<p>include provisions which facilitate the conservation of items, areas and places of indigenous heritage significance, and the requirements of the <i>National Parks and Wildlife Act 1974</i> which aims to identify and protect Aboriginal cultural heritage.</p> <p>Consultation with NSW Environment and Heritage would be required.</p>
Infrastructure and Design	
<p>Need for additional infrastructure not currently planned or included in contributions plan. Sites require infrastructure to support any future development and Council is concerned about local infrastructure funding and timing to update contributions plan</p>	<p>Any future development would need to be supported by adequate infrastructure. Future planning proposals would need to consider the services and infrastructure available to support the proposal and any funding arrangements for the provision of infrastructure. This forms part of the site-specific merit test for any future planning proposal.</p> <p>Council would be consulted as part of any future planning proposal, ensuring any updates to the local contributions plan could be planned in association with proposed development.</p>
<p>No commitment has been made to ensure any new development will achieve improved building standards and low-carbon development with high-efficiency in energy, water and waste, including opportunities to increase the uptake of renewable energy, reduce carbon emissions, support precinct-scale efficiency initiatives, a circular economy and investigate alternative water supplies</p>	<p>Sustainability measures, including improved building standards would be a consideration as part of future proposals.</p> <p>Sustainability provisions in Council's LEP and DCP would be a consideration for any future development.</p> <p>Council will have the opportunity to suggest sustainability measures as part of future planning proposals should they be submitted.</p>
<p>Need for urban design studies to be undertaken to inform appropriate development outcomes and densities</p>	<p>Urban design studies would be undertaken to support any future planning proposals or development applications.</p>

7.2 Aboriginal Heritage Office

The Aboriginal Heritage Office (AHO) is a joint initiative by Lane Cove North Sydney, Willoughby, Ku-ring-gai, Strathfield, and the Northern Beaches Council to protect Aboriginal heritage. Northern Beaches Council requested the Aboriginal Heritage Office review the draft DDP and provide comment.

The Aboriginal Heritage Office review forms part of the Northern Beaches Council submission.

The key recommendation from the Aboriginal Heritage Office review is to ensure that for comprehensive Aboriginal heritage assessments are undertaken in accordance with the requirements of the *National Parks and Wildlife Act 1974*. The AHO recommends that where there may be multiple archaeological sites, these areas should be contained in a conservation area with sufficient curtilage to ensure protection.

Department response

The Department acknowledges the need for the protection and conservation of Aboriginal cultural heritage within the sites. Any future proposal would require the preparation of a detailed Aboriginal heritage assessment, consistent with the requirements in the *National Parks and Wildlife Act 1974*.

The inclusion of the sites in the Planning Systems SEPP and DDP does not remove the requirement for detailed heritage assessments to be undertaken and proposals would need to provide for the protection of important archaeological sites as part of any proposed development within the sites. Refer to Section 4.4 for further discussion.

8 Submissions from Government agencies and service providers

7.1 Transport for NSW

Transport for NSW advised that potential traffic impacts on State roads, bushfire evacuation routes and public transport would need to be considered in any future proposals for the sites.

Department Response

Any potential impacts to State roads, public transport access and bushfire evacuation routes would be a key consideration in any future planning proposal or development application within the sites. Future development proposals would need to consider any potential impacts, including increased demand and how any impacts would be addressed.

Consultation with Transport with NSW would be required as part of any future proposal, providing an opportunity for more detailed comments once proposals are submitted for assessment.

7.2 NSW Rural Fire Service (RFS)

The NSW Rural Fire Service raised no specific objections, but noted the sites are generally densely vegetated, often steeply sloping and in some instances have only one existing vehicle access. The submission advised that the existing bushfire related constraints may pose a challenge for future development and compliance with *Planning for Bush Fire Protection 2019*.

The RFS recommend that Strategic Bush Fire Studies are undertaken in accordance with the requirements of *Planning for Bush Fire Protection 2019* to ensure that proposed development types and intensity of development proposed is suitable.

Department Response

As discussed in Section 4.5, detailed bushfire assessments would be required to support any development proposals within the sites. The requirements in *Planning for Bushfire Protection 2019* would apply to any future development and future proposals would need to demonstrate how the proposal complies with the objectives and requirements in *Planning for Bushfire Protection 2019*.

The legislative assessment and consultation requirements for bushfire prone land under the *Environmental Planning and Assessment Act 1979* and Ministerial Direction 4.3 *Planning for Bushfire Protection* would apply to any future proposals.

The NSW RFS would be consulted as part of any future planning proposals or development applications to ensure bushfire risk is adequately assessed and any risk appropriately mitigated.

7.3 NSW Environment and Heritage

The advice from NSW Environment and Heritage (former Environment, Energy and Science Group (EES)) noted that the biodiversity and environmental constraints on the sites require further investigation to determine potential impacts.

