



FRENCHS FOREST PRECINCT

## Explanation of Intended Effect

---

July 2021



Published by NSW Department of Planning, Industry and Environment

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

Title: Explanation of Intended Effect

Subtitle: December 2020

---

© State of New South Wales through Department of Planning, Industry and Environment 2019. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2020) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

# Contents

Explanation of Intended Effect.....	1
<b>Contents .....</b>	<b>3</b>
<b>Introduction.....</b>	<b>4</b>
Frenchs Forest Precinct .....	4
<i>Frenchs Forest Draft Place Strategy 2041</i> .....	5
Purpose.....	5
Overview .....	5
Objectives and intended outcomes.....	7
<b>Proposed amendments .....</b>	<b>7</b>
Land zoning map.....	8
Height of buildings map .....	9
Floor space ratio map.....	10
Key sites map.....	11
Land reservation acquisition map .....	12
Additional permitted uses .....	13
Extend exceptions to development standards .....	14
Site-specific provisions .....	14
Provisions for the town centre (Site A only).....	14
Provisions for Sites A, B and D .....	14
Provisions for Sites B, C and D.....	14
Other site-specific provisions .....	15
Requirement to prepare a Contributions Plan.....	16
Development Control Plan.....	16
Unchanged provisions .....	16
<b>Appendix A: Current maps.....</b>	<b>17</b>
Land zoning.....	17
Height of Buildings .....	18
Floor Space Ratio.....	18
<b>Appendix B: Proposed maps .....</b>	<b>19</b>
Land zoning.....	19
Height of Buildings Map.....	20
Floor Space Ratio Map.....	21
Key Sites Map .....	22
Land Reservation Acquisition Map .....	23
Additional Permitted Uses Map .....	24

## Introduction

In June 2017 the NSW Government announced a state-led rezoning process for Frenchs Forest. Frenchs Forest is designated as a State led precinct to maximise the NSW Government's infrastructure investment and support the role of Frenchs Forest as a strategic centre, as identified in the Greater Sydney Commission's *North District Plan*.

*Frenchs Forest draft Place Strategy 2041* builds on the Northern Beaches Council's Hospital Structure Plan which identifies three phases for delivery of a new town centre adjacent to the Northern Beaches Hospital. The land which is the subject of the Place Strategy and this Explanation of Intended Effect (EIE) is identified as phase one of the Structure Plan. The Northern Beaches Hospital Structure Plan was prepared in response to the NSW Government's \$1 billion investment in the Northern Beaches Hospital and associated road upgrades. The Structure Plan was endorsed by Northern Beaches Council in August 2017.

The Structure Plan provides the underlying strategic land use planning framework for Frenchs Forest over the next 20 years. It provides for the phased delivery of around 4,470 new dwellings and 2,300 new jobs over the next 20 years. The Frenchs Forest draft Place Strategy will build on and implement the controls as outlined in this document to deliver 2,000 dwellings and 2,000 jobs.

## Frenchs Forest Precinct

The Precinct is approximately 12 hectares in area, incorporating the Forest High School, Northern Beaches Hospital as well as land to the north of Frenchs Forest Road West and land south of Warringah Road, (refer to Figure 1).



**Figure 1 Frenchs Forest Precinct**

## *Frenchs Forest Draft Place Strategy 2041*

*Frenchs Forest 2041* is the draft Place Strategy prepared by the Department of Planning, Industry and Environment in collaboration with Northern Beaches Council. It will drive the revitalisation of Frenchs Forest by establishing a vision for the future to provide for new homes and jobs around the precinct, close to transport, open space and schools.

### Purpose

This EIE has been prepared to set out the proposed planning controls for the Frenchs Forest Precinct.

The proposed controls will facilitate the vision for the Precinct as outlined in the Frenchs Forest draft Place Strategy 2041, which will be on exhibition with this EIE and supports the proposed amendments.

All comments received during the exhibition of *Frenchs Forest draft Place Strategy 2041*, this EIE and associated supporting documents, will be considered in the drafting of a State Environmental Planning Policy (SEPP).

### Overview

A SEPP is proposed to amend the *Warringah Local Environmental Plan 2011* (Warringah LEP 2011). The proposed amendments to the Warringah LEP will implement new planning controls for the Precinct, in accordance with *Frenchs Forest draft Place Strategy 2041*. The proposed amendments will facilitate a new town centre on the Forest High School site, new public open space, more than 2,000 new homes and 2,000 new jobs.

It is also proposed to amend the Environmental Planning and Assessment Regulation 2000 to ensure that the Frenchs Forest Place Strategy is a matter for consideration in future development applications.

The Precinct comprises four character areas (Site A, B, C and D) plus the Northern Beaches Hospital, described below and shown in Figure 2:

- Site A – Town Centre
- Site B – Frenchs Forest Road West
- Site C – Karingal Crescent
- Site D – Bantry Bay Neighbourhood Centre
- Northern Beaches Hospital



**Figure 2: Four Character Areas of the Frenchs Forest Precinct**

The proposed SEPP will amend the Warringah LEP 2011 to:

- rezone land to B4 Mixed Use, R3 Medium Density Residential, B1 Neighbourhood Centre and RE1 Public Open Space
- rezone the Northern Beaches Hospital site from R2 Low Density Residential and RE1 Public Recreation to SP2 Infrastructure, consistent with the approved use
- increase maximum building heights, ranging from 11m to 40m
- introduce maximum floor space ratio controls, ranging from 0.9:1 to 2.9:1
- identify additional permitted uses in Schedule 1 of the LEP
- identify land to be acquired for future local roads on the land reservation acquisition map
- identify the Frenchs Forest Precinct as a Key Site - including the labelling of Site A, B, C and D within the precinct
- introduce new site-specific provisions for Site A (Town Centre Site) – including design excellence, minimum deep soil and minimum open space requirements
- introduce minimum site area requirements and minimum frontages for certain types of residential development
- introduce a provision allowing an exception to the minimum subdivision lot size for attached dwellings and semi-detached dwellings for Site C.

