

10.0 PLANNING PLACE & COMMUNITY DIVISION REPORTS

ITEM 10.1	PLANNING PROPOSAL - 75-79 OLD PITTWATER ROAD & 19 CROSS STREET, BROOKVALE TO PERMIT ADDITIONAL USES AND INCREASE MAXIMUM BUILDING HEIGHT
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/191849
ATTACHMENTS	1 Applicant's Planning Proposal (Included In Attachments Booklet 5) 2 SEPP Assessment (Included In Attachments Booklet 5) 3 Ministerial Directions (Included In Attachments Booklet 5) 4 Submissions Summary (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To report on the assessment of a Planning Proposal lodged for 75-79 Old Pittwater Road and 19 Cross Street, Brookvale to permit and to seek Council's approval to reject the Proposal.

SUMMARY

Council received a Planning Proposal from Harrison Investments Pty Ltd on 10 January 2018 to amend the Warringah Local Environmental Plan (WLEP 2011) to allow business premises, office premises, residential premises and local open space as additional permitted uses on the subject site, and to allow building heights of up to 17 storeys.

The proposal includes a concept masterplan that envisages:

- 7 main buildings ranging in height from 10-17 storeys (5 with office/business premises on the lower 1-3 storeys and residential towers above)
- 507 dwellings
- 11,893sqm of office/business floorspace
- public parkland alongside the creek
- a civic plaza and a public pedestrian spine.

Harrison Investments Pty Ltd has used the site for industrial purposes, manufacturing and distributing specialised greases and lubricating products, since 1963. The company is considering relocating its industrial activities to a suitable site elsewhere that can accommodate its long term growth and expansion.

The Planning Proposal was publicly exhibited for 17 days from 27 January to 12 February 2018. 74 submissions were received. 72 submissions raised objection to the proposal, with the main concerns relating to overdevelopment (excessive building height and dwelling numbers), and traffic impact (congestion and lack of parking). Two submissions gave general support.

The site (2.65ha) is one of the largest IN1 General Industrial zoned landholdings in the Brookvale-Dee Why Strategic Centre. Protection of employment land in the business and industrial zones is a fundamental tenet of planning for Strategic Centres, made explicit from the State Government's Regional and District Plans, as well as Council's Draft Brookvale Structure Plan.

The Draft Brookvale Structure Plan recognises the vital economic and employment role that Brookvale performs for the Northern Beaches and the wider metropolitan area, and is focused on guiding future development to enhance the employment functions. Protection of industrial land is a key principle and the Draft Structure Plan retains almost all of Brookvale's IN1 (General Industrial) zoning, including the subject site. It expresses a clear strategic intent for IN1 land that there be no uses that may potentially conflict with employment opportunities. The only change that the Draft Brookvale Structure Plan puts forward for the site is to allow business premises and office premises as additional permitted uses. Residential uses remain prohibited under the Draft Brookvale Structure Plan.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth (around 670 dwellings) as mixed-use development in a Town Centre extending either side of Pittwater Rd, north of Cross St, to support local business and the industrial area, whilst not diminishing employment opportunities and still being within the identified traffic carrying capacities of the road network.

The proposal represents a significant departure from regional, district and local planning policy for Brookvale-Dee Why Strategic Centre and for industrial lands in general. There is no site-specific or strategic merit to justify this departure. The proposal would enable a conversion of the site from industrial to residential/commercial use, and fails to protect the important employment and economic functions associated with the IN1 (General Industrial) zoning. It would effectively consume 75% of the housing growth allocated to the Town Centre in the Draft Brookvale Structure Plan and would undermine the achievement of that plan's objectives and intent for Brookvale.

The proposal seeks to introduce residential uses that are inconsistent with the objectives of the General Industrial zone. The substantial increase in building height that is sought exacerbates this inconsistency and enables a scale of development far in excess of what the LEP currently allows and what is envisaged by the Draft Brookvale Structure Plan. The proposal fails to adequately address the likely impacts, including economic, traffic, and visual/character impacts.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council reject the Planning Proposal and not submit it to the NSW Department of Planning & Environment for a Gateway Determination for the following reasons:

- A. The proposal is inconsistent with regional and district planning for Brookvale as established by the Greater Sydney Region Plan and the North District Plan.
 - B. The proposal is inconsistent with Council's endorsed Draft Brookvale Structure Plan (2017).
 - C. There is no need for the planning proposal.
 - D. The proposal has not demonstrated strategic merit or site-specific merit.
 - E. The Planning Proposal is inconsistent with the following Local Planning Directions:
 - a. 1.1 Business and Industrial Zones
 - b. 3.4 Integrating Land Use and Transport
 - c. 5.10 Implementation of Regional Plans
 - d. 7.1 Implementation of *A Plan for Growing Sydney*.
 - F. The proposal is not an appropriate strategic and development outcome, in particular:
 - a. it will introduce a non-conforming (residential) use in the General Industrial zone that is inconsistent with the zone's objectives and would set an undesirable precedent
 - b. it will alienate from industrial use land in an industrial zone, and in doing so fails to protect important employment land and undermines the planned growth of the Brookvale-Dee Why Strategic Centre
 - c. it will introduce new housing in an inappropriate location.
 - G. The information provided in support of the proposal does not adequately address the likely impacts of the proposal, particularly with regards to the economic and traffic impacts.
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REPORT

BACKGROUND

Council received a Planning Proposal from Harrison Investments Pty Ltd on 10 January 2018 to amend the Warringah Local Environmental Plan (WLEP 2011) to allow business premises, office premises, residential premises and local open space as additional permitted uses on the subject site, and to allow building heights of up to 17 storeys.

The proposal includes a concept masterplan that envisages:

- 7 main buildings ranging in height from 10-17 storeys (5 with office/business premises on the lower 1-3 storeys and residential towers above)
- 507 dwellings
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Description of Site and Surrounds

The subject site is located at 75-79 Old Pittwater Road and 19 Cross Street, Brookvale (Fig.1). It comprises Lot A DP 166808, Lot 2 DP 600059 and Lot 1 DP 204107, with a total area of 2.65ha.

