

159 – 167 Darley Street West, Mona Vale

Rezoning Review of Planning Proposal (Reference: PP-2021-7404)

PREPARED FOR **INTREC MANAGEMENT (APPLICANT)**

December 2021



Important Notice

© Macroplan Holdings Pty Ltd All Rights Reserved. No part of this document may be reproduced, transmitted, stored in a retrieval system, or translated into any language in any form by any means without the written permission of Macroplan Holdings Pty Ltd. All Rights Reserved. All methods, processes, commercial proposals and other contents described in this document are the confidential intellectual property of Macroplan Holdings Pty Ltd and may not be used or disclosed to any party without the written permission of Macroplan Holdings Pty Ltd.

Macroplan staff responsible for this report:

Daniela Vujic, General Manager Planning

Version	Version No.	Author(s)	Date	Review
Draft report	1.0	DV	30/11/2021	GW
Final report	1.0	DV	6/12/2021	DV

Contact

Level 10
580 George Street
Sydney NSW 2000
(02) 9221 5211
info@macroplan.com.au

Table of contents

Section 1: Introduction	2
1.1 The Site and Property Description.....	3
1.2 Site context.....	4
1.3 Overview of the Planning Proposal and Concept Design	5
Section 2: Correspondence and Feedback on the Planning Proposal	7
2.1 Pre-Planning Proposal Application Meetings.....	7
2.2 Planning Proposal	9
2.3 Local Planning Panel.....	10
2.4 Council Ordinary Meeting	11
Section 3: Strategic and Site-Specific Merit	16
3.1 Strategic Merit	16
3.1.1 Gives effect to the relevant district plan within the Greater Sydney Region	16
3.1.2 Gives effect to the relevant local strategy that has been endorsed by the Department, such as the locals strategic planning statement and housing strategy.....	19
3.1.3 Responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls ...	20
3.2 Site-Specific Merit	21
3.2.1 Natural environment	21
3.2.2 Existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal.....	23
3.2.3 Services and infrastructure available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision	23
Section 4: Other Matters	25
4.1 Draft Mona Vale Place Plan (2016)	26
Conclusion	28
Appendix 1 – Responses to Council's Assessment Report.....	30

Section 1: Introduction

This report provides the information to support a request for a rezoning review of a Planning Proposal, under section 3.34(5) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) for land located at 159-167 Darley Street West, Mona Vale (subject site) (refer to section 1.1). The Northern Beaches Council (Council) notified the applicant Intrec Management Pty Ltd on 5 November 2021 that Council had resolved on 26 October 2021 to:

1. Reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not forward it to the NSW Department of Planning, Industry and Environment seeking a Gateway determination for the following reasons:

- A. The Planning Proposal is inconsistent with the provisions of the North District Plan.*
- B. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.*
- C. The Planning Proposal does not demonstrate strategic merit or site specific merit when assessed against the NSW Planning & Environment's: A guide to preparing planning proposals.*
- D. The Planning Proposal may establish an unwanted precedent.*
- E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.*

2. As part of the Mona Vale Place Planning Process, include 159-167 Darley Street West, Mona Vale for consideration within the Centre Investigation Area (as identified within the draft Local Housing Strategy) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Place Planning process.

Macroplan is of the view that the proposed Planning Proposal will facilitate the delivery of state government policy outcomes and does not need to await a planning proposal process to be led by Council. Macroplan is also of the opinion that the lengthy timeframes proposed to undertake amendments to the *Pittwater Local Environmental Plan 2014* (PLEP 2014) to deliver new housing in Mona Vale via a Place Plan will compromise the achievement of the *Northern Beaches Local Strategic Planning Statement* (LSPS) and *Northern Beaches Local Housing Strategy* (LHS) vision(s) for future housing supply and housing diversity and will therefore continue to put upward pressure on housing supply and affordability.

The Planning Proposal (Attachment 3), prepared by Macroplan (dated June 2020) submitted to Council on 8 July 2021 for consideration sought the following outcomes:

- Rezone properties 159-167 Darley Street West, Mona Vale from R2 Low Density Residential under PLEP 2014 to R3 Medium Density Residential in order to facilitate the redevelopment of these sites for medium residential housing, consistent with other housing developments within this street.
- Amend clause 4.5A of the PLEP 2014 to remove its applicability to the subject site to provide a diversity and mix of housing.

Figure 1 below shows the proposed amendment sought to PLEP 2014 Land Zoning Map Sheet 12, that is to rezone the subject site to R3 Medium Density Residential.

Pittwater Local Environmental Plan 2014

Land Zoning Map - Sheet LZN_012

Zone

B1	Suburban Centre
B5	Local Centre
B6	Major Use
B7	Employment Centre
B7A	Business Park
B7B	Industrial Parks and Nature Reserves
B8	Environment Conservation
B9	Environmental Management
B9A	Environmental Landscape
B9B	Light Industrial
B9C	Altering Materials
B10	Low Density Residential
B11	Medium Density Residential
B12	Large Lot Residential
B13	Rural Residential
B13A	Produce Production
B13B	Rural Landbased
B14	Special Facilities
B15	Manufacture
B16	Neural
B17	Natural Waterways
B18	Recreational Waterways

Cadastral

☐ Cadastre 7/1/2012
☐ Lot Use & Property Information (LUP)

INGLESIDE

MONA VALE

WARRIEWOOD

Scale

0 50 100 METRES

North Arrow

W E N S

File Number: 0000 0000 LZN 012 010 20180102
Map Number: 0000 0000 LZN 012 010 20180102

This report has been prepared in accordance with Planning Circular PS 18-012 and *Local Environmental Plans: A guide to preparing local environmental plans* (2018) to demonstrate that the proposed Planning Proposal is strategically consistent with state government plans and has both strategic and site-specific merit. The proponent requests that the Regional Planning Panel recommend that this Planning Proposal is submitted for a determination under section 3.34 of the EP&A Act (i.e. Gateway Determination).

The site is located in the Northern Beaches local government area (LGA), formerly Pittwater LGA. The site has a total site area of approximately 6,120m² and comprises five properties, legally described as:

- These properties are occupied by single and double storey single dwellings on the southern side of Darley Street West. The houses are c.1960-1970 and are well set back and incorporate large gardens.

Figure 2: Subject site properties



Source: Macroplan (2021), Sixmaps (2021)

1.2 Site context

The subject site is located at the end of a cul-de-sac on Darley Street West, opposite the Bayview Golf Club. The street is generally characterised by two to three storey apartment blocks and adjoins medium density development.

The site comprises five (5) allotments and are the only properties in the street zoned for low density residential development. The site is located less than (walking distance):

- 700 m from the Mona Vale commercial / retail core;
- 400 m from Mona Vale's employment lands;
- 100 m from public open space and is located directly opposite private open space (i.e. the Bayview Golf Club);
- 300 m from the Pittwater Road signalised intersection; and
- 450 m from public transport options with the closest bus stop located on Pittwater Road.

As the crow flies, the site is located approximately 500 m from Mona Vale's shops (commercial and retail core); 380 m from Mona Vale's employment lands; 220 m from the closest bus stop on Pittwater Road; and 830 m from the B-line bus stop on Barrenjoey Road (Figure 3).

Figure 3. Site and Locality Context



Source: Nearmap (2021), Macroplan (2021)

1.3 Overview of the Planning Proposal and Concept Design

Macroplan was commissioned, on behalf of Intrec Management Pty Ltd (Intrec) acting as development managers and the applicant for Magnolia Views Property Pty Ltd (MVP), to prepare a Planning Proposal to rezone properties 159-167 Darley Street West, Mona Vale from R2 Low Density Residential under PLEP 2014 to R3 Medium Density Residential in order to facilitate the redevelopment of these sites for medium residential housing, consistent with other housing developments within this street. In addition, Intrec sought to amend clause 4.5A of the PLEP to not apply to the subject site. This clause restricts the dwelling density (i.e. the number of dwellings) that can be developed on the site and therefore the diversity, affordability and mix of housing.

The Planning Proposal as submitted to Council has not been amended or updated as part of this rezoning review request. The Planning Proposal report prepared by Macroplan included the following supporting studies and information which has been appended to this rezoning review application (refer to Attachment 3):

- Appendix A – Concept / Architectural drawings by Giles Tribe
- Appendix B – Urban Design Study by Giles Tribe
- Appendix C – Traffic Impact Assessment by ptc
- Appendix D – Preliminary Site Investigation (Contamination) and Preliminary Acid Sulfate Soil Assessment by Geotechnique

- Appendix E – Stormwater Management Strategy by AECOM
- Appendix F – Infrastructure and Utilities Assessment by Enspire
- Appendix G – Preliminary Ecological Assessment by Cumberland Ecology
- Appendix H – Economic Assessment and Justification Report by Macroplan
- Appendix I – Survey Plan
- Appendix J – Responses to Council's pre-lodgement meeting comments

The concept plan (Figure 4) submitted in the Planning Proposal application to Council included the construction of two (2) residential flat buildings and three (3) townhouses. The residential flat buildings proposed to include a mix of one, two and three bedroom apartments and basement carparks with a total of 38 apartments. Therefore, 41 dwellings have been proposed under the current concept plan with the proposed dwelling mix:

- 12 x 1 Bedroom apartments
- 20 x 2 Bedroom apartments
- 6 x 3 Bedroom apartments
- 3 x Townhouses

Figure 4. Concept Plan



Source: Giles Tribe, Urban Design Study (2021)

Section 2: Correspondence and Feedback on the Planning Proposal

This section provides an overview of the dealings the proponent/applicant and Macroplan has had with Council regarding the preparation of the Planning Proposal as well as the feedback received from both Council and the Northern Beaches Local Planning Panel following formal lodgement of the Planning Proposal on 8 July 2021. Based on information in the Council officer's assessment report from the Ordinary Council Meeting held on 26 October 2021, we understand that the Planning Proposal was referred to Sydney Water. The feedback provided by Sydney Water are matters that can be considered as part of a future Development Application (DA).

2.1 Pre-Planning Proposal Application Meetings

Discussions regarding rezoning part of the subject site commenced in mid 2019 with Council. On 10 July 2019 Macroplan and the proponent met with Council to discuss rezoning properties 163-165 and 167 Darley Street West, Mona Vale from R2 low density residential to R3 Medium Density Residential under PLEP 2014. The proponent intended to develop approximately 14 townhouses on the site. A summary of the feedback and key issues raised by Council at this meeting are listed below.

- Council intends to release their draft LSPS in October 2019 as well as supporting studies (e.g. The Housing and Employment Study). In view of these documents being imminent, it is considered that any planning proposal submitted prior to the adoption of a final document would be premature. The proponent, if they decide to progress ahead of this, will need to demonstrate why it should be progressed ahead of the completion of such studies and the LSPS.
- The change from R2 to R3 zoning will introduce permitted uses beyond multi dwelling housing (as noted above) that may not be compatible with or desirable in the surrounding area, particularly with regard to impacts to amenity, and existing infrastructure. The Applicant should consider if this Planning Proposal as drafted is the best path for achieving the intended outcomes.
- It is noted that a number of parcels are not included in the draft proposal that could potentially isolate and sterilise a number of other sites.
- The Proposal must show compliance with the Flood Prone Land (4.3) Direction of the Local Planning Directions under Section 9.1(2) of the Environmental Planning and Assessment Act 1979. With regard to this Planning Direction, Council would not be able to support the Planning Proposal as it would permit a significant increase in the development of that land.
- All access would be through Darley Street (West) with no access to be created onto Park Street.
- The proposal would not be supported for a number of reasons including: timing in relation to the preparation of the Local Strategic Planning Statement; concerns relating to site amalgamation and isolation of adjoining sites not considered as part of the proposal; introduction of other permitted uses under the R3 zoning that are not appropriate or desirable at the proposed location; and inconsistency with Local Planning Direction 4.3 Flood Prone Land.

