

12.0 PLANNING AND PLACE DIVISION REPORTS

12.1 STATE HERITAGE REGISTER NOMINATION - MANLY WARRINGAH WAR MEMORIAL STATE PARK

200/21 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Endorse the submission of the State Heritage Register Nomination form for Manly Warringah War Memorial State Park to the Heritage Council of NSW for consideration.
2. Gather letters of support to be presented with the submission.
3. Include Eastern Pygmy Possums (a vulnerable Threatened Species) in the report in relation to Rarity (Criterion F).

VOTING

FOR: Unanimous

CARRIED

12.2 PEX2020/0009 - PLANNING PROPOSAL FOR 150 DARLEY ROAD, MANLY (FORMER MANLY HOSPITAL)

201/21 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Support the progression of the Planning Proposal for 150 Darley Road, Manly (former Manly Hospital site) and forward it to the NSW Department of Planning, Industry & Environment for a Gateway Determination, in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, and Council recommend that the Department of Planning, Industry & Environment require as a condition of a Gateway Determination that the following additional information is provided prior to the commencement of public exhibition of the Planning Proposal:
 - A. A traffic report prepared by a suitably qualified traffic consultant modelling traffic evacuation and identified access/egress points for the precinct, in the event of an emergency especially a bushfire event in accordance with Planning for Bush Fire Protection 2019
 - B. An assessment of all critical infrastructure including electricity, gas, and water as required by the strategic bush fire assessment under the Planning for Bush Fire Protection 2019.
2. Advise the Proponent of the need to prepare a site specific DCP (masterplan) as a high priority that amongst other things confirms the primary purpose and use of the site as a health services facility together with details of subservient uses.

VOTING

FOR: Unanimous

CARRIED

12.3 REPORT ON STATUTORY EXHIBITION OF PLANNING PROPOSAL PP0003/17 AT 2-4 NOOAL STREET AND 66 BARDO ROAD, NEWPORT

202/21 **RESOLVED**

Cr Ferguson / Cr White

That Council:

1. Continue to maintain its objection to the Planning Proposal 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 is inconsistent with the objectives of the E4 Environmental Living zone.
 - E. The Planning Proposal is out of character with the surrounding locality.
 - F. The Planning Proposal may establish an unwanted precedent.
 - G. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.
2. Write to the Minister for Planning requesting that the Planning Proposal not progress to finalisation in accordance with section 3.35(4) of the Environmental Planning and Assessment Act, 1979.
3. Forward the Planning Proposal with all relevant supporting information to the NSW Department Planning, Industry and Environment as the Local Planning Making Authority.

VOTING

FOR: Unanimous

CARRIED

ITEM 12.2	PEX2020/0009 - PLANNING PROPOSAL FOR 150 DARLEY ROAD, MANLY (FORMER MANLY HOSPITAL)
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/446101
ATTACHMENTS	1 ⇒Former Manly Hospital Planning Proposal Assessment Report June 2021 (GHD) (Included In Attachments Booklet) 2 ⇒Item 3.3 of the Minutes of the Northern Beaches Local Planning Panel - 16 June 2021 (Included In Attachments Booklet) 3 ⇒Planning Proposal (Amended) - Northern Beaches Council - 150 Darley Road, Manly (former Manly Hospital site) (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report the assessment of a Planning Proposal for 150 Darley Road, Manly (former Manly Hospital site) and request that Council support that the Planning Proposal progress to the Department of Planning, Industry & Environment for a Gateway Determination subject to recommended amendments and the provision of additional information.

EXECUTIVE SUMMARY

A Planning Proposal was lodged by Mecone Pty Ltd on behalf of Property & Development NSW for the former Manly Hospital site located at 150 Darley Road, Manly on 6 November 2020. The Proposal as lodged sought to amend Schedule 1 of the Manly Local Environmental Plan 2013 to allow the following additional permitted uses on the former Manly Hospital site to facilitate the development of a health and well-being precinct as follows:

- Development for the purpose of a health services facility permitted with development consent on Lot 2728, DP 752038.
- Development for the purpose of a group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreational facility, neighbourhood shop, function centre, respite day care centre and seniors housing permitted with development consent on Lot 2619, DP 752038.

Council commissioned GHD Pty Ltd (GHD) to undertake an assessment of the Planning Proposal in accordance with the NSW Planning and Environment's *Planning Proposal: A Guide to Preparing Planning Proposal* (December 2018).

The Planning Proposal was publicly exhibited (Pre-Gateway non-statutory) from 20 November 2020 to 4 December 2020 and 6 public submissions were received. The content of these submissions and responses to each are included in the Planning Proposal Assessment Report attached. The Planning Proposal was also referred to internal Council business units as well as external State agencies for review and comment. These comments have been considered in GHD's review and included in the assessment report.

GHD completed their assessment of the Planning Proposal and concluded that the application has both strategic and site-specific merit and can be supported by Council and progressed to the NSW Department of Planning, Industry & Environment (DPIE) for Gateway Determination. GHD's recommendation is subject to the inclusion of the heritage listing of several structures within the

precinct as well as future consideration of asset protection zone (APZ) establishment and maintenance particularly along SP2 and E2 zone boundaries.

Relevant Council staff have reviewed the assessment and, while agreeing with the recommendations, also concluded that the Planning Proposal as lodged did not contain adequate information regarding evacuation and access/egress to and from the site in the event of an emergency. A further recommendation has now been added that this information be provided as a condition of any future Gateway Determination.

The independent assessment by GHD and Council staff's recommendation were presented to the Northern Beaches Local Planning Panel (the Panel) for consideration on 16 June 2021. In response to the assessment report and proposed recommendations, the applicants made a submission to the Panel requesting that additional heritage information be provided post-Gateway determination with the bush fire information being submitted with the development application rather than at rezoning stage.

With regard to bush fire information and in particular, evacuation, egress and access, the NSW RFS *Planning for Bush Fire Protection 2019* guidelines are clear that this information is to be provided at the strategic planning stage given that the additional uses proposed have not previously been considered. Additionally, Council notes that the heritage listing of buildings identified as having high heritage value is recommended in the Heritage Study supplied with the Planning Proposal documentation. This Study provides sufficient information for the listing of these structures and their listing can further inform the preparation of a Conservation Management Plan as will be required at the development stage.

GHD and Council staff's recommendations were upheld by the Panel and the Planning Proposal has now been amended accordingly. The Panel also included several recommendations regarding the priority of a master plan and its importance in establishing the primary purpose of the site as a health services facility. These recommendations will be considered and have an impact at the time a site-specific development control plan is being prepared.

If the amended Planning Proposal is supported by Council, it will be progressed to DPIE for Gateway Determination with a request that additional information regarding evacuation be required as a condition.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council support the progression of the Planning Proposal for 150 Darley Road, Manly (former Manly Hospital site) and forward it to the NSW Department of Planning, Industry & Environment for a Gateway Determination, in accordance with section 3.34(1) of the *Environmental Planning and Assessment Act 1979*, subject to the following additional information:

1. A traffic report prepared by a suitably qualified traffic consultant modelling traffic evacuation and identified access/egress points for the precinct, in the event of an emergency especially a bushfire event in accordance with *Planning for Bush Fire Protection 2019*
 2. An assessment of all critical infrastructure including electricity, gas and water as required by the strategic bush fire assessment under the *Planning for Bush Fire Protection 2019*.
 3. The development of a masterplan (this could be incorporated in the site specific DCP) to confirm the primary purpose and use of the site as a health services facility together with details of subservient uses.
-

REPORT

BACKGROUND**Community Engagement following the closure of Manly Hospital**

When the Manly Hospital was officially closed in 2018, the NSW Government announced that an Adolescent and Young Adult Hospice (AYAH) would be located on a portion of the site and the balance of the site would be redeveloped to accommodate a health and well-being precinct.

A Project Steering Advisory Committee (PSAC) was established to assist DPIE in developing a master plan for the entire site focused “on delivering health and wellbeing-related uses, a mix of open and community spaces, neighbourhood-scale shops, food and drink offerings, and developing an adaptive re-use strategy for the existing heritage buildings”.

Community consultation was undertaken in August and September 2019 which identified key themes to inform the concept master plan.

Further consultation was undertaken between July and September 2020 to seek the community’s feedback on the draft concept master plan prior to lodging the planning proposal. A virtual webinar was held on 21 September 2020 to answer the community’s queries.

Council Pre-Lodgment Meeting

Ahead of formally lodging a Planning Proposal application, a pre-lodgment meeting was held on 1 April 2020 with relevant Council officers.

Site Context

The site is located at 150 Darley Road, Manly – it is 4.66 ha and is comprised of three allotments that are legally referred to as:

- Lot 2619 DP 752038
- Lot 2727 DP 752038
- Lot 2774 DP 752038

The broader site also includes Lot 2728 DP 752038, the site where the Adolescent and Youth Adult Hospice (AYAH) is already under construction and is the subject of a separate approval process.

The site has a primary northern frontage to Darley Road of 150m and secondary north eastern frontage to North Head Scenic Drive of 170m.

Existing development across the 4 lots is as follows:

- Development in the form of the former Manly Hospital and precinct is generally contained within lots 2619 and 2728. The Hospital site is currently not being utilised.
- Lots 2727 and 2774 to the south are largely undeveloped and contain dense vegetation.

Planning Proposal Assessment

GHD have conducted an independent assessment of the Planning Proposal in accordance with the NSW Planning and Environment’s *Planning Proposal: A Guide to Preparing Planning Proposal* (December 2018). GHD has concluded that the Planning Proposal can be supported by Council and progressed to the NSW Department of Planning, Industry & Environment (DPIE) for Gateway Determination subject to the inclusion of the heritage listing of several structures within the precinct.

It is noted that the Planning Proposal has been updated to include the heritage listing of the structures recommended by GHD.

Further, GHD recommend any future Biodiversity Assessment Report (BDAR) include consideration of the establishment of the Asset Protection Zone, and maintenance particularly along SP2 and E2 zone boundaries. The BDAR will be submitted as part of the site specific DCP.

A preliminary review raised concerns around the lack of information regarding impacts to biodiversity, the establishment of appropriate Asset Protection Zones in compliance with bushfire prone land requirements. Council requested and subsequently received on 16 April 2021, additional information in the form of a revised Ecological Constraints Report as well as a Vegetation Management Plan (VMP).

GHD's assessment of the Planning Proposal and additional information is presented to Council in Attachment 1. Their recommendation reads as follows:

On the basis of the information presented with the Planning Proposal, it is recommended that Council support the progression of the Planning Proposal for a Gateway determination from DPIE under section 3.34(1) of the Environmental Planning and Assessment Act 1979 subject to the following:

The Planning Proposal is to include heritage listing for the following structures for Manly Hospital:

- *The remnant façade of Building 1, constructed 1928*
- *The Main Ward Block (Building 2), constructed 1928*
- *The Kitchen (Building 15), constructed 1928*
- *Parkhill Cottage (Building 20), constructed 1921, which has historical associations with the Quarantine Station*
- *The eastern and western sandstone boundary walls to Lot 2619 DP752038 and alignment of eastern boundary wall, constructed 1920*
- *The bushland areas, which provide the historical natural setting of the hospital site (landscape setting)*
- *The Kiosk (Building 5), constructed 1931*
- *Nurses home (Building 22), constructed 1931, excluding later additions*

The Planning Proposal and subsequent LEP amendment should reference the need for a Conservation Management Plan to be prepared to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings as part of a site specific Development Control Plan and a Visual Assessment report of the site and potential future development outcomes.

In addition to the above it is noted that any future BDAR submitted in support of the broader Manly Hospital masterplan development should address the following matters:

- *Interactions between E2 zone objectives and APZ establishment/maintenance;*
- *Direct vegetation impacts associated with the proposal including APZ establishment/maintenance;*
- *Indirect impacts associated with operation of the new uses/activities (e.g. light, noise, increased traffic causing road mortality of bandicoots, intensification of human activity);*

- *Potential impacts to threatened entities including Littoral Rainforest EEC, Powerful Owls, Little Penguins (including stormwater/run-off/erosion impacts to the AOBV), Long-nosed Bandicoots, Sunshine Wattle and Magenta Lilly Pilly;*
- *Discussion of measures to avoid and minimise impacts and mitigation measures for any residual impacts.*

The above concerns have been addressed by updating the Planning Proposal.

Council staff have reviewed GHD's assessment report and recommendations, and raised the following matters:

- No assessment has been made to determine if the road network (within the precinct) can support evacuation demands in the event of an emergency. The rezoning will facilitate additional population in the precinct and a traffic report prepared by a suitably qualified traffic consultant should model traffic evacuation in the event of an emergency including the identified access/egress points for the precinct.

The applicant's Petersen Bushfire report notes that some of the proposed site access and road provisions including the access road to Collins Beach Road however, this road is in North Head National Park.

- Consideration of all critical infrastructure should include electricity and gas, not just water, as required by the strategic bush fire assessment under the Planning for Bush Fire Protection 2019.

These two matters were discussed with GHD and subsequently raised by Council staff at the Northern Beaches Local Planning Panel.

Northern Beaches Local Planning Panel

The matter was reported to the Northern Beaches Local Planning Panel (the Panel) at its meeting on 16 June 2021. In response to the published assessment report and proposed recommendations, the applicants made a submission to the Panel requesting that the amendments and additional information required in the recommendations be provided post-Gateway determination (Heritage) and at the development application stage of the project (bush fire/evacuation).

With regard to bush fire information and in particular, evacuation, egress and access, the NSW RFS *Planning for Bush Fire Protection 2019* guidelines clearly require that this information be provided at the strategic planning stage and within a Strategic Bushfire Study (see Section 4.2) in order to be supported by the NSW RFS. No analysis has been undertaken within the Planning Proposal documentation that identifies the impact of the proposed additional uses on traffic within the site.

Additionally, Council notes that the heritage listing of buildings identified as having high heritage value is recommended in the Heritage Study supplied with the Planning Proposal documentation. This Study provides sufficient information for the listing of these structures and their listing can further inform the preparation of a Conservation Management Plan as required at the development application stage. The applicants have requested that structures within the Adolescent and Youth Adult Hospice (AYAH) site not be heritage listed as the site is not part of the current Planning Proposal. The AYAH site is within the former Manly Hospital site and it would be incongruous to omit a part of the former Manly Hospital site particularly in the context of the heritage significance of all the structures within the Hospital site.

The Panel's recommendations are in Attachment 2, and provided below:

That the Northern Beaches Local Planning Panel:

- Recommends that Council endorse the Planning Proposal for 150 Darley Road, Manly (former Manly Hospital), and forward it to the NSW Department of Planning, Industry*

and Environment (DPIE) to seek a Gateway Determination subject to the recommendations in Part 7 of the GHD report of June 2021.

- B. Recommends consideration of all critical infrastructure including electricity and gas, not just water, as required by the strategic bush fire assessment under the Planning for Bushfire Protection.*
- C. Recommends that Council request DPIE to require that additional information (Heritage and Bushfire) be submitted as a condition of, and prior to, any future Gateway Determination.*
- D. Recommends, as a high priority, the development of a master plan and the submission of a traffic impact assessment report addressing the issues raised in the GHD report dated June 2021.*
- E. Recommends that the master plan confirms the primary purpose and use of the site as a health services facility together with details of the associated subservient uses.*
- F. Recommends that site specific provisions be included in the LEP for the primary purpose and use of the site as health services facility together with associated subservient uses.*

The Panel's recommendation for assessment of all critical infrastructure, bushfire and traffic impact assessment can be obtained as conditions of a Gateway Determination with these studies being submitted to Council prior to commencing the statutory public exhibition of the Planning Proposal.

The Panel's additional recommendations for the preparation of a masterplan ensure that the site's primary use remains that of health services facilities can be addressed through the existing requirement for a site-specific Development Control Plan (DCP) being prepared for the site. The preparation of a site-specific DCP based on the masterplan will, in turn, inform the primary use of the land.

Conclusion

In view of the independent assessment undertaken by GHD, additional recommendations from relevant Council staff, and the recommendations of the Northern Beaches Local Planning Panel the Planning Proposal has been amended to include the heritage listing of several structures within the site. The Planning Proposal has also been amended to reflect the need for more information regarding evacuation, in Attachment 3.