The main part of the site is an irregular shaped parcel with an 83m frontage to Old Pittwater Road and side and rear boundaries adjoining Brookvale Creek, Warringah Mall and a number of office and industrial properties. Lot 1 is situated on the other side of Brookvale Creek with a 20.3m frontage to Cross Street. The land slopes gently toward the creek and is partly affected by 1:100 year flooding.

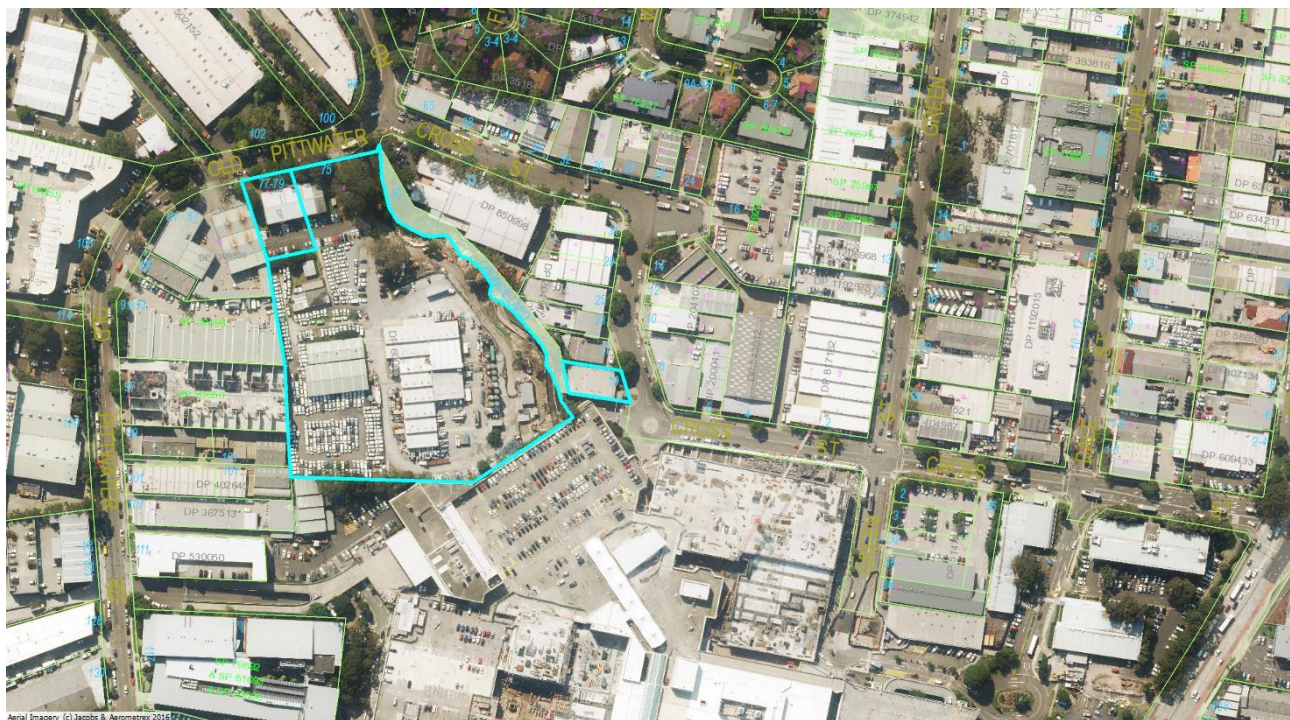


Figure 1 - Location of Subject Site

The site is occupied by the head office and manufacturing operations of Harrison Manufacturing Company Pty Ltd. It has been used by Harrison for the manufacture and distribution of specialised greases and lubricating products since 1963.

Built form structures on the site include a large brick factory building, an office building, bitumen car parks, and various sheds, structures and storage areas associated with the manufacturing activities. 76 jobs are currently provided on site. The smaller part (Lot 1) on the other side of the creek is developed with a building used for a gymnasium.

As the site will not be able to accommodate Harrison's long term growth and expansion, the company is considering relocation of its industrial activities to a suitable site elsewhere. The stated objective of the Planning Proposal is to facilitate the re-development of the site. It is put forward as a major urban renewal opportunity, providing office and business employment and new housing supply within the Brookvale-Dee Why Strategic Centre.

Local Planning Framework

Zoning

The subject site is zoned IN1 General Industrial under Warringah LEP 2011 (Fig.2).

The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses
- To encourage employment opportunities
- To minimise any adverse effect of industry on other land uses
- To support and protect industrial land for industrial uses
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area
- To enable a range of compatible community and leisure uses
- To maintain the industrial character of the land in landscaped settings.

Residential Accommodation and Commercial Premises are prohibited in the zone.

The surrounding zoning consists of IN1 General Industrial for properties to the west, north and east fronting Old Pittwater Rd and Cross St, and B3 Commercial Core for Warringah Mall to the south, and RE1 Public Recreation for Brookvale Creek where it adjoins the site.

