

4 March 2022

Mr Mick Cassel
Secretary, Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: Ms Charlene Nelson
Acting Director, North District

BY EMAIL: charlene.nelson@planning.nsw.gov.au and luke.johnson@planning.nsw.gov.au

Dear Sir/Madam

REZONING REVIEW – 159-167 DARLEY STREET WEST, MONA VALE – RR-2021-104

I'm writing in relation to Council's submission (Ref: 2022/082185) to the Department in relation to the rezoning review of 159-167 Darley Street West, Mona Vale.

We understand that the Department is now considering the proposal and Council's submission before providing a report to the Sydney North Planning Panel for future consideration.

We appreciate that the Department will be undertaking an impartial review without providing an assessment, opinion or recommendation on whether the planning proposal should proceed, but we do feel that the Department should be highlighted to the disappointing omissions in Council's submission and that these matters should be recognised in the report to the panel. We would also ask that this letter be made available to the panel in their deliberations.

Whilst voluminous, we note that Council's justification is lacking in detail and logic in many areas. Council's reliance on the proposal's "failure to demonstrate satisfactory strategic and site-specific merit" perhaps in part refers more to Council's reluctance to accept and manage its ongoing housing needs rather than the merits of this proposal.

Council's reliance on the local housing strategy (LHS) as an implied basis for refusal when the LHS was only approved by the Department after refusal of the proposal suggests inconsistent logic, particularly when the Department has heavily conditioned the LHS acknowledging that it needs to be reviewed to provide:

- Further actions to address housing supply
- Further actions to address housing affordability
- Improved clarity on implementation and delivery of housing supply, diversity and affordability

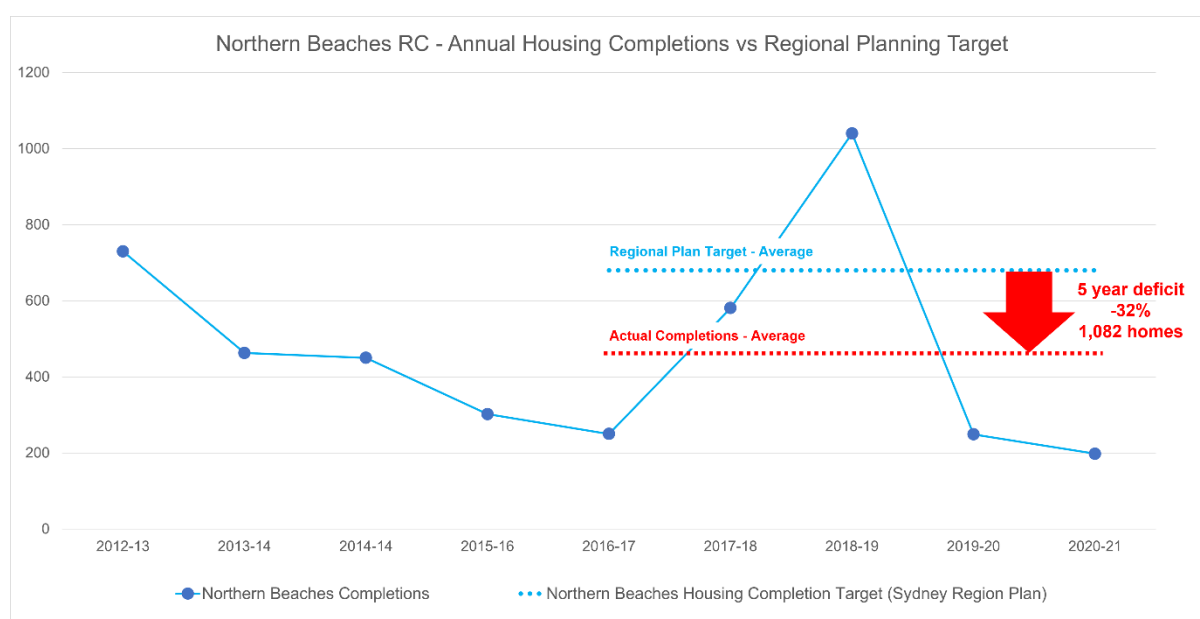
- LEP updates for Brookvale, Dee Why, Mona Vale, Manly Vale and Narrabeen – addressing housing supply, diversity and affordability.
- Revisions of the approach to medium density development, seniors housing and affordable rental housing.

The Department has also required Council to prepare an updated and prioritised implementation and delivery plan by May 2022 that clearly articulates the actions, roles and responsibilities and timing to facilitate housing supply, diversity, and affordability between 2021 and 2026.

If it is accepted that the LHS should be considered as part of the assessment of the planning proposal (notwithstanding its approval after the original refusal), the Department has advised Council that any planning proposal for new housing development should also consider the conditions applied by the Department and the relevant advisory notes.

Council in its submission to the Department does not appear to have given any consideration to the 13 conditions applied by the Department to the LHS which have a heavy emphasis on the delivery of housing and achieving the relevant District Plan targets. The Department has also clearly identified the need for greater transparency in population and dwelling forecasts against the published Departmental projections and clarity on where supply will be delivered, and a detailed assessment of market take up rates.

