

Responses to Council's Pre-lodgement Advice

A pre-lodgement meeting was held with Council on 9 September 2020 to discuss the Preliminary Planning Proposal. The below table provides a summary of the key issues raised by Council including Macroplan's response to this feedback.

Key Issue	Council's comments	Macroplan Response
<p>Adequate housing supply to meet housing targets</p>	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>This Planning Proposal constitutes what is termed in contemporary planning speak to be a "logical inclusion". The subject land is adjacent to what is already an extensive medium density area, and there is no planning basis to suggest the Proposal is not suitable from a development perspective for medium density housing. Further this is a large parcel of land where issues and technical aspects can be addressed as part of a DA. This has been addressed in the accompanying technical assessments.</p> <p>Council and the GSC have acknowledged in their strategic planning conversation that Mona Vale is suited to provide medium density housing as a future changed land use option and this site is within 700m walking distance of Mona Vale shops and within 400m of Mona Vale's 'strategic centre' lands.</p> <p>The issue then becomes one of turning on the strategic planning conversation to enable this strategic intent to materialise. Materialisation can be facilitated in two ways, firstly a council rezones an area as part of a broader planning adjustment or consideration or secondly, a proponent lodges a Planning Proposal which aligns with the end intentions articulated in a strategic planning document. Both approaches represent sound planning, this is further relevant in the context that there is appropriate infrastructure which can be enabled as part of this turning on process.</p>

		<p>Planning targets such as housing numbers in strategic planning documents should not be deliberately interpreted or used around the notion that these are a maximum topping up figures 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 North District Plan discusses the need for housing supply and a mix of housing types in Mona Vale, in this context the subject location is well suited to undergo change. The Planning Proposal is an acceptable and logical inclusion in strategic planning terms. Further the Proposal will not compromise the existing character of a location already undergoing change.</p> <p>In addition, the Northern Beaches LSPS notes that “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” (p128). This Planning Proposal seeks to address this issue by providing housing options which are in low supply for the Mona Vale area.</p> <p>As stated in the Economic Assessment and Justification Report prepared by Macroplan, providing additional housing supply in Frenchs Forest does not address the housing needs of Mona Vale nor does it address the housing diversity and affordability issues.</p>
<p>Permissibility of other uses in the R3 zone</p>	<p>Council raised concerns regarding the permitted uses under the R3 zoning that are not appropriate or desirable at the proposed location.</p>	<p>The Planning Proposal is seeking to rezone the site to facilitate the redevelopment of the site for medium density housing consistent with the development form of Darley Street West and the zoning of this land. While it is</p>

		<p>noted that other permitted uses could be constructed on this land under the R3 zoning, these uses have been deemed appropriate to occur under the Standard Instrument and by Council as part of listing additional permitted uses within the R3 zoning. In accordance with the objectives of the R3 zone of the Pittwater LEP 2014, other non-residential uses would need to demonstrate that they provide facilities or services to meet the day to day needs of residents or be of a low intensity and scale, compatible with surrounding land uses.</p> <p>The proposed rezoning of the site is a logical extension of the existing land use zoning of Darley Street West.</p>
<p>Affordable Housing</p>	<p>Any areas subject to uplift would be subject to the provision of affordable housing in accordance with Council's adopted Affordable Housing policy.</p>	<p>The policy applies to planning proposals for urban renewal and greenfield development (policy statement a)). In addition, the Northern Beaches LSPS states that Council "will implement this policy in the Frenchs Forest strategic centre, Ingleside Growth Area and other urban renewal areas" (p128).</p> <p>The subject site is not a greenfield development site nor is it considered to be an urban renewal development but rather an infill development. The proposal is reflective of the character of Darley Street West and proposes a logical extension to the R3 zone to facilitate the redevelopment of the site for medium density housing. This is not a new land release area nor is the site identified as an urban renewal area or a planned precinct in the North District Plan (refer to Figure 11 of the Plan).</p> <p>It is noted that Council has developed a draft affordable housing contribution scheme which allows Council to collect developer contributions to provide affordable housing either as complete dwellings or as an</p>