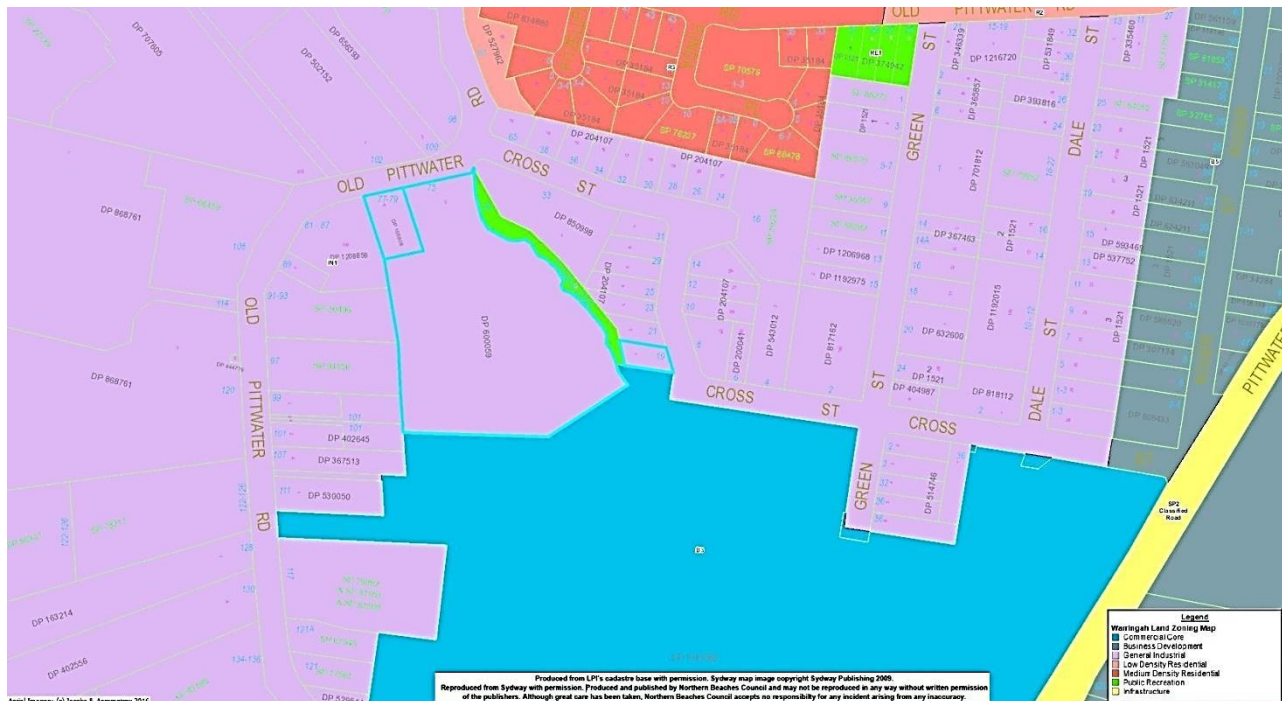


Figure 2 – Zoning (site outlined in blue)

Building Heights

A maximum building height of 11m applies to the General Industrial zoned land in Brookvale, including the subject site. Depending on the floor to ceiling heights, this control typically results in buildings of 3 storeys. The objectives of the height limits relate to compatibility with surrounding development and minimising visual impact and loss of views, privacy and solar access.

Brookvale Structure Plan

In August 2015, Council (former Warringah) resolved to prepare a Structure Plan for Brookvale. Extensive research and analysis was undertaken to understand how Brookvale functions and its role as an economic and employment centre. Extensive community engagement took place, along with detailed traffic and transport modelling and development feasibility testing.

At its meeting on 8 August 2017, Council endorsed the Draft Brookvale Structure Plan for public exhibition. The exhibition took place from 25 September to 20 November 2017. 119 submissions were received and a response to these submissions is currently being prepared.

Once complete, the Structure Plan will guide future development within Brookvale and recommend any land use changes necessary to ensure that it continues to function as a vibrant, sustainable employment-focused centre.

In line with regional and district planning objectives, the Draft Brookvale Structure Plan is focused on securing Brookvale as an employment centre. It recognises the vital economic and employment role the Brookvale-Dee Why Strategic Centre plays for the Northern Beaches and the metropolitan area. It describes Dee-Why's role as providing for housing, civic functions and supporting retail, service and commercial functions, and reinforces Brookvale's role in providing for employment within the industrial, commercial, retail, service and education sectors.

Protection of industrial zoned land is a key principle of the Draft Brookvale Structure Plan. The Structure Plan retains almost the entire General Industrial zone in Brookvale, including all of the IN1 zoned land on the subject site (Fig.3).