## Objectives and intended outcomes

The primary objective of the SEPP will be to amend the existing planning controls in the Warringah LEP that apply to the Frenchs Forest Precinct. The proposed controls will guide the development of the Precinct generally in accordance with the land use framework established in phase one of the Northern Beaches Hospital Precinct Structure Plan, including a new town centre and an exciting new destination for residents, workers and visitors to Frenchs Forest.

The proposed SEPP will be supported by a site-specific development control plan (DCP), which is being exhibited concurrently with this EIE by Northern Beaches Council. The DCP includes built form and urban design provisions to ensure high quality development.

The proposed SEPP will align with current Government policy and will contribute to the delivery housing and employment targets set out in the Greater Sydney Region Plan and North District Plan.

## Proposed amendments

**Appendix A** details the existing controls under the Warringah LEP 2011 that apply to the precinct and includes excerpts from the Warringah LEP 2011 maps.

This section details the proposed amendments to Warringah LEP 2011.



## Land zoning map

The Precinct is zoned R2 Low Density Residential, RE1 Public Recreation, B1 Neighbourhood Centre and SP2 Classified Road (Warringah Road), as shown in Figure 1, Appendix A.

Proposed amendments to the land use zoning will facilitate development of a mixed use town centre on the Forest High School site, new public open space, a neighbourhood centre on Bantry Bay Road, and a range of low and medium density housing, consistent with *Frenchs Forest draft Place Strategy 2041*.

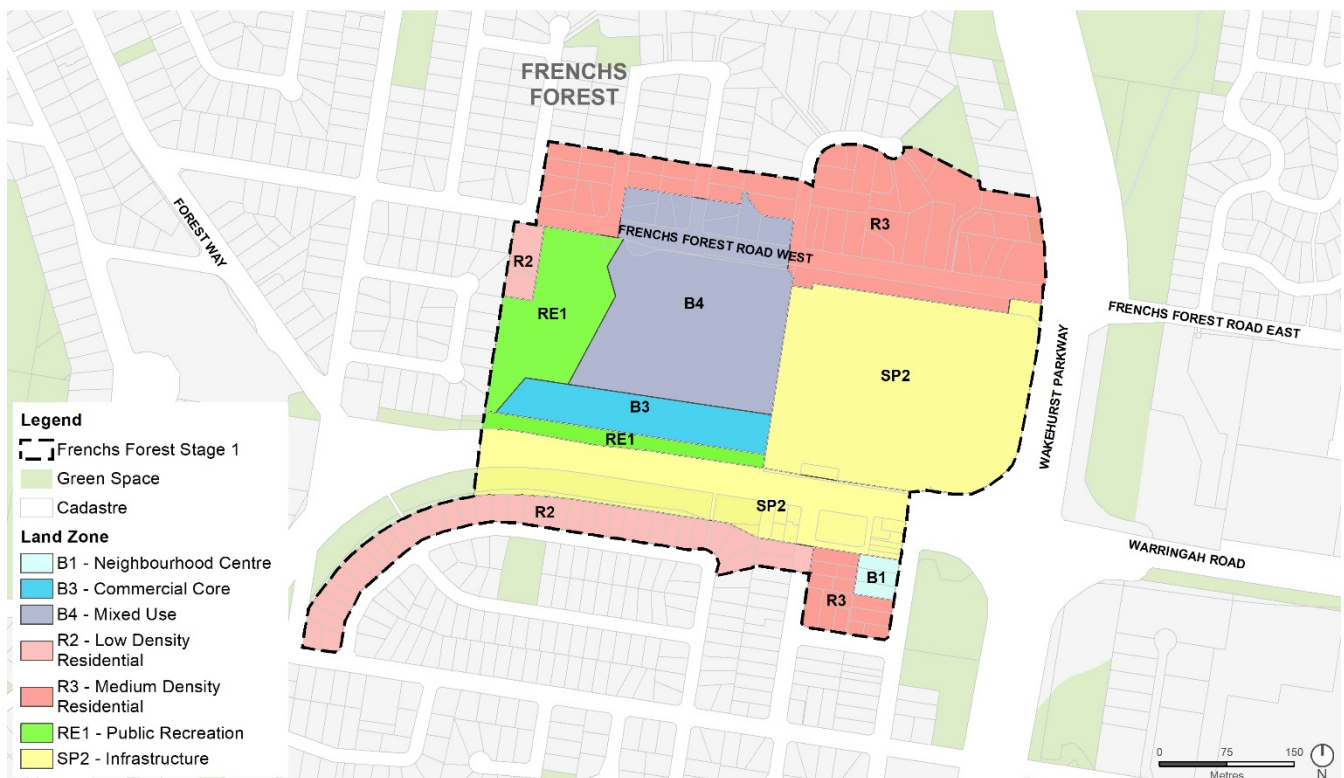
It is proposed to amend the Land Zoning Map (Map sheet LZN\_008) as follows:

- Site A – B4 Mixed Use, B3 Commercial Core and RE1 Public Open Space
- Site B – B4 Mixed Use and R3 Medium Density Residential
- Site D – B1 Neighbourhood Centre and R3 Medium Density Residential
- Northern Beaches Hospital – SP2 Infrastructure

The amendment proposes to rezone the Northern Beaches Hospital site from R2 Low Density Residential and RE1 Public Recreation to SP2 Infrastructure, consistent with the approved health infrastructure use on site. Land currently zoned RE1 Public Recreation on the hospital site is not suitable for public recreation activities and does not meet the objectives of the RE1 zone. These areas are subject to ongoing management and protection under the conditions of approval for the hospital. The vegetation along Wakehurst Parkway is protected under existing legislation and is subject to a vegetation management plan, ensuring it will be retained on site.

