

**APPENDIX E: MATTERS REQUIRED TO BE ADDRESSED IN A “*GUIDE TO
PREPARING PLANNING PROPOSALS (DEPARTMENT OF
PLANNING)*”.**

PLANNING PROPOSAL

Prepared for

NORTHERN BEACHES COUNCIL

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

Section 55(2) (a): A statement of the objectives or intended outcomes of the proposed instrument.

The objective/intended outcome of the Planning Proposal is to amend Warringah Local Environmental Plan 2011 so as to facilitate the re-development of the site of Harrison Manufacturing Pty Ltd, located on Lot A DP 166808 & Lot 2 DP 600059, Nos. 75-79 Old Pittwater Road and Lot 1 DP 204107, No. 19 Cross Street, Brookvale, as a major urban renewal opportunity, providing office and business employment and new housing supply within the Brookvale - Dee Why Strategic Centre.

PART 2 - EXPLANATION OF PROVISIONS

Section 55(2) (b): An explanation of the provisions that are to be included in the proposed instrument

The objective/intended outcome is to be achieved by amending Warringah Local Environmental Plan 2011 'Schedule 1 – Additional Permitted Uses' so as to identify that Lot A DP 166808 & Lot 2 DP 600059, Nos. 75-79 Old Pittwater Road and Lot 1 DP 204107, No. 19 Cross Street, Brookvale, may be developed with the consent of Council for the purposes of multi-level mixed use development comprising residential flat buildings above office and business premises; and local open space, in a manner consistent with a site Masterplan approved by Council.

Section 55(2)(d): If maps are to be adopted by the proposed instrument, such as maps for proposed land use zones, heritage areas, flood prone land – a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument.

The proposed LEP amendment will require amendment to Warringah Local Environmental Plan 2011 'Additional Permitted Uses Map – Sheet APU_008A' so as to show the subject land (identified on the plan at Attachment 1) being included in Schedule 1 of LEP 2011, on the Additional Permitted Uses Map.

PART 3 – JUSTIFICATION

Section 55(2)

(c): The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117).

A. NEED FOR THE PLANNING PROPOSAL.

A1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not a result of any strategic study or report, as such, but it does seek to implement a number of 'Planning Policy Statements' contained in the Draft Revised North District Plan (prepared by the Greater Sydney Commission) relating to the provision of housing supply; creating and renewing centres; growing investment, business opportunities and jobs in strategic centres; protecting and managing urban services land; delivering integrated land use and transport planning; and delivering high quality open space.

The subject land is unique in that it is strategically located within 'Brookvale Town Centre'; it abuts Warringah Mall regional shopping centre; and it is the largest single landholding within the immediate vicinity of 'Warringah Mall' (2.65ha). The site offers significant potential for urban renewal in a manner which would achieve the strategic planning objectives of both the *Draft Revised North District Plan* and the *Draft Brookvale Structure Plan* (Refer to section 5 of the accompanying Town Planning Report for further analysis).

The reason for this Planning Proposal application relates to the future business planning and long term growth of the Harrison Manufacturing Company Pty Ltd, which has manufactured and distributed specialised greases and lubricating products from the subject land since 1963. However the site will not be able to accommodate the company's future business and growth requirements and consequently, the company has commenced planning for the phased transition of various activities from the Brookvale site to a suitable site elsewhere.

The Planning Proposal provides an opportunity to gain the maximum community social and economic benefit from urban renewal of this site by creating a high quality mix of urban uses that together provide integrated commercial, residential and recreational uses in a sustainable and socially responsible manner.

A2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is considered to be the best means of achieving the objectives/intended outcomes as it retains the existing IN1 General Industrial zone over the land, thereby being consistent with S.117 Direction 1.1 – Business and Industrial zones requiring the retention of areas and locations of existing business and industrial zones; and permits the ‘mixed use’ urban renewal opportunity provided by the site to be pursued under Warringah Local Environmental Plan 2011 - Clause 2.5 – ‘Additional permitted uses for particular land’.

A3. Is there a net community benefit?

The accompanying town planning report demonstrates that the planning proposal will produce a net community benefit.

B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.

B1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?

Yes. Refer to Section 5 of the accompanying Town Planning Report.

B2. Is the planning proposal consistent with the local strategy or other local strategic plan?

The Planning Proposal’s intention to permit business and office premises on the subject land is consistent with the Council’s Draft Brookvale Structure Plan’s proposal to allow the addition of ‘business premises’ and ‘office premises’ within the Brookvale Industrial Area (West).

The Planning Proposal’s intention to permit residential flat buildings (to be located above business and office premises), is inconsistent with Council’s Draft Brookvale Structure Plan. For further analysis and justification of this inconsistency, please refer to Section 5.3 of the accompanying Town Planning Report.

B3. Is the planning proposal consistent with applicable state environmental planning policies?