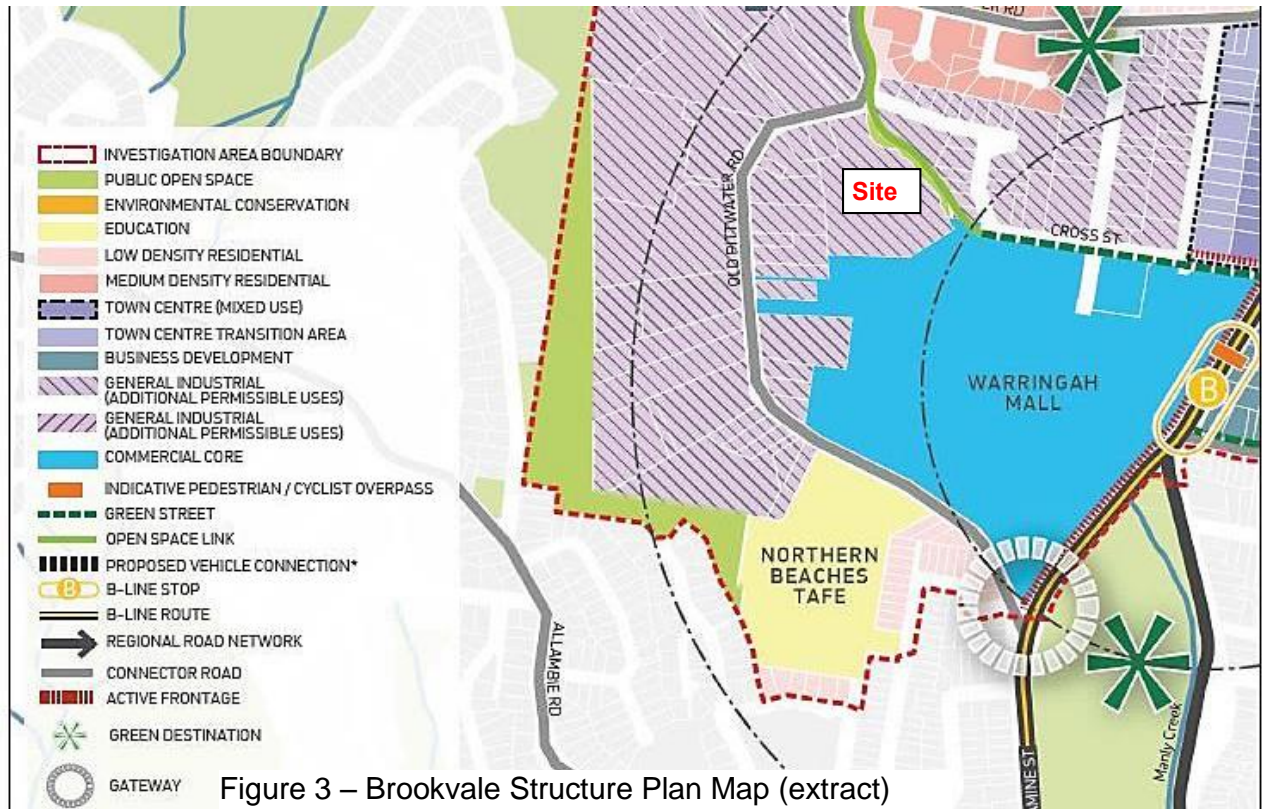


Figure 3 – Brookvale Structure Plan Map (extract)

The Draft Brookvale Structure Plan expresses a clear strategic intent for the industrial land that there be no uses that may potentially conflict with employment opportunities, specifically no residential uses. The only proposed change for the site is to allow business and office premises as additional permitted uses, to build on emerging trends and provide more flexibility for job generating activities. Residential uses are to remain prohibited and building height limits are unchanged for the site.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth in the area of the traditional town centre either side of Pittwater Road generally north of Cross St and Powells Rd to Winbourne Rd. Around 670 additional dwellings are provided for as mixed-use development in this location, based on a balancing of residential and employment floorspace that recognises that a component of residential growth is necessary for the viability of local business and to support the surrounding industrial functions. This housing growth is planned and located so as to preserve employment opportunities and to be within identified traffic carrying capacities of the surrounding road network. The designated 'Town Centre' location for the additional dwellings is in close proximity to the B-Line Bus Stop and is central to the industrial areas to the east and west and builds on existing land use patterns and planning controls applying in this area. A B4 Mixed Use zoning and building heights up to 6 storeys are proposed.

ASSESSMENT OF PLANNING PROPOSAL

The following assessment has been undertaken in accordance with s3.33(2) of the Environmental Planning and Assessment Act, and the Department of Planning and Environment's *A guide to preparing planning proposals (2016)* which sets out requirements for preparing a planning proposal.

The Planning Proposal includes a development concept that is described in an urban design report by Thrum Architects titled *Village on the Brook*. The report contains a concept master plan and other diagrams that depict how the site could be developed under the proposed new LEP controls. The diagrams show 7 main buildings of 10-17 storeys, achieving yields of 507 dwellings and 11,893sqm of office/business floorspace (see Figures 4 & 5).

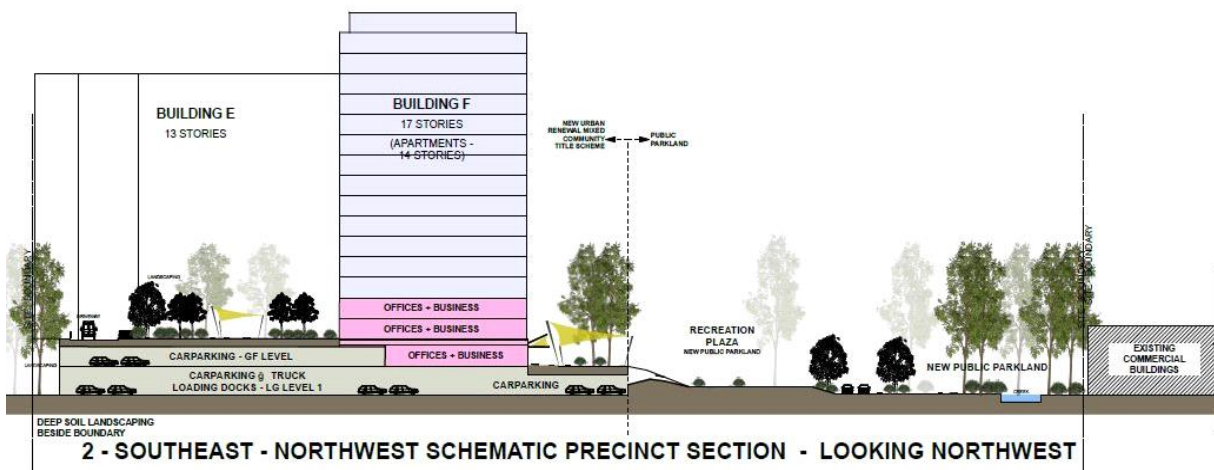
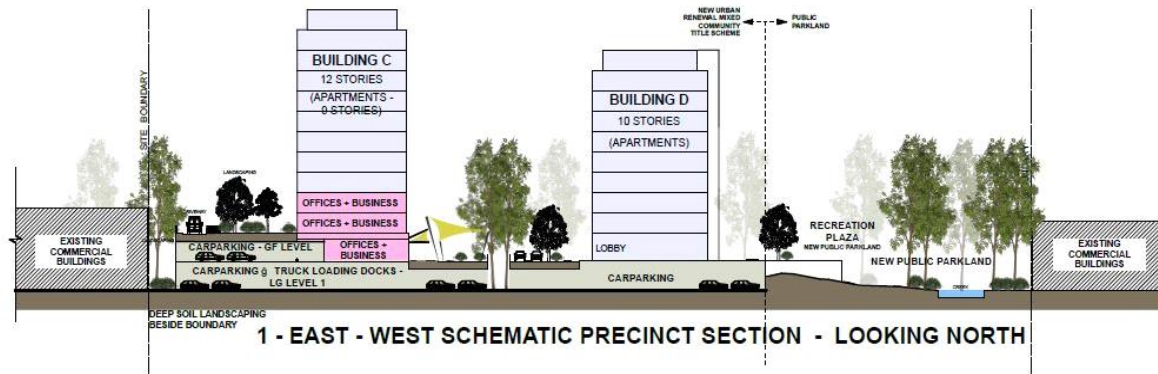