As a result of this feedback, the proponent awaited the release and finalisation of the LSPS and included the adjoining properties within the rezoning proposal (i.e. 159 and 161 Darley Street West). The proponent also sought additional flood/hydraulic advice to confirm that the proposal would not result in further impacts on flooding.

On 9 September 2020, Macroplan and the proponent met with Council to discuss a revised planning proposal concept. The revised concept included rezoning the five remaining properties (i.e. 159-167 Darley Street West, Mona Vale) from R2 low density residential to R3 Medium Density Residential under PLEP 2014 as well as removing the applicability of clause 4.5A of PLEP 2014 from applying to the site given its inconsistency with the strategic directions of the *Greater Sydney Region Plan*, *North District Plan* and Council's LSPS.

The documentation submitted to Council for this meeting included preliminary flooding advice which informed the revised concept design for the site (i.e. two apartment buildings similar to the building form in the street and three townhouses) and to minimise impacts on the overland flow path identified in Council's Flood Study. The advice considered Council's flood model as well as a site survey to better reflect the local site conditions and aid in developing a strategy to manage flood waters for the site in consultation with Council. A copy of the Preliminary Planning Proposal documentation submitted to Council for the September 2020 pre-application planning proposal meeting is provided in Attachment 4.

The meeting notes from this meeting were issued by Council on 13 October (Attachment 5). A summary of the feedback and key issues was included in Appendix J of the Planning Proposal documentation (Attachment 3) and is further summarised below.

- Based on Council's preliminary research, the LGA's five-year housing target (2016-2021) under the North District Plan is 3,400 new dwellings and is likely to be met under existing planning controls without the need for unplanned uplift.
- As noted above, recent research indicates that existing planning controls will be able to deliver short term targets with an emphasis on new dwellings being provided in already identified precincts such as Frenchs Forest.
- The North District Plan and Local Strategic Planning Statement do not specifically require the need for additional housing in the location of the subject site.
- In consideration of the above, the documents submitted by the proponent have not demonstrated why this planning proposal should be progressed ahead of the completion of such studies and without the demonstrable strategic need for additional housing in this location.
- Council raised concerns regarding the permitted uses under the R3 zoning that are not appropriate or desirable at the proposed location.
- Any areas subject to uplift would be subject to the provision of affordable housing in accordance with Council's adopted Affordable Housing policy.
- Although the concept design for a Planning Proposal is not legally binding, any proposal should consider current Pittwater 21 DCP provisions and other applicable design guidelines to inform the built form outcomes and ensure that they are in character with the existing area.
- Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premises.
- Having regard for the above, it is recommended that the proponent wait for the Housing Strategy to be released as this will provide clarity about where additional growth might occur.
- The Proposal must show compliance with the Flood Prone Land (4.3) Direction of the Local Planning Directions under Section 9.1(2) of the Environmental Planning and Assessment Act 1979. Council noted

inconsistency with Local Planning Direction 4.3 Flood Prone Land. With regard to this Planning Direction, given that the proposal would permit a significant increase in the development of flood prone land, the applicant must demonstrate that the cumulative impact of the development will not affect surrounding areas.

- The planning proposal has the potential to set a precedent for adjoining properties to upzone without the benefit of a wider housing review or the impacts to flood prone land to the northwest of the subject site.
- Council is supportive of opportunities to minimise flood risk to private property and divert this flow to Darley Street provided that it does not impact the trafficability of the roadway in flood events.
- The Proposal would need to outline how any future Development Application on the site could comply with Council's Local Environmental Plan and Development Control Plan provisions for flood prone land.
- Applicant is to consider Active Transport provision and pedestrian and other connections from/to the Mona Vale Town Centre.

Macroplan was of the opinion that the meeting notes issued by Council on 13 October 2020 of the 9 September 2020 meeting was not reflective of the discussions held at the pre-planning proposal application meeting. Macroplan wrote to Council on 21 October 2020 advising that the *"minutes recorded appear to have introduced a more deliberate and structured opinion piece perhaps more aligned to the views of others, that is a strategy position which in effect is to hold in abeyance consideration of housing products in Mona Vale"*. Refer to Attachment 6 for a copy of the Macroplan letter.

2.2 Planning Proposal

On 8 July 2021, the subject Planning Proposal was submitted to Council electronically and a cheque submitted to Council for the application. Council confirmed that it had reviewed all the information submitted and would start processing the application.

On 21 July 2021, Council wrote an email to the applicant (Intrec Management) advising them that Council is unlikely to support the Planning Proposal as it is inconsistent with Council's Strategic documentation, in particular Council's recently adopted LHS (but not endorsed by DPIE), specifically the subject site was not within the Mona Vale Centre Investigation Area. Based on this correspondence, it appears that Council had already formed the opinion, before assessing the strategic and site-specific merit of the Proposal, that the Planning Proposal would be rejected as the site was located outside the Centre Investigations Area set under the LHS (i.e. based on a policy which had not been endorsed or approved by DPIE). The applicant wrote back to Council on 27 July 2021 advising that they had considered Council's feedback and requested that Council continues to assess and consider the Planning Proposal. A copy of the email correspondence is provided in (Attachment 7).

On 30 July 2021, Council formally notified the applicant that Council had received the Planning Proposal for 159-167 Darley Street, Mona Vale (Attachment 8). The application number was PEX2021/0001 and would be notified between the period of 9 August 2021 to 22 August 2021. During the non-statutory notification period of the Planning Proposal, Council's assessment report notes that 72 submission were received by Council with 66 submissions objecting to the Proposal. Below is Council's summary of the objections received regarding the Proposal. It is noted that only 44 of these submissions were made available on Council's website for public viewing. Of the 44 submissions made available, 38 of these submissions were from Darley Street West residents (i.e. residents living in medium density housing).

Strategic Merit

- Overpopulation of the Northern Beaches with no requirement for the unplanned uplift due to the North District Plan zero-five-year housing target likely to be met under existing planning controls.
- There is no strategic merit in rezoning the site to R3, with any rezoning to form part of the strategic planning process and not through a spot rezoning with land closer to the Mona Vale centre more appropriate for medium density housing.
- The proposal is inconsistent with the desired future character of the area.
- The proposal is not providing affordable housing, nor enabling the provision of smaller housing as claimed, but instead is a way for the developer to increase profits.
- The Proposal is not in the interest of the local population.

Other Issues

- The development of this density will result in increased traffic and parking impacts on Darley Street West which is a dead-end cul-de-sac and cannot sustain any more traffic, with increased safety issues at the lights at the Pittwater Road intersection.
- Overdevelopment of the site which is unsuitable for such a high density of development and should therefore remain low density.
- The development will depreciate the value of existing properties in the vicinity of the site.
- Inaccurate mapping within the Planning Proposal Report, with 102 Darley Street West (a private development) identified as part of Bayview Golf Club.
- Existing sewage problems in the area, and the increase in density on the site will exacerbate issues.
- Additional demand for garbage collection and the increased noise that will be associated with this is unacceptable.
- Broader Impacts/strain on infrastructure and the environment, particularly flora and fauna, soil contamination and impacts on climate change.
- The proposal is within a flood prone area, with existing issues with the water table and underground parking and subterranean moisture.
- Overshadowing and impacts on privacy, particularly on adjoining neighbours.
- Will this property become predominately investors and therefore the potential to create an increase in airBnB style short term renters and significantly increase noise and other associated activities commonly found in this style of development.
- Issues raised by Council in the pre-lodgment meeting have not been satisfactorily addressed.
- Community consultation on the proposal is inadequate, and all of Darley Street West should have been notified.

2.3 Local Planning Panel

The Planning Proposal was referred to the Northern Beaches Local Planning Panel to seek endorsement of Council's recommendation to reject the Planning Proposal. Council prepared an assessment report for the Local Planning Panel. The Panel meeting was held on 6 October 2021.

Macroplan was provided with the opportunity to issue the Panel with a response to Council's assessment report which it did submit prior to the Panel meeting. The submission was not to exceed two pages (Attachment 9). In addition, both Macroplan and the proponent presented to the Panel.

The recommendation of the Panel is outlined below (refer to Attachment 10):

That the Northern Beaches Local Planning Panel recommends that Council not proceed with the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.

The Panel recommends that the site be included in the Mona Vale Centre Investigation Area and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations. The Panel agrees generally with the assessment report.

The Panel considers this application is premature considering the strategic planning initiatives being undertaken.

Based on the above, it could be concluded that the Panel agreed that the site had merit for higher density residential uses and that clause 4.5A of the PLEP 2014 may be impacting on housing diversity. However, the Panel's concluding statement take the view that planning proposals should not proceed before Council prepares the Place Plan for Mona Vale. We believe this is inconsistent with Council's LSPS and the NSW planning framework which allows for planning proposals to be proposed and progressed outside a council led planning process if the planning proposal is strategically consistent with NSW government policy including Regional and District Plans.

The master planning or Place Plan process for Mona Vale will be lengthy with Council officers previously providing feedback that zoning amendments for Mona Vale would not be captured in the preparation of the consolidated LEP scheduled for completion in 2023. It could be well over five (5) years, based on the timeframes indicated in Council's LHS, before land use zoning changes would be implemented or even commence for Mona Vale (i.e. investigations to occur between 2025-2036). It has already been more than three (3) years since the *North District Plan* was released and five (5) years since Council exhibited a draft Place Plan for Mona Vale (based on the previous Sydney Metropolitan Strategy 2014) which was never finalised. Halting development for this period will further exacerbate the housing affordability issue in the Northern Beaches and Mona Vale, particularly for key workers, young families on lower incomes and older residents wanting to downsize but want to remain in the Mona Vale community. Refer to section 4 of this report for further information regarding Council's consolidated LEP review and the draft Mona Vale Place Plan.

2.4 Council Ordinary Meeting

The Planning Proposal was considered at the Northern Beaches Council Ordinary Meeting held on 26 October 2021. The assessment report presented to the Councillors was similar to the report issued to the Local Planning Panel for consideration, recommending that Council reject the Planning Proposal (Attachment 11). The main difference in the Council's officers report was that it included the Local Planning Panel's recommendation to include the subject site in the Centres Investigation Area for Mona Vale (even though it was excluded from the LHS) and to consider the applicability of clause 4.5A of the PLEP 2014 in that process.

Neither the proponent nor Macroplan were permitted to present to the Councillors at the Ordinary Meeting held on 26 October 2021. Macroplan and the applicant were given the opportunity to provide a written statement no longer than three (3) minutes in length to be read out by a Council representative with a number of other submissions at the start of the meeting. No additional time was provided to allow for the statement to be read in full (i.e. the Council

representative stopped reading the submission once the three minute timeframe had lapsed). Matters were only debated by exception after all the submissions were read out. The decision to reject the Planning Proposal was passed with no specific discussion or debate.

The reasons provided by Council for rejecting this Planning Proposal are summarised in Table 1. The main justification provided by Council for rejecting this Planning Proposal is based on the subject site not being located within the Centre Investigation Area of Council's LHS, specifically that the site is located outside the 800 m radius of a "high-frequency public transport" node which has been determined as the B-line bus stop on Barrenjoey Road. Whilst Council's LHS has not yet been approved by the DPIE (and therefore is not a strategic plan that needs to be considered for this rezoning review), Macroplan respectfully suggests that moving a centre which focuses on Mona Vale's commercial/retail centre to the B-line bus stop is inconsistent with the *Northern District Plan*. Whilst Macroplan supports the recognition of the B-line, it should not be the determinant of what is the "centre" of Mona Vale. We also note that the interpretation of the 800 m radius from the B-line bus stop is inconsistent with Council's own Centre Renewal Framework which defines the boundary of the investigation area as being within 800 m of centres and public transport. The subject site is well within the parameters of this framework.