Notwithstanding, the application has been determined to have both strategic and site-specific merit and can be supported by Council and forwarded to the DPIE for gateway determination along with a request that additional information relating to bush fire (evacuation and access/egress) be required as a condition of gateway determination.

CONSULTATION

The Planning Proposal was placed on pre-gateway (non-statutory) exhibition from 20 November 2020 to 4 December 2020 with 6 submissions being received. Detailed discussion of the issues raised in the submissions can be found in GHD's assessment report for the Planning Proposal. Council will await further directions on statutory exhibition once a gateway determination is received from the NSW Department of Planning, Industry and Environment.

TIMING

Should Council agree to progress the Planning Proposal, it will be forwarded to the NSW Department of Planning, Industry and Environment for Gateway Determination.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.

FINANCIAL CONSIDERATIONS

The proponents have paid the relevant application fees for a major planning proposal. These fees become part of the Strategic and Place Planning budget and are used to cover all the necessary work and expenses involved in preparing and progressing the Planning Proposal.

SOCIAL CONSIDERATIONS

The Planning Proposal seeks to establish a health and wellbeing precinct and in doing so, provide for additional health and community uses.

ENVIRONMENTAL CONSIDERATIONS

The planning proposal includes an Ecological Constraints report and any development in relation to the proposed new uses will require further consideration of impacts to biodiversity.

GOVERNANCE AND RISK CONSIDERATIONS

The Planning Proposal is unlikely to generate significant risk or governance issues as the site will also require the development of a site-specific development control plan and master plan that will guide development in the precinct.



Northern Beaches Council

Independent Review of the Former Manly Hospital Planning
Proposal

150 Darley Street, Manly

June 2021

WATER | ENERGY & RESOURCES | ENVIRONMENT | PROPERTY & BUILDINGS | TRANSPORTATION

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1. Part 1 - Objectives and intended outcomes

GHD have been engaged by Northern Beaches Council to assess a planning proposal for land at 150 Darley Road, Manly (the subject land). The Planning Proposal has been prepared by Mecone NSW Pty Ltd on behalf of Property & Development NSW (PDNSW), part of the Department of Planning, Industry and Environment (DPIE).

The Planning Proposal intends to amend the *Manly Local Environmental Plan 2013* (MLEP 2013) to allow for additional permitted uses at the site. This will be achieved by permitting additional uses under Schedule 1 pursuant to Clause 2.5 of the MLEP 2013.

The LEP amendment proposed will enable the making of a site-specific DCP which will inform the site's redevelopment in the future, reflective of extensive market sounding, needs-based analysis and community and stakeholder engagement undertaken to date by the relevant NSW Government Departments.

GHD's engagement involves an assessment of the following matters:

- Review and objectively assess the application and Planning Proposal.
- Undertake a peer review of the technical studies submitted with the application.
- Consider comments received from internal staff referrals, state and servicing agencies, adjoining property owners and independent parties as part of Council's non-statutory notification period.

1.1 Subject land

The former Manly Hospital site (the subject land) is comprised of 3 individual lots within Manly fronting Darley Road as shown in Figure 1-1, Figure 1-2 and identified within Table 1-1.

The 3 lots have a total area of 4.66 ha. The land has a primary frontage of approximately 340 m to Darley Road. The land is currently developed with hospital buildings, roads and car parking areas as shown in Figure 1-2.

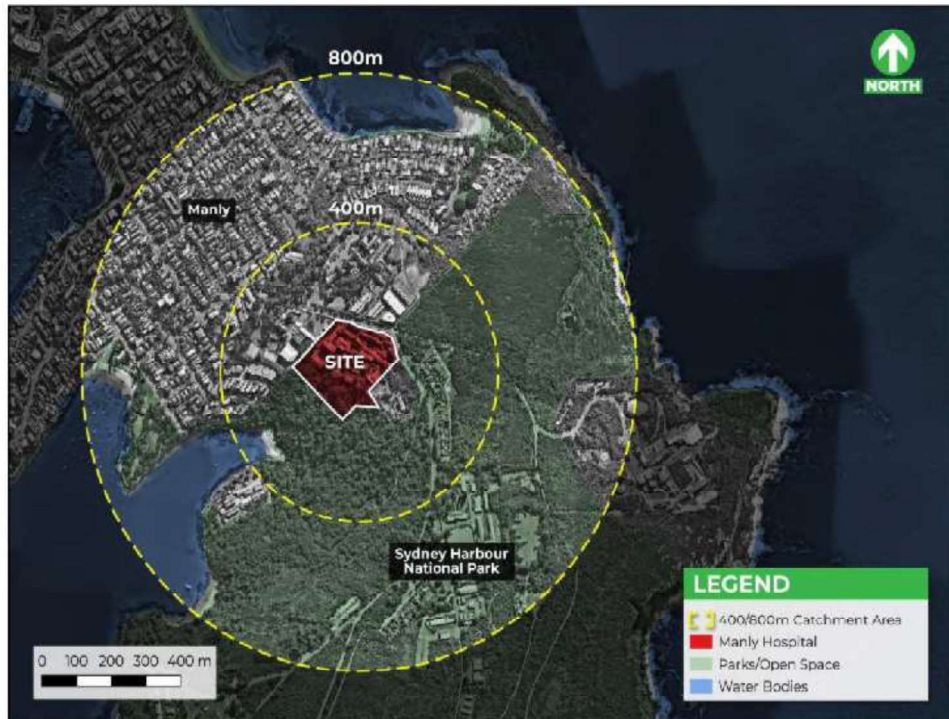


Figure 1-1 Site aerial map

Source: Mecone/Mosaic



Figure 1-2 Lots comprising the subject land

Table 1-1 Land details

Address	Lot/DP
150 Darley Road	Lot 2619 in DP 752038
150 Darley Road	Lot 2727 in DP 752038
150 Darley Road	Lot 2728 in DP 752038


1.2 Land context

The subject land is located in the Northern Beaches Local Government Area (LGA) approximately 1 km east of the Manly Town Centre, 10 km south east of Northern Beaches Hospital in Frenchs Forest and 17 km north east of the Sydney Central Business District. The site is located on the southern side of the Manly peninsula fronting Spring Cove, North Harbour. Development surrounding the land consists of the historic St Patrick's Estate, North Head Sanctuary and Sydney Harbour National Park.

1.3 Current planning provisions

Pursuant to Manly LEP 2013 the land is subject to the following provisions:

Table 1-2 LEP Provisions

Clause	Relevance
Zone	The site is zoned SP2 Infrastructure (Health Services Facility) and E2 Environmental Conservation (see below).
	
4.1 Minimum Subdivision Lot Size	The site is not identified as having a minimum lot size.
4.3 Height of Buildings	The site is not subject to a maximum building height.
4.4 Floor Space Ratio	The site is not subject to a floor space ratio.
5.10 Heritage Conservation	This clause relates to development applications but the Planning Proposal should meet the objectives of the clause and consider all existing and potential heritage at the site.
6.1 Acid sulfate soils	The MLEP 2013 does not identify the site as containing acid sulfate soils.

6.2 Earthworks	The proposal will be assessed against this provision at the DA stage.
6.3 Flood planning	The site is not identified by Council's Flood Risk Precinct Maps as being affected by flooding.
6.5 Terrestrial Biodiversity	The site is identified within terrestrial biodiversity mapping in accordance with clause 6.5.
6.6 Riparian land and watercourses	The site is not mapped as containing a watercourse.
6.7 Wetlands	A portion of the site in the south east is identified as a local wetland in accordance with clause 6.7.
6.9 Foreshore scenic protection	The site is identified as being within the Foreshore Scenic Protection Area in accordance with the Foreshore Scenic Protection Area Map. As a result, clause 6.9 of the MLEP 2012 applies to the site.
6.14 Requirement for Development Control Plan	The site is identified on the Key sites map as "Dalwood Children's Hospital & Manly Hospital". As such, development at the site can only be considered after a development control plan has been prepared and adopted for the land in accordance with Clause 6.14.

1.4 Proposal

The site-specific provision will facilitate the development of a multi-functional destination health and well-being precinct on the site, whilst retaining its primary purpose as a health services facility. A concept plan has been developed for the site and is shown in Figure 1-3.



Concept Master Plan



1 Darley Road streetscape	5 Central courtyard
2 Contemporary heritage ceremonial court	6 Indigenous cultural heritage parkland
3 Kiosk cafe space/entry plaza	7 Flexible Multi-functional Car Park
4 Shared pedestrian/vehicle space	8 AYAH Precinct

Figure 1-3 Concept master plan

Source: Cox 2020

1.4.1 Proposal objectives

As identified by the proponent, the objectives of the proposal are as follows:

- Facilitate the redevelopment of the site for the purposes of a vibrant health and wellbeing precinct by permitting additional uses currently prohibited under existing zoning.
- Enable the preparation of a site-specific DCP reflective of the extensive market sounding, needs-based analysis, and community and stakeholder engagement undertaken to date by the NSW Government.
- Ensure that the site remains appropriately zoned and is retained for the primary use of a health services facility and is not developed for undesirable purposes.
- Preserve the site's important ecological values and biodiversity values through the retention of environmental zones at the site
- Improve connectivity to the surrounding landscape and national park for patients, staff and visitors.
- Support the growth of the health services sector in the Northern Beaches which is forecast to be the fastest growing sector over the next 20 years.
- Provide an employment generating use that will assist in achieving the Eastern District's job targets.

1.5 Scope and limitations

This report: has been prepared by GHD for Northern Beaches Council and may only be used and relied on by Northern Beaches Council for the purpose agreed between GHD and the Northern Beaches Council as set out in section 1.6 of this report.

GHD otherwise disclaims responsibility to any person other than Northern Beaches Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared. The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of assumptions made.

GHD has prepared this report on the basis of information provided by Northern Beaches Council and others who provided information to GHD (including Government authorities), which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.

1.6 Assumptions

This report is based on information contained in the planning proposal document and technical studies detailed in Table 1-3.

Table 1-3 List of reports and technical studies

Title	Author	Date
Former Manly Hospital LEP Amendment Planning Proposal Report	Mecone	November 2020
Aboriginal Archaeological Due Diligence Assessment	Dominic Steele Consulting Archaeology	28 November 2020
Bushfire Assessment	Peterson Bushfire	12 August 2020
Community Needs Analysis and Social Strategy	Ethos Urban	17 July 2020
Ecological Constraints Assessment	Narla Environmental	July 2020
Geotechnical Assessment	JK Geotechnics	9 September 2020
Heritage Assessment Report	Paul Davies Pty Ltd	April 2018
Public Domain Strategy and Landscaping Strategy	Tract Consultants	9 July 2020
Services Strategy	Cardno	31 August 2020
Stormwater Strategy Report	Arcadis	16 July 2020
Transport Assessment	JMT Consulting	1 October 2020
Urban Design Report	Cox Architecture	October 2020

2. Part 2 – Explanation of provisions

The Planning Proposal seeks to amend the *Manly Local Environmental Plan 2013* (MLEP 2013) to include site specific additional use provisions. Pursuant to clause 2.5 of the MLEP 2013, the following provisions are to be introduced to Schedule 1 Additional Permitted Uses:

5 Use of certain land at 150 Darley Road, Manly

- 1) *This clause applies to land at 150 Darley Road, Manly, being Lots 2728 and 2619, DP 752038.*
- 2) *Development for the purpose of a health services facility is permitted with development consent on Lot 2728, DP 752038.*
- 3) *Development for the purpose of a group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreational facility, neighbourhood shop, function centre, respite day care centre and seniors housing is permitted with development consent on Lot 2619, DP 752038.*

The site-specific provision will reinforce the intent for the Planning Proposal to deliver a multi-functional destination health and well-being precinct, whilst retaining its primary purpose as a health services facility.

Clause 6.14 Requirements for Development Control Plans

A site specific DCP will continue to be required to be prepared in accordance with Clause 6.14 of MLEP 2013 and will provide detailed development controls to be addressed by future development.

The site specific DCP will nominate a range of controls pertaining to the siting of the envelopes, maximum heights, setbacks and general and site-specific heritage provisions. Its purpose will be to provide the consent authority with surety that a future Development Application will achieve an appropriate built form outcome.

3. Part 3 – Justification

3.1 Section A – Need for the Planning Proposal

Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?

The Planning Proposal is not the result of any specific strategy study or report. The Planning Proposal has been initiated by the Proponent in response to market sounding, a comprehensive Community Needs Analysis and extensive stakeholder and community consultation. The findings of these studies and the various consultation initiatives confirm that the site is suited to accommodate non-acute health services and wellbeing related uses that are not strictly permitted under the current SP2 Infrastructure (Health Services Facility) zoning.

Market sounding was undertaken by Ernst and Young in early 2020 to ascertain the type of uses that would be suitable for the site. The findings confirmed support for the redevelopment of the site for health, retail, community, and residential care facilities for seniors and veterans as well as family support accommodation. The key findings are as follows:

- The site's isolation from designated health and education precincts (i.e. Frenchs Forest) means it is less suited for accommodating acute hospital services and more suited to non-acute health and wellbeing related services.
- The provision of residential care facilities across the site will generate a demand for other complementary uses such as retail, recreational and community uses.
- The delivery of a mix of uses across the site will foster community interaction and a sense of place, which are essential attributes of a wellbeing precinct and integral to the success of a future residential care facility.
- It was concluded by stakeholders that the future commercial viability of the site would be reliant on a mix of uses, including aged care, seniors housing or alternative housing.
- In light of the above, there was a recognition that the provision of community uses needs to be balanced alongside the long-term commercial viability of the site as financial returns will be imperative to maintaining public access to the site.

Similar findings were reflected in the outcomes of the stakeholder and community consultation. The consultation process confirmed that there is strong community support for the provision of community related uses across the site which will support a range of activities and address the needs of the local community.

In addition to the above, the Community Needs Analysis identifies that the future demand for acute health services will be met by the nearby Northern Beaches Hospital. In light of this, there is a growing demand for non-acute health services. The site's locational benefits, including access to view corridors and landscapes, are conducive to supporting such services.

Key demographic trends, including the growing ageing population, provide an impetus for the delivery of residential care facilities across the site. The provision of residential care facilities and health related services will also generate a demand for complementary uses, such as retail, food and beverage, recreational and open space areas.

The Planning Proposal responds to the future demand for the aforementioned uses by facilitating their inclusion across the site. It is considered that these uses are integral to achieving a fully integrated destination health and wellbeing precinct.

In addition to the above, the proposal will deliver on a range of strategic objectives, including the Greater Sydney Region Plan, the North District Plan and the LSPS.

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 the best means of achieving the objectives.

In preparing the Planning Proposal, four options were considered to facilitate the intended outcomes at the site. These are listed and discussed below:

- Option 1: Do nothing.
- Option 2: Lodge a Development Application.
- Option 3: Prepare a Planning Proposal to amend the zoning, height and FSR development standards set out by MLEP 2013.
- Option 4: Planning Proposal to allow additional uses under Schedule 1 Pursuant to Clause 2.5 of MLEP 2013

Option 1: Do Nothing

Option 1 relates to the 'do nothing' option and involves leaving the site in its current underutilised, state. The site's services have been relocated to Northern Beaches Hospital, leaving it vacant. It is considered that this option represents a loss to the community as the site will cease to be a meaningful public asset and not be developed to its potential.

In contrast, the Proponent's vision provides an opportunity to address the growing demand for a range of community care services, including aged care, mental health and respite services for the terminally ill. Further, the delivery of a range of complementary health and wellbeing uses, and recreational facilities, will provide needed ancillary services and allows a future development to capitalise on the site's proximity to scenic and historic landmarks.

It is considered that the introduction of additional permitted uses to the MLEP 2013 is required in order to derive the greatest value from the site and address the growing health needs of the community. As such, Option 1 is not considered viable.

Option 2: Development Application

Option 2 involves the preparation and lodgement of a Development Application with Council. The site is predominantly zoned SP2 Infrastructure (Health Services Facility) and therefore permits health services, including uses that are ancillary or incidental to a health facility.

If Option 2 were to be pursued, the current development concept would not be achievable given that many of the potential uses expressed to be of interest during market sounding and community stakeholder engagement are not strictly ancillary or incidental to a health facility, and are therefore non-permissible. Subsequently, a future development would be unable to optimise the full development potential of the site or maximise the opportunities it presents under current zoning provisions and is therefore not considered viable.