Figure 4 Sections - Thrum Architects Nov 2017 (extract)

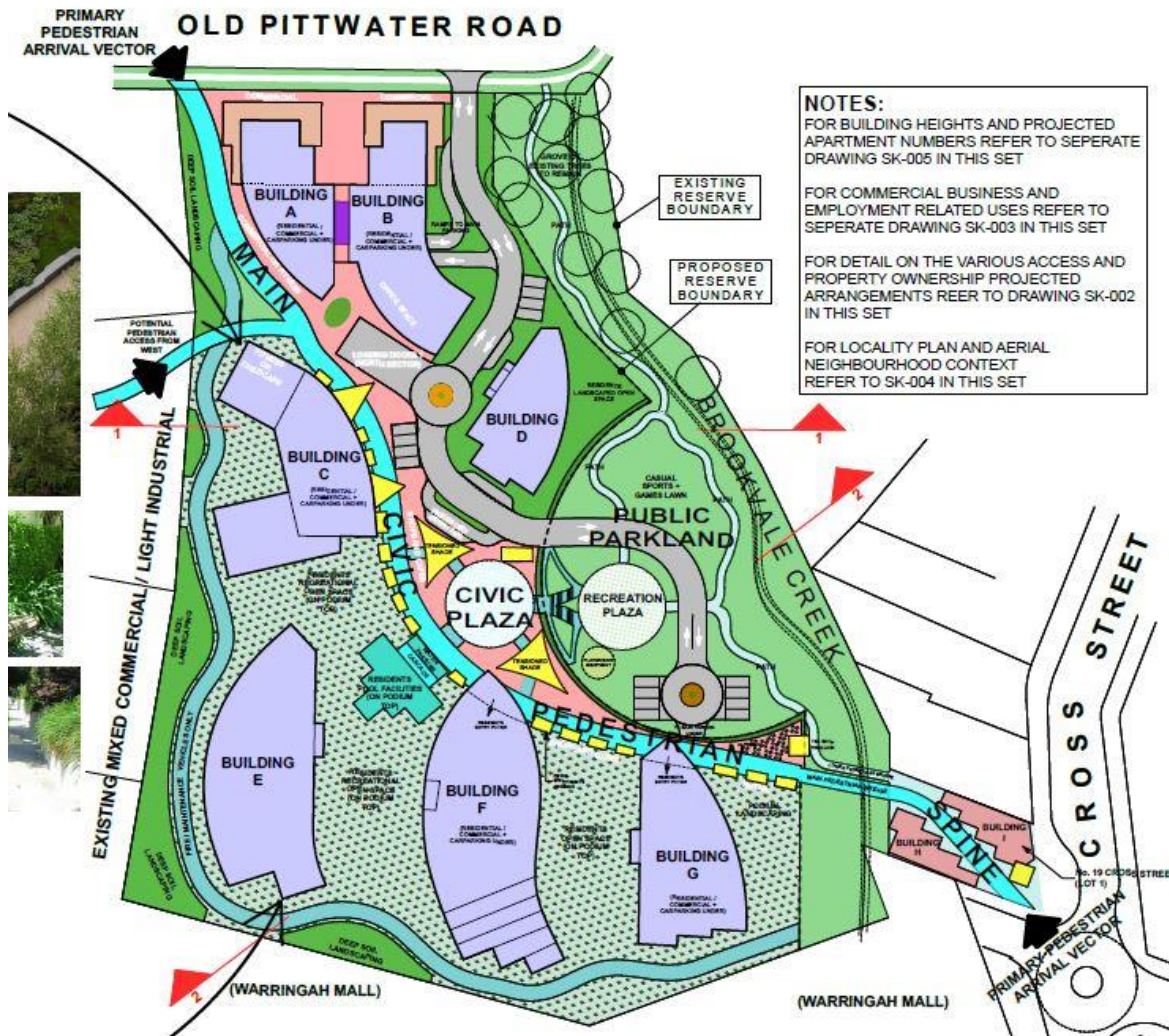


Figure 5 Concept Precinct Master Plan -Thrum Architects Nov 2017 (extract)

This concept is just one of many ways the site could be developed under the Applicant's proposed new LEP controls. As such, the assessment of the Planning Proposal is focused on the proposed additional permitted uses and increased building heights, having regard to the yields shown on the concept master plan merely as a guide to the potential scale and density of development.

As a general comment, the scale and density of development shown on the concept master plan is likely to involve significant impacts on the surrounding area, including impacts on traffic, parking, visual amenity, character and views. It creates the potential for substantial conflict between the new residential uses and surrounding industrial and commercial activities, which would undermine the viability of employment generating activities and the economic role and function of Brookvale. A new residential community of this scale and density is inappropriate in a location that is isolated from existing communities and difficult to achieve safe and convenient access to public transport, recreation, schools and other services. Buildings up to 17 storeys tall are far in excess of anything existing or planned in the vicinity of the site and would be out of character with the area.

The issues raised above are consistent with the issues raised by the community in their submissions received on the proposal. Information submitted by the Applicant in support of the Planning Proposal does not adequately address these likely impacts. The Applicant has not submitted any proper analysis of the economic impact of conversion of such a large industrial zoned site to residential use within an employment centre, nor any modelling of the traffic generation of a development of this scale and density and the capacity of the surrounding road network to accommodate the increase.

The following assessment is structured according to the State Government's requirements for explaining the intended effect of and setting out the justification for a planning proposal.