The existing zoning for Site C - R2 Low Density Residential - will remain unchanged. However, additional permitted uses are proposed for Site C as outlined on page 13.

Refer to the proposed land use zoning at Figure 3, and mapping is available at Appendix B.



**Figure 3: Proposed land use zones – Frenchs Forest Precinct**



## Height of buildings map

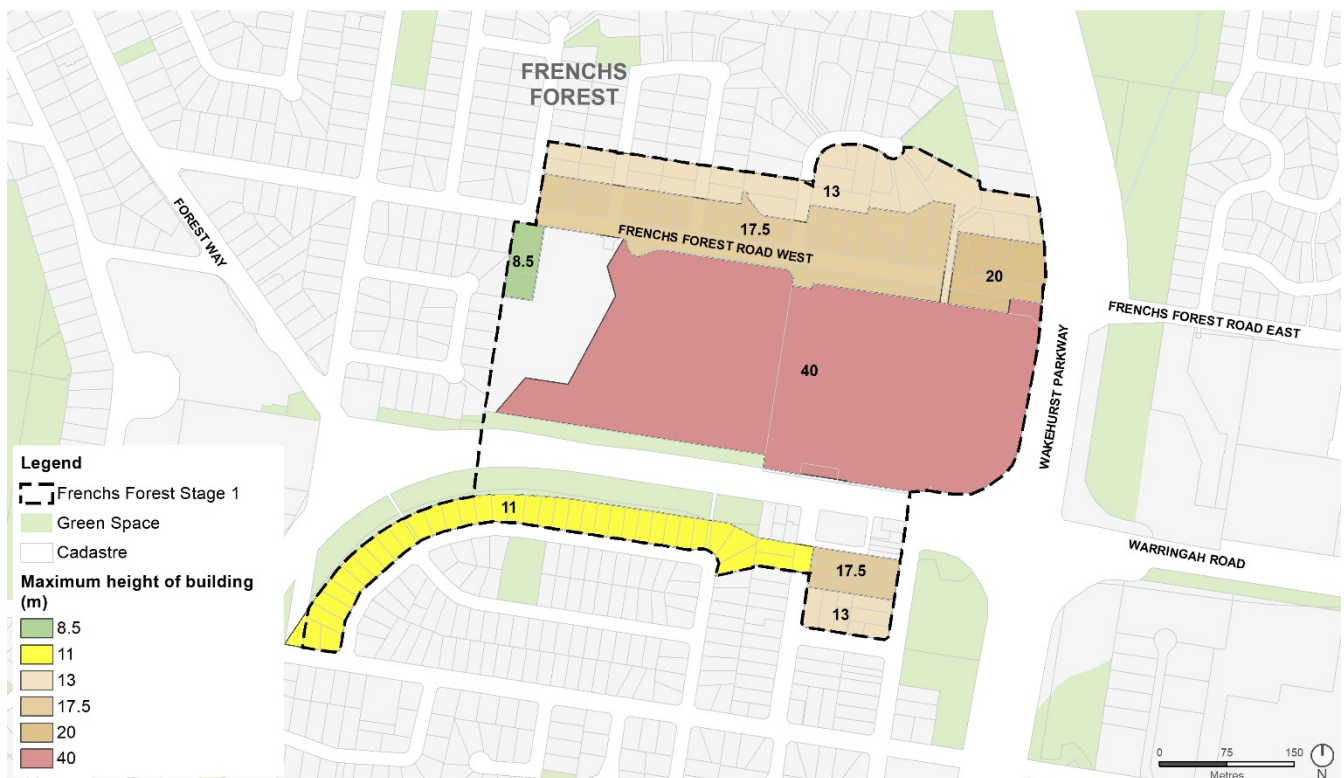
A maximum building height of 8.5 metres applies to the Precinct, as shown in Figure 2, Appendix A.

It is proposed to increase building heights to align with *Frenchs Forest draft Place Strategy 2041* to provide a transition in heights that ensures future development is consistent with local character.

It is proposed to amend the Height of Building Map (Map sheet HOB\_008) as follows:

- Site A – 40m
- Site B – 20m for land on the corner of Frenchs Forest Road West and Wakehurst Parkway, 17.5m for land fronting Frenchs Forest Road and 13m for land to the north
- Site C – 11m
- Site D – 17.5m for land zoned B1 Neighbourhood Centre and R3 Medium Density Residential on Warringah Road, and 13m for land zoned R3 Medium Density Residential on Primrose Avenue
- Northern Beaches Hospital site – 40m, consistent with the height of the approved hospital building

Refer to the proposed height of buildings at Figure 4 and mapping available at Appendix B.