Macroplan's response to Council's reasons for rejecting the Planning Proposal are outlined in Table 1 below. In addition, Macroplan has undertaken a detailed review of Council's assessment report submitted to the Ordinary Council Meeting on 26 October 2021. Detailed responses to the matters raised by Council's officers in the assessment report are included within Appendix 1 of this report. Internal referrals to Council's business units did not raise any specific concerns with the Proposal except for the economic development and tourism feedback which raised concerns with the Proposal proceeding ahead of the place planning process for Mona Vale. Specific matters and comments raised by the business units can be dealt with at the DA stage.

Table 1. Council's reasons for rejecting the Planning Proposal

Council's reasons for rejecting the Planning Proposal	Macroplan response
A. The Planning Proposal is inconsistent with the provisions of the North District Plan.	<p>Unfortunately, Council's interpretation is not consistent with the North District Plan.</p> <p>The Planning Proposal is consistent with the District Plan, specifically:</p> <ul style="list-style-type: none"> • Planning Priority N5 seeks to provide housing supply, choice and affordability, with access to jobs, services and public transport. The site is located less than 500 m from the Mona Vale commercial / retail core and less than 400 m from employment lands. Public transport is less than 400m walking distance of the site with the closest bus stop located on Pittwater Road. The Planning Proposal will deliver a diversity and mix of different apartment sizes which will support improved affordability in the area. • Planning Priority N10 seeks to grow investment, business opportunities and jobs in strategic centres.

	<p>However, the employment generating capacity of Mona Vale is tied in with the population that surrounds it. Allowing the population to grow through density will help to support the achievement of this Planning Priority with more people requiring more service providers. Developing local employment growth in Mona Vale will need to be supported by improved housing options to accommodate a variety of additional workers. This is particularly important for key workers. Macroplan is of the opinion that providing housing supply for an additional 180-400 dwellings to be delivered in Mona Vale by 2036 will not be sufficient to support the job growth predicted for Mona Vale nor will it be sufficient to provide the variety of housing required to support local workers and the younger population.</p> <ul style="list-style-type: none"> • Planning Priority N12 which seeks to deliver integrated land use and transport planning and a 30-minute city. To achieve this, more housing and jobs will need to be planned for within strategic centres such as Mona Vale. Over 76% of those who work in the Northern Beaches also live in the area and this should continue to be encouraged and supported to achieve the Government's objective of a 30-minute city.
<p>B. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040</p>	<p>Council's advice that the Proposal is inconsistent with the provisions of the LSPS is unclear. The LSPS states (p32):</p> <p><i>"Planning proposals seeking changes to the planning controls for additional development capacity through spot rezoning must have strategic merit and site-specific merit."</i></p> <p>Page 21 of the Planning Proposal report prepared by Macroplan demonstrated the consistency of the Proposal against the planning priorities of the LSPS. Further detail of the Proposal's strategic and site-specific merit is outlined in section 3 of this report.</p> <p>This is <u>not</u> a spot rezoning as it is contiguous to an existing area of R3 zoned land; is included in a cul-de-sac that is otherwise developed with similar built form; is located opposite a golf club; and most importantly is within walking distance of a strategic centre which has more than 4,300 jobs growing to 5,000-6,000 jobs by 2036. This Proposal responds to a critical shortage in diverse housing forms in the strategic centre of Mona Vale and appropriately responds to Council's LSPS.</p>

	<p>Council has acknowledged that housing affordability is a major issue for the LGA with additional housing supply needed to address affordability issues and to provide a greater choice of housing options to a changing and ageing community. The LSPS specifically states that “<i>significant additional housing supply is not needed to address projected population growth, <u>but is needed to address affordability issues and to provide a greater choice of housing options to a changing and ageing community</u></i>” (p128). Hence Council’s LHS is required to not only achieve housing targets in Mona Vale but also provide housing supply to address housing diversity in order to be consistent with the LSPS.</p> <p>This Planning Proposal seeks to address this issue by providing housing options which are in low supply and demand for the Mona Vale area.</p>
<p>C. The Planning Proposal does not demonstrate strategic merit or site-specific merit when assessed against the NSW Planning & Environment’s: A guide to preparing planning proposals.</p>	<p>Unfortunately, Council has again relied on grounds which are unclear or inconsistent.</p> <p>Macroplan has clearly outlined the strategic merit of this Proposal against both the state and local government policies under section 2.3.2 of the Planning Proposal report. It has demonstrated that all assessment issues can be addressed at the DA stage under section 2.3.3 of the Planning Proposal report. The Proposal is consistent with the current use(s) of land in the vicinity of the site and the objective to grow and develop Mona Vale as a strategic centre. It’s proximity to both the strategic centre and employment lands of Mona Vale also make it a suitable site for higher density housing. There is no planning basis to suggest the Proposal is not suitable from a development perspective for medium density housing. Council’s technical experts have confirmed that all other matters can be addressed at the DA stage. The strategic and site-specific merits of the Proposal are provided in section 3 of this report.</p>
<p>D. The Planning Proposal may establish an unwanted precedent.</p>	<p>The site is located at the end of a cul-de-sac street with a total of 20 residential lots. Apart from the land included in this Proposal, the majority of the lots in the cul-de-sac are developed for medium density housing (i.e. a similar development style to the concept design). The street has been zoned R3 Medium Density Housing for an extended period. The Proposal is contiguous to the existing medium density housing form of this street and will not set a precedent given its location, attributes and proximity to the Mona Vale Strategic Centre.</p>

E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.

The Planning Proposal addresses affordable housing issues identified in the LSPS and LHS through the provision of new medium density housing stock which is currently in short supply within Mona Vale. It will also encourage smaller sized apartments to be provided (e.g. 1-2 bedroom) which will be priced at a more affordable rate than oversized 3-4 bedroom apartments if clause 4.5A of the PLEP 2014 is removed.

Council's Affordable Housing Policy states that it applies to urban renewal and greenfield development sites as documented under the Policy Statement:

a) Council is committed to a 10% affordable rental housing target for all strategic plans and planning proposals for urban renewal or greenfield development. Higher rates of provision will be sought where feasible.

The site is not identified as an "urban renewal" site under the *North District Plan* or another strategic plan. Macroplan is of the opinion that the proposal should be classified as "infill development" and therefore this policy should not apply to the Proposal. In addition, Council's assessment report confirms that this policy does not apply to Mona Vale. Refer to Appendix 1 for more detailed responses regarding this matter.

Should Council's Affordable Housing Contribution Scheme be amended to include Mona Vale (through SEPP 70), the client would contribute to the provision of affordable housing in the LGA at the DA stage. The Scheme currently only applies to Frenchs Forest and Narrabeen.

Section 3: Strategic and Site-Specific Merit

This section provides the strategic justification for the Planning Proposal and confirms why this rezoning review is warranted. It demonstrates both the strategic and site-specific merit of the Proposal.

3.1 Strategic Merit

To confirm that a planning proposal has strategic merit, the *Local Environmental Plans: A guide to preparing local environmental plans* (2018) states that a proponent must demonstrate that the proposal:

- gives effect to regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- gives effect to a relevant local strategy that has been endorsed by the Department, such as the locals strategic planning statement, housing strategy; or
- responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

Macroplan has addressed the above matters in further detail below. In addition, the Planning Proposal report prepared by Macroplan (Attachment 3) outlined the strategic consistency of the Proposal against both state and local plans and strategies which demonstrates that the Proposal has strategic merit.

Macroplan is of the opinion that the Proposal is:

- consistent with the *North District Plan* and the LSPS;
- provides a diversity of housing types, sizes and price points which can help improve housing and rental affordability;
- provides a greater choice of housing options to a changing and ageing community;
- will provide a mix of housing options to support Mona Vale's important role as a commercial and strategic centre for the Northern Beaches; and
- will provide additional housing opportunities within walking distance of Mona Vale (a strategic centre) as well as public transport options, helping support the achievement of the NSW Government's objective of creating a 30-minute city.

3.1.1 Gives effect to the relevant district plan within the Greater Sydney Region

The subject site is located within Greater Sydney's North District and as such the *North District Plan* (2018) is applicable to this Proposal. The Plan sets out the strategic direction and planning framework to support all levels of government to deliver jobs and social opportunities for the North District. The Planning Proposal primarily gives effect to the following planning priorities of the Plan:

- Planning Priority N5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport
- Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres
- Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city.

Refer to section 2.3.2 of the Planning Proposal report (Attachment 3) for a complete assessment of the planning priorities applicable to this Planning Proposal. The Economic Justification report (Attachment 3, Appendix H) prepared by Macroplan for the Planning Proposal demonstrates that there is already a need to provide a diversity of housing and the lack of current medium density housing supply in Mona Vale is impacting on housing prices and affordability and is not catering for its current and future population needs.

A detailed response to the above planning priorities is provided below.

Planning Priority N5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport

A diversity of housing types, sizes and price points can help improve affordability. The Proposal seeks to achieve this on two fronts, firstly, to rezone the site from R2 to R3 to allow for the construction of townhouses and apartments and secondly, by removing the density clause which discourages smaller apartments (i.e. 1-2 bedroom apartments) to be delivered as part of a medium density development. The Proposal could result in approximately 35 additional dwellings being delivered on the subject site, providing additional housing supply.

As the crow flies, the site is located approximately 500 m from Mona Vale's shops (commercial and retail core); 380 m from Mona Vale's employment lands; and 220 m from the closest bus stop on Pittwater Road (refer to Figure 3). Most importantly, the site is within walking distance of Mona Vale as a strategic centre which has more than 4,300 jobs growing to 5,000-6,000 jobs by 2036.

Macroplan has received a letter from Domain Residential and Project Marketing (Attachment 13) confirming that there is not only a significant demand for medium density housing products in the Northern Beaches but that there is an undersupply of such products to service the market and buyers looking to scale down from large family homes to smaller accommodation in areas that are conveniently located close to local amenities. Domain Residential sold out their last four projects off the plan in Mona Vale, Warriewood and Newport prior to the commencement of construction which is an indicator of this strong demand.

In a recent survey (September 2021) conducted by Corelogic, the Northern Beaches LGA ranked No.1 nationally in terms of price appreciation for houses over the past year. Over the year to August 2021, the median price for houses in the Northern Beaches was up 29.5% and since the beginning of 2020 the median price was up 38%. Mona Vale was up 39%. This is an alarming statistic which cannot simply be solved by Council's Affordable Housing Policy.

The Plan specifically states (p38):

"Multi-unit dwellings can provide important housing for seniors and more affordable homes for young people. This needs to be balanced with medium density row, terrace and villa homes that provide increased housing options, especially for larger households."

The Planning Proposal has the intended effect of delivering multi-unit dwellings and apartment sizes, catering for the current and future resident's needs within walking distance of employment opportunities and services.

In addition, this Planning Priority also discusses housing targets and the need for councils to demonstrate capacity for steady housing supply into the medium term. The five-year targets set in the Plan are generally consistent with

known housing approvals and construction activity. The Plan states that these five-year targets are minimum targets and largely reflect delivery potential under current planning controls (p42). The Plan goes on to state (p42):

“To deliver the 20-year strategic housing target, councils should, in local housing strategies, investigate and recognise opportunities for longterm housing supply associated with city-shaping transport corridors; growing, emerging and new centres; and other areas with high accessibility.”

The Plan notes that the Northern Beaches B-line is a city-shaping initiative which will improve the capacity and reliability of the bus system relied on by the Northern Beaches community for access to the Sydney CBD and major local health, education, commercial and retail destinations such as Mona Vale (p84). Other transport network initiatives which are being investigated and will improve access to local jobs and services includes the east-west public transport between Mona Vale and Macquarie Park.