In addition, the potential to deliver on the objectives nominated by the strategic planning framework would be considerably reduced. In particular, the need to provide accommodation and services for the ageing population and recreational, cultural and tourist facilities in accordance with the vision for the Manly Strategic Centre.

Option 3: Planning Proposal to Rezone the Site and introduce Height and Floor Space Ratio Development Standards

Option 3 pertains to the submission of a Planning Proposal that seeks a partial rezoning of the site to B4 Mixed Use to facilitate the delivery of uses that are not strictly ancillary but yet complementary to the health care use.

In consultation with Council during the pre-lodgement phase, it has been determined that a B4 Mixed Use zoning is at odds with the intended health and well-being focused uses and could potentially precipitate the inclusion of incompatible commercial uses.

Furthermore, it was agreed that built form could continue to be managed as it has historically, through the provision of a site-specific DCP in accordance with Clause 2.5 of MLEP 2013.

Option 4: Planning Proposal to allow additional uses under Schedule 1 Pursuant to Clause 2.5 of MLEP 2013

The Planning Proposal as set out in this document is considered to be the best means of achieving the objectives and intended outcomes, giving both Council and the Proponent certainty of the development outcomes expected for the site.

The proposed LEP amendments will permit additional uses whilst maintaining the existing SP2 Health Services Facility zoning and providing the community with surety that this will remain the primary use of the site into the future. Both Council and the Proponent consider that relative to the B4 Mixed Use Zone objectives, the SP2 Health Services Facility zoning objectives better align with the intent to deliver a health and wellbeing precinct.

Furthermore, Option 4 will ensure that built form aspects of any future development continue to be appropriately managed through the provision of a site-specific DCP. The site specific DCP will provide detailed development controls for the land not limited to: building envelopes and built controls, traffic and parking controls, controls to manage the distinction between public and private spaces and indicative locations of proposed uses.

3.2 Section B – Relationship to Strategic Planning Framework

Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A Guide to Preparing Planning Proposals sets out that in order to answer this question, a Planning Proposal needs to demonstrate consistency with the Strategic Merit Test. For the reasons set out below, the Planning Proposal is entirely consistent with the Strategic Merit Test and associated mandated assessment criteria.

a) Does the proposal have strategic merit?

Yes.

The Proposal demonstrates strategic merit as it will:

- Contribute to the renewal of an underutilised site to facilitate its emergence as a vibrant health and wellbeing precinct.
- Provide social infrastructure to meet the growing demand for a diversity of health care services.
- Support the growth of the Manly Strategic Centre by enhancing its existing social infrastructure and promoting its cultural, tourism and employment uses by delivering a range of secondary uses across the site.
- Preserve and repurpose the site's heritage significant buildings to provide a development outcome that is sympathetic to the locality's heritage, culture and historical identity.
- Foster the emergence of green links by promoting connectivity between the site and the surrounding national park.
- Increase the urban tree canopy coverage by delivering comprehensive landscaping.

- Not result in adverse environmental, social or economic impacts.
- Provide new employment opportunities in proximity to housing.
- Foster the collaboration of governments, community and businesses.
- Further discussion on the Planning Proposal's consistency with the relevant State and local strategic plans and policies is provided below

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan was released in March 2018. It provides a 40-year vision (to 2056) for the Greater Sydney Region and establishes a 20-year plan to manage growth and change for Greater Sydney. It identifies a vision for Greater Sydney to emerge as a metropolis of three cities comprising the Western Parkland City, the Central River City and the Eastern Harbour City.

The concept of three cities is predicated on the aspiration for its residents to live within 30-minutes of education, facilities, city-scale infrastructure and services and employment opportunities. To achieve this vision, the Greater Sydney Region Plan nominates 10 Directions centred around a framework based on the core themes of liveability, productivity and sustainability. These include:

1. A city supported by infrastructure
2. A collaborative city
3. A city for people
4. Housing the city
5. A city of great places
6. A well-connected city
7. Jobs and skills for the city
8. A city in its landscape
9. An efficient city
10. A resilient city

Each direction is supported by objectives and indicators that have been developed to guide the implementation of the plan. The overarching vision of the Greater Sydney Region Plan and its associated objectives are to be achieved through collaboration with all tiers of governments, the community, businesses and non-government organisations.

At a regional level, the Greater Sydney Region Plan recognises the need for infrastructure to be co-located in metropolitan and strategic centres. In light of this, the delivery of new facilities and infrastructure is noted as being integral to fostering the growth of socially connected communities as well as social and cultural networks that improve mental and physical health outcomes. To achieve this, strategic planning should aim to consider and capitalise on local identity, heritage, and cultural values.

The Greater Sydney Region Plan also identifies that there is a growing demand for community and health infrastructure due to shifting demographics, including the record number of births each year and the growing ageing population.

In light of the above, the Planning Proposal responds to the Greater Sydney Region Plan by giving consideration to its strategic directions and objectives. Specifically, the proposal is consistent with the nominated objectives as it will:

- Deliver health infrastructure that supports the growth of the Eastern Harbour City (Objective 1)
- Address the demand for health infrastructure arising from demographic shifts (Objective 3) (Objective 6)
- Foster collaboration between governments, community and business (Objective 5)
- Contribute to the creation of a healthy and socially connected community by providing social infrastructure and community focused uses (Objective 7)
- Optimise the opportunity to contribute to a culturally rich and diverse neighbourhood by protecting the site's heritage (Objective 8)
- Protect environmental heritage by adaptively reusing the site's heritage significant buildings (Objective 13)
- Increase employment opportunities in an accessible location (Objective 14)
- Provide a broader mix of uses that will support the operations of Australia's first Adolescent and Young Adult Hospice (AYAH) and the growth of the Manly Strategic Centre, which ultimately will contribute to the competitiveness of the Harbour CBD (Objective 18)
- Balance the need to redevelop the site for a viable purpose alongside the requirement to protect its biodiversity and scenic landscape (Objective 27) (Objective 28)
- Give consideration to the site's constraints and implement measures to mitigate potential exposure to natural hazards (Objective 37)
- Adopt a coordinated and collaborative approach to redeveloping the site that balances the needs of Government and stakeholders (Objective 39)

North District Plan

The North District Plan is intended to guide the implementation of the Greater Sydney Region Plan at a district level, bridging regional and local planning by informing Local Environmental Plans and Planning Proposals.

In particular, the District Plan provides detailed planning priorities which integrate relevant objectives, strategies and actions in response to identified challenges and opportunities. The planning priorities relate to three key aims of the District Plan, being:

- A productive city
- A liveable city
- A sustainable city

The site forms part of the Manly Strategic Centre which is identified as being strategically important for its cultural, eco-tourism, retail and recreational offerings that benefit from the District's scenic and cultural landscapes, including North Head and Sydney Harbour National Park. The North District Plan identifies the need to protect its important biodiversity and habitat, whilst supporting tourism and access to its landscapes.

The North District is experiencing notable demographic changes which influence the demand for infrastructure, services and housing. Of the LGAs in the North District, Northern Beaches is expected to experience one of the largest increases in people aged 20-24 years. This population segment is expected to increase by approximately 18% by 2036. In consequence the Northern Beaches LGA will accommodate a greater proportion of young adolescents relative to surrounding LGAs.

The North District Plan prioritises the consideration of young people's needs in the design and management of open space, cultural spaces, public realm and future development more broadly. It aims to deliver on the directions of the Office of the NSW Advocate for Children and Young People's *Strategic Plan for Children and Young People* (the Strategic Plan).

The Strategic Plan represents one of the first legislated three-year whole-of-government plan focused on all children and young people aged 0 to 24 years. It aims to give children and young people opportunities to thrive, get the services they need and have their voice heard. The Strategic Plan is informed by extensive consultation with children and young people across NSW. Health care was identified to be one of five of the key issues raised. Key findings of relevance to the proposal are as follows:

- The need to improve access and increase funding for health and wellbeing services
- Targeting health services to better treat and protect young people from intentional self-harm, psychosocial disorders and suicidal behaviour
- Ensuring the provision of quality out-of-home-care services
- Improving support and care for those with mental health problems
- Creating enabling and accessible environments for those with a disability

As noted previously, the growth of the ageing population is another significant demographic trend affecting the North District. The North District is expected to see an 85% proportional increase in people aged 85 and over, and a 47% increase in the 65-84 age group by 2036. Of the LGAs across the North District, the Northern Beaches is anticipated to have one of the largest projected increases in the 65-84 age group. In light of this, the North District Plan notes that more diverse housing types and medium density housing, as well as the design of walkable neighbourhoods, will create opportunities for older people to continue living in their community. In turn, the ageing population will benefit from being close to family, friends and established health and support networks that are integral to improving wellbeing.

The North District Plan identifies the need for additional health, social and aged care services to meet the growing demand for local aged care facilities and respite services.

The North District Plan identifies that future development and infrastructure are to be planned at the local, district or metropolitan levels to meet the needs of Greater Sydney. New development is to prioritise a place-based planning approach whereby future development is to respond to a place's opportunities and constraints to maximise its full potential. Sympathetic built-form controls and the adaptive re-use of heritage items are also identified as being important to new redevelopment opportunities.

In light of the above, the proposal supports the North District Plan's priorities to create a more productive, liveable and sustainable city in that the proposal will:

- Provide a coordinated approach to the delivery of community and health infrastructure that aligns with the projected demand for hospice, health and wellbeing, and aged care uses (Planning Priority N1).

- Adopt a collaborative approach involving Council, government and the community to facilitate the provision and expansion of high-quality health infrastructure within the Northern Beaches LGA along with a broader range of ancillary community focused uses (Planning Priority N2).
- Provide services and social infrastructure that responds to people's changing needs, including the need for seniors housing resulting from the growing ageing population and additional health and well-being services for the growing proportion of young adolescents (Planning Priority N3).
- Contribute to the renewal of the site by delivering a high-quality built form outcome that preserves its heritage buildings to allow for their ongoing appreciation and to assist with the preservation of the locality's character (Planning Priority N6).
- Whilst the proposal does not directly relate to a health and education precinct as defined by the North District Plan, it will facilitate the delivery of health/community infrastructure complementary to the nearby health precincts situated in Frenchs Forest and St Leonards (Planning Priority N9).
- Allow for an increased number of permissible uses that will facilitate employment creation within the Manly Strategic Centre and will contribute to the target of 817,000 jobs by 2056 (Planning Priority N10).
- Provide public domain areas with expansive views and pedestrian connections to North Head to encourage interaction with Sydney Harbour and the North District's waterways (Planning Priority N15).
- The proposal retains the portion of the site zoned E2 Environmental Conservation and will consequently protect important bushland and biodiversity (Planning Priority N16).
- The proposal will protect and enhance scenic and cultural landscapes by maintaining a number of historically significant buildings and providing architectural and urban design outcome that is sympathetic to the site's scenic qualities (Planning Priority N17).
- The proposal will contribute to the growth of the North District's urban tree canopy coverage by providing comprehensive landscaping, retaining as many trees as possible and conserving land with high environmental value (Planning Priority N19).
- Deliver high quality open space areas that will benefit from access to views and the visual amenity afforded by the site's environmental setting (Planning Priority 20).

NSW State Plan 2021

The NSW State Plan 2021 sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The current focus of the Government is outlined in 12 Premier's priorities and 18 State priorities. The Planning Proposal supports the Premier's and aligns with the State priorities in that it will:

- Provide employment floor space facilitating jobs growth
- Support new small businesses
- Create construction jobs

NSW State Infrastructure Strategy 2018 - 2036

The NSW State Infrastructure Strategy 2018 – 2036 (the Strategy) sets out the NSW Government's infrastructure vision for the State over the next 20 years. The Strategy aligns with the Greater Sydney Region Plan.

The Strategy identifies that a key challenge for the Eastern Harbour City is to drive and accommodate growth and density alongside investment in infrastructure that optimises use of existing assets. It outlines a number of key infrastructure responses, including the need to invest in improvements in cultural infrastructure and tourism; support the population with social infrastructure investments; and provide more school education facilities.

The Planning Proposal aligns with the aspirations of the Strategy in that it will:

- Provide recreational, cultural and public open space facilities that will support the visitor economy
- Deliver cultural and social infrastructure to meet contemporary expectations
- Facilitate investment in education infrastructure to support development and industry growth
- Support the population with investment in social infrastructure, including residential care facilities, mental health services and health services

Future Transport Strategy 2056

Future Transport 2056 establishes a 40 year vision for transport investment. It has been prepared in conjunction with the Greater Sydney Region Plan. It provides a framework for planning and investment to support the delivery of an innovative transport network that adapts to change and is customer focused. The future Transport 2056 nominates a number of key priorities. The following priorities are of relevance to the proposal:

- Activating centres with a new Movement and Place framework
- Encouraging active travel (walking and cycling) and using public transport
- Connecting people to jobs, goods and services in our cities and regions
- Supporting more environmentally sustainable travel

The Planning Proposal is entirely consistent with the Future Transport Strategy 2056 in that it will facilitate the activation of an underutilised site that is easily accessible by public transport by providing a mix of uses. These uses will increase visitation to the site and foster community interaction. The proposed uses will co-locate jobs alongside goods and services in an accessible location.

The Indicative Master Plan that accompanies the Planning Proposal makes provision for pedestrian connections that will support more environmentally sustainable modes of travel such as walking and cycling. This will be further iterated through the future site-specific DCP prepared for the site.

NSW Ageing Strategy 2016 – 2020

The NSW Ageing Strategy 2016 – 2020 establishes the key priorities to address the needs of the ageing population across NSW. These priorities support the overarching vision for the NSW population to experience the benefits of living longer and having the opportunity to be included in their communities. The priorities and associated objectives are as follows:

- *Priority 1: Health and Wellbeing* – Older people in NSW are encouraged to live active and healthy lives with improved physical and mental wellbeing
- *Priority 2: Working and Retiring* – Older people in NSW have opportunities to remain in the workforce, are financially secure and independent in retirement, and plan their finances based on their circumstances and needs

- *Priority 3: Housing Choices* – Older people in NSW live in affordable accessible, adaptable and stable housing
- *Priority 4: Getting Around* – Older people in NSW travel safely and appropriately to participate in social and economic life and access to services
- *Priority 5: Inclusive Communities* – Older people in NSW stay connected and contribute to their communities

The Planning Proposal is consistent with the NSW Ageing Strategy 2016 – 2020 in that it will expand the range of permissible uses across the site to facilitate the provision of seniors housing in an accessible location. It will co-locate seniors housing with retail, health and recreational uses and in turn will reduce the need for residents to travel in order to participate in social activities and access needed services.

The proposal will facilitate the provision of recreational open areas and health facilities in a high-quality urban environment. In turn, it provides the opportunity to improve physical and social wellbeing for occupants as well as the ageing population in the wider community.

b) Does the proposal have site specific merit?

The Proposal demonstrates site-specific merit as it:

- Innovatively integrates a range of health care services and ancillary uses that will support the growing demand for health and social infrastructure
- Will provide a built form outcome that is sympathetic to the site's heritage values
- Will deliver a range of complementary uses that will attract visitors and encourage the people to explore the scenic landscape and tourism / cultural offerings in the surrounds
- Will facilitate the creation of new employment opportunities in proximity to homes and services
- Is located within an accessible and desirable location
- Retains the site's primary historic use as a health care facility and is consistent with the objectives of the SP2 Health Services Facility zoning
- Will provide an appropriate framework to ensure a desirable built form outcome is achieved that protects the site's scenic and landscape values as well as those of the surrounds
- Will protect the site's biodiversity values by largely isolating future works to the existing developable portion of the site
- Will achieve a high-quality landscaping outcome with linkages to promote connectivity to the surrounds to encourage people to interact with the locality's environmental and historic cultural assets
- Will not result in unacceptable environmental impacts or compromise the amenity of surrounding residential properties
- Is consistent with the desired future character of the locality as contemplated by the existing zoning provisions
- Will facilitate the provision of seniors housing and health care facilities for adolescents in response to demographic shifts
- Is compatible with the surrounding development, which provides comparable health facilities (i.e. Bear Cottage) and uses
- Is appropriate for the site's location given its isolation from surrounding

- Education and health care precincts
- Provides non-acute health services that will not undermine the competitiveness of nearby health and education precincts in areas such as Frenchs Forest

Summary

The Planning Proposal achieves the assessment criteria as it demonstrates both strategic merit and site-specific merit. It is therefore considered that the Planning Proposal meets the Strategic Merit Test.