The submission suggested further review of biodiversity values and refinement of the potential development and conservation maps should be undertaken. The submission also noted the lack of a consistent methodology applied for consideration of high environmental or biodiversity values across the sites.

The submission suggested that opportunities and measures to support strategic biodiversity conservation, including biodiversity certification under Part 8 of the *Biodiversity Conservation Act 2016* should be further considered.

The submission also outlined the key issues requiring further assessment. This included bushfire assessments, and more information regarding the extent of vegetation removal to create Asset

Protection Zones (APZs). The submission advised that future development should minimise the extent of APZs, reducing the level of vegetation removal and biodiversity impacts, and be fully contained within the development areas, not in land marked as conservation areas. The submission also identified the need for flood mapping and modelling needs to be undertaken.

Biodiversity stewardship agreements (BSAs) with the NSW Biodiversity Conservation Trust (BCT) on identified sites and other possible sites, need further investigation. Areas to be considered for future environment conservation zoning should be identified and consideration given to how areas not covered by formal conservation agreements would be protected, managed, and enhanced in perpetuity.

Department Response

The feedback from NSW Environment and Heritage (former EES Group) provides guidance and recommendations for further investigations and assessments required as part of future proposals.

The Department acknowledges that detailed site investigations and technical studies would be required to determine the extent of any potential development areas, confirm conservation areas, and identify and mitigate any impacts. This would include detailed bushfire assessments, biodiversity impact assessments, flooding and stormwater assessments and further details for any proposed conservation agreements and arrangements to ensure ongoing conservation outcomes.

The advice provided in the submission does not form formal consultation under Section 3.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Consultation under Section 3.25 of the EP&A Act is not required at this stage, as the SEPP amendment and DDP do not change the land use zoning or land uses permitted on the sites.

Formal consultation with NSW Environment and Heritage in accordance with Section 3.25 of the EP&A Act would be a requirement of any future planning proposal where it is likely that critical habitats or threatened species, populations or ecological communities, or their habitats, would be significantly affected. This legislative requirement would apply to future planning proposals, providing an opportunity for detailed advice and assessment by NSW Environmental and Heritage once detailed proposals are submitted.

7.4 Sydney Water Corporation

The submission from Sydney Water noted support for the proposed amendment. The submission noted that Sydney Water infrastructure is located within most of the sites and requested that existing planning approval pathways be retained for undertaking essential infrastructure maintenance in a streamlined and effective manner.

The submission noted that the DDP includes potential biodiversity offset areas on lands containing Sydney Water infrastructure. Sydney Water requested an exclusion buffer be applied around Sydney Water infrastructure.

The submission also advised that in relation Site 3 (cnr Forest Way and Madang Rd, Belrose) land acquisition is needed to formalise access (off Forest Way) to Sydney Water's critical water pumping station. Sydney Water requested that the corridor between Sydney Water's pumping station and Forest Way, Belrose, is excluded from the Potential Offset Area.

Sydney Water's submission also recommended consideration of a cultural offset area over 'Archaeological Sensitive Land' in Sites 1 and 8 which may drive positive social change and benefit future generations.

Department Response

The DDP and Planning Systems SEPP applies to the six sites and does not identify potential biodiversity offset areas. This would be a matter to be further considered and assessed as part of any future proposals. The Strategic Assessment identified sites, or parts of sites, that may have potential to be investigated for biodiversity offset but further work would be required to determine any potential offset areas.

Site 3 does not form part of the DDP or Planning Systems SEPP. The Strategic Assessment identified potential for this site as part of a biodiversity offset scheme due to its conservation values. Any potential biodiversity offset scheme would need to be further explored and any arrangements for land acquisition or exclusion areas would be considered at that time.

Archaeologically sensitive land at Morgan Road, Belrose (Site 1) would be assessed, managed and protected as part of a planning proposal for the site. A detailed Aboriginal cultural heritage assessment would be required to support any planning proposal and determine appropriate conservation measures. Site 8 (Cromer / Oxford Falls) does not form part of the DDP. The Strategic Assessment identified potential for this site to provide biodiversity offsets due to its conservation value.

7.5 Telstra Corporation

Telstra's submission noted that is supportive of the objectives to help Aboriginal people fulfill potential economic benefits of their land. Telstra owns and operates a Satellite Earth Station in Oxford Falls (adjacent to the Morgan Road site), one of two major International Telecommunications Centres on the east coast of Australia.

Telstra's submission states that facilities such as this are deliberately located in isolated areas to limit exposure to Electromagnetic Interference. Telstra's submission raised the potential for nearby development to impact the performance of the facility from home appliances and increased vehicle traffic. Telstra also raised safety and security concerns, including security risks and vandalism from an increased population in the area. Telstra requested that the potential impacts to the facility are considered as part of any future development proposals to ensure that any impacts are appropriately mitigated.

Department Response

The Morgan Road site is adjacent to the Telstra Satellite Earth Station and any planning proposal for the site would need to address the potential for impacts to the facility to ensure future development does not interfere with or degrade the operation or security of the facility.