Macroplan is of the opinion that Council's LHS (which has not been endorsed/approved by DPIE) is not consistent with this Planning Priority in relation to the housing targets set for Mona Vale. The Council's LHS will only plan for dwelling yields of between 180-400 dwellings by 2036 for Mona Vale with Council noting that the current planning controls and future development of Frenchs Forest generally being able to accommodate the Northern Beaches housing demand. Council's strategy to provide additional housing supply in Frenchs Forest to meet the majority of the Northern Beaches required housing stock does not address the housing demands and requirements of Mona Vale. Restricting supply including the diversity of housing in Mona Vale has a direct impact on housing prices and affordability.

The Frenchs Forest Health Precinct has a stated capacity for 4,360 medium/high-rise dwellings which Council has indicated it would prefer to use to meet the LGA's housing targets, particularly in the short term. The problem with this argument is that the Frenchs Forest area – while attractive in its own right - is a distinct housing market from the coastal beach suburbs in the Northern Beaches LGA, which have such strong appeal. Using Frenchs Forest as a means to defer medium density in coastal suburbs such as Mona Vale until sometime in the distant future, would skew the market and see the price premium in the coastal suburbs only rise, impacting on the achievement of this Planning Priority.

Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres

The Planning Proposal gives effect to this Planning Priority as it will provide a mix of housing options to support Mona Vale's important role as a commercial and strategic centre for the Northern Beaches and will deliver housing within walking distance of this strategic centre including providing more affordable housing choices.

In 2016, Mona Vale was estimated to have 4,300 local jobs and this was predicted to increase by another 700-1700 jobs by 2036. However, the employment generating capacity of Mona Vale (a strategic centre in the North District) is tied in with the population that surrounds it. For particular types of businesses, the size of market required for a viable business has increased over time, so a larger population would be positive for the on-going health and vibrancy of the Mona Vale strategic centre. The other issue for businesses is obtaining employees and for employees the availability of housing is a crucial issue for them.

Allowing the population to grow through density will help to support the achievement of this Planning Priority with more people requiring more service providers. As such, developing local employment growth in Mona Vale needs to be supported by improved housing options to accommodate a variety of additional workers.

The Plan states (p67):

“Delivering housing within a walkable distance of strategic centres encourages non-vehicle trips, which foster healthier communities. Housing within centres contributes to a sense of vibrancy; however, the delivery of housing should not constrain the ongoing operation and expansion of commercial and retail activities.”

This is reinforced by Action 36 to provide access to jobs, goods and services by (p68):

“... ”

1. creating the conditions for residential development within strategic centres and within walking distance (up to 10 mins), but not at the expense of the attraction and growth of jobs, retailing and services; where appropriate, strategic centres should define commercial cores informed by an assessment of their need.”

The Proposal will not constrain the ongoing operation and expansion of commercial and retail activities in Mona Vale given its location at the end of a residential street. It is located within 10 minutes walking distance of Mona Vale’s commercial and retail services which will also encourage non-vehicle trips.

Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city

To achieve the 30 minute city long term aspiration, the Plan notes that more housing, jobs, health and education facilities will need to be planned in metropolitan and strategic centres such as Mona Vale. The Plan states (p84):

“The District’s strategic and local centres provide a range of local jobs and services that support the growing population. Encouraging the growth of strategic and local centres will reduce the need for people to travel long distances to access jobs and local services.”

The Planning Proposal gives effect to this aspirational goal as it will provide additional housing opportunities within walking distance of Mona Vale (a strategic centre) as well as public transport options. Over 76% of those who work in the Northern Beaches also live in the area and this should continue to be encouraged and supported to achieve the Government’s objective of a 30-minute city.

3.1.2 Gives effect to the relevant local strategy that has been endorsed by the Department, such as the locals strategic planning statement and housing strategy

As previously noted, Council’s LHS has not been endorsed by DPIE and therefore has not been considered for the purposes of satisfying this requirement. Notwithstanding this, Macroplan considered the LHS in the Planning Proposal (Attachment 3) and also in the detailed responses provided to matters raised by Council in its assessment report of the Planning Proposal (Appendix 1).

The LSPS notes that Mona Vale is characterised by its local coastal character with a village atmosphere however, in the future it is identified as developing into a cosmopolitan coastal local character and being the urban heart of the northern peninsula. Mona Vale is also identified as needing to provide additional housing choice and being an employment hub with a focus on additional jobs being provided closer to home. The subject site’s proximity to existing employment lands and the strategic centre of Mona Vale (<400 m distance) as well as the proposal to provide housing choice (i.e. a diversity of medium density housing stock) is therefore strategically aligned with the future vision for Mona Vale.

Council has acknowledged that housing affordability is a major issue for the LGA with additional housing supply needed to address affordability issues and to provide a greater choice of housing options to a changing and ageing community. The LSPS specifically states that (p128):

“...significant additional housing supply is not needed to address projected population growth, but is needed to address affordability issues and to provide a greater choice of housing options to a changing and ageing community”.

This Planning Proposal seeks to address this issue by providing housing options which are in low supply for the Mona Vale area.

While Council has committed to prepare a place plan for Mona Vale in the near future, with a current focus on preparing plans for Avalon, Brookvale and Frenchs Forest, Macroplan is of the opinion that the Planning Proposal should not be delayed by this process on the basis that it aligns with the strategic direction of the LSPS and it would deliver additional apartment housing supply and apartment sizes. The LSPS acknowledges that opportunities exist for new housing to be provided near the Mona Vale centre (p120). The proposed land use zoning and development form would provide a continuation of Darley Street West’s existing built form and zoning within walking distance of the town centre.

The proposed Planning Proposal is consistent with the following Planning Priorities of the LSPS:

- The site is located in close proximity to the strategic centre of Mona Vale and is within walking distance of high-frequency public transport (Priority 15, Priority 19).
- The site is located within 100m of public open space and is located directly opposite private open space (i.e. the Bayview Golf Club) (Priority 6, Priority 15).
- The proposal will positively contribute to the built environment and result in overall better urban design outcomes than existing planning controls (Priority 15).
- The proposal will complement the local character and will be consistent with the land use zoning and development form of Darley Street West (Priority 15).
- The proposal will support Mona Vale transitioning from a predominantly low-density centre to a place that offers more diverse housing and job opportunities, especially catering to the ageing population (Priority 27).

The LSPS states (p32):

“Planning proposals seeking changes to the planning controls for additional development capacity through spot rezoning must have strategic merit and site-specific merit.”

The Planning Proposal and this rezoning review demonstrate that the Proposal has strategic and site-specific merit.

3.1.3 Responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls

The LGA’s population in 2016 was 253,000 and this is projected to increase by approximately 39,000 people over the next 20 years. The population of the LGA is older than the Greater Sydney average and Council expects that this trend will continue. The LGA also has a lower proportion of young adults compared to Greater Sydney however, Council identified in its LSPS that this could change provided matters impacting this trend are addressed to reduce the number of young adults leaving the LGA such as affordable housing options.

The Proposal provides a diversity of housing types, sizes and price points which can help improve housing and rental affordability for younger adults and providing housing choices for those seeking to downsize and remain in the Mona Vale area.

3.2 Site-Specific Merit

To confirm that a planning proposal has site-specific merit, the *Local Environmental Plans: A guide to preparing local environmental plans* (2018) states that a proponent must demonstrate that the proposal has had regards to:

- the natural environment (including known significant environmental values, resources or hazards);
- the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Macroplan has addressed the above matters in further detail below. In addition, the Planning Proposal report prepared by Macroplan (Attachment 3) addressed the above matters to confirm that the Proposal has site-specific merit.

This Proposal has:

- confirmed that the natural environmental factors of the site can be managed at the DA stage and will provide benefit in reducing the depths of floodwater in storm events for 6, 8 and 10 Kunari Place (neighbouring properties downstream);
- demonstrated that the existing and future use of the locality will remain residential and is already predominately developed for medium density housing; and
- confirmed that no additional infrastructure or services are required to support the Proposal.

3.2.1 Natural environment

A number of technical studies were prepared to support the Planning Proposal in order to demonstrate that the natural environment, including known significant environmental values (e.g. vegetation and habitat areas) and hazards (e.g. flooding) had been considered.

The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council's Flood Hazard Map adopted in 2019. As part of the Planning Proposal documentation, AECOM prepared a Stormwater Management Strategy (SMS) (refer to Attachment 3, Appendix E) and undertook additional 2D flood modelling of the existing and post-construction scenario flood regime for a range of design flood events up to and including the Probable Maximum Flood event.

The proposed development concept presents an opportunity to not only reduce the impact of overland flows resulting from the new development, but also reduce the volume of overland flows entering downstream properties along Kunari Place relative to the existing conditions by safely diverting some surface runoff through a shared access driveway on the subject site. The stormwater solution does not require government spending on flood mitigation measures.

The subject site contains 0.19 ha of PCT 1214 Pittwater Spotted Gum forest, consistent with the Pittwater and Wagstaffe Spotted Gum Forest in the Sydney Basin Bioregion, listed as endangered under the *Biodiversity Conservation Act, 2016*. The remainder of the subject site is comprised of Planted Native Vegetation (0.04 ha), Exotic Vegetation (0.17 ha), Exotic Dominated Grassland (0.05 ha) and Cleared Land (0.17 ha). The likely future development is anticipated to result in impacts to a 0.09 ha of PCT 1214, 0.04 ha of Planted Native Vegetation, 0.11 ha of Exotic Vegetation and 0.04 ha of Exotic Dominated Grassland. The PCT 1214 to be retained as part of the development concept is located along the southern boundary of the subject site, bearing connectivity to the native vegetation within the adjacent lot. Out of the native vegetation occurrence throughout the subject site, the area of PCT1214 to be retained is of the highest ecological retention value and will serve to maintain a degree of linkage throughout the urban landscape.

The Pittwater and Wagstaffe Spotted Gum Forest vegetation throughout the subject land comprises potential foraging habitat for several aerial and highly mobile threatened fauna species as part of a broader habitat range. These species are unlikely to be dependent on the resources present in the subject land. A Test of Significance was prepared by Cumberland Ecology for Pittwater Spotted Gum Forest which indicated that a significant impact is unlikely to occur based on the indicative footprint of the likely future development (Attachment 3, Appendix G). This preliminary ecological assessment indicated that issues relating to threatened species and threatened ecological communities are manageable and not significant.

The siting of the built form of the concept design proposed in the Planning Proposal responds to the overland flowpath and flooding issue as well as existing native vegetation, as shown in the generous rear setback and raised levels of the townhouses (refer to Figure 4). The concept design also create series of buildings in a landscaped setting while also respecting the village character of Mona Vale (refer to Figure 5).

Figure 5. Indicative design proposed for the subject site



Source: Giles Tribe, *Urban Design Study* (2021)

The technical assessments concluded that any potential impacts of the project concept plan can be managed at the DA stage. These findings were reinforced by Council's business units as part of their internal review process of the Planning Proposal documentation.

3.2.2 Existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal

The subject site is zoned for residential purposes and is surrounded by residential development. Darley Street West is characterised by two storey medium density development, consisting of predominantly two storey apartment buildings with basement carparks and some two storey townhouses (Figure 6). The residential use and development form of this locality is unlikely to change in the future and will remain medium density housing.

Figure 6. Darley Street West Streetscape



Source: Giles Tribe, Urban Design Study (2021)

The subject site is located at the end of a cul-de-sac which is less than 350 m in length from the signalised intersection with Pittwater Road. Darley Street West is accessible via Pittwater Road for vehicle access and has a pedestrian access link at the end of the cul-de-sac to Kunari Place. The entire street, excluding the subject site and the Bayview Golf Course lands, is already zoned R3 Medium Density Residential with the majority of these sites already developed for medium density housing. The property adjoining the site to the north (i.e. 10 Kunari Place) is a two storey apartment building.