**Figure 4: Proposed height of buildings – Frenchs Forest Precinct**

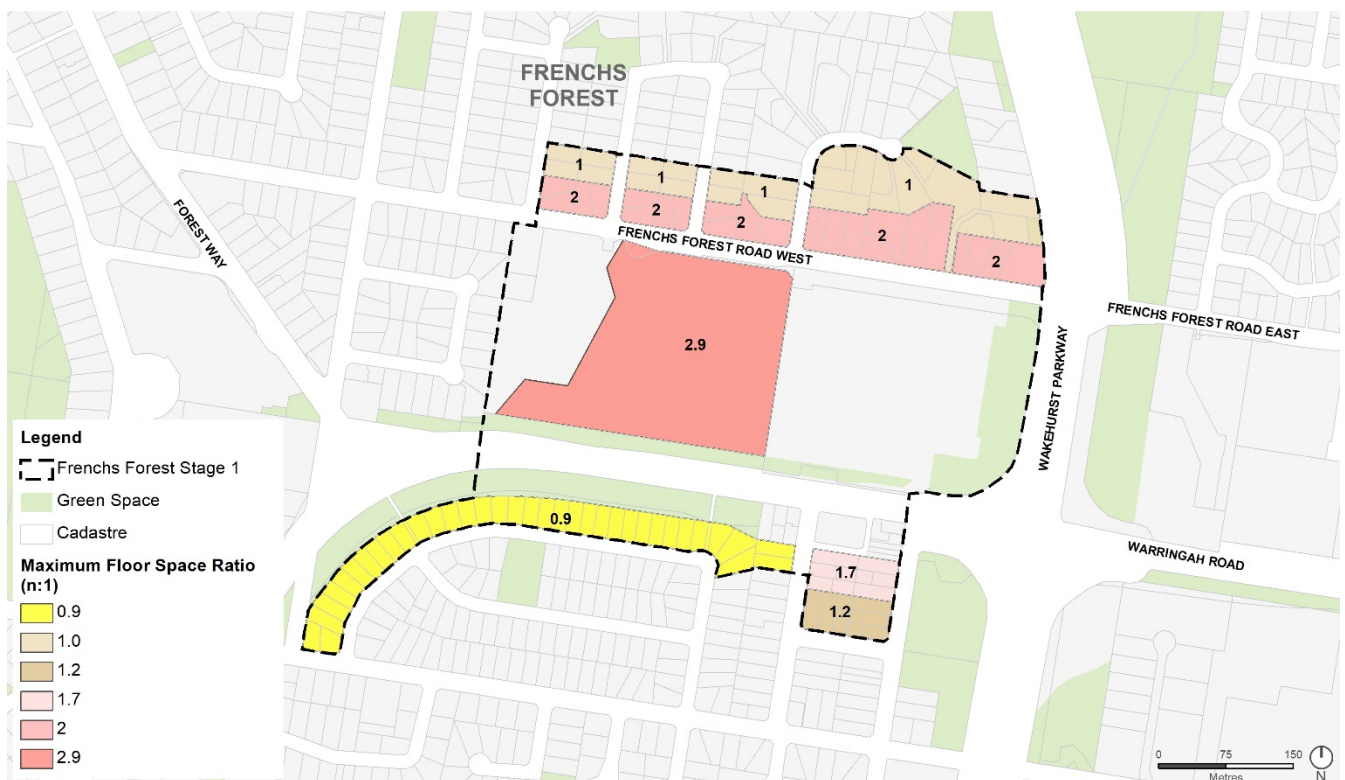
## Floor space ratio map

The Warringah LEP does not specify maximum floor space ratios for the Precinct. Maximum floor space ratio controls are being introduced to ensure development density aligns with *Frenchs Forest 2041*. Proposed building height controls will determine the bulk and scale of development across the Precinct.

Proposed amendments to the floor space ratio map (Map sheet FSR\_008) will apply the following maximum floor space ratio controls:

Character Area	Floor Space Ratio
Site A – Town Centre	2.9:1
Site B – Frenchs Forest Road West	2:1 (Land fronting Frenchs Forest Road) 1:1 (Land to the north of Frenchs Forest Road West)
Site C – Karingal Crescent	0.9:1
Site D – Bantry Bay Neighbourhood Centre	1.7:1 (B1 Neighbourhood Centre & R3 Medium Density Residential (closest to Warringah Rd)) 1.2:1 (Zone R3 Primrose Avenue)

The draft floor space ratio controls for the precinct are shown in Figure 5 and mapping is available at Figure 3, Appendix B.



**Figure 5: Proposed floor space ratios – Frenchs Forest Precinct**

## Key sites map

The Key Sites Map (Map sheet KYS\_008) will be amended to include the precinct as a key site and identify the four character areas (Site A, B, C and D) where more specific planning controls are proposed.

It is proposed to include the Precinct as a key site in Warringah LEP, as shown in Figure 6 and mapping available at Appendix B.



**Figure 6: Proposed key sites– Frenchs Forest Precinct**

## Land reservation acquisition map

A proposed amendment to the Land Reservation Acquisition Map (Map sheet LRA\_008) will include land at 26 Holland Crescent and 16 Holland Crescent for acquisition to provide for new local roads into the town centre (Site A). Refer to Figure 7 and mapping available at Appendix B.

It is also proposed to amend clause 5.1 of the Warringah LEP to include Northern Beaches Council as the authority identified to acquire these properties.



**Figure 7: Proposed land acquisition– Frenchs Forest Precinct**



## Additional permitted uses

A proposed amendment to Schedule 1 Additional Permitted Uses of Warringah LEP will allow additional permitted uses for land shown in Figure 8 and mapping available at Appendix B. This will allow residential, medical and hotel uses in the R2 Low Density zone and R3 Medium Density Zone to support the Precinct and Northern Beaches Hospital, consistent with the aims of the *Frenchs Forest draft Place Strategy 2041*. The proposed additional uses are:

Character Area	Map reference	Additional permitted uses
Site B – Frenchs Forest Road West	Area 25	<ul style="list-style-type: none"> <li>business and office premises</li> <li>medical centres and community health facilities</li> <li>shop top housing and health consulting rooms at ground floor level</li> </ul>
Site B – Frenchs Forest Road West	Area 24	<ul style="list-style-type: none"> <li>hotel and motel accommodation and serviced apartments</li> </ul>
Site C – Karingal Crescent	Area 26	<ul style="list-style-type: none"> <li>dual occupancies (attached)</li> <li>semi-detached dwellings</li> <li>attached dwellings</li> </ul>

It is also proposed to amend the Additional Permitted Uses Map (Map sheet APU\_008) to identify the land to which the additional permitted uses in Schedule 1 apply.



**Figure 8: Proposed additional permitted uses – Frenchs Forest Precinct**

## Extend exceptions to development standards

It is proposed to amend clause 4.6 Exceptions to development standards of the Warringah LEP 2011 to add clause 6.7 Residential Flat Buildings in Zone B4 Mixed Use of the LEP as an exclusion. This will ensure development consent cannot be granted for a residential flat building in Zone B4 with a dwelling on the ground level in the town centre (Site A).

