Pittwater Community Alliance

25/08/2026

The Chief Executive Officer and Councillors

Northern Beaches Council

PO Box 1336,

Dee Why, NSW 2099

Submission on the Draft Comprehensive Northern Beaches Local Environmental Plan (LEP) and Draft Development Control Plan (DCP)

The Pittwater Community Alliance (PCA) welcomes the opportunity to comment on the draft Northern Beaches Local Environmental Plan (LEP) and draft Development Control Plan (DCP). We forward the following submission as an addendum to our letter of the 7/7/2026 sent prior to the formal exhibiting in July 2026 of the draft LEP & DCP and noting submissions close on the 30th August 2026.

The PCA is an independent, non-political alliance of resident and community associations representing the villages and waterways of the former Pittwater local government area, from Warriewood to Palm Beach. Our member and affiliated associations include the Newport Residents Association, the Bayview-Church Point Residents Association, the Palm Beach & Whale Beach Association, the Avalon Preservation Association, the Warriewood Residents Association, the Clareville & Bilgola Plateau Residents' Association, the Bilgola Beach Residents Association Inc., the Scotland Island Residents' Association, and the West Pittwater Community Association (representing the western foreshore communities of Church Point, Elvina Bay, Lovett Bay, Morning Bay and Towlers Bay). Together we represent many thousands of residents and ratepayers who share a deep commitment to the natural beauty, heritage, village character and environmental values of Pittwater.

This submission draws on the long-standing aims of our member associations - most of which were founded, in some cases over a century ago, specifically to “promote proper planning of all future development” and to protect Pittwater from inappropriate over-development. We make this submission in that same spirit: constructively, and with a genuine wish to see Council succeed in producing a single, clear planning framework that does not come at the cost of the character, environment and liveability that make Pittwater special.

1. What we welcome in the draft LEP and DCP

The PCA recognises that consolidating four inherited planning instruments into one framework is a substantial undertaking, and we support a number of the stated intentions behind it. In particular, we welcome:

- The commitment to a single, clearer set of rules, which should make it easier for residents (not just developers and consultants) to understand what can and cannot be built near them.
- Council's confirmation that building height controls will be retained in the new LEP, and that Floor Space Ratio (FSR) will not simply replace or override height limits as the primary control on bulk and scale.
- The proposal to base the LGA-wide geotechnical planning clauses primarily on the existing Pittwater provisions, which were developed to manage the area's landslip, cliff and foreshore hazards and are widely regarded as the most comprehensive of the three inherited codes.
- The stated aims of protecting environmental areas, views and local heritage, avoiding inappropriate development in hazardous or rural land, and supporting urban design that respects local character.
- The extended, multi-round community engagement undertaken since 2019, including the 2022 Conservation Zones Review, and the provision of an interactive property mapping tool and factsheets to help residents understand how the changes may affect them.
- The application of consistent, LGA-wide geotechnical hazard classification, which should ensure that cliff-edge and foreshore properties across Bilgola, Whale Beach, Clareville and elsewhere are assessed to a rigorous and consistent standard.

These are genuine positives, and we ask Council to hold firm to them through to final adoption in 2027, particularly as the LEP will carry more legal weight than the DCP and will be tested against pressure for uplift from the State Government's own housing reforms.

2. Where we have serious concerns, and how we ask Council to respond

Notwithstanding the above, our member associations - each of which has spent decades, and in several cases most of a century, defending Pittwater from unwanted over-development - hold serious and shared concerns about aspects of the draft plans. We set these out below, together with the changes we are asking Council to make.

2.1 Building heights, bulk and scale

Pittwater's low-rise, landscape-dominant streetscapes depend on height limits that are, in many zones, lower than those historically applied in Manly and Warringah. Harmonising controls across the LGA must not mean averaging upward. We are also conscious that FSR, while described as a general bulk control rather than a substitute for height, can still be used to justify additional bulk within an unchanged height envelope if not carefully calibrated.

- Retain the existing former Pittwater LEP 2014 height limits (including the 8.5m limit applying across most residential and environmental living zones) as locality-specific schedules in the new LEP, rather than defaulting to LGA-wide standard heights and adjust the Height of Buildings Map accordingly.
- Ensure any new FSR controls introduced for Pittwater zones are calibrated to existing landscaped area, site coverage and canopy requirements, so that they cannot be used to increase bulk beyond what current controls permit.

2.2 Local and village character

We note under Part 2 of the DCP the provision of Local character statements for each of the Pittwater villages. We would like these character statements to be embed as a mandatory consideration in both the LEP and DCP, so they carry real weight in development assessment rather than being an aspirational annexure.

2.3 Environment, conservation zones and tree canopy

The former Pittwater LEP's environmental living and conservation zones (broadly, the C2-C4 zones) were hard-won protections for bushland, foreshore scenic areas and wildlife corridors. We are concerned about any net reduction in the extent or strength of these zones as part of harmonisation, and about the adequacy of enforcement once controls are set.

- Commit that no land identified as retained in conservation zoning through the 2022 Conservation Zones Review will be down-zoned to a standard residential zone (which would, for example, newly permit dual occupancy) without a specific, separately-exhibited justification.
- Strengthen, rather than merely carry over, LEP and DCP provisions on tree canopy retention, landscaped area, hard-surface-to-landscape ratios, excavation and protection of wildlife corridors, consistent with Council's own adopted Tree Canopy Plan.
- Resource and strengthen compliance and enforcement - including for tree removal, unauthorised clearing and site coverage breaches - so that controls on paper translate into outcomes on the ground.