The Planning Proposal is consistent with the existing medium density housing development adjoining the subject site and will not set a precedent given its location, site attributes and proximity to the Mona Vale strategic centre.

3.2.3 Services and infrastructure available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision

The residential development yield anticipated under the concept design will result in a minor increase in traffic movements and will not result in the need for any additional investment in road infrastructure or works. Public transport options are also available within walking distance of the site.

The site has access to public and private recreational spaces. It is adjacent to the Bayview golf course and is less than 100m from a pocket park at the end of Kunari Place. It is less than a 15 minute walk to Kitchener Park Sports Centre, Mona Vale Memorial Hall and the Mona Vale library. The site is also a 20 minute walk to Rowland Reserve

and Mona Vale Beach. Mona Vale, as a strategic centre, has adequate community and social infrastructure which can be easily accessed by future residents.

No additional investment in public infrastructure is required for this Planning Proposal to proceed.

Section 4: Other Matters

Under Section 3.8(3) of the *Environmental Planning and Assessment Act 1979* (the Act), a planning authority such as the Northern Beaches Council is required to review the local environmental plans for the area and prepare a planning proposal(s) under section 3.33 to give effect to the district strategic plan.

Section 3.8 of the EP&A Act Implementation of strategic plans

(1) In preparing a draft district strategic plan, the relevant strategic planning authority is to give effect to any regional strategic plan applying to the region in respect of which the district is part.

(2) In preparing a planning proposal under section 3.33, the planning proposal authority is to give effect—

(a) to any district strategic plan applying to the local government area to which the planning proposal relates (including any adjoining local government area), or

(b) if there is no district strategic plan applying to the local government area—to any regional strategic plan applying to the region in respect of which the local government area is part.

(3) As soon as practicable after a district strategic plan is made, the council for each local government area in the district to which the plan applies must review the local environmental plans for the area and prepare such planning proposals under section 3.33 as are necessary to give effect to the district strategic plan.

(4) In addition to the requirement under subsection (3), the council for each local government area in the Greater Sydney Region must, on the making of a district strategic plan that applies to that area, report to the Greater Sydney Commission—

(a) on the review by the council of the local environmental plans for the area, and

(b) on the preparation of planning proposals under section 3.33 to give effect to the district strategic plan.

For the Northern Beaches LGA, the applicable district strategic plan is the *North District Plan* prepared by the Greater Sydney Commission, finalised in March 2018.

In June 2021, Council exhibited their LEP/DCP Discussion Paper seeking community feedback on the issues that are being considered by Council to inform the draft consolidating LEP and DCP (i.e. it will involve the preparation of a single LEP that incorporates all the planning controls from the four existing LEPs applicable to the LGA). The Discussion Paper provides specific ideas and suggestions for amendments to the LEP however, with regards to zoning changes to address housing supply, choice, affordability, residential zones and implementing the LHS, the Discussion Paper states that in this (consolidating/single) LEP, the proposed approach is for Council to (p110):

...implement housing diversity areas (HDAs) within certain R2 areas, but not for Centre Investigation Areas (CIAs). For CIAs, the form and scale of development around each centre would be subject to individual investigation, consultation and development of a detailed place plan.

Council did not identify clause 4.5A of the Pittwater LEP 2014 as a matter for review hence it is assumed that Council intends to carry over this density restriction to only apply to the northern part of the LGA. No justification for why this density clause should be retained was provided in the Discussion Paper.

While the Discussion Paper identifies proposed changes for HDAs in the R2 Low Density Residential zone, it does not propose any for CIAs. It is assumed that the timeline indicated in the LHS will be implemented. For the Mona Vale CIA, the timeframe for making amendments to the LEP, that is to undertake the planning analysis and update the LEP is estimated to occur in the next 5-15 years (between 2025-36). Based on this, it is assumed that Council has no intention to make any amendments to land use zones to support the growth of Mona Vale as a strategic centre except for some minor amendments to the existing employment zones. Macroplan is of the opinion that this is not consistent with section 3.8(3) of the EP&A Act. As such, the proponent sought to prepare a Planning Proposal to give effect to the priorities and directions of the *North District Plan*.

Council has indicated that the timeframe for exhibiting the consolidated LEP is mid to late 2022 with the final LEP commencing in mid 2023 subject to NSW Government approval. Therefore, no rezonings are proposed for additional housing supply and diversity of housing stock for Mona Vale to support the growth of this strategic centre in the foreseeable future, even though Council has previously prepared a Place Plan for Mona Vale as in section 4.1 below.

The proposed Planning Proposal ensures that some additional medium density housing will be provided in the locality until such time that Council completes its master planning process and amends the applicable planning controls.

4.1 Draft Mona Vale Place Plan (2016)

On 3 June 2013 the former Pittwater Council resolved that the Mona Vale town centre would undergo a place planning process. From early 2014 Council staff undertook a comprehensive engagement and research process, which captured input from over 5,000 stakeholder groups and individuals. These findings are captured in a separate publication, *Imagine Mona Vale – Engagement Summary for Mona Vale Place Plan* which was presented to Council at its 17 August 2015 meeting.

Building on the community feedback captured in the Engagement Summary, the *draft Mona Vale Place Plan* (2015) was prepared (Attachment 14). The draft Mona Vale Place Plan was scheduled for a Council meeting on 16 May 2016 however, Council amalgamations took place on 12 May 2016 and the report was put on hold. The draft Plan was reported at a Northern Beaches Council meeting on 27 September 2016. In this meeting, the Administrator resolved that the Draft Mona Vale Place Plan was to be placed on public exhibition. The draft Plan was exhibited from September to December 2016. A report was prepared in June 2017 summarising the feedback and opinions that were collected during the public exhibition of the draft Plan (Attachment 15). Of the feedback received including petitions, 89% were not supportive of the Plan and the remaining 11% were supportive. Those that raised concerns with the draft Plan were generally concerned about increased building heights and more congestion.

The draft Plan included key priorities and the next steps for the Mona Vale town centre. It identified the Mona Vale Town Centre Core as an area generally defined by a 400 m circle radius from Mona Vale's Civic Hub (i.e. the northern end of the Village Park). It also identified an influence area as being land bounded by a 1 km circle radius from the Civic Hub. The subject site is located within the 'influence area' (Figure 7).

The draft Plan mainly focused on redevelopment opportunities within the Mona Vale Town Centre Core but noted that there were opportunities to increase housing diversity and density around the Centre.

Macroplan was unable to find any evidence that the draft Place Plan for Mona Vale was reported to the Councillors for endorsement or to progress any land use / planning control amendments. This may have been due to the NSW local government elections held in September 2017. It is unclear why the Place Plan for Mona Vale was never completed nor how the release of the *North District Plan* in March 2018 would have substantially impacted on the work already undertaken by Council given the planning priorities of the North District Plan for Mona Vale. The draft Place Plan was to “set the scene for the development of future planning controls” which never eventuated. In total, the preparation of the previous draft Mona Vale Place Plan took approximately four (4) years from inception of the project and was not completed by Council including the drafting and public exhibition of planning control amendments.

Figure 7. Draft Mona Vale Place Plan investigation area



Source: Draft Mona Vale Place Plan 2016 (amended by Macroplan)

Conclusion

This request for a rezoning review is being submitted on the basis that Council has resolved to reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not to support the Proposal proceeding to Gateway determination.

The Planning Proposal seeks to amend PLEP 2014 to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential and exclude the applicability of clause 4.5A of PLEP 2014 to this site. This Planning Proposal, if approved would allow for additional housing supply in Mona Vale and encourage a mix and diversity of dwelling sizes to be delivered. Apartment prices are significantly lower than detached housing, hence the Planning Proposal will offer more affordable housing options in Mona Vale.

The Planning Proposal has not been amended for the purposes of this rezoning review and was prepared in accordance with Section 3.33 of the EP&A Act.

This rezoning review demonstrates that the Planning Proposal has both strategic and site-specific merit as outlined below.

The Proposal has strategic merit because it:

- is consistent with the *North District Plan* and the LSPS;
- provides a diversity of housing types, sizes and price points which can help improve housing and rental affordability;
- provides a greater choice of housing options to a changing and ageing community;
- will provide a mix of housing options to support Mona Vale's important role as a commercial and strategic centre for the Northern Beaches; and
- will provide additional housing opportunities within walking distance of Mona Vale (a strategic centre) as well as public transport options, helping support the achievement of the NSW Government's objective of creating a 30-minute city.

The Proposal has demonstrated that it has site-specific merit because it has:

- confirmed that the natural environmental factors of the site can be managed at the DA stage and will provide benefit in reducing the depths of floodwater in storm events for 6, 8 and 10 Kunari Place (i.e. neighbouring properties downstream);
- demonstrated that the existing and future use of the locality will remain residential and is already predominately developed for medium density housing; and
- confirmed that no additional infrastructure or services are required to support the Proposal.

Macroplan is of the opinion that the subject area has already been extensively modified to accept the notion of suitability, transitioning and moving from extensively large detached dwelling lots to medium density housing as seen in the existing Darley Street West streetscape. The subject site, at the edge of an area which has already been converted, is under an accepted planning principle, a logical inclusion. There is no planning justification for

why the remaining five (5) parcels of land, in this cul-de-sac street, should not be rezoned to R3 Medium Density Residential.

The site's proximity to Mona Vale's vibrant commercial and retail centre (less than 700m walking distance) as well as Mona Vale's important role as a strategic centre reiterates the suitability of the site for medium density housing. There is no planning basis to suggest the Proposal is not suitable from a development perspective for medium density housing. Council's technical experts have confirmed that all other matters can be addressed at the DA stage.

Council's timeframe for undertaking a detailed planning analysis of Mona Vale to determine land to be rezoned for medium density housing is schedule to occur between 2025-2036 (i.e. the preparation of a Place Plan and the preparation of planning control amendments to enact the planning analysis). Macroplan is of the opinion that the lengthy timeframes proposed to undertake amendments to the LEP to deliver new housing in Mona Vale will compromise the achievement of both the LSPS and LHS vision(s) for future housing supply and housing diversity and will therefore continue to put upward pressure on housing supply and affordability. It will also compromise the achievement of the planning priorities of the *North District Plan*. Council has previously prepared a draft Place Plan for Mona Vale which was never finalised.

In addition, Council has already formed an opinion that the subject site is not suitable for medium density housing and while the Northern Beaches Local Planning Panel recommended that the site should be included within the Mona Vale investigation area for higher density housing, it is not clear on what basis Council would change its opinion on the future use of the site. Hence, the importance of this independent rezoning review process.

The subject planning proposal which seeks to rezone the site and remove the provision of a density clause is a valid planning pathway to deliver on strategic policy objectives set by both state and local government and should not be delayed by lengthy planning processes where it can be clearly demonstrated that the proposal will not impact on other strategic planning outcomes.

In this regard, the site already adjoins medium density development and compromises amalgamated allotments at the end of a cul-de-sac street. This site and the Planning Proposal are consistent with the village character of the locality and development that surrounds it (i.e. medium density development) and is therefore a logical extension to the R3 zone.

The proposal as presented and designed has appropriately considered the relevant matters that need to be addressed for a Planning Proposal. The technical assessment reports demonstrate that potential impacts can be addressed at the DA stage. This is a location that is already exhibiting medium density characteristics and should be given due consideration for rezoning and will help address a major distortion in housing diversity in Mona Vale which is contributing to a critical shortage of affordable housing.

Macroplan is of the opinion that this is a straight forward Planning Proposal which is contiguous to the existing medium density housing of Darley Street West and will not set a precedent given its location, site attributes and proximity to the Mona Vale strategic centre. It is therefore requested that the Regional Planning Panel recommend that the Planning Proposal proceed to Gateway Determination.