Will the Planning Proposal give effect to a Council's endorsed Local Strategic Planning Statement, or another endorsed local strategy or strategic plan?

Towards 2040 – Northern Beaches LSPS

Towards 2040 is Northern Beaches Council's LSPS which was adopted by Council on 26 March 2020. Within the context of the LSPS, the site is situated within the Manly Strategic Centre, which is noted to accommodate the highest concentration of social infrastructure. The LSPS identifies Australia's first hospice for young adults as one of many specialist uses to be accommodated in Manly – which will be undertaken by NSW Health on the subject site.

The LSPS notes that future development and planned infrastructure are to respond to population growth and demographic changes. The Northern Beaches' population is projected to increase by around 39,000 people over the next 20 years. Of this projected growth, the LGA will accommodate a greater proportion of the ageing population relative to Greater Sydney.

Job creation is to occur concomitant with population growth. Consistent with the North District Plan, the LSPS envisages the LGA will accommodate around 9,000 to 13,000 additional jobs in its four strategic centres. As of 2016, 20% of the workforce were employed in health and education related jobs, which is projected to increase. Accordingly, health related uses are a key employment generator in the LGA.

The LSPS prioritises a place-based planning approach to preserve and enhance the LGA's local identity. Integral to this identity is its scenic and cultural landscapes, which are to be protected for the community's benefit. Place-based planning is to occur with community involvement where people are engaged in planning and decision-making.

The LSPS prioritises the need for a diversity of housing types to cater for different demographic groups, including the growing ageing population. The LSPS supports planning proposals for residential accommodation where strategic and site-specific merit are demonstrated and facilitate the delivery of a broader public benefit.

The Former Manly Hospital site is identified in the LSPS as a planning opportunity site. In particular, it identifies that there is a need to plan for the redevelopment of the site and its various uses. The site is to be redeveloped through a collaborative approach with local and State agencies to facilitate the realisation of shared outcomes.

The LSPS is supported by a range of planning priorities which aim to deliver on the directions of the Greater Sydney Region Plan and North District Plan. These planning priorities are underscored by a range of principles, with many directly applicable to the subject site.

The relevant Planning Priorities and associated principles are as follows:

- Priority 3 – Protected scenic and cultural landscapes. Protect core areas and areas of high environmental value from urban development.
- Priority 9 – Infrastructure delivered with employment and housing growth.
- Collaborate across levels of government to integrate land use and infrastructure.

- Priority 11 – Community Facilities and services that meet changing community needs.
 - Facilitate transparent collaboration process and involve stakeholders and the community early.
 - Provide flexible diverse and multi-use places and spaces close to public transport and strategic and local centres.
- Priority 17 – Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes.
 - Renew great places through design excellence and innovation design while respecting and enhancing local character.
 - Enhance local identity through place-based planning and design
 - Recognise heritage and culture as a fundamental aspect of the identity of place, including identification of places and items which contribute to the significant character of a place.
- Priority 26 – Manly as Sydney’s premier seaside destination.
 - Balance competing land uses in Manly to serve the needs of workers, residents and visitors.
 - Protect and enhance Manly’s character, identity and social significance.
 - Improve links to North Head and the former Manly Hospital site.

The Planning Proposal supports the aforementioned Planning Priorities and Principles, for the following reasons:

- Through collaboration with the local and State government, the proposal will facilitate a planning framework that will allow for the delivery of social and health infrastructure, tertiary education, seniors living, residential care facilities and services that will address the changing needs of the community, including those of the ageing and younger populations.
- The proposal will maintain and protect the site’s environmental values by preserving the areas containing high environmental values and largely limiting the site’s redevelopment to the land zoned SP2 Health Services.
- The proposal will redevelop the site for a multifunctional purpose, providing a health and well-being focused precinct close to transport and a local centre that will accommodate a greater range of compatible uses to that currently permitted.
- The proposal will contribute to the renewal of an underutilised site by delivering a built form outcome that exhibits design excellence.
- The redevelopment of the site will adopt a place-based approach, conserving its local identity and social significance through the adaptive reuse of its historically important heritage buildings.
- The proposal accommodates a range of competing land uses that will address the needs of the community whilst facilitating the creation of local employment opportunities.
- The proposal incorporates linkages to North Head that will foster connectivity.

Shape 2028 – Northern Beaches Community Strategic Plan 2018-2028

Shape 2028 – Northern Beaches Community Strategic Plan 2018 -2028 (the CSP) was adopted 17 April 2020 and is Northern Beaches Council’s first CSP. It defines the community’s long-term vision, priorities and strategic direction for the Northern Beaches LGA.

The CSP prescribes an overarching vision which is for Northern Beaches to be:

'a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment'.

To support this vision, the CSP nominates a framework that includes a range of goals.

The proposal's consistency with the relevant goals is outlined in Table 3-1 below

Table 3-1 Consistency with Shape 2028 – Northern Beaches CSP 2018-2020

Consistency with Shape 2028 – Northern Beaches CSP 2018-2020		
Goal		Comments
1	Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.	The proposal predominantly relates to land that has been redeveloped for urban purposes. Consequently, the planning proposal will not impact the biodiversity values associated with the portion of the site zoned E2 Environmental Conservation.
5	Our built environment is developed in line with best practice sustainability principles.	The proposal has the capacity to adopt best practice sustainability principles. Sustainability measures and commitment will be addressed further through the development of a site-specific DCP and Detailed development application at a later date.
7	Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.	The proposal adopts a place-based approach to the site's redevelopment. The proposal will enable the delivery of a range of community uses that will address the evolving needs of the community.
8	Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.	The planning proposal relates to the delivery of a health and well-being precinct. The planning proposal will enable the delivery of uses which will foster social interaction and supported the health and well-being needs of the community.
14	Our economy provides opportunities that match the skills and needs of the population.	The proposal seeks to broaden the permissible uses on the site. The uses proposed to be permitted at the site are employment generating uses that will cater to a diversity of people within the community, including the growing health care sector, which is forecast to be one of the fastest growing sectors in the LGA.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal has been assessed against relevant State Environmental Planning Policies in Table 3-2.

Table 3-2 Compliance with State Environmental Planning Policies (SEPPs)

SEPPs (as at December 2020)	Applicable	Consistent
1 Development Standards	No	N/A
19 Bushland in Urban Areas	Yes	Yes
21 Caravan Parks	No	N/A
33 Hazardous and Offensive Development	No	N/A
36 Manufactured Home Estates	No	N/A
47 Moore Park Showground	No	N/A
50 Canal Estate Development	No	N/A

SEPPs (as at December 2020)		Applicable	Consistent
55	Remediation of Land	No	N/A
64	Advertising and Signage	No	N/A
65	Design Quality of Residential Apartment Development	No	N/A
70	Affordable Housing (Revised Schemes)	Yes	Yes
	(Aboriginal Land) 2019	No	N/A
	(Activation Precincts) 2020	No	N/A
	(Affordable Rental Housing) 2009	No	N/A
	(Building Sustainability Index: BASIX) 2004	No	N/A
	(Coastal Management) 2018	Yes	Yes
	(Concurrences and Consents) 2018	No	N/A
	(Education Establishments and Child Care Facilities) 2017	No	N/A
	(Exempt and Complying Development Codes) 2008	No	N/A
	(Gosford City Centre) 2018	No	N/A
	(Housing for Seniors or People with a Disability) 2004	Yes	Yes
	(Infrastructure) 2007	No	N/A
	(Koala Habitat Protection) 2020	Yes	Yes
	(Kosciuszko National Park – Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Major Infrastructure Corridors) 2020	No	N/A
	(Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
	(Miscellaneous Consent Provisions) 2007	No	N/A
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production and Rural Development) 2019	No	N/A
	(State and Regional Development) 2011	No	N/A
	(State Significant Precincts) 2005	No	N/A
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non-Rural Areas) 2017	Yes	Yes
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
Sydney Regional Environmental Plans (Deemed SEPPs):			
8	(Central Coast Plateau Areas)	No	N/A
9	Extractive Industry (No 2 -1995)	No	N/A
16	Walsh Bay	No	N/A
20	Hawkesbury – Nepean River (No 2 – 1997)	No	N/A
24	Homebush Bay Area	No	N/A
26	City West	No	N/A
30	St Marys	No	N/A
33	Cooks Cove	No	N/A
	(Sydney Harbour Catchment) 2005	Yes	Yes

The most relevant SEPPs have been further considered below:

- SEPP (Coastal Management) 2018 - The site contains areas of littoral rainforest. The Ecological Constraints Assessment (ECA) by Narla Environmental for the proposal states no clearing is proposed however it is unclear as to whether further clearing will be required to accommodate required asset protection zones on the site. Clarification is required prior to Gateway determination.

- SEPP (Housing for Seniors or People with a Disability) 2004 - The delivery of seniors housing across the site is permissible with consent pursuant to Clause 4(1)(a)(iv) of the SEPP.
- SEPP - Bushland in Urban Areas – The proposal does not derogate or alter the application of the SEPP to future development.
- Affordable Housing SEPP (Revised Schemes) - The proposal does not inhibit operations of the former Part 3A provisions or the replacement measures.
- SEPP (Vegetation in Non-Rural Areas) 2017 - Future development of the site will require minimal vegetation planning as the majority of development will be contained within areas of the site comprising existing built form. However, the full details of necessary vegetation clearing and management need to be fully understood.
- SEPP (Sydney Harbour Catchment) 2005 - The site is located within the bounds of the Sydney Harbour Catchment REP. The site is zoned E2 Environmental Conservation. The LEP amendment is consistent with the relevant zoning objectives. Specifically, the site relates to the redevelopment of urbanised land and is located a considerable distance from the foreshore. Accordingly, the proposal will have no impact on the environmental and cultural values of waters in the zone and adjoining foreshores. The site is located within the 'Foreshore and Waterways Area'. With reference to the relevant matters of consideration nominated under Division 2, supporting subconsultant reports confirm that:
 - The proposal is unlikely to impact biodiversity, ecology and environmental protection.
 - The scenic quality of foreshores and waterways.
 - The proposal will have no impact to views to and from Sydney Harbour.

Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is generally consistent with applicable Ministerial Directions as shown in Table 3-3.

Table 3-3 Compliance with Ministerial Directions

Directions (as at December 2020)		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	No	N/A
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum Production and Extractive Industries	No	N/A
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	Yes	Yes
2.2	Coastal Protection	Yes	Yes
2.3	Heritage Conservation	Yes	Additional information required
2.4	Recreation Vehicle Areas	No	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	N/A
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	No	N/A
3.3	Home Occupations	No	N/A

Directions (as at December 2020)		Applicable	Consistent
3.4	Integrating Land Use and Transport	Yes	Yes
3.5	Development Near Licensed Aerodromes	No	N/A
3.6	Shooting Ranges	No	N/A
3.7	Reduction in non-hosted short term rental accommodation period	No	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	No	N/A
4.2	Mine Subsidence and Unstable Land	No	N/A
4.3	Flood Prone Land	No	N/A
4.4	Planning for Bushfire Protection	Yes	Yes
5	Regional Planning		
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A
5.10	Implementation of Regional Plans	Yes	Yes
5.11	Development of Aboriginal Land Council land	No	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	No	N/A
6.2	Reserving Land for Public Purposes	No	N/A
6.3	Site Specific Provisions	Yes	Yes
7	Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Yes	Yes
7.2	Implementation of Greater Macarthur Land Release Investigation	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A

The relevant s9.1 Ministerial Directions have been further considered below:

- 2.1 Environmental Protection Zones - The planning proposal will primarily support redevelopment of portions of the site that contain little vegetation and have been subject to land clearing previously. It is unclear however as to whether further clearing will be required to accommodate required asset protection zones on the site

- 2.2 Coastal Protection - The site is not identified as being within a coastal vulnerability area or on land within a coastal wetland as defined by the SEPP (Coastal Management) 2018. The site is however mapped as containing littoral rainforest. Notwithstanding, as addressed in the Ecological Constraints Assessment only the far southern portion of the site contains littoral rainforest of high ecological value. As discussed above, it is unclear whether further vegetation clearing will be required to accommodate necessary asset protection zones on the site.

Littoral rainforest located within other parts of the site are claimed to be in poor condition and relate only to select remnant species. The area is dominated by exotic vegetation and has experienced historical clearing. However, the Narla ECA does not provide any description or maps of the proposed planning proposal and interactions with the vegetated areas of the site to enable the extent of potential impacts on threatened biodiversity, in particular within the E2 zone, to be identified.

The site relates to land that is impacted by a coastal hazard, with this identified by the MLEP 2013 as being landslide risk. However, the proposal does not seek to rezone the site. It also does not seek to enable increased development. Specifically, the proposed health and wellbeing precinct represents a less intensive land use relative to the site's former hospital operations.

In accordance with Direction 2.2(8)(a), the ECA, the proposed redevelopment of the site is suitable. Further, it is consistent with Direction 2.2(8)(b), the proposal is entirely consistent with the applicable strategic plans.

- 2.3 Heritage Conservation – the site contains items of non-Aboriginal heritage significance. The proposal would conserve the heritage items on the site.
- 3.1 Residential Zones - The proposed additional uses relate to residential accommodation primarily in the form of seniors housing and temporary accommodation for patients and their families. The proposal will provide the site with the ability to address the growing demand for seniors housing due to demographic changes.
- 3.4 Integrating Land Use and Transport - The proposal is adequately serviced by public transport consisting of bus services that service the site from Darley Road. It will therefore increase the supply of jobs in a location well serviced by public transport. The traffic generation associated with the proposal is significantly less than that associated with its former hospital use.
- 4.4 Planning for Bush Fire Protection – the Northern Beaches Bush Fire Prone Land Map was certified 7 August 2020. It classifies the vegetation in the south-east side of the site as Vegetation Category 1. The rest of the site is classified as a vegetation buffer. The Bushfire Assessment Report prepared by Peterson Bushfire designates the site as being of 'medium' bushfire risk. Confirmation of the need for any vegetation clearing will be required to ensure required asset protection zones can be accommodated on the site.
- 5.1 Implementation of Regional Plans – The planning proposal is consistent with the Regional and District Plan.
- 6.3 Site Specific Provisions - The proposal will not introduce any site-specific planning controls that are unduly restrictive.
- 7.1 Implementation of A Plan for Growing Sydney - The Planning Proposal is entirely consistent with the Greater Sydney Region Plan.

The Planning Proposal is generally consistent with relevant Ministerial Directions.

3.3 Section C – Environmental, Social and Economic Impact

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?

The Planning Proposal has indicated that the proposal will not impact critical habitat or threatened species, populations, or ecological communities, or other habitats as assessed in the Ecological Constraints Assessment (ECA) undertaken by Narla Environmental for the proposal.

The ECA report provides an assessment of the biodiversity conditions at the site and the implications for the proposal. The report notes the following:

- Littoral rainforest contained within the site is primarily in poor condition, dominated by weeds and has already experienced clearing.
- The proposal occupies land that has already been subject to redevelopment and is therefore unlikely to have an adverse impact on threatened species, populations, or communities.
- Impacts to vegetation may arise from the establishment of the APZs required to address bushfire risk; however, a Vegetation Management Plan will be implemented to guide the removal of exotic vegetation.

The report concludes that the site can accommodate redevelopment activities associated with the health and wellbeing precinct, if areas mapped as being highly constrained are avoided. In addition, the report identifies that due to the site's location, a Biodiversity Development Assessment Report and entry into a Biodiversity Offset Scheme will be required. These requirements will be addressed at the detailed Development Application phase once precise details of vegetation removal can be confirmed.

Council staff comments

In accordance with previous pre-lodgement advice, the proponent has provided an ecological constraints analysis which aligns with Stage 1 of the Biodiversity Assessment Method (BAM). The submitted report identifies ecological constraints within the subject site, most notably: Littoral Rainforest Endangered Ecological Community (EEC), two threatened flora species, active Powerful Owl roost sites, and foraging activity of the endangered Long-nosed Bandicoot population.

The constraints analysis also provides an overview of potential impacts associated with construction and operation of the broader masterplan proposal, including vegetation impacts to the adjoining E2 zone associated with establishment/maintenance of the proposed APZ.