The implication throughout Council's submission is that they are considering Mona Vale and this proposal is premature prior to the finalisation of that strategy. Council's suggestion of prematurity of the development would be plausible if Council had actively sought to address its housing obligations under the Region Plan and District Plan in a more timely manner, rather than waiting for the emergence of a housing crisis on the northern beaches and then seeking to refuse sensible proposals which assist in alleviating the lack of diversity and new housing completions. Indeed, more than 5 years after the release of the initial housing targets for greater Sydney, there is still lack of clarity on how Council will achieve its first 5-year growth targets. In short, it hasn't, and it won't.



During the last 5 years, the number of housing completions in the Northern Beaches region has only exceeded the yearly target once; and the cumulative effect of this lack of housing completions means that the Northern Beaches Regional Council area is currently 32% behind the 5-year target which equates to 1,082 dwellings at mid-2021 and continuing to increase. Whilst COVID has impacted on development completions more broadly, the impact on housing affordability in the Northern Beach region has been exacerbated, and Council's suggestion of a 275 deficit on current LEP controls does not reflect the reality of actual housing completions in the area, nor the deficit accrued in the first 5 years of operation of the Region and District Plans.

To suggest that the proposal is inconsistent with a document (LHS) which has so many conditions and amendments is a serious misrepresentation of its efficacy.

The Council also relies heavily on the precedent this planning proposal will create. Again, this seriously misrepresents the immediate context of the site including existing housing form, which when reviewed impartially, is clearly differentiated to the precedent areas referred to by Council to the south and west. For the sake of clarity:

- The subject site is located at the end of a no through road and almost all properties within the street are multi dwellings or dual occupancy/secondary dwellings. There is no potential precedent as the street is fully developed save the subject site.
- The site is located directly across the road from the Bayview Golf Club – There is no potential precedent on this property.
- The property backs on to properties in Park Street. All the properties (except one) are already developed for the purposes of dual occupancy or secondary homes. Land further to the east on Park Street is fully developed with multiple dwellings. There is no real or economic likelihood of further development in this area given the nature of the current built form except for 90 Park Street which has a highest and best use of a dual occupancy given its size and adjoining development configuration. There is no potential precedent in Park Street as suggested by the Council.
- Land to the west of the site in Kunari Place is accessed via Park Street. Rezoning the subject site does not set a precedent for Kunari Place as this street is almost exclusively developed as single residences. The proposed development recognises this and reduces the scale and density of development adjacent to dwellings in Kunari Place. This has been a deliberate design consideration to ensure an appropriate transition in built form.
- Land further to the east of Pittwater Road is largely characterised by multi dwelling or dual occupancy forms of development.
- The figure below clearly illustrates that the reliance by Council of concerns around precedence are flawed when the evidence is carefully considered.



Council has also sought to rely on the distance of the property being outside the 800m walkable investigation area. Again, this is a flawed argument in that Council have determined the location of the 800m distance from the B-Line bus stop rather than the Mona Vale Town Centre. With more than 3,700 jobs within a 600-700m walk of the subject site (at the Mona Vale Town Centre and Mona Vale Employment Area), the presumption that a bus stop connecting Mona Vale to the Sydney CBD as the basis for a walkable neighbourhood ignores its local context and the fact that the development is not just a bedroom for Sydney CBD jobs. Competent planning ensures that walkable neighbourhoods embrace diverse housing in close proximity to local jobs. This site clearly achieves that objective. This does not reduce the importance of the B-Line for residents commuting to the Sydney CBD, but it shouldn't become the artificial determinant of what constitutes a walkable neighbourhood for Mona Vale.

Not only is the subject site near major employment hubs in Monashville, but the subject site is within 530m of the Pittwater High School and there are at least a dozen bus stops in the Mona Vale area (within close proximity of the subject site) servicing local routes in the area.



Council have also flagged the significant undersupply of affordable housing in the area as a basis for the refusal. We agree with the lack of affordable housing, but not with it being a reason for refusal. The lack of real housing supply in the Northern Beaches in recent years has exacerbated this situation. It would be fair and appropriate for an affordable housing plan or contribution to be provided as part of the gateway approval conditions. Refusal of the proposal because of Council's delay in finalising its position on Affordable Housing is unjust and simply means that more lower income families, key workers and retirees will be unable to live in the northern beaches, when the area is already more than 1,000 homes behind its required housing completions.

There are many references through Council's submission to the proposal being inconsistent with the character of the area, the LHS, the LSPS and walkable communities. There would be few better examples in Sydney of an infill site which satisfactorily addresses every planning principle. None of Council's generic "inconsistent" comments can be competently substantiated. Indeed, the submission is quite misleading. What is clear, is that Council has failed to ensure that housing supply in the Northern Beaches meets the requirements of the Sydney Region Plan. Delaying this well designed and articulate proposal for an indefinite period is far from adhoc – it's the type of development that will help Council achieve its obligated targets in the timeframes expected in a form that is consistent with the area.

Finally, it should be noted that delaying consideration of the planning proposal until the Monna Vale Place Plan is finalised when there is no committed timeframe will continue to reinforce the housing crisis that exists in the northern beaches. Approval of the proposal will not prejudice that plan, in fact, it will provide clarity on Darley Street West in its totality.

We trust that the Department will reflect on the unsubstantiated Council submission comments and note the failure and ongoing delays by Council in ensuring adequate housing supply in the northern beaches. We would also ask you to note that we do not object to the requirement to address Affordable Housing requirements, notwithstanding that there is no current policy for the site. We look forward to discussing the matter further with the Northern Region Planning Panel in due course.

Yours sincerely



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