It is also proposed to amend clause 4.6 Exceptions to development standards to ensure that no further variation can be made to floor space ratio controls for development on sites A, B, C, and D, to align with the Precinct's infrastructure capacity.

## Site-specific provisions

Proposed site-specific provisions, to be included in a new Part 8 of the Warringah LEP 2011, will detail controls that apply to development of certain areas of the Precinct, as identified in Figure 6.

### Provisions for the town centre (Site A only)

- Objectives for the future development of the town centre will aim towards a low-carbon precinct where carbon emissions are reduced, energy, water and waste is efficiently managed, and a genuine mix of land uses support Frenchs Forest as a strategic centre with more jobs and space for employment uses, higher quality public areas and new open space.
- Transport infrastructure needs must be considered once the town centre reaches 70 per cent residential development capacity (approximately 700 dwellings or 56,000m<sup>2</sup> of residential floorspace) to ensure development does not have an adverse impact on the road network and is supported by adequate transport infrastructure. This will require:
  - a detailed traffic impact assessment to demonstrate sufficient capacity in the transport network to support the development; or
  - the provision of infrastructure upgrades required as part of the development.
- The minimum amount of deep soil to be provided is not less than 5,500m<sup>2</sup> to ensure the retention of existing trees and natural areas and better landscape outcomes, consistent with *Frenchs Forest 2041*. Note: for the purposes of this provision, **deep soil** means *an area of permeable, natural ground with no obstructions above or below and excludes areas on structures, basements and non-permeable paved areas*.
- The minimum amount of publicly accessible open space to be provided in the B4 Zone is to be not less than 1,665m<sup>2</sup>, as is consistent with *Frenchs Forest 2041*.
- Environmental sustainability must be considered in commercial and non-residential development, which includes consideration of energy consumption, water efficiency, thermal comfort and sustainable design. Note, BASIX will apply to residential development.

### Provisions for Sites A, B and D

- To demonstrate design excellence - no design excellence bonuses will apply - future development will need to:
  - demonstrate design excellence, including the public domain
  - undertake a design excellence process agreed with the Government Architect NSW
  - for development over three storeys or 12 metres, be reviewed by the Northern Beaches Design and Sustainability Advisory Panel
  - demonstrate consistency with the site-specific DCP as part the design excellence process.

### Provisions for Sites B, C and D

- A minimum site area for certain residential land uses will ensure development sites are an appropriate size to accommodate proposed development, consistent with the draft Frenchs Forest DCP. This provision will apply as follows:

Character Area	Minimum site area
Site B – Frenchs Forest Road West	1,400m <sup>2</sup> - multi-dwelling housing, residential flat buildings, shop top housing.
Site C – Karingal Crescent	450m <sup>2</sup> - dual occupancies (attached) and semi-detached dwellings
	675m <sup>2</sup> - attached dwellings (up to 3)
	1300m <sup>2</sup> - attached dwellings (up to 6)
Site D – Bantry Bay Neighbourhood Centre	2000m <sup>2</sup> - multi-dwelling housing, residential flat building, shop top housing

- Minimum frontages for certain residential land uses will ensure lots are a sufficient width to accommodate proposed development and can achieve excellent streetscape and amenity outcomes, consistent with *Frenchs Forest draft Place Strategy 2041*. This provision will apply as follows:

Character Area	Minimum site area Frontage
Site B – Frenchs Forest Road West	30m – residential flat buildings, shop top housing
Site C – Karingal Crescent	15m- dual occupancies (attached) and semi-detached dwellings
	22.5m - attached dwellings (up to 3)
	45m - attached dwellings (up to 6)
Site D – Bantry Bay Neighbourhood Centre	45m - multi-dwelling housing, residential flat building, shop top housing

## Other site-specific provisions

- Permitted development occurs in accordance with the Frenchs Forest Place Strategy;
- Development applications within the Frenchs Forest Precinct that are not minor in nature are not determined prior to a site-specific development control plan being prepared and in place;
- A new site-specific provision will allow an exception to the minimum subdivision lot size for attached dwellings and semi-detached dwellings in limited circumstances. Currently, the minimum subdivision lot size for the Precinct under the Warringah LEP is 600m<sup>2</sup>, which limits opportunities for the subdivision of attached dwellings and semi-detached dwellings, where they are developed in accordance with the proposed controls in this EIE.

This provision aligns with the minimum site area controls outlined above, and would allow subdivision below the minimum subdivision lot size provided in clause 4.1 Minimum subdivision lot size of the Warringah LEP when:

- the development is for the purpose of semi-detached dwellings or attached dwellings on **Site B only**
- a single development application for both the residential land use and subdivision is submitted
- the minimum subdivision lot size for a semi-detached dwelling or attached dwelling is not less than 225m<sup>2</sup>.
- A provision allowing Northern Beaches Council to apply affordable housing targets will represent a percentage of residential floorspace to be provided as affordable housing:
  - Site A – up to 15 per cent
  - Site B – up to 10 per cent
  - Site D - up to 10 per cent.
- A site-specific provision will require existing powerlines on Frenchs Forest Road West to be relocated underground in **Site B**.



## Requirement to prepare a Contributions Plan

The Frenchs Forest Precinct requires the delivery of development in line with the implementation of supporting infrastructure, such as roads, community facilities and open space. It is important that development does not precede the implementation of the development contributions plan for the precinct.

The preparation of a contributions plan will be led and prepared by Northern Beaches Council and will set out local infrastructure works and location, proposed staging, and estimated costs per item.

An amendment to the EP&A Regulation 2000 will require a contributions plan to be prepared prior to the determination of any development applications in Site A, Site B, Site C and Site D in the Frenchs Forest precinct that are not minor in nature. This provision will apply to ensure the implementation of infrastructure consistent with the draft Frenchs Forest Place Strategy.