Appendix 1 – Responses to Council’s Assessment Report

Key Issues Identified in the Council Officer's Assessment Report: Item 12.5 – Report to Ordinary Council Meeting 26 October 2021

Council Issue	Page Ref	Key Issue Theme	Macroplan and Proponent Response
The Planning Proposal is considered to be inconsistent with the Greater Sydney Region Plan, North District Plan, Northern Beaches Local Strategic Planning Statement - Towards 2040 (LSPS), Northern Beaches Local Housing Strategy (LHS), and has not demonstrated sufficient strategic merit or site-specific merit.	167-168	Consistency with strategic planning policies	Refer to section 3 of this report which confirms the strategic and site-specific merit of the Proposal including consistency.
The Planning Proposal is not the result of any endorsed LSPS, strategic study or report. Whilst Councils LSPS identifies an area of 1.5 km around the Mona Vale centre to investigate medium density housing, a key principle is also to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800 m) of high-frequency public transport. The mechanism to further explore the location, demand and type of dwelling is Councils LHS and preparation of the Mona Vale Place Plan.	177	Justification and need for the Planning Proposal	<p>The LSPS specifically states under Priority 15 (p120):</p> <p><i>"Mona Vale: Opportunities exist for new housing near the centre that complements the village character.</i></p> <p>...</p> <p><i>Existing residential areas will be investigated for increased housing diversity ('missing middle'), focusing on areas up to 1.5km from strategic and local centres with high-frequency public transport."</i></p> <p>The wording in the LSPS is for increased housing diversity to be investigated for centres that <u>have</u> high-frequency public transport, not that housing diversity needs to be located within 800 m of a high-frequency public transport node. The subject site is located well within 1.5km from Mona Vale (a strategic centre with high-frequency public transport).</p> <p>The first housing principle listed under Figure 51 of the LSPS (p121) states:</p> <p><i>"Locate new housing in strategic and local centres and within reasonable walking distance (800m) of high-frequency public transport."</i></p> <p>The above principle discusses "new housing" and it is assumed that this applies to land that is not currently zoned for residential purposes. The site is already developed and zoned for housing and therefore the application of this principle is not relevant to this site. Otherwise, the housing principle is contradictory to the</p>

			<p>discussion text on page 120 of the LSPS which seeks to increase the diversity (missing middle) of existing residential areas in proximity to strategic centres.</p> <p>The LHS has not been approved/endorsed by DPIE which includes the 800 m investigation area from the B-line bus stop. Notwithstanding this, the Centres Renewal Framework outlined under Figure 15 of the LHS states that the investigation areas will be areas within 800 m of centres but exclude areas with environmental constraints. It does not state, neither for the Centre Core or Mixed Housing precincts, that housing needs to be 800 m from a high-frequency bus stop, specifically the B-line bus stop.</p>
Action 15.1 of the LSPS is for Council to prepare and implement a LHS. Council adopted the LHS on 27 April 2021. The endorsed LHS does not consider the site for medium density housing.	177	Justification and need for the Planning Proposal	<p>As stated above, the LHS has not been approved/endorsed by DPIE and comments and feedback on the LHS from DPIE have not been issued to Council.</p> <p>It should be noted that the LHS vision statement states (p6) (emphasis added):</p> <p><i>“New housing will be focused in and near centres where people can easily access public transport <u>or walk or cycle to shops and services.</u>”</i></p> <p>The prescriptive Centres Investigation Area boundary (which was amended in the final draft LHS, taking the B-line bus stop as the centre point for determining the Centres Investigation Area boundary) does not acknowledge that there are sites well within 800 m walking distances of shops, services and public transport that would be suitable for medium and higher density housing. The 800 m radius circle drawn around each Centres Investigation Area ignores where the ‘centre’ of a town and strategic centre is and that there may be suitable sites for higher density housing, consistent with the Centres Renewal Framework.</p> <p>Macroplan is of the view that a centre should not be defined by a high frequency bus stop such as the B-line (which could be moved or relocated in the future). It should not be put forward to be considered in a similar context to a major transport terminal such as a train station. Centres are places which provide services, amenities and access to local employment. They include public transport but do not rely upon or ‘centre’ themselves around a public transport node such as a bus stop. As a Strategic Centre, Mona Vale is to grow its employment base and provide local employment opportunities. The 800 m</p>

			<p>Centres Investigation Area boundary should be a guiding principle, not a regulatory tool to exclude suitable sites for other types of housing products.</p> <p>Notwithstanding the above, the Northern Beaches Local Planning Panel recommended on 6 October 2021 that the site is included as part of the Centres Investigation Area for Mona Vale.</p>
Action 27.1 of the LSPS is for Council to prepare a place plan for Mona Vale and develop LEP and DCP controls to respond to LEP studies and support the revitalisation of the centre. Council is about to commence the preparation of a place plan for Mona Vale.	177	Justification and need for the Planning Proposal	As outlined in section 4.1 of the Rezoning Review report, Council has previously prepared a draft Place Plan for Mona Vale which was never finalised. This process, including amendments to planning controls is likely to take in excess of five (5) years to result in land use changes and then approximately 2-3 years for housing supply to be delivered, subject to DA approval timeframes. This will only result in house prices continuing to escalate in the Mona Vale area and not provide housing opportunities for younger families and those wanting to downsize from their current residence.
Spot rezonings are not the best means of achieving the intended outcomes of providing a mix and diversity of housing to meet the needs of the local community whilst considering the unique character and impacts on infrastructure to support any proposed growth. The best and most orderly approach is via the Place Planning process for Mona Vale.	177	Spot rezoning process	<p>The NSW Planning system allows for spot rezonings to occur which ensures that developers can take the lead to deliver on both state and local government policies and priorities. Waiting for local councils to take the lead to make amendments to local environmental plans is unrealistic and also a lengthy process, particularly where a proponent is able to demonstrate clear alignment and achievement of government policy outcomes and is unlikely to compromise the outcome of future planning investigations.</p> <p>The Planning Proposal demonstrates that the rezoning is a logical planning inclusion and has strategic and site-specific merit. There is no planning justification for why the remaining five (5) parcels of land, in this cul-de-sac street, should not be rezoned to R3. The development outcome would be consistent with the character of Darley Street West.</p>
The Proposal is both outside of the Mona Vale investigation area and is inconsistent with the intent of master-planning, which is to consider the area, reflecting upon the unique character of the area and potential infrastructure required to support any growth.	178	Site outside investigation area	Refer to the response above. The Planning Proposal confirmed that the Proposal would not impact on local infrastructure including the performance of the signalised intersection of Pittwater Road and Darley Street West. The Proposal will provide benefit in reducing the depths of floodwater in storm events for 6, 8 and 10 Kunari Place (neighbouring downstream). Mona Vale, as a strategic centre, has adequate community and social infrastructure which can be easily accessed by future residents.

<p>Further, Council's LHS identifies a significant undersupply of affordable housing on the Northern Beaches to support key and essential workers, and through Councils adopted Affordable Housing Policy aims for the provision of 10% affordable rental housing in areas subject to urban renewal (areas of zoning uplift). This is reinforced through Council's LSPS, which contains several principles and actions in relation to social and affordable housing, including seeking a minimum of 10% affordable rental housing to be included in new planning proposals, consistent with Council's existing Affordable Housing Policy.</p> <p>The Proposal does not provide for the provision of any affordable rental housing and is inconsistent with Councils affordable housing policy and LHS.</p>	178	Affordable Housing	<p>Under Priority 16 of the LSPS, Council does include a 'principle' which seeks to provide a minimum 10% affordable rental housing for all planning proposals. However, the LSPS specifically states under Priority 16 (p128):</p> <p><i>"Under the Northern Beaches Affordable Housing Policy, Council commits to a 10% affordable rental housing target for all planning proposals, urban renewal or greenfield development, with higher rates where financially feasible. We will implement this policy in the Frenchs Forest strategic centre, Ingleside Growth Area and other urban renewal areas.</i></p> <p><i>Northern Beaches LGA is included in State Environmental Planning Policy No. 70 Affordable Housing. This allows us to require affordable rental housing in new developments in areas that are subject to 'upzoning' - that is, where new planning rules permit higher density development, subject to NSW Government approval."</i></p> <p>Therefore, the Affordable Housing Policy will only be implemented in the Frenchs Forest, Ingleside Growth Area and other urban renewal areas. The subject site is not located in these localities and is also not identified as an urban renewal area.</p> <p>In addition, Council's affordable rental housing requirements under SEPP 70 has not been finalised and approved by the NSW Government and therefore should not be applied to this Planning Proposal. Council confirms under discussions regarding SEPP 70 on p185 of their assessment report for the Ordinary Council Meeting that these provisions do not apply to Mona Vale. Also refer to page 181 of their assessment report (Attachment 11).</p>
<p>The North District Plan, LSPS and LHS do not specifically require the need for additional housing in the location of the subject site. Further the Proponent has not demonstrated why this planning proposal should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location.</p>	179	No strategic need for the proposal on this site	<p>The North District Plan identifies three key planning priorities which the Planning Proposal addresses, that is:</p> <ul style="list-style-type: none"> • <u>Planning Priority N5:</u> Seeks to provide housing supply, choice and affordability, with access to jobs, services and public transport. The site is located less than 500 m from the Mona Vale commercial / retail core and less than 400 m from employment lands. Public transport is less than 400m walking distance of the site with the closest bus stop located on Pittwater Road. The Planning Proposal will deliver a diversity and

			<p>mix of different apartment sizes which will support improved affordability in the area.</p> <ul style="list-style-type: none"> • <u>Planning Priority N10</u>: Seeks to grow investment, business opportunities and jobs in strategic centres. The employment generating capacity of Mona Vale is tied in with the population that surrounds it. The Plan identifies that allowing the population to grow through density will help to support the achievement of this Planning Priority with more people requiring more service providers. The Plan also notes that developing local employment growth in Mona Vale will need to be supported by improved housing options to accommodate a variety of additional workers (Action 45). • Planning Priority N12: seeks to deliver integrated land use and transport planning and a 30-minute city. To achieve this, more housing and jobs will need to be planned for within strategic centres such as Mona Vale. <p>Mona Vale also lacks housing diversity as identified in the LSPS. The LSPS specifically states (p128):</p> <p><i>“...significant additional housing supply is not needed to address projected population growth, but is needed to address affordability issues and to provide a greater choice of housing options to a changing and ageing community”.</i></p> <p>Hence the LHS is required to not only achieve housing targets in Mona Vale but also provide housing supply to address housing diversity. The subject site is well suited to deliver additional housing supply and housing diversity to cater for the LGA’s ageing population.</p> <p>Council’s LHS has identified that the majority of the predicted housing demand for the LGA will be provided in Frenchs Forest which does not address the housing demand and diversity issues for Mona Vale, nor does it support the growth of Mona Vale as a strategic centre.</p> <p>It should be acknowledged that DPIE’s “projections” of household and dwelling growth – which has determined the numbers in the housing targets - are not</p>
--	--	--	--

			related to demand. Rather, they reflect the Department's expectation of the amount of new development (supply) that will be allowed in a LGA. To then use these targets as a tool to stop rezoning (more supply) is rather circular and highly misleading in Macroplan's opinion. Given that demand is actually substantially in excess of these targets, it means the Council is implicitly acquiescing to the process by which high income households increasingly are squeezing out of low/middle income households.
The Proposal is inconsistent with Objective 10 of the Greater Sydney Region Plan which seeks to deliver "greater housing supply" because the site is not the right location for additional medium density housing such as residential flat buildings, which needs to be planned for with consideration of the broader character of the area and impacts on infrastructure to support any proposed growth. The site is also not located within the 800 m investigation area of the LHS.	179	Not consistent with Greater Sydney Region Plan	<p>The Local Planning Panel appears to disagree with Council's opinion and as a result recommended the site be included in the Centres Investigation Area for Mona Vale.</p> <p>Council's opinion appears to contradict its recommendation to include the site within the investigation area for Mona Vale (refer to recommendation 2 of Council's report). However, if Council has already formed the view that the site is not in the right location for medium density housing then there is no need to await the Place Plan process for Mona Vale as Council has already determined that the site will not be rezoned for medium density housing.</p> <p>It is unclear why Council has formed this opinion given the full length of Darley Street West, excluding the subject site located at the end of the cul-de-sac, is already zoned R3. The subject area has already been extensively modified to accept the notion of suitability, transitioning and moving from extensively large detached dwelling lots to medium density housing as seen in the existing streetscape. The subject site is located less than 500 m from Mona Vale's commercial/retail centre.</p> <p>Under Objective 11 of the Greater Sydney Region Plan, the Plan states (pp. 68-69):</p> <p><i>"Factors that contribute to rental and purchasing affordability challenges include the limited availability of smaller dwellings to meet the growing proportion of small households as well as the growing distance between areas where housing is affordable and the location of employment and education opportunities.</i></p> <p>...</p>