		equivalent monetary contribution. The Scheme currently only applies to the Frenchs Forest Planned Precinct, however may be extended to other areas that are rezoned or are subject to increases in residential density in the future.
Consider Pittwater 21 DCP	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.	The relevant technical assessments including the Urban Design Study, Traffic Assessment and Stormwater Management Strategy have considered the applicability of the DCP to an appropriate level of detail for this Planning Proposal. These technical assessments confirm general compliance with the DCP and a development outcome that is consistent with the majority of development in Darley Street West which is medium density housing.
Setting a precedent without clarity of where additional housing growth should occur	<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 premises.</p> <p>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.</p>	<p>The Planning Proposal does not set a precedent given land within Darley Street West is already zoned R3 and has been developed for medium density housing.</p> <p>Consideration has been given to the location and context of the site including the existing character of the locality. The development form proposed is consistent with the existing streetscape.</p> <p>The rezoning is a logical extension of the R3 zone which connects to land identified as the 'strategic centre' of Mona Vale (refer commentary in the Planning Proposal on the North District Plan).</p> <p>The appropriateness of Council rezoning land zoned R2 that is located adjacent to the Mona Vale shops is not a relevant planning consideration under the EP&A Act for a planning proposal. The merits of why the proposed Planning Proposal should be supported have been outlined in the Planning Proposal report prepared by Macroplan</p>

		<p>including the proposal's consistency with the strategic narrative of the locality.</p> <p>The site is eminently suitable for consideration as a medium density area. The draft Local Housing Strategy (December 2020) put on public display identified this area as fitting the criteria of the Centres Renewal Framework with the site located within 800m of Mona Vale's town centre. There was no justification provided in the endorsed version of the Local Housing Strategy (April 2021) for why the centre point location for the Centres Investigation Area had been moved to the boundary of the town centre (i.e. at the B-line bus stop) and why the area originally considered suitable for a mix of medium density housing was now no longer considered suitable. The Planning Proposal does not constitute a precedent as it already aligns with what has progressively evolved at this location.</p>
<p>Stormwater, Floodplain Engineering</p>	<p>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.</p> <p>With regard to this Planning Direction, given that the proposal would permit a significant increase in the development of floodprone land, the applicant must demonstrate that the cumulative impact of the development will not affect surrounding areas.</p> <p>The planning proposal has the potential to set a precedent for adjoining properties to upzone without the benefit of a wider housing review</p>	<p>Refer to section 2.7 of the Stormwater Management Strategy (SMS) for a response to the matters for consideration under Direction 4.3.</p> <p>The Planning Proposal does not specifically permit a significant increase in the development of floodprone land. No changes are proposed to the height and FSR controls for the site which directly impact the developable area of the site.</p> <p>The Planning Proposal does not set a precedent for adjoining properties to be upzoned. Any upzoning of adjoining land would need to be reviewed in the context of flood risk for specific sites.</p> <p>The documentation considers the appropriateness of the subject site being developed for medium density housing and</p>

	<p>or the impacts to flood prone land to the northwest of the subject site.</p> <p>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.</p> <p>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.</p>	<p>does not consider or justify the rezoning of other adjoining land. The SMS confirms that the development scenario will not affect surrounding areas in terms of flooding. It will reduce the overland flows on flood affected residential land in Kunari Place (i.e. land located to the northwest of the subject site).</p> <p>The SMS has been discussed with Council's flooding representative who generally supported the stormwater management approach on the basis that it provides a better outcome for the downstream land owners and reduces the risk of flooding on these properties.</p> <p>AECOM has undertaken detailed modelling for this Planning Proposal which is beyond what is required for a such an application to demonstrate to Council that stormwater and flooding issues can be adequately addressed. Detailed modelling can be made available for Council's review if required. The assessment confirms that the proposed stormwater solution does not impact on the trafficability of the roadway in flood events.</p> <p>Proposed flood planning Levels as set out in Section 2.6 of the SMS report are aligned with Section B3.11 (Flood Prone Land) of Pittwater 21 DCP. Section 2.7 of the SMS confirms that the 1% AEP plus 0.5m to residential finished floor levels should be adopted as the residential Flood Planning Level. This is consistent with Clause 7.3 of the Pittwater LEP 2014.</p>
<p>Traffic Network</p>	<p>All access would be through Darley Street (West) and comply with AS2890 for the classification of the car parking provided.</p> <p>Onsite parking is to comply with the DCP and AS 2890 requirements.</p>	<p>The matters raised by Council are more appropriately addressed at the DA stage. Nevertheless, the Traffic Assessment (Appendix C) has addressed the development concept's compliance with the Pittwater DCP. The site is within walking distance of Mona Vale's shops and strategic</p>

	<p>As the site will result in an intensification there is the need to potentially provide tactile traffic calming in a minimum of two locations along the Darley Street corridor.</p> <p>Applicant is to consider Active Transport provision and pedestrian and other connections from/to the Mona Vale Town Centre.</p> <p>The applicant should also consider provision of electric vehicle infrastructure in any future development application.</p>	<p>centre. It is also within walking distance of public transport options. The Traffic Assessment confirms that the proposed development concept will not result in any impacts on the level of service of the intersection of Darley Street West and Pittwater Road.</p>
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