It is noted that the current application deals only with the proposal to amend Schedule 1 of MLEP 2013 to allow for a range of additional permitted uses including a group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreation facility, neighbourhood shop, function centre, respite day centre and seniors housing. As such, an assessment of potential direct and indirect impacts associated with these new uses (e.g. increased noise, traffic light, human activity, intensification of use) would be valuable in determining and evaluating the overall ecological impact of the current planning proposal. However, it is considered acceptable for these additional impacts to be assessed in the BDAR prepared for the future development application.

A vegetation management plan (VMP) has been prepared to guide establishment and maintenance of the APZ proposed to be located on adjoining E2 land.

Council has previously provided the following pre-lodgement advice in relation to proposed APZ:

"Concern is raised that establishment/maintenance of an APZ is not consistent with the Manly LEP 2013 objectives for the E2 Environmental Conservation zoning, which are to:

- protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values;
- prevent development that could destroy, damage or otherwise have an adverse effect on those values.

The proponent should therefore seek to locate any new habitable structures set back from the hazard within the E2 zone such that impacts to native vegetation are avoided. MLEP 2013 prohibits the establishment of an APZ within the E2 zone".

It is also recommended that the VMP for the broader development incorporates appropriate buffer areas around the Littoral Rainforest EEC, threatened flora specimens, Powerful Owl habitat, and the boundary with the National Park.

In accordance with the above, any future BDAR submitted in support of the broader Manly Hospital masterplan development should address the following matters:

- Interactions between E2 zone objectives and APZ establishment/maintenance;
- Direct vegetation impacts associated with the proposal including APZ establishment/maintenance;
- Indirect impacts associated with operation of the new uses/activities (e.g. light, noise, increased traffic causing road mortality of bandicoots, intensification of human activity);
- Potential impacts to threatened entities including Littoral Rainforest EEC, Powerful Owls, Little Penguins (including stormwater/run-off/erosion impacts to the AOBV), Long-nosed Bandicoots, Sunshine Wattle and Magenta Lilly Pilly.
- Discussion of measures to avoid and minimise impacts and mitigation measures for any residual impacts.

GHD peer review

GHD undertook a peer review of the updated Ecological Constraints Assessment (ECA) prepared by Narla Environmental Pty Ltd dated April 2021 and Vegetation Management Plan (VMP) dated April 2021 for the former Manly Hospital Planning Proposal.

As noted in our previous review, the proposed establishment and maintenance of an APZ within the E2 zoned land and Littoral Rainforest proximity area may potentially be inconsistent with the expectations for the protection of the site's existing ecological and biodiversity values under the provisions of the *Manly Local Environment Plan 2013* and *State Environmental Planning Policy (Coastal Management) 2018*.

There are likely to be both beneficial and adverse impacts associated with the proposed establishment and maintenance of the proposed APZ in accordance with the proposed VMP (Narla 2020) that require consideration in this context.

Beneficial impacts include:

- Removal of exotic species that likely provide a source of propagules for weed infestation in the adjoining NP and sensitive areas downslope of the site
- Removal of exotic species from the mapped area of Littoral RF and the adjoining proximity area
- Replacement planting with native species representative of the PCT (within the constraints of APZ requirements)

- Creation of a managed edge of native vegetation that provides a weed free buffer between the development area and the Littoral rainforest and national park/sensitive environments downslope

Potential adverse impacts include:

- Removal and/or modification of vegetation that provides refuge habitat for the Long-nosed Bandicoot, potential roosting habitat for the Powerful Owl and likely habitat for its prey
- APZ compliant native revegetation and ongoing maintenance will not provide the same structural or floristic diversity/vegetative cover/connectivity and hence habitat value for fauna as would rehabilitation of the area to reflect the PCT in its natural form
- APZ compliant planting densities may not be appropriate to maintain suitable refuge habitat for the Long-nosed Bandicoot or other fauna species on site (proposed APZ compliant planting densities are not provided in the VMP to confirm)
- Changes to the biophysical, hydrological or ecological integrity of the adjacent littoral rainforest or on the quantity or quality of surface and groundwater flows to and from the adjacent rainforest. This is particularly the case given proposed works in areas immediately upslope of the Littoral Rainforest within a high erosion risk area.

Future assessment to accompany a development application will need to assess the extent of impact associated with the proposed APZ establishment (ie vegetation clearing required) to confirm if the Biodiversity Offsets Scheme is triggered and the requirement for a Biodiversity Development Assessment Report (BDAR). A BDAR, if required, would need to assess direct and prescribed impacts of the proposed development, including the establishment and maintenance of the APZ, clearly demonstrate measures taken to avoid and mitigate impacts and identify the quantum of offset required for any residual impacts that cannot be avoided.

Before granting development consent for any future works within the Littoral RF proximity area, Council will need to be satisfied that there will not be a significant impact on the biophysical, hydrological or ecological integrity of the adjacent littoral rainforest or on the quantity or quality of surface and groundwater flows to and from the adjacent rainforest in accordance with the requirements of the Coastal Management SEPP.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Urban Design

The Former Manly Hospital Masterplan and Rezoning Concept Master Plan Report provides an analysis of built form, heritage and environmental opportunities and constraints, and provides details of preliminary urban design studies which have been undertaken. The report also provides a concept master plan, with the intention a detailed master plan for the site will occur through the adoption of a site-specific DCP at a later date. This will be in response to additional land uses permitted for the site as a consequence to the planning proposal process.

Council staff comments

Council's urban design department reviewed the Master Plan Report and generally support the proposal. Comments were provided regarding aspects of the design as follows:

Structure Plan

The structure plan diagram on page 24 shows a bubble diagram of uses across the site and their general clustering by location.

A minor concern with the location of the allied health, therapy and consulting building is the specific built form interface of public address to streetscape and the potential prominence of the built form and its aesthetic value in this location. As with most health providers a level of visual signage is generally associated with these buildings; full coverage signage decals and the like.

Strategies that seek to limit the visual dominance of building signage that may dominate views to the site and the general adjacent heritage context should rigorously consider options for the clustering and locations of all allied health service providers in one building. The proposed uses and their planned arrangements should prioritise ground level public activation and fine grain detail of retail and food and drink premises. Whilst it is acknowledged that clustering of such services has its benefits, both uses of and the overall context of the site need to consider notions of diversity and complexity as discussed further in Built Form / Massing and Building Separation in this commentary.

Precinct Plan

The Precinct diagram (pg. 28 uRBn Design Report by Cox Architecture) demonstrates a general zoning and mixture of uses throughout the site allowing for variety and diversity within each of the Precincts. The hard line general areas nominated should not preclude variance between the precincts but allow for future flexibility.

Site/Context

The site has a south western aspect moving down the western escarpment of the headland.

As such the site is oriented in such a way that western afternoon solar gain will be predominant to the site and have thermal heat gain impacts on the ground surface areas across the site.

Landscape and built form strategies that test solar access/gain and breezes across the site should be informed by rigorous testing through the design development stage; shadow diagrams, wind tunnel testing and other such environmental conditions testing regimes to support the site masterplan development are highly recommended to ensure environmental conditions are optimal for pedestrians and users across the site.

Access and Movement

The Urban Design Report by (Cox Architecture) notes buildings 1, 2 and 15 as the heritage fabric of the site, proposed for adaptive re-use across the masterplan along with Buildings 5, 20 and 22 as historically significant, and building 5, the kiosk, proposed to be retained and enhanced for the purpose of representing a local wayfinding mechanism/node. The proposal for these buildings can be supported. However it is also encouraged to find a linking dialogue or ground surface mechanism/node connecting a matrix of pedestrian scaled circulation networks across the site either through fabric or built form follies that provide a thematic to link the historic and heritage context/buildings.

Built form, massing and building separation

The planning proposal and proposed masterplan indicates built form building footprints, suggested mass and scale across the site with the proposed zoning and uses indicated as a linear bubble diagram with a general grouping of uses.

Diversity and complexity should be further considered when planning for grouping of uses to zones that sees the urban environment reflect complexity and individual tastes and choice.

A range of built form architectural typologies and variety of landscaping responses across the whole site should eschew homogenising zoning / clustering of uses across the site. Variety and diversity that allows for adaptability and evolving site uses rather than large monolithic buildings that homogenise the site to distinct and potentially exclusive zones should inform built form strategies and siting across the site.

Of note is the general massing volumes (pg. 26-27) which indicate a possible footprint. Moving forward toward the development of a site specific DCP care should be taken to rigorously explore controls that allow flexibility in the built form massing so as not to be bound to the strict volumetric control of the proposed massing diagram.

An opportunities and constraints plan that maps uses but also explores opportunities for fine grain interventions to the larger scale built form massing is also recommended.

Building separations generally that acknowledge the recommendations in SEPP 65 ADG should also be addressed when developing DCP controls.

Height of Buildings

There is concern the 2-3 storey height of buildings in Precinct A may present visual intrusions to the broader view aspects back up the site from the western lower part of the site as well as from the arrival point up Darley Road from the north. Noting these buildings are at the highest level/platform of the site, view analysis testing to ensure building heights do not breach the predominant landform as viewed from ground plane is recommended.

Additionally, there exists a view corridor from the lower part of the site back up to Building 2, the old hospital. The historical context and heritage buildings to the centre of the site may benefit from the removal or further articulation of the southern most portion of the new building to the south west to open up a view corridor back up to Building 2 from the lower part of the site, thus reinforcing the cultural heritage and site context.

Sustainability

Precinct wide sustainability strategies that address adaptive re use of buildings and recycling of demolished materials (where adaptive re-use is not viable), passive design strategies through rigorous site planning and analysis, productive food gardens including reference to indigenous food sources and cultural history, energy efficiency strategies; systems, devices, fixtures and fittings are recommended.

The report notes a suite of sustainability measures across the site for incorporation into potential future development. The site wide sustainability proposal is generally supported and encouraged to achieve further sustainable outputs that go above and beyond baseline requirements.

Design Excellence

The site and the context of the old Manly Hospital is an important cultural location in a unique setting comprising several heritage and noted buildings of significance across the site. The opportunity to include the requirement for design excellence across the site for any future DA's is recommended in the future drafting of the LEP and DCP specific to this site.

GHD review

GHD reviewed the urban design aspects of the proposal as detailed in the Concept Master Plan Report, with findings detailed below.

In terms of urban design the proposal is considered adequate. However, at the DA stage additional information that covers the following points would help to further explain how the proposal meets the urban design aims for the site, with particular attention to the integration of land uses, built form and landscape:

- Greater detail of how the key urban design objectives relate to specific policies and strategic documents.
- Demonstration of how views are considered in the design – diagrams indicating location of key views and view corridors and how the design responds to these and the site topography.
- Demonstration of how built form massing may visually impact views from Darley Road and back up towards Darley Road from the lower precincts on the site.
- Demonstration of how building heights relate to the predominant landform/ ridgelines from local and distant views.
- Greater resolution of how historical context / heritage buildings are integrated with proposed built form, public realm and landscaping, with particular attention to addressing the proposed long continuous built forms running across the site.
- Urban design principles justifying car park location / integration / relationship with nature reserve and views.

- Precincts diagram states that Precinct D is for 'Public Recreation/Environmental Restoration/Aboriginal Cultural Celebration', yet it is not clear how this is achieved as this precinct appears to be dominated by car parking with a potential conflict in uses. Presumably, the car park helps to buffer the development from the bushfire attack zone, but it is not completely clear how these areas of parking will be successfully integrated without negatively impacting the adjacent landscape and views, and how they will cater for the activities mentioned in the Precinct D summary. The design breaks down the large areas of parking somewhat, but more could potentially be done to better integrate these – for example smaller clusters of parking in 'entrance courtyards' and better defined adjacent spaces.
- Further consideration should be given to the viability of the grassed carparks. Whilst it is common for public green space such as ovals and parks to be used for occasional parking for events etc. It is difficult to see how this could work the other way around with them being used for parking for the majority of the time.
- Further demonstration of pedestrian movements and cycle routes and how these relate to the activity nodes and the wider precinct. It is mentioned that travel to the site is primarily by car, but further justification of how more sustainable modes are catered for should be given.

Public Domain and Landscaping Strategy

A Public Domain and Landscape Strategy (PDSALS) was developed by Tract Consultants to support the Planning Proposal. Key landscape considerations for the Former Manly Hospital site include: -

- Integration with adjacent education, residential, recreational and conservation uses
- Potential links to Sydney Harbour National Park
- Retention and revitalization of existing landscapes on the site
- Mitigation of bushfire risk

Key landscape outcomes identified for the Former Manly Hospital site master plan are: -

- To enhance the built and natural environment within the Northern Beaches and Sydney Harbour National Park
- To deliver a high quality public domain including public open spaces and/or publicly accessible open spaces
- To protect key spaces, places, destinations and view corridors
- To improve pedestrian amenity and safety
- To preserve and enhance activity along adjacent streetscapes and complementary uses and users
- To develop a consistent language and design approach that complements the history, heritage, ecology and character of the Site, North Head, Manly, the Northern Beaches and Greater Sydney
- To deliver a multi-purpose, year-round wellbeing precinct to cater for health, wellbeing, recreational and cultural requirements of a growing metropolitan region

Council staff comment

As noted throughout the documents reviewed there is a significant lack of tree canopy cover of distinct landscaping across the site. In particular the central part of the site dominated by hard surface pathways and vehicle access points and parking.

Accordingly this point is also raised within the proposal in response to fire protection of assets and the potential for tree to tree ignition during a bushfire event.

The supporting landscape plan (diagram 4.6 of Tract Landscape Report) demonstrates primary and secondary public spaces across the site with landscape gardens and courtyards woven through the pedestrian and circulation network.

Opportunities to provide further significant tree canopy cover across the site to mitigate heat island effects particularly along main pedestrian spines and circulation routes is recommended for further investigation and consultation to ensure balance between safety and amenity is achieved.

Fire retarding landscape planting regimes / landscaping strategies should also be rigorously explored to ensure a robust response to buffer plantings, that are fire resilient, to the adjacent BAL rating fire zone.

Whilst construction detailing in the built form can address specific flame zone requirements in the built form, landscape and planting design can also play a role in the protection of buildings in areas of risk. Refer relevant precedent research and development in this area of planning for bushfire risk including indigenous land management methodologies and bushfire resilience, that may assist to inform the planting regimes and site planning. Refer Designing with Country Government Architect NSW

Similarly, the treatment of the carpark ground surface area and planting is noted in the proposal with permeable paving options where possible including WSUD strategies, plantings/canopy cover that assist to mitigate heat island effects and proactively encourage on site water recycling and capture where possible are recommended.

As described in the Urban Design Report (Cox Architecture) the potential to convey indigenous heritage and contemporary cultural significance of the site should be considered and designed in tandem.

GHD review

A review of the PDSALS has been undertaken and identified the following issues:

- Limited view corridors identified
 - Existing and potential views to harbour to be mapped/identified in the landscape analysis to inform the built form and public space arrangement
 - Aspects to the north, west and south eastern view corridors, and longer view aspects to the greater Sydney region don't appear to be reflected in the proposal
- WSUDs opportunities not shown
 - Overland flow path not shown on analysis
 - WSUDs strategy to manage stormwater not shown (swales, attenuation areas, bio remediation, permeable surfaces)
- Limited information of activation of external spaces
 - Some character images shown, but limited detail on open space elements including: shade and seating, multi function court, splash pad, play areas, table tennis tables, BBQs, shade and seating, outdoor eating areas

- Proposed active frontages not shown
- Implementation of ecological corridors is compromised by roads and buildings
 - Some ecological corridor pinch points. Consider wider internal and better protected ecological corridors to facilitate wildlife migration/colonisation
 - Consider limiting public access to the more sensitive/valuable sections of ecological corridors within the masterplan
 - Show potential arboreal/subterranean wildlife connections across North Head Scenic Drive and Blue Fish Drive connection
- Wetlands not shown
 - Wetlands references in Urban Design Report but not in the PDSALS
- Provision of urban agriculture not considered
 - Consider opportunities on-site micro agriculture to contribute to food requirements of future uses. Consider restorative value of gardening as part of health and wellbeing aspirations of site
- Limited consideration to future transport
 - Internal circulation for cyclist including End of Trip facilities – parking, maintenance posts, charging points, rest areas, water refill stations
 - Existing, future and potential walking trails, cycle paths to be shown
 - Identification of areas for on-demand transport waiting for patients/visitors
 - Electric recharge points
 - Consideration for phased reduction of parking spaces, and how these space can contribute to future public domain landscape masterplan objectives
- Aboriginal heritage not mapped
 - Aboriginal heritage referenced in objectives, but not mapped on analysis
 - Status of Aboriginal heritage study unknown
- Designated areas for organic/inorganic waste management not shown
- No reference to material reuse or salvaged materials from demolition
- Southern boundary carpark geometry not responding to existing natural topography, and isolates green spaces from main development
- Response to microclimate studies not demonstrated
 - Shade diagram, wind directions, and daily/seasonal changes to be mapped and considered to improve experience and appeal of outdoor spaces
 - Increased use of trees and shade structures to the primary and secondary public domain spaces will assist in improving thermal comfort particularly during the summer
 - Consider addressing thermal gain to outdoor spaces and building facades to reduce demand for cooling energy

Transport and Access

A Preliminary Transport Assessment has been prepared by JMT Consulting, the key findings are provided below.