Part 1 – Objectives or Intended Outcomes

The applicant's stated objective of the Planning Proposal is to facilitate the re-development of the site as a major urban renewal opportunity, providing office and business employment and new housing supply within the Brookvale-Dee Why Strategic Centre.

The site is not considered to be a suitable site for urban renewal as it is a strategically important parcel of employment land that regional, district and local planning policy aims to protect.

Part 2 – Explanation of Provisions

The Planning Proposal seeks to amend WLEP 2011 by:

- amending Schedule 1 (Additional Permitted Uses) to allow mixed-use development comprising residential flat buildings above office and business premises and local open space, consistent with a precinct masterplan to be approved by Council, and to include in the description a provision to the effect that the maximum permitted building height shown on the Height of Building Map will not apply where the Council has approved buildings of greater height under an approved masterplan; and
- amending Additional Permitted Uses Map Sheet APU_008A to identify the subject land as land to which Schedule 1 applies.

The proposed amendments to Schedule 1 are somewhat vague and it is not clear how they would operate with regards to the masterplan and building height variation.

Part 3 – Justification

Section A – Need for the planning proposal

Q1. Is the planning proposal the result of any strategic study or report?

No. The relevant strategic study is the Draft Brookvale Structure Plan and the background studies undertaken in the preparation of that plan.

The Applicant's response to this question relies on the view that the site offers significant potential for urban renewal in a manner that would achieve the objectives of the North District Plan and the Draft Brookvale Structure Plan. This argument is flawed as both of these plans are explicit in their objective to protect and retain industrial zoned land.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

No. The Draft Brookvale Structure Plan provides for housing growth in a more suitable location within the traditional Town Centre of Brookvale that will support local business and the surrounding industrial area and activate the commercial strip. The planning proposal will enable the conversion to residential use and loss of one of the largest industrial zoned landholdings in Brookvale.

The applicant's claim that the planning proposal is the best means of achieving the objectives because it retains the IN1 zone is a misrepresentation as the additional permitted uses will enable wholesale conversion of the activities on the site from industrial to residential and commercial.

Section B – Relationship to Strategic Planning Framework

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Greater Sydney Region Plan (March 2018) (Region Plan)

Under the key direction of “Jobs and skills for the city”, the Greater Sydney Region Plan includes the following objectives:

- Objective 22: Investment in business activity in centres
- Objective 23: Industrial and urban services land is planned, protected and managed

The first objective recognises the need to grow the city’s centres and depicts a hierarchy of centres that designates Brookvale-Dee Why as a Strategic Centre. The plan’s focus for Strategic Centres is on attracting investment, business activity and jobs. Growing the centres is fundamental to the goal of increasing the number of jobs close to where people live. The plan emphasises the need to build on the individual strengths of centres. While reference is made to the co-location of a wide mix of land uses, including residential, this is not to be “at the expense of the attraction and growth of jobs, retailing and services” (p.106). The planning proposal would introduce residential uses at the expense of retaining a rare large parcel of industrial zoned land. The North District has the least amount of industrial and urban services land stock in the whole of the Greater Sydney region, which makes it a more precious commodity. The provision of housing on the site would not deliver a net community benefit when weighed against the cost of the loss of valuable employment land.

The second objective recognises the significant contribution to jobs that is made by industrial and urban services land and that the provision of services and jobs close to business and where people live is critical to the region’s productivity. The discussion highlights the threat posed by conversion of industrial land to mixed-use residential zoning in response to unprecedented demand for residential supply (p.110). The plan aims to protect industrial and urban services land. The approach identified for Easter Harbour City (including North District) is to: “Protect all industrial zoned land from conversion to residential development, including conversion to mixed-use zonings” (p.112). While the Planning Proposal does not seek to rezone the site, the proposal to make mixed-use development permissible is directly contrary to the approach to protecting industrial land set out in the Greater Sydney Region Plan.

North District Plan (March 2018)

Similar to the Region Plan, the North District Plan has the following planning priorities:

- N10 Growing investment, business opportunities and jobs in strategic centres
- N11 Protecting and managing industrial and urban services land

The plan emphasises the need to grow existing centres and sees jobs growth and community access to goods and services as the core objective for centres. The jobs target for Brookvale-Dee Why is 3,000-6000 additional jobs by 2036. Action 32 refers to creating the conditions for residential development within strategic centres, but not at the expense of the attraction and growth of jobs, retailing and services. For Brookvale Dee-Why, Action 38 specifically seeks to maintain the mix of uses and encourage the establishment of new, innovative and creative industries in Brookvale.

The plan highlights limited supply and inability to increase supply in North District as underscoring the need to protect industrial and urban services land. Action 43 is to manage industrial land by protecting all industrial zoned land from conversion to residential development. The Planning Proposal is directly contrary to this Action.

The applicant's assertion that the Planning Proposal is consistent with the regional and district plans relies heavily on the idea that the residential component will meet the Plans' objectives for increasing housing supply and choice, urban renewal, providing jobs closer to homes, and delivering new housing in connected, walkable neighbourhoods.

This argument is flawed as it fails to recognise considerable inconsistencies with other more important priorities for protecting employment lands and preventing the conversion of industrial land to residential. Introducing residential as an additional permitted use that is likely to be the most profitable use would effectively alienate the land from future industrial activities and potentially curtail surrounding industrial activities due to traffic and amenity impacts. Any contribution made by the proposal towards meeting housing targets is of no net benefit to the community if it results in the loss of important employment land and detracts from the potential economic and employment functions of the centre. The site does not meet the locational criteria for urban renewal or infill as it is in an isolated location, detached from existing neighbourhoods and without convenient, walkable access to public transport, parks, schools and other services. The provision of civic and open space and a pedestrian spine through the site does not overcome these locational problems.

The applicant contends that the site's characteristics as a large landholding immediately adjacent to Warringah Mall provide a unique opportunity for urban renewal and creation of an integrated, master-planned environment. These same characteristics create a unique opportunity to attract investment in and development of new, innovative industries in line with the planned growth of the employment functions of the centre.