Consultation with Telstra as an adjoining landowner and operator of the facility would be required as part of any future planning proposal. This would provide an opportunity for further detailed assessment and review once more detailed information is known about the location of any proposed development, proximity to the facility and potential for any impacts.

7.6 Northern Sydney Local Health District

The Northern Sydney Local Health District did not have any comments specific to the DDP or SEPP amendment; however, the submission noted that the Local Health District is committed to improving the health, social and emotional wellbeing of Aboriginal and Torres Strait Islander peoples, families and communities.

7.7 NSW State Emergency Service (SES)

The NSW SES reviewed the proposed SEPP amendment and DDP, and the available flood study information and advised that land which may potentially be developed is not at known risk of flooding. The NSW SES raised no objection but noted that some areas may become isolated by small local creeks, however, based on the French's Creek Flood Study, the duration is likely to be short and depths less than 0.2m.

Department Response

The potential for flooding and stormwater impacts would need to be considered in future proposals.

The Department notes the NSW SES advice which indicates that based on available information the sites are not affected by flooding. However, as outlined in the submission there is need for further site investigations to consider localised flooding along local creeks and access and evacuation in flood events. This work would be required as part of any future proposal to ensure

local flooding, access requirements and stormwater impacts are appropriately managed in any future development.

Consultation with the NSW SES would be undertaken in relation to any planning proposals, once submitted.

7.8 School Infrastructure NSW

The submission from School Infrastructure NSW relates to the Morgan Road site only. School Infrastructure reviewed the information available and preliminary projections for the Lizard Rock investigation area and has found that the projected number of students could be accommodated by the surrounding schools. However, the submission outlines a need for additional review once a formal planning proposal for the site has commenced.

Department Response

The Department notes the preliminary advice from School Infrastructure NSW that the indicative population projections for the Morgan Road site could be accommodated within existing schools, subject to further review.

Any planning proposals for residential development within the sites would be subject to consultation with School Infrastructure NSW to ensure the proposed increase in population can be accommodated within existing schools, or to determine if additional capacity would be required to meet any increased demand.

7.9 NSW Police

The submission from the NSW Police Force noted that the NSW Police Force are unable to give a detailed response as there is insufficient information regarding the proposal to make an appropriate assessment.

NSW Police Force requested to be consulted in future planning phases in order to assess the impacts on service delivery for additional population growth, road access to the site and consideration of emergency management response.

Department Response

The Department will consult with the NSW Police Force as part of any future planning proposals.

7.10 Greater Cities Commission

The submission from the Greater Cities Commission (GCC) stated that the SEPP will inform their update and review of the Region and City Plans promoting self-determination of First Nations people.

The SEPP amendment and DDP align with a number of objectives within the Greater Sydney Region Plan (GSRP).

The GCC noted that some land is located within the Metropolitan Rural Area (MRA). The GSRP objective 29 states that urban development is not consistent with the values of the MRA. However, the North District Plan provides clarification that future planning may be more flexible for lands within the MRA owned by the LALC in order to balance rural values with greater economic participation, and community and cultural uses by Aboriginal people.

The GCC stated that a place-based design approach may assist in managing environmental, social and economic values.

Department Response

The Department will work with the MLALC, the GCC and the local Northern Beaches Council to provide the best outcome to support self-determination while managing the opportunities and

constraints as they arise in any future planning proposal and/or development application for any of the sites included in the DDP.

9 Post exhibition amendments

The Department has considered all issues raised in submissions. As the SEPP amendment and DDP do not change the zoning or land use planning controls applying to the sites, only minor changes have been made in response to submissions. Many of the issues raised, including biodiversity impacts, heritage conservation and bushfire risk, will be addressed as part of individual planning proposals or development applications for the sites.

No changes have been made to the map of the six sites for inclusion in the Planning Systems SEPP. The SEPP map applies to the entire MLALC landholdings for each site, with the DDP providing further guidance on the potential development opportunities and constraints to be considered for each site.

The inclusion of the six sites in the Planning Systems SEPP does not approve development within the sites. The SEPP amendment and DDP establish a pathway for investigation of development potential, but do not approve a particular development outcome. Individual planning proposals will be required to establish the strategic and site-specific merit of any potential development on the sites.

Minor post-exhibition changes have been made to the DDP to clarify the purpose of the DDP, explain the nature and process for development proposals and set out the next steps for site investigation and planning studies.

The changes are minor in nature and include adding high level constraints mapping for each site to guide further site investigations, providing further information on opportunities and potential development outcomes, and providing guidance on the planning pathways and key considerations to be addressed in future planning investigations for each site.

The post-exhibition updates to the DDP were informed by the recommendations of the Independent Planning Review prepared by WSP. This report provides further information on the planning process and key considerations for planning proposals in response to issues raised in submissions.