Traffic Generation Impacts

JMT Consulting have prepared an assessment of the traffic volumes in the surrounding road network to assist in understanding the traffic generation impact associated with a proposal commensurate to that which is envisioned for the site.

Traffic counts were undertaken in December 2019. The counts reveal that traffic volumes along Darley Road were below 300 vehicles per hour in one direction across any typical day. As the typical capacity of a traffic lane is 900 vehicles per hour, the results confirm that Darley Road has ample capacity to support additional traffic generation that may arise from the proposed future redevelopment of the site.

The traffic generation assessment has been prepared in accordance with the *RMS Guide to Traffic Generating Development*. Accordingly, the following traffic generation rates have been adopted for the assessment:

- *Health and Wellbeing Uses*: 0.5 traffic movements / parking;
- *Seniors Housing*: 0.1 traffic movements / dwellings

Based on the rates noted above, redevelopment of the site will generate less than 100 vehicle movements in the peak hour period. In light of the traffic count findings, the surrounding road network has sufficient capacity to support the traffic generation associated with the development. Further, as the intensity of land use sought by the proposal is relatively less compared to the site's former hospital, JMT Consulting confirm that the anticipated traffic generation will be comparatively less than what has historically emanated from the site and its former hospital operations.

Public Transport Capacity

JMT Consulting have prepared an assessment of the surrounding public transport infrastructure and its capacity to support the proposal. The report confirms that the existing transport infrastructure in the locality has the capacity to support the proposal without the need for further upgrades. It recommends however that bus routes to and from the site be increased to foster the use of public transport and reduce the reliance on private vehicles.

The report identifies that the redevelopment of the site presents an opportunity to encourage public transport usage. It recommends that the future development make provision for green travel plans, carpooling arrangements for staff, and bicycle parking / end-of-trip facilities. These measures can readily be addressed at the Development Application stage and adopted during the occupation phase.

GHD review

GHD reviewed the Preliminary Transport Assessment. The review commentary is covered for each chapter of the report, summarising what has been assessed and comments on its adequacy and suggested additional information to support the Planning Proposal. The review is presented in Table 3-4 below.

Table 3-4 Preliminary Transport Assessment Review

Chapter content	Adequacy comments	Suggested additional information
Existing conditions	Site access is covered well with sufficient information.	There is however a need to clearly set out the objectives and methodology of the assessment, early in the report, to address the issues relevant to the Planning Proposal.

Chapter content	Adequacy comments	Suggested additional information
		Provide a summary of the Planning proposal early in the report so it is clear what the focus of the assessment is.
	Regional context of the site is covered well from a travel behaviour perspective, but more information could be provided.	It is important to describe the regional context of the site in terms of: Road hierarchy: Darley Road, an important collector road, as the only access road to the Manly peninsula Land use: Further land use growth in the peninsula will generate additional traffic and Darley Road will be the funnel to carry all this traffic. The proposal site is at the gateway of the peninsula and it would be important to understand what the Structure Plan allows and what the impact of potential future land use changes in the peninsula could be.
	Traffic volumes for December 2019 are provided but it not the benchmark data of the hospital when in full operation	Comparing the 2019 volumes with historic data will provide a sense of what level of traffic activity can be expected when the site is again fully operational. Using this data to compare with road capacity of Darley Road, (as per Austroads guidelines) will provide insight on how the current and historic traffic flows perform relevant to road capacity. No details on weekend traffic is provided to understand the current potential future recreational traffic along Darley Road.
	Public transport information is well covered	Active transport information, such as current and future planned cycleways and footpaths, would help to understand the site location relevant to these facilities.
	Road Safety is not covered	Road Safety around this site with Darley Road carrying significant through traffic needs to be carefully assessed in any future planning proposal. Previous road safety audits, if available, will highlight the safety issues at the access point to the site as well as the surrounding intersections. Crash history should also be included in the assessment, to highlight any crash clusters, and the need to implement any mitigation measures. Pedestrian movements in any future planning proposal will need to be assessed from a road safety perspective.
Overview of Proposal	Limited information provided	It will be useful to describe the important attributes of the Planning Proposal that then leads into the assessment thereof in the chapter. The overview of the Planning Proposal should be early in the report to provide clear focus of what the subject matter is.
Preliminary Transport Assessment	Relevant transport elements such as circulation, carparking, future mode share and public and active transport are covered.	The traffic impact assessment (Section 4.4) is limited as it would be useful to calculate trip generation for a likely scenario Proposal (detailed in Chapter 3). This would compare potential traffic to historic traffic conditions when the hospital was operational. One option is to assess one high and one low trip generation planning proposal scenario to better understand the potential range of traffic impact outcomes.
General	-	This site is strategically located as a "Gateway" into the Manly peninsula and, as such, the Planning Proposal should capture its potential from this perspective. This will ask for a proper assessment of

Chapter content	Adequacy comments	Suggested additional information
		the Movement and Place to enhance the connectivity as well as the amenity of the site.

Bushfire Considerations

A Bushfire Assessment Report has been prepared for the proposal by Peterson Bushfire. The report provides an assessment of the bushfire hazard and risk and nominates protection measures.

The report notes that the site is categorised as being of 'medium' bushfire risk. The risk rating has been determined in consideration of the site's proximity to bushland within the Sydney Harbour National Park. The site is surrounded by Vegetation Category 1 to the south and east, which represents the most hazardous type of vegetation. It also contains Category 2 Vegetation.

This hazard rating is not anticipated to change in the post development phase due to the introduction of the proposed additional uses. Accordingly, the risk to occupants will also remain unchanged.

The report nominates the following mitigation measures to ensure adequate bushfire protection and compliance with the requirements of *Planning for Bush Fire Protection 2019*:

- Provision of compliant APZs between future building envelopes and bushfire hazards
- Provision of BAL mapping to guide compliant building construction
- Adequate access for emergency response and evacuation
- Compliant road widths and design
- Perimeter road between buildings and bushfire hazards
- Adequate water supply to facilitate fire-fighting operations
- Appropriate vegetation management within the APZ and landscaping across the site

The site historically has not incorporated the aforementioned measures. Therefore, the proposal provides the opportunity to improve compliance with the bushfire protection requirements in the future.

Asset Protection Zones

The proposed APZs comply with the requirements of *Planning for Bush Fire Protection 2019* and will consequently ensure new buildings are not exposed to intolerable heat impacts.

The APZs will set the buildings back further from the bushfire hazard areas and will be routinely maintained in accordance with the detailed Vegetation Management Plan that accompanies the report.

With these measures in place, the report concludes that the proposal can be accommodated on the site without exposing future occupants to bushfire risk.

GHD review

GHD conducted a peer review of the bushfire assessment, with the key findings outlined below.

Planning for Bushfire Protection (PBP) (NSW RFS 2019) states that when preparing a draft LEP or planning proposal, local councils are required to apply the EP&A Act s.9.1(2). Direction 4.4 Planning for Bush Fire Protection applies to planning proposals that affect, or are in close proximity to, land mapped as bushfire prone land (BFPL).

Under Direction 4.4, a relevant authority must consult with the Commissioner of the NSW RFS during the preparation of a draft LEP and take into account any comments made. The draft LEP shall also have regard to PBP. As part of the consultation process with the NSW RFS, a bush fire assessment is required to be submitted to demonstrate compliance with the s9.1(2) Directions and PBP.

Where an application for rezoning is for residential or special fire protection purposes (SFPP) development on BFPL, it shall include an indicative development layout. This enables an assessment of the suitability of the land for the proposed development given the bush fire risk and existing land uses. The proposal must demonstrate that the required APZs can be met on the development site and that the road network can support evacuation demands in the event of an emergency. It is important that new development does not increase the level of bush fire risk to the existing community.

Bushfire hazard assessment

A site assessment has not been undertaken by GHD but based on the information, it is considered the assessment of vegetation and slope are adequate. The report indicates most of the vegetation on site will be managed as an asset protection zone (APZ), in accordance with the Vegetation Management Plan prepared by Narla (April, 2021).

Asset Protection Zones

Based on the vegetation classification and slope, the APZ has been calculated for SFPP and Other development. The APZ for other development has been based on PBP Table A1.12.2, meaning the buildings will not be exposed to a radiant heat flux of greater than 29 kW/m². The APZ provided in Table 3 and Figure 4 of the Bushfire Assessment are consistent with PBP. However, the APZ shown on Figure 4 assumes the vegetation on site can be managed as an APZ. The ecological impacts of this assumption have not been assessed in this review.

Figure 4 is overlain on an aerial of the existing site but does not provide the proposed redevelopment of the site. Based on a review of the Concept Master Plan prepared by Cox Architects, it appears there are some conflicts between the location of the proposed buildings and APZ.

Vegetation management

The report indicates the vegetation will be managed in accordance with APZ requirements, as outlined in the VMP (Narla 2020). A copy of the Narla (2020) VMP was not provided for review.

The measures mentioned in the Bushfire Assessment in relation to the management of the APZ are consistent with PBP.

Bushfire Attack Level

A figure indicating the bushfire attack level (BAL) has been provided which appears consistent with the requirements of Australian Standard AS 3959-2018 Construction of buildings in bushfire prone areas. However, similar to the APZ, it assumes the vegetation on site will be managed and does not show the concept master plan for the site.

Access

PBP requires access roads to be through roads. The report suggests the site currently benefits from a through access road that extends from Darley Road in the north to Collins Beach road in the south, however this does not seem to be the case - nor is it shown on the Concept Master Plan. The report goes on to suggest "A secure arrangement will be entered into with Health Infrastructure to construct and maintain the road over Lot 2728 to Collins Beach Road access point". It's not known if this arrangement has been established but would be required (or some other suitable arrangement) to provide suitable access arrangements in accordance with PBP.

It's not possible to assess compliance with the more detailed access requirements of PBP at this stage and the report lists the requirements which is considered appropriate.

Services

The report outlines the requirements for water supply, which is considered appropriate at this stage. However, it does not mention requirements for gas and electricity.

Emergency management planning

The report outlines the requirements for evacuation and emergency management, which is considered appropriate at this stage.

Summary

The report generally complies with the requirements of PBP and is considered suitable to support the planning proposal, providing:

- Confirmation that the vegetation on site can be managed as an APZ without unacceptable ecological impacts
- The APZ is shown on the Concept Master Plan, so it can be demonstrated the proposal complies with the APZ requirements
- Confirmation the suitable access can be achieved by establishing a through road to Collins Beach Road.
- The requirements for gas and electricity are mentioned or referred to.

Geotechnical

JK Geotechnics have prepared a Geotechnical Investigation for the proposal. The investigation provides an assessment of the subsurface conditions and proposes recommendations to facilitate the demolition and construction phase. The investigation confirms that excavation to a depth of 2 m is required along with the importation of fill. With the anticipated depth of excavation required, it is not anticipated that ground water will be encountered.

Based on the site's conditions and the proposed scope of works, the report proposes the following recommendations:

- The preparation of detailed dilapidation reports for the heritage buildings contained within the site that may be impacted by excavation or associated vibration impacts
- Additional borehole investigations should be carried out once the detailed design is finalized
- A stability assessment should be prepared to assess the risk to surrounding areas
- New structures should be founded on underlying sandstone bedrock

Subject to the adoption of the above recommendations, JK Geotechnics confirm that the site can be made suitable for the proposed development as sought by the Planning Proposal and a future Development Application. Consistent with the conclusions of the report, the geotechnical recommendations will be reviewed following the finalisation of the detailed design.

GHD review

GHD conducted a peer review of the geotechnical report, where the following issues were raised:

Overall approach

The report indicates that it provides a risk to property and risk to life assessment following the guidelines of the Australian Geomechanics Society. The risk assessment matrix provided in Appendix A and the terminology used throughout the report is that from AGS2007c.

We note that the risk assessment is undertaken with reference to the current development the future development but a single risk assessment table is provided for the risk to property and risk to life assessments. It is unclear how the author assessed likelihoods and consequences risks between the two development states.

The report lacks drawings or sketches of the proposed development and includes limited detail on how the future development or the current development is founded. Without this data is difficult to assess how the author came to the conclusions in the risk assessments.

The report figures list numerous geotechnical hazards, yet only a small number of hazards are assessed in Table A and Table B. It appears that the hazards have been grouped and summarised into a small number of generalised scenarios for risk assessment.

With respect to this, the report references a paper of MacGregor et al of 2007 and indicates that the data from that paper has been used to assist with assessments of hazard likelihoods. No information on where or how this was adopted has been provided. The peer reviewer is therefore unable to assess the appropriateness of the use of this reference in this context.

Risk to property

With respect to hazard definition, a significant number of geotechnical hazards have been identified graphically on figures 4a to 4f and 5. No table describing the nature or state of these hazards is provided. The risk assessment tables A and B then appear to summarise this wide range of hazards down into broad categories with a grouped assessment of consequences.

In terms of definition of hazard likelihoods, it appears that a simplistic approach connecting judgements to numerical likelihoods provided in tabular format in Appendix C of AGS2007c has been made. No data on expected initiating events or triggers is provided in the assessment.

The consequences for all hazards assessed are considered to be 'insignificant'. Without further data assessment of the validity of this judgement is difficult. For example, Hazard AA is described as a concrete retaining wall, and the assessed consequence of damage is assessed as 'insignificant', but it's not possible to determine where these concrete walls are on site nor whether the risk relates to the current or proposed arrangements, nor how much of the wall will be destroyed in the event.

However, notwithstanding the lack of explanatory information, given the paucity of issues described in the site walkover inspection this may be a reasonable conclusion.

Risk to life

The generalised shortcomings with the risk to property assessment follow through to the risk to life assessment.

The report assesses a wide range of issues in a generalised risk assessment table. Temporal and spatial probability judgements are therefore by necessity broad and wide ranging. There is no separation between risk to the current arrangement and risk to the proposed rezoned development.

We consider that the risk to life assessment has been generalised to such an extent that the process reports to a greater level of precision than is possible based on the range of data inputs. This is a common shortcoming of risk to life assessments for a broad scale development. Further to this need to group and summarise advice for clarity of communication has oversimplified the final assessment presented. Greater detail in the appendices providing more information that the assessor used to form the grouped judgments would greatly enhance the report.

Summary

In summary, separation of the risk assessments into two parts (the current arrangement and the rezoned arrangement) would provide greater clarity for the reader. Further to this, each hazard and risk pair assessed should be tabulated so that there is clarity of where and what judgements are being made to inform the risk assessment. A small schematic cross section should also be provided for each risk pair.

A spreadsheet or table in the appendices with this information would greatly improve the report.

Recommendations and conclusions of the report

The report provides specific advice on the geotechnical hazards and constraints to development and points to the two earlier reports provided for the site. The recommendations in these sections appear reasonable and well thought through. The report overview section concludes:

Provided those hazards requiring remediation and identified above are remediated and new structures are constructed in accordance with our recommendations, we consider that the site poses an acceptable risk in both its existing condition and for the proposed development.

Given the paucity of significant geotechnical hazards identified in the body of the report the above recommendations appear to be reasonable and match the peer reviewers' expectations.

Peer review summary

We note that in rezoning assessments there is commonly a desire from clients to have a risk assessment prepared. However, at rezoning stage there is a low amount of relevant data around the specific development. While identification of geotechnical hazards can be robust at this stage there is less clarity around the specifics of ground to structure interactions and how people will behave in the built environment. Such features are critical for risk assessment. This lack of data combined with a client's desire for 'a risk assessment' can lead to assessors providing broad judgements around likelihoods and consequences that appear to be more precise than they can actually be.