There are no State Environmental Planning Policies which would act to restrict or prevent the redevelopment of the subject land for mixed use development comprising business premises, office premises, residential flat buildings and local open space. The assessment provided in Section 6 of the accompanying Town Planning Report demonstrates that the Planning Proposal is consistent with the following State Environmental Planning Policies:

- SEPP 14 – Coastal Wetlands;
- SEPP 19 – Urban Bushland;
- SEPP 26 – Littoral Rainforests;
- SEPP 44 – Koala Habitat;
- SEPP 55 – Remediation of Land;
- SEPP 65 – Design Quality of Residential Apartment Development;
- SEPP 71 – Coastal Protection;
- SEPP (State Significant Precincts) 2005; and
- Draft Affordable Housing SEPP 70 Review (EIE).

B4. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

The assessment provided in Section 7 of the accompanying Town Planning Report demonstrates that the Planning Proposal is consistent with the following relevant Section 117 Directions applying to planning proposals lodged after 1st September 2009:

- Direction 1.1 – Business and Industrial zones;
- Direction 2.2 – Coastal Protection;
- Direction 2.3 - Heritage Conservation;

- Direction 3.4 – Integrating Land Use and Transport;
- Direction 4.1 – Acid Sulfate Soils;
- Direction 4.3 – Flood Prone Land;
- Direction 4.4 – Planning for Bushfire Protection;
- Direction 5.1 Implementation of Regional Strategies;
- Direction 6.1 – Approval and Referral Requirements;
- Direction 6.2 – Reserving Land for Public Purposes;
- Direction 6.3 – Site Specific Provisions; and
- Direction 7.1 – Implementation of A Plan for Growing Sydney.

C. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.

C1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No.

The subject land is fully developed for industrial and business premises; car parking and internal roadways. The subject land does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats.

C2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Redevelopment of the subject land for multi-storey mixed use development will not result in any other likely environmental impacts which would prevent redevelopment:

- the subject land and future development is able to be provided with all required utility services;
- stormwater drainage can be suitably designed to avoid any adverse off-site water quality impacts;

- sedimentation and waste management controls can be appropriately addressed in the preparation of future development applications;
- redevelopment of the subject land in the manner envisaged in the Concept Development Plan prepared by Thrum Architects Pty Ltd will not have an adverse impact on the streetscape or public domain generally;
- the subject land can be provided with safe vehicular access to both Old Pittwater Road and Cross Street, having regard to local traffic conditions and potential traffic generation rates. Potential traffic movements would not be beyond the capacity of the local road system and redevelopment of the subject land in the manner proposed will result in the removal of the existing heavy vehicle movements along Old Pittwater Road generated by the existing manufacturing premises on the land;
- the development of future multi-level residential flat buildings have the potential to cause overshadowing of both neighbouring premises and within the site itself. The assessment of amenity impacts associated with future multi-storey buildings within the site would be appropriately considered and addressed in the design and assessment of future development applications;
- the proposed redevelopment of the subject land may be expected to result in an increase demand on public amenities and open space. In regard to any nexus between future development and demand for public amenities, the Council would be empowered to levy S.94 contributions for the provision of public amenities as a condition of consent for future development of the land; and
- the subject land is not subject to any environmental hazards which would prevent its redevelopment in the manner envisaged by this Planning Proposal.

C3. How has the planning proposal adequately addressed any social and economic effects?

Refer to section 8 of the accompanying town planning report.

The Planning Proposal will provide significant social and economic benefits to the community, delivering > 250 jobs in office/business premises and ancillary services (in comparison to the 76 manufacturing jobs currently on-site); approximately 500 apartments; and a high quality public domain/civic pedestrian spine.

The location of approximately 500 apartments on the site will satisfy the following locational criteria of the *Draft Revised North District Plan* for urban renewal investigation:

- alignment with investment in regional and district infrastructure;
- accessibility to jobs;
- accessibility to regional transport;
- within walking distance of centres; and
- the feasibility of development.

D. STATE AND COMMONWEALTH INTERESTS.

D1. Is there adequate public infrastructure for the planning proposal?

Yes. All utility services are available to the subject land in order to service future development. The Planning Proposal will not require the augmentation of public infrastructure.

The site is well located with regard to the existing and future availability of public transport and is readily accessible to other activity nodes within the Sydney Metropolitan Area.

D2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

No consultations have yet been undertaken with State and Commonwealth agencies.

PART 4 –COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN

S55(2)(e): Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument

A 28 day exhibition period for community consultation is considered to be appropriate for this planning proposal. Notice of the public exhibition will be given:

- In a local newspaper circulating within the subject locality;
- On council's website; and
- In writing to adjoining landowners.

**ANNEXURE A: PROPOSED WARRINGAH LEP 2011 – AMENDMENT TO
ADDITIONAL PERMITTED USES MAP SHEET APU_008A.**

(Note: The cross hatched area on the accompanying plan, comprising Lot A, DP 166808 and Lot 2 DP 600059, Nos. 75-79 Old Pittwater Road and Lot 1 DP 204107, No. 19 Cross Street, Brookvale, is to be identified on Map Sheet APU_008A as an area to which Schedule 1 of LEP 2011 applies)