			<p><i>It is important that the supply of housing delivers the type of housing that communities and places need as they grow and change. Homes need to respond to people's changing needs as they transition through different stages of life. A diversity of housing types, sizes and price points can help improve affordability. Increasing the supply of housing that is of universal design and adaptable to people's changing needs as they age is also increasingly important across Greater Sydney."</i></p> <p>The Planning Proposal seeks to not only provide medium density housing, which is in short supply within Mona Vale, but also seeks to remove the density clause (i.e. clause 4.5A of the PLEP 2014) from applying the subject site as it is inconsistent with the objectives of the Greater Sydney Plan, that is, the density clause encourages larger and oversized apartments to be provided.</p> <p>In addition, the Planning Proposal confirmed that there was adequate local infrastructure to support the Proposal.</p>
<p>The Proposal is not consistent with Objective 11 of the Greater Sydney Region Plan to provide more diverse and affordable housing. Councils affordable housing policy requires areas of urban renewal (areas of zoning uplift) to provide 10% affordable rental housing. Increasing the density to provide a variety of dwelling sizes does not increase the provision of affordable rental supply.</p>	179-180	Not consistent with Greater Sydney Region Plan	<p>As stated above, a diversity of housing types, sizes and price points can help improve affordability. The Proposal seeks to achieve this on two fronts, firstly, to rezone the site from R2 to R3 to allow for the construction of townhouses and apartments and secondly, by removing the density clause which discourages smaller apartments (i.e. 1-2 bedroom apartments) to be delivered as part of a medium density development.</p> <p>Macroplan has received a letter from Domain Residential and Project Marketing (Attachment 13) confirming that there is not only a significant demand for medium density housing products in the Northern Beaches but that there is an undersupply of such products to service the market and buyers looking to scale down from large family homes to smaller accommodation in areas that are conveniently located close to local amenities.</p> <p>In a recent survey (September 2021) conducted by Corelogic, the Northern Beaches LGA ranked No.1 nationally in terms of price appreciation for houses over the past year. Over the year to August 2021, the median price for houses in the Northern Beaches was up 29.5% and since the beginning of 2020 the median price was up 38%. Mona Vale was up 39%. This is an alarming statistic which cannot simply be solved by Council's Affordable Housing Policy.</p>

			<p>Council's strategy to provide additional housing supply in Frenchs Forest to meet the majority of the Northern Beaches required housing stock by 2036 does not address the housing demands and requirements of Mona Vale. Restricting supply has a direct impact on housing prices and affordability.</p> <p>It needs to be noted that Council's Affordable Housing Policy does not state that it applies to "areas of zoning uplift", it specifically states it applies to urban renewal and greenfield site developments. The subject site should not be classified as an urban renewal site, nor a greenfield site given it is located within an existing established residential area and would be more appropriately defined as "infill development". Council's policy does not include a definition for urban renewal sites however, the Greater Sydney Region and North District Region Plans do identify urban renewal areas. The subject site is not identified as an "urban renewal" site under these strategic plans.</p> <p>Council has developed a draft affordable housing contribution scheme, which will allow the collection of developer contributions to provide affordable housing either as complete dwellings or as an equivalent monetary contribution. The scheme will initially apply to the Frenchs Forest Planned Precinct and a site subject to a rezoning proposal in Narrabeen. It will be extended to other land that is subject to increases in residential density in the future. Should the Scheme be updated to apply to development applications in Mona Vale, the proponent would contribute to this Scheme.</p> <p>As previously noted, and as noted by Council in their assessment report for the Ordinary Council Meeting, neither the Affordable Housing Policy or Housing Contribution Scheme applies to Mona Vale or the subject site.</p>
The Proposal is not consistent with Objective 14 of the Greater Sydney Region Plan, that is "Integrated land use and transport creates walkable and 30-minute cities" and Council's LHS as the Proposal is located outside the Centre Investigation Area for Mona Vale and will also result in a significant increase in the number of dwellings on the site. Council's adopted position within its LHS for	180	Not consistent with Greater Sydney Region Plan	The LHS (p74) proposes a Centres Renewal Framework that identifies different housing precincts in developable (unconstrained) areas around a centre or public transport stop (i.e. within an 800 m, or a 10-15 minute, walk). These areas are defined as Centre Investigation Areas. Figure 15 of the LHS explains the Centres Renewal Framework, stating that the investigation areas will be areas within 800 m of centres but exclude areas with environmental constraints.

<p>exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800 metre radius of the Mona Vale B-line bus stop. This area has been identified as the most appropriate location within a walkable distance to services, jobs, and public transport.</p>			<p>Macroplan is of the opinion that this interpretation of adopting a 800 m radius from the B-line bus stop is inconsistent with Council's own Centres Renewal Framework, as shown in Figure 15 of the LHS, which defines the boundary of the investigation area as being within 800 m of centres and public transport, not a high frequency bus stop that generally services commuters to travel to and from the Sydney CBD. This amendment, which was not flagged in the April 2021 report to the ordinary council meeting on 27 April 2021, has resulted in a significant quantity of land within 800 m of Mona Vale's shops, amenities and other public transport stops being excluded from the Centre Investigation Areas.</p> <p>The LHS vision statement states (p6):</p> <p><i>"New housing will be focused in and near centres where people can easily access public transport or walk or cycle to shops and services."</i></p> <p>The prescriptive Centre Investigation Areas boundary (which was amended in the final draft LHS, taking the B-line bus stop as the centre point for determining the Centre Investigation Areas boundary) does not acknowledge that there are sites well within 800 m walking distances of shops, services and public transport that would be suitable for medium and higher density housing. The 800 m radius circle drawn around each Centre Investigation Areas ignores where the 'centre' of a town and a strategic centre is and that there may be suitable sites for higher density housing, consistent with the Centre Renewal Framework.</p> <p>Macroplan is of the view that a centre should not be defined by a high frequency bus stop such as the B-line (which could be moved or relocated in the future). It should not be put forward to be considered in a similar context to a major transport terminal such as a train station. Centres are places which provide services, amenities and access to local employment. They include public transport but do not rely upon or 'centre' themselves around a public transport node such as a bus stop. As a strategic centre, Mona Vale is to grow its employment base and provide local employment opportunities. The 800 m Centre Investigation Areas boundary should be a guiding principle, not a regulatory tool to exclude suitable sites for other types of housing products.</p>
--	--	--	---

			<p>A recent analysis undertaken by Vivendi Consulting in collaboration with TfNSW and other state agencies (i.e. the Place Analysis and Walkability Scoring (PAWS)) confirmed that structural factors (i.e. features that are 'inbuilt' into a centre and difficult to change such as the type and density of housing and jobs) were the key variables of what influences people to walk over adaptable factors that can be more easily changed such as bus and train public transport. The research confirmed that walkability depends upon the fundamental design of centres and that 'structural' factors – such as housing and employment density, permeability and points of interest – account for the majority of walking (around 54% in Greater Sydney). What was notable in the analysis undertaken was that 'adaptable' factors – such as trees, public transport, traffic speed – accounted for less than one fifth of the total observed amount of walking. This confirms the need to focus on providing housing density around centres with services and employment opportunities to encourage walkable communities.</p>
<p>The Proposal is not consistent with Planning Priority N5 of the North District Plan to provide housing supply, choice, and affordability, with access to jobs, services, and public transport on the basis that councils are in the best position to investigate and confirm which parts of their LGAs are suited to additional medium density opportunities through the preparation of local housing strategies. The Proposal does not provide any affordable rental housing. Council is also of the opinion that it has the capacity under its existing planning rules to provide for the next 10 years of housing supply.</p>	180-181	Not consistent with North District Plan	<p>Council's LHS has not been endorsed/approved by DPIE and therefore is not final.</p> <p>As stated above, Council's Affordable Housing Policy does not apply to the subject site. The Proposal will provide a diversity of housing which is currently lacking in the Mona Vale area.</p> <p>It should be acknowledged that the Department's "projections" of household and dwelling growth – which has determined the numbers in the housing targets - are not related to demand. Rather, they reflect the Department's expectation of the amount of new development (supply) that will be allowed in a LGA. To then use these targets as a tool to stop rezoning (more supply) is rather circular and highly misleading in Macroplan's opinion. Given that demand is actually substantially in excess of these targets, it means the Council is implicitly acquiescing to the process by which high income households increasingly are squeezing out of low/middle income households.</p> <p>Planning targets such as housing numbers in strategic planning documents should not be deliberately interpreted or applied as a maximum for each 5-year period when in fact, they are a minimum performance expectation relevant to higher level district and metropolitan plans. If there can be earlier and practical materialisation of medium density, it should not be unnecessarily held up.</p>

			<p>The Frenchs Forest Health Precinct has a stated capacity for 4,360 medium/high-rise dwellings which Council has indicated it would prefer to use to meet the LGA's housing targets, particularly in the short term. The problem with that argument is that the Frenchs Forest area – while attractive in its own right - is a distinct housing market from the coastal beach suburbs in the Northern Beaches LGA, which have such strong appeal. Using Frenchs Forest as a means to defer medium density in coastal suburbs such as Mona Vale until sometime in the distant future, would skew the market and see the price premium in the coastal suburbs only rise.</p> <p>The provision of additional housing supply in locations such as Frenchs Forest does not address the housing issues in Mona Vale which includes a lack of medium density housing and different apartment sizes. It does not address the locational differences of coastal locations or centres which have established amenity, services and jobs. Macroplan is of the opinion that there is significant demand for alternative housing products such as 1, 2 and 3 bedroom apartments in Mona Vale, given the high portion of detached dwellings in this locality and the price premium paid for housing in comparison to Greater Sydney.</p>
The Proposal is not consistent with Planning Priority N12 of the North District Plan to deliver integrated land use and transport planning and a 30 minute city due to Council's adopted position within the LHS that only areas within 800 m radius of the Mona Vale B-line bus stop are the most appropriate location for housing as they are a walkable distance to services, jobs and public transport.	181	Not consistent with North District Plan	Refer to the response provided above to objective 14 of the Greater Sydney Region Plan. Council's adopted position is not consistent with the North District Plan nor its LSPS and Centre Renewal Framework outlined in the LHS to provide housing close to amenities, services and public transport. The B-line bus stop is only one of many bus stop locations in Mona Vale and is located on the edge of the 'town centre'.
The Proposal has not addressed the most recent Ministerial direction 4.3 (flood prone land – released on 14 July 2021). However, Council considers it generally complies.	182	Site-specific merit - flooding	Noted, the Planning Proposal was submitted electronically to Council on 8 July 2021. The cheque was cleared by Council on 14 July 2021 and therefore Council noted the lodgement date as the 14 th July. Subject to the Planning Proposal receiving a Gateway Determination, the Planning Proposal would be updated to address the latest version of Ministerial direction 4.3.
The subject site is not located within the 800 m centres investigation area and therefore the	183	Site-specific merit – existing and future uses	The subject site is located at the end of a cul-de-sac street where the entire street, except for the subject site, is zoned R3 and has been developed for medium density housing. The Planning Proposal does not propose any changes to the