The Council, through its forward planning for Ingleside, Frenchs Forest, Dee-Why and Brookvale, North District Plan. Council intends to prepare a housing strategy which will refine how the long term targets will be met. It is already clear however that the housing targets can be met at various planned locations on the Northern Beaches without the need to sacrifice an important parcel of industrial-zoned land.

There is insufficient justification for the Planning Proposal having regard to the following assessment criteria:

a) does the proposal have strategic merit?

No. The proposal is not consistent with the relevant district plan and is not responding to any change in circumstances. There has been no investment in new infrastructure or changing demographic trends in the area which would support conversion of the site from industrial to residential use. The introduction of the B-line bus service and the new community health centre under construction on Pittwater Road do not support the introduction of a substantial new residential community on an isolated site that cannot offer convenient, safe pedestrian/cycle connections to surrounding neighbourhoods or community infrastructure.

As the region's population continues to grow and urban areas become more densely developed, industrial zoned land is increasingly a precious commodity. North District has the lowest amount of industrial land in both land area and per capita of the whole of Greater Sydney Region. Brookvale is the largest industrial precinct in North district and therefore offers the greatest potential for synergies and opportunities for industry to evolve and grow. Recent economic and employment analysis undertaken for Council's local strategy (Draft Brookvale Structure Plan) has identified the need for certain changes to the planning controls in the industrial zoned areas to support niche manufacturing and innovative and creative industries, and to respond to emerging trends for office-based activities. Changes are also identified to encourage revitalisation of the commercial strip.

None of the analysis undertaken has identified any strategic need to change the planning controls for the subject site to allow for residential development. Residential development would not only involve loss of an important industrial site, it would potentially curtail surrounding industrial and commercial activities due to traffic and amenity impacts.

The Planning Proposal goes against all of the indicators which underlie a strategic imperative to protect the industrial and employment functions of Brookvale.

b) does the proposal have site-specific merit?

No. There are no natural environmental values or hazards that give merit to the Planning Proposal. Issues related to Brookvale Creek, flooding and contamination can be addressed through ongoing management and approval processes under the site's IN1 zoning. Existing and likely future uses of land in the vicinity of the proposal are industrial and commercial, and the potential for conflict with these uses negates any site-specific merit for residential use. There are insufficient services or infrastructure available to meet the demands arising from the proposal, particularly with respect to the capacity of the surrounding road network and accessibility to schools, public transport and other services required by a residential community.

Q4. Is the planning proposal consistent with the local strategy or other local strategic plan?

As detailed earlier, the Draft Brookvale Structure Plan is focused on securing Brookvale as an employment centre and protection of industrial zoned land is a key principle. It expresses a clear strategic intent for the industrial land that there be no uses that may potentially conflict with employment opportunities, specifically no residential uses. The only proposed change for the subject site is to allow business and office premises as additional permitted uses in order to build on emerging trends and provide more flexibility for job generating activities. Residential uses are to remain prohibited and building height limits are unchanged for the site. The Planning Proposal is inconsistent with this. Not only does the proposal alter the planned use of the site, it has the potential to detract from the planned use of surrounding areas due to traffic and amenity impacts.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth in the area of the traditional town centre either side of Pittwater Road generally north of Cross St and Powells Rd to Winbourne Rd. Around 670 additional dwellings are provided for as mixed-use development in this location, with commercial uses on ground and first floor levels, so as to preserve employment opportunities and not exceed the traffic carrying capacities of the surrounding road network. The designated 'Town Centre' location for the additional dwellings builds on existing land use patterns and planning controls, and is intended to achieve a highly activated, walkable environment with good connectivity. This planned housing growth will contribute to meeting the housing targets for the Northern Beaches in a way that supports Brookvale's economic and employment functions.

The Planning Proposal would effectively consume 75% of the housing growth allocated to the Town Centre in the Draft Brookvale Structure Plan and would undermine the achievement of the plan's objectives and intent for Brookvale.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is generally consistent with the applicable SEPPs (Attachment 2). With regards to SEPP 55 Remediation of Land, the applicant has submitted a Phase 1 Environmental Assessment (previously prepared for the site in November 2011) which evaluates the site's contamination risk profile as a result of the historical industrial activities. An updated contamination assessment would be required as a condition of Gateway Determination if the Planning Proposal were to proceed. Detailed investigations can be undertaken at development application stage to determine the level of contamination and the necessary remediation. Consistency with SEPP 65 Design Quality of Residential Apartment Development would be determined at development application stage.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

No. The Planning Proposal is inconsistent with the Ministerial Directions (Attachment 3) 1.1, 3.4, 5.10 and 7.1, and there are not sufficient valid reasons to justify the inconsistencies.

- Direction 1.1 Business and Industrial Zones. The proposal fails to give effect to objectives: (b) protect employment land in the business and industrial zones and (c) support the viability of identified centres. The proposal would effectively alienate the land from future industrial activities and potentially curtail surrounding industrial and commercial activities.
- Direction 3.4 Integrating Land Use and Transport. The proposal is inconsistent with objectives relating to improving access by walking, cycling and public transport, and reducing dependence on cars. The proposal provides for the establishment of a substantial new residential community on an isolated site, surrounded by industrial and commercial development, without convenient, safe pedestrian/cycle connection to surrounding neighbourhoods or community infrastructure. Although the site is within 800m of the B-line bus stop, the route from the site to that stop is along roads that are heavily trafficked by industrial and commercial vehicles, and lack the activation, amenity and casual surveillance to make them safe and enjoyable for pedestrians, particularly at night. Any route through Warringah Mall would be unsuitable after hours. Furthermore, the proposal does not consider traffic impact and the capacity of the surrounding road network.
- Direction 5.10 Implementation of Regional Plans. As outlined earlier, the proposal is contrary to the approach to protecting industrial land set out in the Greater Sydney Region Plan and would undermine the intended growth of business activity and jobs in the Brookvale-Dee Why Strategic Centre.
- Direction 7.10 Implementation of a Plan for Growing Sydney. This plan will be superseded when the Greater Sydney Region Plan is finalised and formally adopted. Nevertheless, it contains key directions and strategies for focussing jobs growth and the agglomeration of business in Strategic Centres and supporting key industrial precincts, and introduces a checklist for careful decision making that considers impacts on industrial land stocks and employment objectives. The proposal is inconsistent with this direction as it enables the conversion of a key industrial landholding to residential use and does not support the optimum growth of the Strategic Centre.