2.4 Heritage protection

Pittwater's heritage is not limited to a handful of listed buildings; it includes the scale, setting and streetscapes of its villages. Recent development applications that have been argued to significantly exceed height limits next to heritage items (including in Palm Beach and Newport) illustrate the risk when controls are not firmly enforced.

- Progress a Pittwater-wide heritage conservation strategy alongside the LEP, rather than relying solely on a limited schedule of individually listed items.
- Ensure heritage curtilage and view-line protections are strong enough that adjoining development cannot overwhelm heritage items such as Barrenjoey House, the Bayview Baths precinct, Church Point's maritime heritage, and Avalon's and Newport's historic village shopfronts.

2.5 Infrastructure capacity

Several of our member associations have raised, over many years, the limited capacity of Pittwater's sewerage system, the single-road access into villages such as Avalon, Palm Beach, Clareville and Whale Beach, and the water-only access to Scotland Island and the western foreshore. Any increase in development potential must be tested against this reality, not assumed away.

- Publish the infrastructure capacity studies (sewerage, roads, schools, open space) that have informed the draft LEP, specifically at the Pittwater-village level, before the plans are finalised.
- Ensure bushfire and flood evacuation capacity - especially for the single-egress villages of the Pittwater peninsula and the boat-access-only western foreshore - is a binding constraint on any additional density, not a matter addressed after the fact at development application stage.
- Recognise explicitly, in both the LEP and DCP, that Scotland Island and the western foreshore communities are accessible only by water, and ensure controls do not assume mainland-style road access, kerbside parking or reticulated sewer that do not exist there.

2.6 Interaction with State housing reforms

We are conscious that the draft LEP and DCP are being finalised at the same time as State Government reforms to low- and mid-rise housing, transport-oriented development, and community participation requirements, several of which our member associations have separately opposed as a poor fit for Pittwater's environmental context, hazards and infrastructure. We ask Council to use this LEP process to protect Pittwater's outcomes as far as it is able.

- Clearly document, in the finalised LEP, how Pittwater's locality-specific controls (height, character, hazard and conservation provisions) are intended to interact with, and where possible be protected from being overridden by, State housing and transport-oriented development policies.
- Advocate to the State Government, on the record, for Pittwater's environmental constraints, hazard exposure and infrastructure limits to be recognised in any future State-led rezoning affecting the former Pittwater area.

2.7 Community governance and ongoing engagement

Because the DCP is a guideline rather than a legal instrument, our member associations are concerned that hard-won local provisions can be more easily varied or overridden than those in the LEP. We also believe residents should have a more structured, ongoing voice in how these plans are applied and amended over time.

- Wherever a control is genuinely important to protecting Pittwater's character or environment, embed it in the LEP itself rather than leaving it solely to the non-binding DCP.
- Commit to genuine, targeted consultation (not just LGA-wide exhibition) before any future amendment that would materially affect a specific Pittwater village or waterway community.

2.8 Foreshore Scenic Protection

We believe that the objective of the Foreshore Scenic Protection Area clause *"to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly'* should include the Pittwater Waterway; draft LEP Part 6 Additional local provisions Foreshore Scenic Protection.

Additionally the whole LGA should be included in the Foreshore Scenic Protection Area Map, not only maintain that existing in the current Manly LEP.

2.9 Landscaped Area

Strengthen the proposed new Landscaped area clause to include numerical values for Landscaped Area by moving the Landscaped Area Map from the draft DCP to the LEP and amend the draft DCP Part 4 – General control 4B.1 Landscape Setting accordingly.

2.10 Excavation and fill

Incorporate the draft DCP Part 4 – General control 4E.3 Excavation and fill (earthworks) into the LEP in Part 6 Additional Local Provisions Earthworks.

2.11 Housing Diversity Areas

Remove Newport and Avalon Local centres from Housing Diversity Areas that permit hostels and boarding houses, subject to minimum lot size, within 400 metres of such areas as both are prohibited in the R2 zone in the current Pittwater LEP, the NBC LEP is not intended to increase density. (draft LEP Schedule 1 Additional permitted uses)

3. Protection of the Ingleside Fauna Corridor land

The current zoning of this land in the draft LEP is C3 but needs to be changed to C2 Environmental Conservation to allow this land to be protected as a nature reserve to ensure it;

- remains habitat for many species listed as threatened in NSW
- continues to be part of a biodiversity corridor which connects Ingleside Chase Reserve with bushland in Ingleside and Ku-ring-gai Chase National Park and
- is needed to enable the fauna crossings on Mona Vale Road East to function effectively.

We understand Pittwater Natural Heritage Association is making a very detailed submission for this zoning with identification of the actual corridor areas and all members of the Pittwater Community Alliance fully support the reasons for this C2 zoning.

4. Closing

The Pittwater Community Alliance and its member associations are not opposed to change or to appropriate, well-planned housing growth. Our members have, in many cases, spent decades working constructively with council staff and elected representatives on planning matters. What we ask is that the process of consolidating four planning instruments into one does not become the mechanism by which the environmental, heritage and character protections that generations of Pittwater residents have fought for are quietly diluted.

Yours sincerely,

Gavin Butler, President