## Development Control Plan

A draft DCP, being exhibited concurrently to this EIE by Northern Beaches Council, sets out built form and urban design provisions to ensure new development and public areas are well designed and improve the amenity of the precinct and its surrounds.

It is proposed to reference the draft DCP in Warringah LEP so that any future development in the town centre demonstrates consistency with the site-specific DCP which addresses matters such as:

- public domain and connectivity
- building separation and setback requirements
- site layout, built form and design
- building use
- active frontages
- vehicle access and parking
- sustainability.

## Unchanged provisions

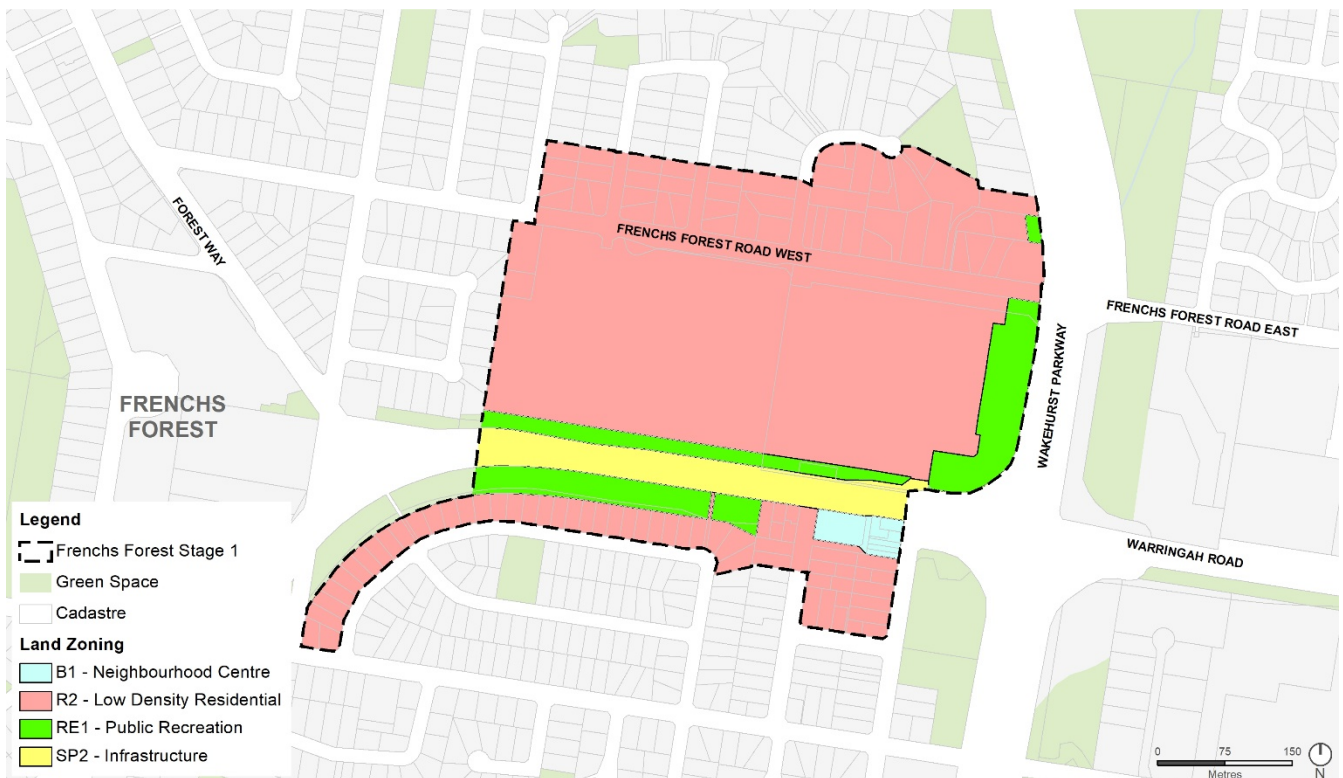
Most provisions in Warringah LEP will continue to apply. The critical controls that will not be amended are:

- proposed amendments will not amend the minimum subdivision lot size provided by Clause 4.1; however, the site-specific provisions propose an exception to the minimum subdivision lot size for certain residential land uses.
- heritage provisions of Warringah LEP 2011, including the listed items within Precinct, will continue to apply.

## Appendix A: Current maps

### Land zoning

The Frenchs Forest Precinct is zoned predominantly R2 Low Density Residential, with a small portion zoned RE1 Public Recreation and B1 Neighbourhood Centre. The Northern Beaches Hospital site is zoned R2 Low Density Residential and RE1 Public Recreation. Warringah Road is zoned SP2 Infrastructure – Road under the Warringah LEP 2011 (Figure 1).



**Figure 1 Current Warringah LEP 2011 Land Zoning Map**

## Height of Buildings

Currently the Frenchs Forest Precinct has a maximum building height of 8.5m under the Warringah LEP 2011 (shown in Figure 2). No maximum building heights apply to land zoned RE1 Public Recreation or SP2 Infrastructure.