C – Environmental, social and economic impact

Q7. Is there any likelihood that habitat or species will be adversely affected?

No. The subject site does not contain any critical habitat or threatened species, populations, or economical community of their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal?

Matters related to Brookvale Creek, flooding and contaminated land can be addressed in detail at development application stage. The applicant has submitted a Phase 1 Environmental Assessment (November 2011) which evaluates the site's contamination risk profile. An updated contamination assessment could be required as a condition of Gateway Determination if the Planning Proposal were to proceed. With regards to the substantial increase in building heights that is proposed, the applicant has not submitted any visual impact assessment.

Q9. Has the planning proposal adequately addressed any social and economic effects?

No. The proposal has not adequately addressed the social and economic effects.

The applicant's justification relies on the purported benefits of delivering 250+ jobs, 500+ dwellings, and a high quality public domain and pedestrian spine. It fails to address the potential detrimental social and economic effects associated with the loss of a major parcel of industrial land, the introduction of land use conflicts that may curtail the surrounding industrial and commercial activities, and poor connections and walkability for a new residential community on an isolated site.

Traffic generated by development of the scale and density that is indicated on the masterplan is likely to exceed the capacity of the surrounding road network and the resulting congestion would be an impediment to the operations of all businesses in the IN1 area, particularly those accessed via Old Pittwater Road and Cross Street. The applicant has not submitted any traffic impact analysis to demonstrate that the surrounding road network can accommodate the additional traffic.

D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The applicant has failed to demonstrate that the surrounding road network has the capacity to accommodate traffic and parking generated by a development of the scale and density proposed. The amount and location of growth in employment floorspace and housing envisaged in the Draft Brookvale Structure Plan has been carefully configured to not exceed the identified traffic carrying capacities of the existing road network. The proposal would add a substantial amount of residential growth without proper assessment of the adequacy of either the road and public transport infrastructure, or other infrastructure such as parks, schools, health services, and utilities.

Q11. What are the views of state and Commonwealth authorities consulted in accordance with the Gateway determination?

The Planning Proposal has not been forwarded for a Gateway Determination. Given the strong emphasis in the regional and district planning policy on protection of industrial land from conversion to residential uses, it is anticipated that the Department of Environment & Planning is unlikely to support the proposal.

CONSULTATION

Submissions

The Planning Proposal was publicly exhibited for 17 days from 27 January to 12 February 2018. The exhibition included:

- Manly Daily advertisements
- letters posted to owners and occupiers in the area surrounding the site
- details of the proposal and an invitation to make a submission on the Have Your Say pages of Council's website
- emails to community members who registered their interest on Council's Community Engagement Register
- hard copies of the exhibition material at Customer Service Centres.

74 submissions were received. 72 raised objection to the proposal, with the main concerns relating to overdevelopment (excessive building height and dwelling numbers) and traffic impact (congestion and lack of parking). Other concerns included visual impact, the proposal being out of character with the area, lack of infrastructure and services (particularly roads and schools), need to retain industrial/commercial uses, loss of views, precedent and conflict with the Draft Brookvale Structure Plan. Two submissions gave general support. Refer to the Submissions Summary (Attachment 4) for further information on submissions received during the exhibition period.

FINANCIAL CONSIDERATIONS

The assessment of this Planning Proposal has been funded by the fees established in the *Northern Beaches Fees and Charges 2017-2018*.

SOCIAL CONSIDERATIONS

While housing supply is a priority for the Northern Beaches, the subject site is not considered to be an appropriate location for a new residential community. Any contribution made by the proposal towards meeting housing targets is of no net benefit to the community if it results in the loss of important industrial land and detracts from the potential economic and employment functions of the centre. Appropriate areas for residential development have been identified in Council's Draft Brookvale Structure Plan, namely the area of the traditional Town Centre.

The introduction of currently prohibited residential uses within the IN1 General Industrial zone would set an undesirable precedent, potentially curtail surrounding industrial and commercial activities, and undermine the employment growth potential of an area that is critical to the success of the Brookvale-Dee Why Strategic Centre.

The proposal fails to address the amenity impacts for future residents who will be surrounded by commercial and industrial operations, without safe, convenient connection to existing communities, public transport and other social infrastructure. The proposal will also have significant impacts on existing workers and business operators in the area due to the increased traffic.

ENVIRONMENTAL CONSIDERATIONS

The subject site does not contain critical habitat or threatened species. Matters related to the environmental values of Brookvale Creek, retention of existing trees, flooding and contaminated land can be addressed in detail at development application stage. Improved environmental outcomes for the site can be achieved in the design and management of future industrial and/or business development on the site. The proposed residential uses do not provide for any environmental benefit or an improved environmental outcome than what could be expected if the land was utilised for Industrial and/or business purposes.

With regards to the built environment, the proposed substantial increase in buildings heights from 11m (2-3 storeys) to up to 17 storeys is a major departure from the existing local character and could create an undesirable precedent. There has not been adequate assessment of the impacts of the increased heights, particularly with regards to visual amenity, character, view loss and overshadowing.

GOVERNANCE AND RISK CONSIDERATIONS

Council's role to consider the orderly planning of land is well set out in the *Environmental Planning and Assessment Act 1979*. This report addresses the requirements of the Act and recommends the proposal is unsuitable to proceed to a gateway determination.