In our view, this report suffers from that shortcoming. In the peer reviewer's opinion, conducting the hazard assessment and defining treatment of such hazards only would have been more suitable for a rezoning stage assessment.

While there are numerous areas for improvement in the risk assessments technical information, we expect that all these issues can be addressed at Development Application stage once the specifics of the development are defined.

Notwithstanding the above, we agree with the conclusions of the report – the site appears to be suitable for the rezoning proposed.

Suitability of the land for re-use

Based on the data provided in the report:

- The land appears to be suitable for rezoning.
- Development in the style of the masterplan vision would be possible with the usual geotechnical and engineering controls expected for a 'brownfields' redevelopment in the Sydney region

Specific considerations and remedial works are needed to allow development to be undertaken in accordance with the community's expectation of allowable risks and to manage the geotechnical hazards identified. The geotechnical information collected has identified these and provided recommendations for their remediation. The remedial strategies are relatively standard. Further, the level of investigation undertaken at the site is reasonable and it appears unlikely that there are significant issues that have not been identified by the geotechnical investigations to date.

Stormwater Management

A Stormwater Strategy Report has been prepared by Arcadis. The report provides an assessment of the proposed stormwater strategy and the water sensitive urban design measures proposed for the site.

The stormwater infrastructure for the site will consist of an expanded pit and pipe system. The existing drainage network within the site will be replaced and/or expanded. Vegetated swales and castellated kerbs will be installed to manage runoff. Internal roadways will also be upgraded to ensure that stormwater can be conveyed downstream and to avoid potential inundation of the site. The proposal will seek to retain the existing trunk drainage pipeline that traverses the site to prevent impacts to the surrounding drainage infrastructure.

Consideration has been given to the inclusion on on-site detention. Arcadis have determined that the on-site detention is not necessary given that the proposal does not seek to increase the extent of impervious areas across the site. On-site detention may be required in the instance overland flow paths increase across the site notwithstanding the proposed stormwater infrastructure upgrades. The report notes that future hydraulic modelling will be required to determine the need for on-site detention at the detailed design phase.

Water sensitive urban design measures will be incorporated in accordance with Council's requirements. These measures consist of gross pollutant traps, tree pits, vegetated swales, castellated kerbs and bioretention basins. In addition, rainwater harvesting will be adopted to eliminate the need for water quality treatments and to reduce the demand for potable water demand. The implementation of these measures will improve stormwater quality discharge and promote water efficiency for the future development.

Council staff comments

There are no major issues raised from this planning proposal in respects to Council's stormwater infrastructure as no Council stormwater infrastructure will be immediately impacted by the development. According to Council's records, the existing stormwater system within the subject site is privately owned and managed.

As noted in the Stormwater Strategy Report, the proposal will be maintaining the existing stormwater outlets into the Sydney Harbour National Park, which is the responsibility of National Parks and Wildlife (NPWS). As such, approval by National Parks and Wildlife will be required.

Additionally, based on Council's available records, the stormwater system at the corner of Darley Road and North Head Scenic Drive that leads into the subject site collects stormwater runoff from National Parks and Wildlife Services land/property. Therefore it is believed that the stormwater discharging into the stormwater system within 150 Darley Street is NPWS stormwater runoff, and as such, the infrastructure will be owned and managed by NPWS. The applicant should flag this to NPWS when seeking approval for stormwater discharge.

The applicant will need to accurately locate, confirm dimensions including depth and plot to scale all stormwater pipelines and associated drainage infrastructure within and around the site on future DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor.

General information in regards to Council's Stormwater Management is provided below:

- To demonstrate compliance with Manly Council's Development Control Plan 2013: Part 3.7 Stormwater Management and Northern Beaches Council's Water Management for Development Policy (Section 6 – Stormwater Drainage Systems), it is recommended that the following details are submitted with any application.
- Accurately locate, confirm dimensions including depth and plot to scale Council's stormwater pipelines and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided);
- If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline as follows;
- All structures are to be located clear of any Council pipeline, pit or easement;
- Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned Policy; and
- Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.

GHD review

GHD has reviewed the Stormwater Strategy Report as a strategic document, outlining how stormwater would be managed as part of the redevelopment of the site. The report provides little in the way of specific advice on the stormwater, drainage and flooding constraints to development, deferring to discussions to occur with Council at later design stages. As there are no significant stormwater, drainage or flooding constraints identified in the body of the report, the recommendations of the report appear to be reasonable, albeit lacking in detail.

Based on the data provided in the report:

1. the land appears to be suitable for rezoning

2. development in the style of the masterplan vision would be possible with the usual drainage and engineering controls expected for a redevelopment in the Sydney region.

The stormwater strategies outlined in the report are relatively standard. Further, the level of investigation undertaken at this stage of the development of the site is reasonable and it appears unlikely that there are significant issues that have not been identified by the Stormwater Strategy Report.

Services

The site is currently serviced as follows:

Water Servicing

- Potable water servicing should be available via 150mm CICL watermain (laid in 1965) located within the property boundary or via a 200mm DICL watermain (laid in 1989) fronting Darley Street.
- Amplifications, adjustments and/or minor extensions may be required.
- Detailed requirements, including preferred connection point, will be provided at the Section 73 application phase.

Wastewater Servicing

- Wastewater servicing should be available via a 225 SGW wastewater main (laid in 1938) located within the property boundary.
- Amplifications, adjustments and/or minor extensions may be required.
- Detailed requirements will be provided at the Section 73 application phase.

Critical Assets

- As specified within the services strategy, Sydney Water has the following critical assets within the site:
 - 3600 Unlined Borehole Trunk (laid in 1998)
 - 150mm CICL reticulation watermain
 - 4191mm x 2667mm Sandstone Concrete main (laid in 1927)
 - 225 SGW wastewater main (laid in 1938)
- Due to the age, material and significance of these assets, the proponent needs to lodge an out of scope Building Over and Adjacent application with Sydney Water once the proposed development's building plans have been finalised to ensure there is no impact to these assets and investigate if any require deviation if possible.
- For more information regarding out-of-scope BPAs, please see our website.

Trade wastewater requirement

- As the proposed development is going to generate trade wastewater, the developer must submit an application requesting permission to discharge trade wastewater to Sydney Water's wastewater system. The applicant must wait for the approval and issue of a permit before any business activities can commence.
- The permit application can be made on Sydney Water's web page through Sydney Water Tap In. <http://www.sydneywater.com.au/tapin/index.htm>

GHD review

GHD has reviewed the Services Strategy undertaken by Cardno and are of the opinion that any further development at the site can be adequately serviced with augmentation where required.

Has the Planning Proposal adequately addressed any social and economic effects?

Social Impact

Ethos Urban have prepared a Community Needs Analysis and Social Strategy for the proposal. The purpose of the report is twofold; to firstly assesses the social and health infrastructure needs of the community and secondly to determine whether the future health and well-being precinct will generate a demand for additional social infrastructure.

The methodology employed to prepare the Community Needs Analysis consisted of community profiling; a review of existing social infrastructure in the LGA; an assessment of the applicable strategic policies applying to the site; and the outcomes of consultation activities undertaken to date, including the results of Ernst and Young's market sounding.

The findings of the report lend support to the amendments proposed by the Planning Proposal and sufficiently justify the need for the proposed additional land uses. In summary, the findings of the assessment conclude that there is a growing need for expanded health and social infrastructure in the locality, including specialised mental health, community health services and complementary uses (i.e. recreational, educational, retail etc.) that will differentiate the health precinct from existing acute health services in the LGA. Collectively, these uses will facilitate the delivery of a destinational health precinct that services patients, visitors and the wider community.

Social Context and Existing Infrastructure

In determining the uses suitable for the site, Ethos Urban have prepared a Social Context Study that identifies the demographic trends affecting the LGA and the existing social and health infrastructure in the locality. The key findings are as follows:

- The Northern Beaches LGA has a greater ageing population relative to that of Greater Sydney, with a higher median age and higher share of residents aged over 60 years.
- The site is not identified as suitable for accommodating a community facility given that Council's vision is to concentrate community facilities within the core of the town centre to realise the benefits associated with the co-location of similar community facilities (e.g. library, cultural and creative facility and local community facilities).
- It is projected that across the LGA, there will be a shortfall of publicly accessible open space areas over the next 20 years and in consequence there is an identified need for flexible and multifunctional open space areas.
- The site is dislocated from the Manly Town Centre and nearby strategic health and education precincts, with the latter already providing or designated by strategic plans to provide acute health services.
- There is a need for social infrastructure that caters to the ageing population who require specialist health and well-being services that are not provided by nearby acute health service facilities.

The conclusions of the Social Context analysis confirm that due to the site's locational attributes and the existing supply of health infrastructure in the LGA, the site is better suited to support non-acute health and well-being uses, including specialised mental health and community health services. In accommodating these uses, there is an opportunity for the site to operate as

a destinational health and wellbeing precinct that caters to the local community as well as visitors in the broader surrounds.

The site's redevelopment as a destinational health and well being precinct is also supported by the community consultation outcome findings and market sounding undertaken on behalf of the proponent.

Demand for Social Infrastructure

Ethos Urban confirm that the proposal will generate a demand for additional social infrastructure. The report notes that the redevelopment of the site will result in an increase of 273 workers, 228 residents and 370 tertiary students. Combined, the proposed uses along with the increased number of occupants across the site will increase the demand for social infrastructure in the form of open space necessary for respite, physical activity and social interaction.

Council staff comments

- Proposed uses – although the Proposal Report indicates a list of proposed uses I haven't located any real detail on the scale and mix of the uses. As such it is difficult to provide accurate commentary on the social impact of this proposal.
- Mental health services placed at this location – Given the proximity to North Head which is a known location for people to suicide it would seem an inappropriate location for any mental health related services. The Police Local Area Command should be contacted for comment on this.
- Community facility proposal for the site – There is a contradiction between the Proposal Report and Community Need Analysis about whether the site is suitable for a community facility. The Community Needs Analysis indicates that it would not be ideal given the Council strategy is for the co-location of community facilities in a hub model located within the Manly Town Centre. A small isolated community facility on this site would not be supported.
- Location of the site - Is the site considered in Manly Town Centre or out of Manly Town Centre? There seems to be some inconsistencies across the content in the documents. This implications for statements made about transport and connectivity and the role of the site in providing social infrastructure for the community.
- Open space on the site - The opportunity to use the location for providing open space is referenced several times in the Community Needs Analysis but not at all in the Proposal Report. There appears an opportunity to consider how the open space could be accessed by the general public which would build connection and inclusion between staff, residents, students, visitors and the general community on the site.
- Better connection and usage between different landholders at North Head - There appears to be a missed opportunity in considering how the whole of North Head can work in conjunction to provide good outcomes for the community. The proposal is quite on this.
- Access to public transport – there is a contradiction in the Community Needs Analysis about whether the site has good public transport and walking connection to Manly Town Centre. This continues in the Planning Proposal and it appears unclear about whether the one bus service provides adequate transport and the 1.3km uphill trip is manageable for the staff, residents, patients, visitors to the site.

Other considerations:

- Childcare – it would be worth seeking feedback from Children’s Services about the supply vs demand for childcare in the Manly area.
- Traffic and Transport - Traffic study taking into account the impact on the congestion points down in Manly Town Centre, not just on Darley Road nearer to site. Also public transport and active travel options for site given location at the top of the Darley Road hill.
- Bushfire - Bushfire impacts for residential aged care facility and childcare being located on the site.

GHD review

GHD has reviewed the conclusions of the Community Needs and Social Strategy and acknowledge there is a growing need for expanded health and social infrastructure in the locality, including specialised mental health, community health services and complementary uses (i.e. recreational, educational, retail etc.) that will differentiate the health precinct from existing acute health services in the LGA.

Economic Impact

The Planning Proposal will create a number of positive economic outcomes, including:

- Enable the site to be redeveloped for non-acute health purposes and facilitate additional jobs in the Eastern Harbour Facility in the health sector and other industries
- Support competitiveness and job growth by increasing the number of permissible employment generating uses across the site which will facilitate the generation of 273 jobs
- Facilitate additional jobs through construction activities associated with the future redevelopment of the site
- Will deliver employment generating floorspace along with much needed health and social infrastructure in response to the needs of the community

Council staff comments

From an economic development and tourism perspective, no concerns with the proposed additional permitted uses were identified.

Council officer agrees that it is best to continue with the SP2 (Health Services Facilities) zoning and add additional uses, than change to a B4 (Mixed-use) zone which could potentially have more impact with nearby Manly town centre.

‘Healthcare and Social Assistance’ has been the [strongest growing job sector](#) on the Northern Beaches over the last 5 years (+5,532 jobs) and largest sector accounting for 17% of all jobs (18,431 jobs). It has been identified in the draft Employment Study as a comparative strength of the Northern Beaches and area for future job growth. Therefore, opportunities to expand this specialism should generally be supported.

The focus on wellness and non-acute healthcare would also potentially contribute to visitor offering, with ‘wellbeing’ identified as one of the driving traveller trends in the draft Destination Management Plan, currently on exhibition.

Whilst the proposal would allow for ‘food and drink premises’ and ‘neighbourhood shops’, as additional permitted uses, it is assumed that these would be to service workers and customers of the health services. It would therefore not directly compete with food and beverage offering in the Manly town centre, which is only a kilometre away. More details on the extent of ‘food and drink premises’ and ‘neighbourhood shops’, would be beneficial to confirm this.

GHD review

GHD has reviewed the conclusions of the Planning Proposal and acknowledge there is a growing need for expanded health and social infrastructure in the locality, including specialised mental health, community health services and complementary uses (i.e. recreational, educational, retail etc.) that will differentiate the health precinct from existing acute health services in the LGA.

Heritage

Aboriginal Heritage

An Aboriginal Archaeological Due Diligence Assessment has been prepared by Dominic Steele Consulting Archaeology for the proposal. The purpose of the report is to assess the archaeological significance of the site and the implications for the proposal.

The report has been completed in consultation with the Metropolitan Local Aboriginal Land Council (MLALC) and in accordance with the *Office of Environments & Heritage's (OEH) Due Diligence Code of Practice (2010)* guidelines. The findings of the report are informed by a site inspection where extensive field recording was undertaken to ascertain areas of Aboriginal archaeological sensitivity. A sample survey of the southern and eastern bush land areas and photographic recordings were relied upon to complete the field recording. The report concludes that no Aboriginal Archaeological sites or objectives have previously been recorded on the site. It notes that the bush land located on the perimeter of the site, within its south and south eastern portions, has the potential to contain archaeological remnants. These remnants may be within sandstone surfaces and buried soils. The remainder of the site has been subject to extensive redevelopment to facilitate the construction of the former hospital. In turn, the former sandstone and associated soil profiles that have the potential to contain Aboriginal rock engravings, deposits and objects are likely to have been destroyed or significantly disturbed. Notwithstanding, the proposal does not seek to redevelop these areas, with the future built form confined to the already redeveloped portions of the site. Accordingly, these sensitive areas are not likely to be impacted by the proposal.

Based on the findings of the field recording, the report provides the following recommendations to facilitate the redevelopment of the site:

- That a geotechnical investigation of subsurface conditions beneath the existing car park and landscaped surfaces be undertaken to identify if intact sandstone and soils are present. If found, appropriate heritage management approaches should be adopted.
- Where the future redevelopment of the site necessitates disturbance to the bush land areas located at the fringes of the site, the proposed works must be evaluated at a site-specific level by the MLALC to identify if there will be any potential Aboriginal cultural heritage impacts.

Council staff comments

Council's Aboriginal Heritage Officer supported the management recommendations outlined in the Aboriginal Archaeological Due Diligence Assessment prepared by Dominic Steele Consulting Archaeology for the proposal.

GHD review

GHD, together with its subconsultant Virtus Heritage Consultants, reviewed the Aboriginal Archaeological Due Diligence Assessment, with findings detailed below.

Legislative Context and Scope of DSCA's report

During the review there are sections of the report where the scope and legislative requirements appear muddled.

Report Summary Section

In the extract below, 'historical heritage constraints' are mentioned as being assessed against the *Due Diligence Code of Practice (OEH, 2010)* and the National Parks and Wildlife Act, 1974. This is misleading as historical heritage (if referring to non-Aboriginal heritage) is not considered within either the *Due Diligence Code of Practice (OEH, 2010)* or the provisions of the National Parks and Wildlife Act, 1974.