**Figure 2 Current Warringah LEP 2011 Height of Buildings Map**

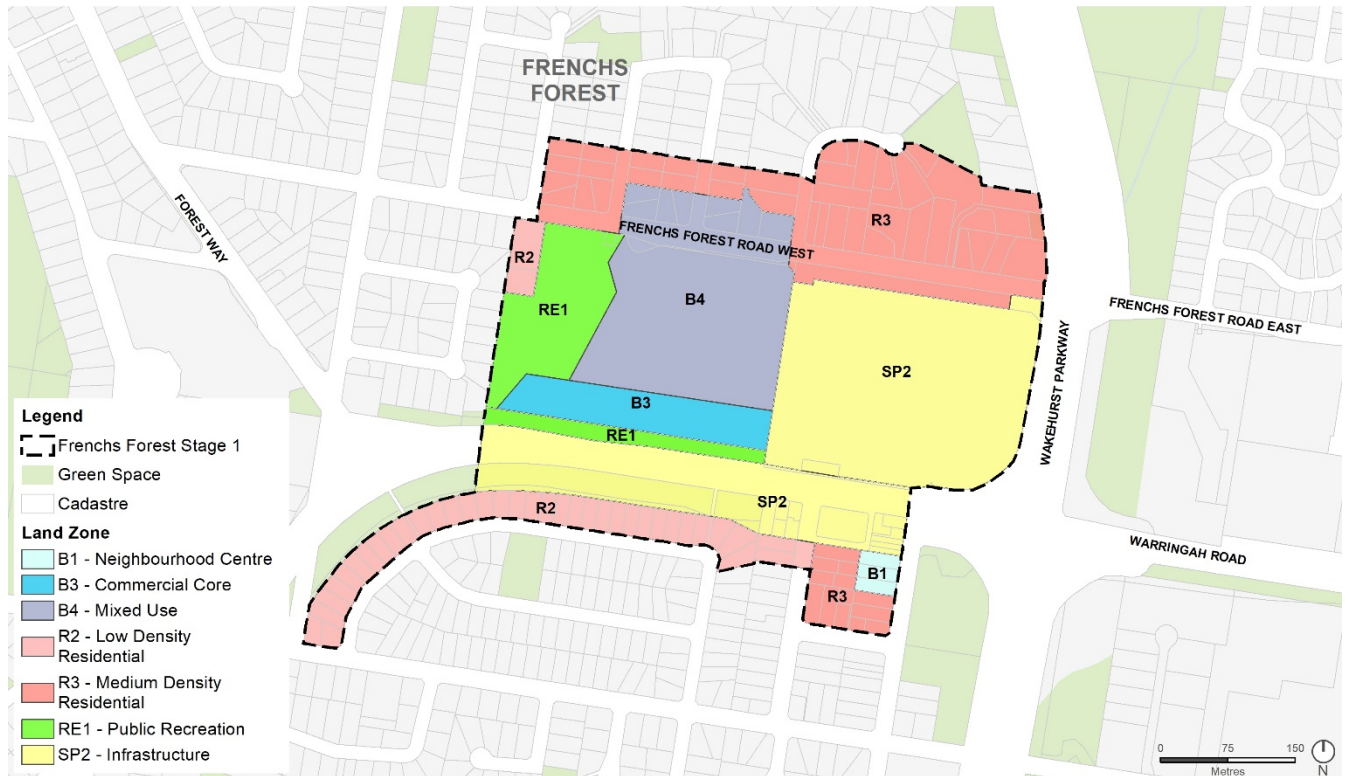
## Floor Space Ratio

Under the Warringah LEP 2011 the Frenchs Forest Precinct is not currently subject to maximum floor space ratio controls.

## Appendix B: Proposed maps

### Land zoning

The Frenchs Forest Precinct is proposed to be zoned as B4 Mixed Use, B3 Commercial Core, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and B1 Neighbourhood Centre (shown in Figure 1 below).



**Figure 1 Proposed Warringah LEP 2011 Land Zoning Map**

## Height of Buildings Map

The Height of Buildings Map is proposed to be amended to increase building heights from 11m to 40m. No maximum height limit is proposed for land zoned RE1 Public Recreation (shown in Figure 2 below).