proposal is inconsistent with the likely future uses of land in the vicinity of the proposal.			<p>height controls or Floor Space Ratio for the site. In addition, there is an existing 2-storey apartment building at 10 Kunari Place, immediately to the north of 167 Darley Street West. The existing character of the locality is medium density residential development which is generally limited to 2 storeys with carparking underneath. The Proposal is consistent with the existing character of the street and will deliver housing which is consistent with the future use of this area.</p> <p>It should be noted that the subject site is located 830 m from the B-line bus stop on Barrenjoey Road and Council has identified land within 800 m of this bus stop as being suitable for higher density residential development based on its LHS.</p>
Not consistent with Priority 15 of the LSPS regarding housing supply, choice and affordability in the right location because a key principle of the LSPS is to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800m) of high-frequency public transport. The Proposal is not within 800 metres of the B-line stop, or the area for investigation as identified within the LHS.	183	Consistency with LSPS - housing	<p>The LSPS specifically states under Priority 15 (p120):</p> <p><i>“Mona Vale: Opportunities exist for new housing near the centre that complements the village character.</i></p> <p>...</p> <p><i>Existing residential areas will be investigated for increased housing diversity ('missing middle'), focusing on areas up to 1.5km from strategic and local centres with high-frequency public transport.”</i></p> <p>Therefore, the LSPS confirms that increased housing diversity will be investigated for centres that <u>have</u> high-frequency public transport, not that housing diversity needs to be located within 800 m of high-frequency public transport. The subject site is located well within 1.5km from Mona Vale (a strategic centre with high-frequency public transport).</p> <p>The first housing principle listed under Figure 51 of the LSPS (p121) states:</p> <p><i>“Locate new housing in strategic and local centres and within reasonable walking distance (800m) of high-frequency public transport.”</i></p> <p>The above principle discusses “new housing” and it is assumed that this applies to land that is not currently zoned for residential purposes. The site is already developed and zoned for housing and therefore the application of this principle is not applicable to this site. Otherwise, the housing principle is contradictory to the</p>

			<p>discussion text on page 120 which seeks to increase the diversity (missing middle) of existing residential areas in proximity to strategic centres.</p> <p>As previously stated, the LHS has not been approved/endorsed by DPIE which includes the 800 m investigation area from the B-line bus stop.</p>
Not consistent with Priority 16 of the LSPS because the Proposal does not provide for any affordable rental housing in accordance with this priority or Councils affordable housing policy.	183-184	Consistency with LSPS – affordable housing	<p>The LSPS specifically states under Priority 16 (p128):</p> <p><i>“Under the Northern Beaches Affordable Housing Policy, Council commits to a 10% affordable rental housing target for all planning proposals, urban renewal or greenfield development, with higher rates where financially feasible. We will implement this policy in the Frenchs Forest strategic centre, Ingleside Growth Area and other urban renewal areas.</i></p> <p><i>Northern Beaches LGA is included in State Environmental Planning Policy No. 70 Affordable Housing. This allows us to require affordable rental housing in new developments in areas that are subject to ‘upzoning’ - that is, where new planning rules permit higher density development, subject to NSW Government approval.”</i></p> <p>As stated above, the Affordable Housing Policy will only be implemented in the Frenchs Forest, Ingleside Growth Area and other urban renewal areas. The subject site is not located in these localities and is also not identified as an urban renewal area. The proposal is an infill development within an existing street already zoned R3 Medium Density Residential Development. Council’s affordable rental housing requirements under SEPP 70 have not been finalised and approved by the NSW Government and therefore should not be applied to this Planning Proposal. Council also confirms under discussions regarding SEPP 70 on p185 of their assessment report that these provisions do not apply to Mona Vale.</p>
Not consistent with Priority 27 of the LSPS because the Mona Vale Place Plan and other studies will inform how Council is able to achieve housing, employment and other infrastructure targets into the future.	184	Consistency with LSPS – jobs and skills	<p>Macroplan is of the opinion that the Proposal has both strategic and site-specific merit and does not need to wait for the Mona Vale Place Plan to be prepared.</p> <p>We also note that Council commenced preparing a Place Plan for Mona Vale in 2013 which was publicly exhibited in late 2016 and was never finalised. This previous Place Plan identified similar housing issues and the need to provide a</p>

			<p>diversity of housing in Mona Vale. It has been well over five years since this work was undertaken.</p> <p>We are concerned that Council will not implement any land use zone changes for Mona Vale under the current Greater Sydney Region and North District Plans in the foreseeable future.</p>
<p>The Proposal is both outside of the Mona Vale investigation area and is inconsistent with the intent of master-planning, which is to consider the area, reflect on the unique character of the area and circumstances and impacts on infrastructure to support any proposed growth. The proponent has not demonstrated why this planning proposal should be progressed ahead of the completion of the Mona Vale Place Plan.</p>	184	Mona Vale Place Plan process	<p>The NSW Planning system allows for spot rezonings to occur which ensures that developers can take the lead to deliver on both state and local government policies and priorities. Waiting for local councils to take the lead to make amendments to local environmental plans is unrealistic and also a lengthy process, particularly where a proponent is able to demonstrate clear alignment and achievement of government policy outcomes and is unlikely to compromise the outcome of future planning investigations.</p> <p>The Planning Proposal demonstrates that the rezoning is a logical planning inclusion and has strategic and site-specific merit. Rezoning the subject site would not compromise Council's master planning process given the location of the site at the end of a cul-de-sac.</p>
<p>Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premise.</p>	184	Setting a precedent	<p>The Planning Proposal applies to the subject site and has not considered the strategic or site-specific merit of rezoning other residential areas. This is not required under the EP&A Act nor is it appropriate for a proponent to comment on the rezoning of other lands.</p> <p>Under Section 3.8(3) of the EP&A Act, a planning authority such as the Northern Beaches Council is required to review the local environmental plans for the area and prepare a planning proposal(s) under section 3.33 to give effect to the district strategic plan. The North District Plan was finalised in March 2018.</p> <p>The NSW planning legislation and framework allows for planning proposals to be submitted for consideration where they are strategically consistent with state and local government policies. The Planning Proposal is consistent with the Greater Sydney Region Plan, North District Plan and LSPS which are endorsed strategic policies.</p> <p>This is a straight forward Planning Proposal which is contiguous to the existing medium density housing in Darley Street West and will not set a precedent given</p>

			its location, attributes and proximity to the Mona Vale strategic centre. The Planning Proposal has also demonstrated that any potential impacts can be managed at the DA stage, which has been confirmed by Council's technical specialists in their review of the Proposal.
It is noted that the Concept Plan carries no statutory weight, and should the Planning Proposal be approved in its current form, a development application would be required for the site, which could be of a substantially different form and density to the submitted Concept Plan.	185	Concept Design	<p>The concept as presented and designed has appropriately considered the relevant matters that need to be addressed for a Planning Proposal. The technical assessment reports demonstrate that potential impacts can be addressed at the DA stage.</p> <p>It is typical that a concept plan/design is produced as part of a planning proposal. The Planning Proposal does not propose any changes to the height or floor space controls for the site and will need to consider the relevant development controls and guidelines applicable at the time that a DA is submitted.</p> <p>The Proposal seeks to remove the applicability of clause 4.5A of the PLEP. This clause in effect limits the number of dwellings which can be built on a site, which in most instances would not change the building footprint or scale of a medium density residential development. That is, visually the floor space ratio and height controls determine the building footprint and scale of the development while clause 4.5A influences whether the development site includes a mixture of one, two and three bedroom apartments or is dominated by three plus bedroom apartments. Hence under the proposed concept development, and subject to the site being rezoned R3 Medium Density Residential, visually the development would present the same whether there were 30 or 41 apartments within the development envelope.</p>
Council's LHS is the most appropriate mechanism to broaden (where required) the choice of building types and locations available in the housing market in the Northern Beaches today, and the kind of housing that will be needed in the future. The proposal is therefore considered to be inconsistent with the objectives of Ministerial Direction 3.1.	187-188	Housing density location	<p>As previously stated, the LHS has not been endorsed by DPIE which includes the investigation areas for housing density and diversity. Also, the Northern Beaches Local Planning Panel recommended that the site be included in the investigation area which is a recommendation of the Council officer's assessment report. However, based on this assessment, Council has already formed an opinion not to consider this site for medium density housing even though it is consistent with the existing housing form and development in Darley Street West.</p> <p>The subject site is ideally located within walking distance of Mona Vale's commercial/retail core, employment lands, public transport and recreation spaces. No additional local infrastructure is required to support this Proposal.</p>

The Planning Proposal seeks to change the zoning and alter the density to significantly increase the number of dwellings on the site, is outside of the investigation area and is inconsistent with Councils adopted LHS and considered inconsistent with Direction 3.4.	188	Housing density location	Same as above.
The Proposal is not consistent with Ministerial Direction 5.10 because the North District Plan does not specifically require the need for additional housing in the location of the subject site, with the mechanism to provide a locally relevant response to the District Plan housing being Councils LSPS and LHS/Mona Vale Place Plan. In addition, the Proposal has not demonstrated why it should be progressed ahead of the Mona Vale Place Plan and that it will set a precedent for adjoining landowners.	189	Site not identified for additional housing	Consistency with the North District Plan has been outlined above including why the Proposal should be progressed prior to the preparation of the Place Plan and that it does not set a precedent for adjoining landowners.
The Planning Proposal has not adequately addressed the social and economic effects because the Proposal is considered to be inconsistent with Council's strategic documents and will not provide for any affordable rental housing.	191	Social and economic effects	<p>Macroplan prepared a detail Economic Assessment and Justification Report (Attachment 3, Appendix H) which provides the justification for providing additional housing within the Northern Beaches including Mona Vale.</p> <p>Mona Vale, as a strategic centre, has adequate community and social infrastructure which can be easily accessed by future residents. No additional investment in public infrastructure is required for this Planning Proposal to proceed.</p> <p>This Planning Proposal, if approved will allow for additional housing supply in Mona Vale and encourage a mix and diversity of dwelling sizes to be delivered. Apartment prices are significantly lower than detached housing, hence the Planning Proposal will offer more affordable housing options in Mona Vale.</p>
Rezoning the site to R3 and removing the density clause (i.e. clause 4.5A of the PLEP 2014) will result in additional cars entering and exiting the site. Any increase in density should be undertaken by Council in the Mona Vale Centres Investigation Area including potential impacts on infrastructure.	192 and 195	Adequate public infrastructure	The subject site is located at the end of a cul-de-sac which is less than 350 m in length from the signalised intersection with Pittwater Road. The entire street, excluding the subject site and the Bayview Golf Course lands, is already zoned R3 with the majority of these sites already developed for medium density housing. The traffic assessment demonstrated that there would not be an impact on the level of service of the intersection of Darley Street West and Pittwater Road. In

			addition, no additional local services are required to support the Planning Proposal.
--	--	--	---

MELBOURNE

(03) 9600 0500

www.macroplan.com.au

SYDNEY

(02) 9221 5211

BRISBANE

(07) 3221 8166

GOLD COAST

(07) 3221 8166

PERTH

(08) 9225 7200

macroplan