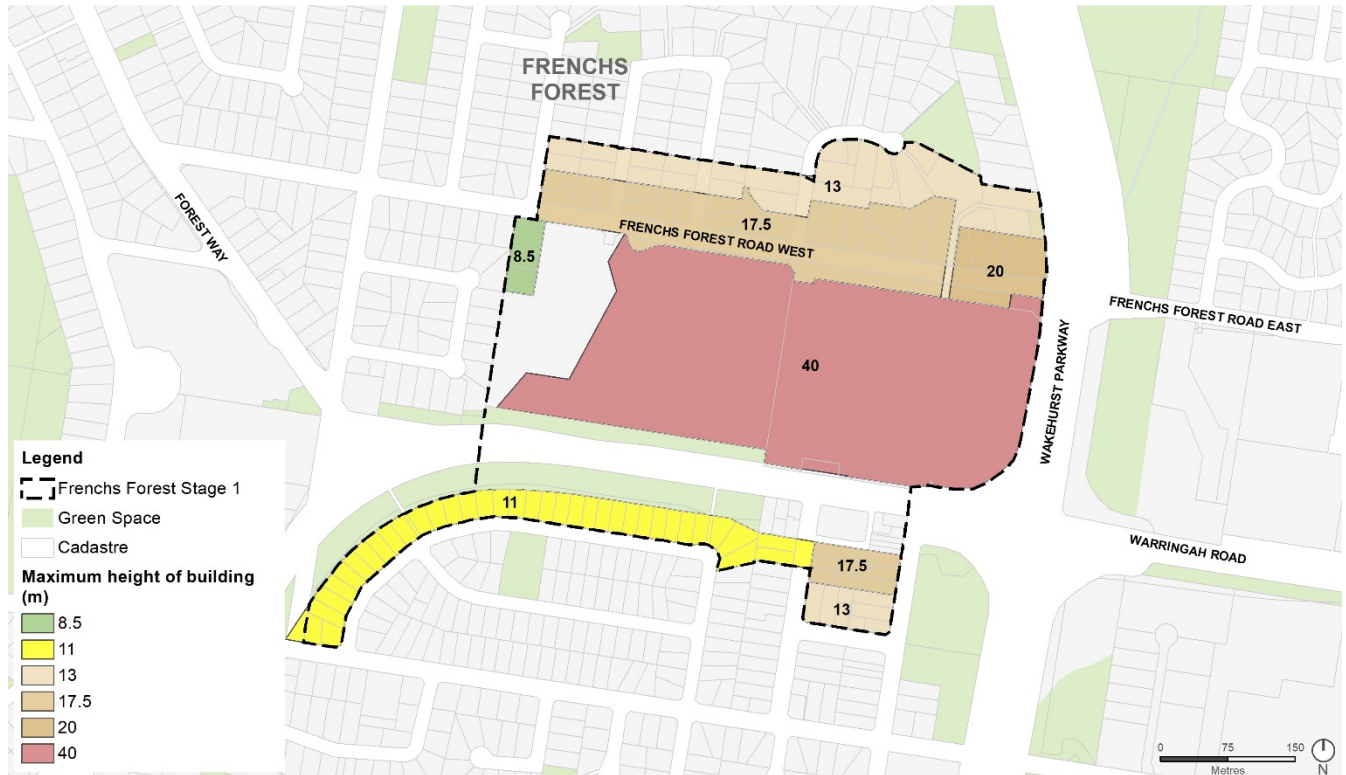
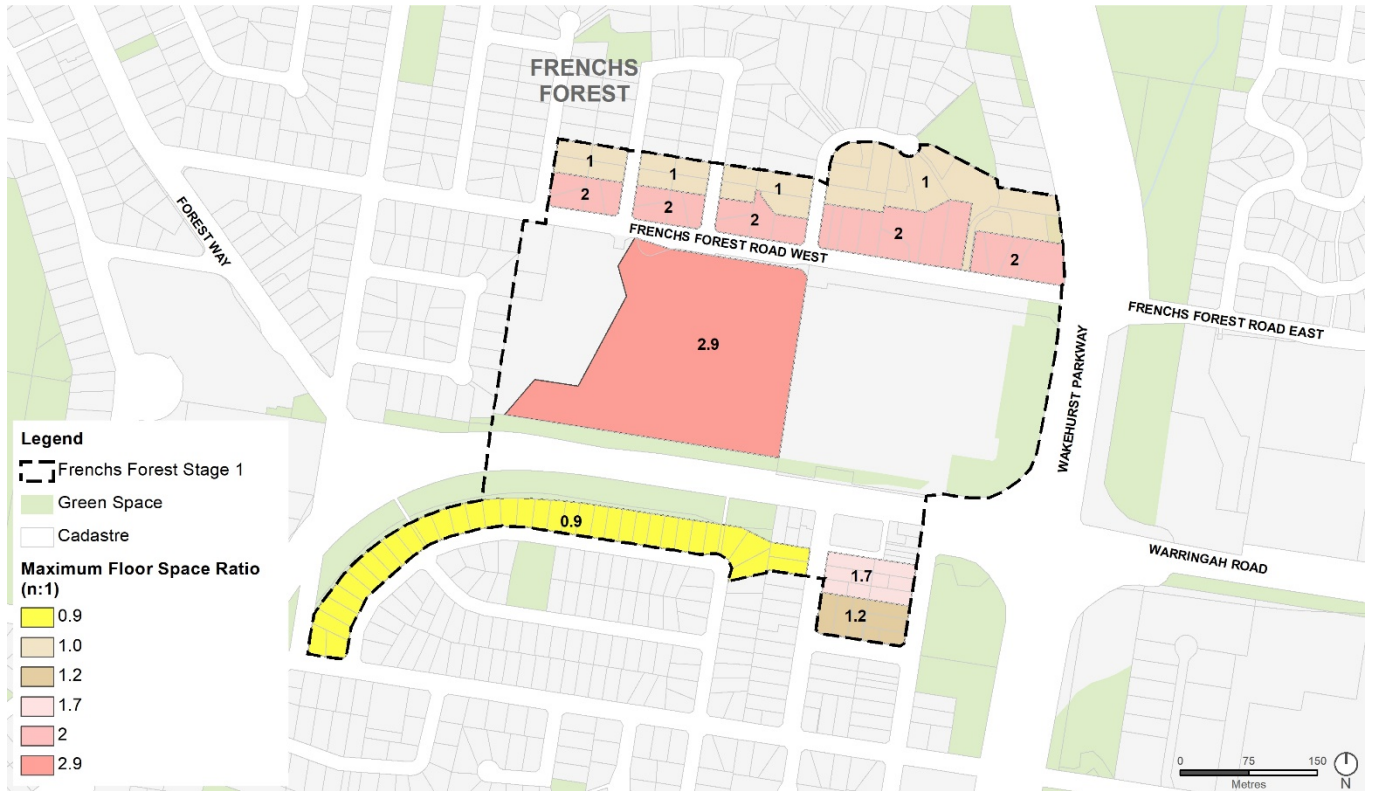


Figure 2 Proposed Warringah LEP 2011 Height of Buildings Map



# Floor Space Ratio Map

The Floor Space Ratio Map is proposed to be amended to introduce floor ratio controls for the Frenchs Forest Precinct (shown in **Figure 3**).



**Figure 3 Proposed Warringah LEP 2011 Floor Space Ratio Map**

## Key Sites Map

It is proposed to include the Frenchs Forest Precinct as a Key Site on the Key Sites Map. The Key Sites Map will also identify sub-precincts for the purpose of application of site-specific provisions (shown in **Figure 4**).



Figure 4 Proposed Warringah LEP 2011 Key Sites Map



## Land Reservation Acquisition Map

The Land Reservation Acquisition Map is proposed to be amended to identify land for acquisition for the purpose of a local road (shown in **Figure 5**).



**Figure 5 Proposed Warrindah LEP 2011 Land Reservation Acquisition Map**

## Additional Permitted Uses Map

The Additional Permitted Uses Map is proposed to be amended to identify land where additional permitted uses are proposed (shown in **Figure 6**) (to support the proposed amendment to Schedule 1 of the Warringah LEP 2011).



**Figure 6 Proposed Warringah LEP 2011 Additional Permitted Uses Map**