"Methods & objectives

This report follows the Office of Environments & Heritage's (OFH) Due Diligence Code of Practice (2010) with the objectives of identifying potential Aboriginal archaeological or historical heritage constraints that may exist for future uses of the place, and if they exist, guiding how these matters should be managed according to the requirements of the National Parks & Wildlife Act 1974. As the report does provide advice on historical heritage 'constraints' it would be appropriate to reference the relevant primary legislation for historical heritage in NSW, the *NSW Heritage Act 1977* and the Manly Local Environmental Plan 2013 and its provisions for historical heritage to frame this advice.

Cultural and Scientific Values

The report summary section recognises that:

"Manly has a significant Aboriginal history where a number of singularly and collectively important historical events took place immediately following or a very short time after White settlement in Port Jackson in January 1788. However, whilst each of these events took place in relatively close proximity to the current site of Manly Hospital (the events occurring somewhere in Manly Cove generically and/or most likely at Collins Beach in particular) no evidence has been sourced for this study for any significant Aboriginal event to have occurred on the land itself or Aboriginal history to be attached to the land occupied by the hospital."

Page 32 of the report mentions:

"The Manly Hospital study area forms part of a sensitive Aboriginal heritage landscape that has a strong Aboriginal history and a considerable number of Aboriginal archaeological sites recorded in the local landscape."

In Section 2.1 the report states that the project area is in a sensitive landform, highly favourable to Aboriginal occupation:

"The locality was therefore located centrally within a small or concentrated but also environmentally and ecologically diverse set of micro catchment that will have provided Aboriginal people with a range of coastal and harbour resource habitats that were each accessed by the ridge line that the hospital site forms a part."

This is discussed in Section 4.3, including a statement that:

"Although it is theoretically possible that Aboriginal objects and archaeological deposits may occur below small buildings with shallow footings (and no basements) or in locations that are outside of areas of widespread or deep disturbance zones..."

However, the report summary contains the contradictory conclusion that:

"As a whole, Manly Hospital is widely and extensively disturbed as a result of large-scale construction and landscaping and is unlikely to contain significant and intact Aboriginal archaeological evidence."

This contradictory conclusion is raised again in the recommendations section of the report summary:

- *“There are no specific Aboriginal archaeological or historical heritage constraints apparent that would restrict the development of future reuse options for Manly Hospital. The majority of the land comprising the central built form core of the hospital has been extensively modified by building and retains low to no Aboriginal archaeological potential. However, the southern and south-eastern car parking areas and their adjoining landscape zones and fringing bush land may retain and/or contain sandstone surfaces that may have been engraved and remnant topsoil that may contain Aboriginal objects. This probability is however considered to be comparatively limited.*
- *It is recommended that a (low impact) geotechnical investigation of subsurface conditions beneath the existing car parking and landscaped surfaces be undertaken to identify if intact sandstone and soils are present/survive, and the results be used establish appropriate subsequent heritage management approaches in the context of future developments.”*

The recommendations are contradictory, as the report does recognise the cultural landscape within the project area as having cultural and historical values in several sections of the report, including specifically in the Report Summary through the statement *“Manly has a significant Aboriginal history where a number of singularly and collectively important historical events took place immediately following or a very short time after White settlement in Port Jackson in January 1788”*.

The recommendation for geotechnical investigations in the report by the consultant, to identify cultural deposits also is contradictory. This recommendation indicates that there are areas the consultant is assessing as having potential for archaeological deposits within the project area, despite the lack of formal identification of areas of potential for Aboriginal objects in the report. The project area needs to be further assessed and understood before an assessment of no archaeological value or potential for Aboriginal objects and occupation deposits can be dismissed. These values and the potential for the project to harm Aboriginal objects triggers further impact assessment as part of an Aboriginal cultural heritage assessment following the *Due Diligence Code of Practice (OEH, 2010)* and to comply with the National Parks and Wildlife Act, 1974.

Geotechnical testing can also not legally be undertaken to ‘test’ for Aboriginal occupation deposits with a defence to knowingly harming Aboriginal objects under the *National Parks and Wildlife Act’s 1974*, ancillary provisions in 2010, if testing and exploring for suspected Aboriginal objects and cultural deposits. Testing of this nature would need to be undertaken under an Aboriginal Heritage Impact Permit.

We agree as noted in Heritage NSW’s submission provided by GHD for the review of this document, that a due diligence process is insufficient and inadequate to assess the potential Aboriginal cultural heritage values of the project area, and that a detailed Aboriginal cultural heritage assessment (with Archaeological Survey report) needs to be undertaken to the:

- a) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
- b) Consultation with the Aboriginal community undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010).
- c) Satisfy the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects *in NSW (DECCW 2010)*.

The predictive model also needs reconsideration on page 26 and 27 and consider other key site types and their potential, not currently addressed within the consultant’s reports, story places

and contact sites (missions, reserves, settlements), burials and middens. Middens in particular are likely to be found in coastal contexts and are an often, predominant site type in this landscape context in NSW, including highly disturbed landscapes. Middens can contain human remains. Aboriginal burials are also often identified in coastal contexts and survive history of previous land use history (for example Narrabeen man, a traditional Aboriginal burial, identified in a services trench and foreshore carpark). These site types should be considered in any future impact assessment's predictive model.

The characterisation of disturbance negation Aboriginal archaeological potential is also problematic. There are many examples in urban contexts and coastal contexts of intact, high density Aboriginal archaeological deposits with high scientific, historical and cultural values being found intact, including Newcastle (foreshore and Hunter Street sand sheet underneath buildings, streetscapes and foreshore – several major archaeological excavations undertaken with occupation dates ranging up to 25,000 years in age); Parramatta, Sydney (Sydney Light Rail project, Randwick; Tank Stream, the Quadrant project, Broadway) and more regionally in Ballina, Port Stephens, Nambucca (where Aboriginal traditional burials and middens were found underneath several houses erected in the 1960s), Lennox Head Primary School (midden and occupation deposits intact under fill in buildings and potential Aboriginal burials and ceremonial grounds), Moonee Beach Caravan Park and Playground (sorcery site, bora ground, Aboriginal burials, midden and occupation deposits) and Narrabeen (find of Narrabeen man, traditional Aboriginal burial) to name a few. The project area needs further assessment of Aboriginal archaeological potential with geomorphological input, on the potential for buried occupation deposits and other site types, including Aboriginal human remains.

Section 4.5

The consultant writes that:

- *“As a general recommendation, in the (largely) unexpected circumstance that Aboriginal objects are exposed in the future, it is recommended that activities should temporarily cease and the OEH be contacted to advise on the appropriate course of action to allow the MLALC to record and collect the identified item(s).”*
- *As a second general recommendation, if human burials or bones are exposed, standard stop-work procedures and protocols to contact appropriate authorities should be followed, and if suspected to be of Aboriginal origin, the OEH and the MLALC will also need to be notified of the discovery immediately.”*

These protocols should refer to the requirement of an Aboriginal Heritage Impact Permit and Care and Control Agreement endorsed by Heritage NSW prior to any collection of Aboriginal objects by MLALC. The process as outlined above is not in compliance with the *National Parks and Wildlife Act 1974* and there is no mechanism to allow any Aboriginal organisation to collect Aboriginal objects without an AHIP or Care and Control Agreement for a development project of this nature.

Aboriginal human remains are also Aboriginal objects under the *National Parks and Wildlife Act 1974* and further consultation with Heritage NSW and all registered Aboriginal parties must be undertaken if uncovered, after the NSW Police and Coroner make a formal determination in writing that this is the case.

Further actions recommended:

- 1) As noted by Heritage NSW's review, a detailed Aboriginal cultural heritage assessment (with Archaeological Survey report) must be undertaken in accordance with:
 - a) *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011)*

- b) *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010)*
- c) Consultation with the Aboriginal community undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)*

The assessment requires detailed geomorphological assessment, as well to better inform the potential for archaeological deposits (including middens and burials) within the project area. It also requires a more detailed ethnohistorical investigation on the contact history surrounding the project area as part of this assessment report.

- 2) Further archaeological testing is likely to be required across the site under an Aboriginal Heritage Impact Permit or methodology endorsed by Department of Planning depending on the planning status of this project to understand archaeological potential for Aboriginal heritage (ie SSD project or Major projects do not require AHIPs but a methodology endorsed by Department of Planning to allow for archaeological testing and salvage to occur). Testing will no doubt likely trigger archaeological salvage, based on previous archaeological research on similar modified landscape contexts for projects of this nature and scale.

European Heritage

Paul Davies Pty Ltd have prepared a Heritage Assessment Report for the proposal. The report assesses the heritage significance of the buildings contained within the site and the potential impacts to the European heritage values.

The assessment has been prepared in accordance with the guidelines of the *NSW Heritage Manual* and The NSW Heritage Division, Office of Environment and Heritage's (OEH) *Assessing Heritage Significant* guidelines as well as the principles established by the Australian ICOMOS Burra Charter and associated Practice Notes.

While the report identifies that the site contains only one locally listed heritage building known as (Item I133 – the Manly District Hospital (former principal building)) there are a number of unlisted buildings contained within the site that are of local historical significance. These buildings are significant as they are representative of inter-war period hospital designs and reflect their original built form dated back to 1920s-1930s.

Buildings 5 and 15, and the remnant façade of Building 1, are of significance as they are representative of Inter-war Georgian Revival and Inter-war Free Classical style buildings. They reflect the work of the NSW Government Architect's branch and the typical hospital designs of the Inter-war period. Building 20 is of heritage significance due to its historical associations with the Quarantine Station. The assessment concludes that these buildings are capable of being adaptively reused.

The remaining buildings across the site are identified as being of moderate significance or detracting items that are not worthy of retention. Based on the preceding assessment, the report nominates two recommendations. Firstly, that the buildings discussed above that are identified as having heritage significance be retained, conserved and adaptively reused. In accordance with this recommendation, the Indicative Concept Master Plan for the site demonstrates how this may be able to occur.

The second recommendation relates to the preparation of a Conservation Management Plan to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings. To satisfy this recommendation, it envisaged that a Conservation Management Plan will be prepared at the site-specific DCP or detailed Development Application stage of the project.

In summary, the assessment confirms that the site contains a variety of significant heritage buildings and whilst not designated as being locally listed heritage items under the MLEP 2013, some of these buildings are worthy of retention and adaptive reuse. With the adoption of the recommendations, the proposal as envisaged by the Indicative Concept Master Plan can be accommodated on the site without providing unacceptable impacts to its significant heritage fabric. Consistent with the report's recommendations, the proposal will adaptively reuse these significant buildings in a manner that preserves the site's important aesthetic qualities and historical associations.

Council staff comments

Council's heritage department have reviewed the proposal and provided comments, which are summarised as:

- The proposal should be amended to include the listing of all identified additional heritage items, as well as the introduction of a height limit for the site
- At the Gateway Determination stage the Department of Planning and Environment should condition the preparation of a Conservation Management Plan (CMP), a Development Control Plan (DCP), a Non-Indigenous Archaeology Report and a Visual Assessment report of the site and potential future development outcomes.

GHD review

Our assessment has taken into consideration the strategic direction and actions from relevant strategic planning documents for the area together with the relevant provisions of MLEP 2013, Our findings are that:

- The heritage assessment has followed the recommended NSW heritage guidelines provided by Heritage NSW and publicly available online at [5646 Heritage Significance \(nsw.gov.au\)](https://www.nsw.gov.au/heritage)
- The comparative analysis, also undertaken as per the guidelines, found that Manly Hospital was one of only six such Inter-War hospitals in the State. Also, that no other hospital buildings of the period in the Inter-war Georgian revival style, which is the design used for the Manly hospital buildings of the period were identified. This gives the existing Manly hospital buildings rarity heritage value more associated with State than local heritage value.

Further findings are noted in Table 3-5 below, which assesses the Part 1 report statements for buildings significance comments as follows:

Table 3-5 Report Review

Statements	Comment
"The identified significant buildings and elements are recommended to be retained, where appropriate, conserved and adaptively reused.	"Where appropriate" should be deleted and should not apply to the identified high significance elements. Further consideration of view lines and corridors should be provided as part of the Planning Proposal
Planning for future uses of the Manly Hospital site should include the preparation of a Conservation Management Plan (CMP) for significant buildings and elements to inform conservation work and future adaptive reuse proposals.	CMP needs to work with a final or semi-final proposed design so that specific buildings, elements and reuse can be specified.
The landscaping of the site has changed over time with the exception of the surrounding bushland areas, no historic	No management defined.

Statements	Comment
plantings or landscape elements, apart from the stone boundary walls have been identified.	We define this as - Retain a bushland setting, but not necessarily the actual plantings.
The vehicular circulation pattern within the site is also largely recent, with the exception of the entry points east and west of the Kiosk (Building 5), the road along the western boundary and the road between Buildings 1 and 2, which have some historical significance for the site.	Retain the road along the western boundary and the road between Buildings 1 and 2.

Significance Assessment

The review generally supports the Significance Assessment for the Manly Hospital buildings with comments in Table 3-6 below:

Table 3-6 Significance Assessment

Criteria	Significance	Comment
Criteria A; historical	An item is important in the course or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area);	Local significance – particularly “structures dating to 1928 including Buildings 2 and 15 and the small section of main façade on building 1. The early 1930's buildings, Buildings 5 and 22 have some significance demonstrating the growth of the hospital. The sandstone boundary walls of the original core hospital site are of historical significance as elements which define the original east and west boundaries of the hospital site. Park Hill cottage (Building 20) and adjacent stables (east of the original core hospital site, on land acquired for the hospital in 1972), have separate local historical association with the North Head Quarantine Station,
Criteria B; associational	An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW' cultural or natural history (or the cultural or natural history of the local area);	The 1928 hospital buildings have historical association at a local level with their historical designers.
Criteria C; aesthetic, creative or technical	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);	The remaining Manly hospital buildings and elements from the Inter-war period (1920s-1930s) (being Buildings 2, 5, 15, 22, 1928 remnant façade element of Building 1, and sandstone walls to east and west boundaries of the original core hospital site) are of local aesthetic significance as Inter-war Georgian Revival and Inter-war Free Classical style buildings. The setting of the hospital with boundaries to bushland and views of Sydney harbour to the south is also considered to be of local aesthetic significance. Building 20 and associated stables have local significance in relation to the adjacent Quarantine Station but not in relation to the hospital.
Criteria D; social values	An item has strong or special associations	local social significance to the local Manly community and its staff.

Criteria	Significance	Comment
	with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons	
Criteria E; scientific or archaeological value	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)	Is there archaeological potential? A separate archaeological report was referred to but has not been provided. Likely to be archaeological potential for the original c.1920s caretakers cottage referred to as demolished in the 1960s, and the morgue demolished in the 1960s. No other research values were identified.
Criteria F; rarity value	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)	The Manly hospital site is rare at a local level for its small collection of inter-war period hospital buildings and elements. The overall setting of Manly hospital with boundaries to bushland and harbour views to the south is also considered rare. The buildings themselves are however not rare. But it is one of only 6 in NSW so that gives it rarity.
Criteria G; representative value	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural and natural environments	Inter-war period buildings and elements of Manly Hospital are representative of inter-war hospital buildings designed by the NSW Government Architect's Branch.

Specific assessment – Building 22

- It is noted that Building 22 – former nurses home - was assessed as having a **Moderate** level of significance in the 2018 HA; where Moderate is defined as being 'Elements of some heritage value which contribute to but are not essential to the overall significance, understanding or interpretation of the place' (p94).
- The building, was constructed in 1931 after the main phase (1928) of construction. No mention of its architect or builder. The building is still included in the Inter-war period, which is a significant phase of development for Manly Hospital and includes buildings of **High** significance (Building 1, 2 and 15). Note that an additional nurses home building, Building 21 was constructed in 1952 which was assessed in the 2018 HA as having **Low** significance.

Table 3-7 Building 22 Assessment derived from the 2018 HA information:

Heritage Criteria	Criteria Definition	Assessment of Building 22
Criteria A; historical	An item is important in the course or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area);	The former nurses building has historical heritage value as an important building contributing to Manly Hospital. It was built during the original development period for Manly Hospital 1920s-1930s. The kiosk, morgue and operating theatre were built then. The laundry and boiler room were part of

Heritage Criteria	Criteria Definition	Assessment of Building 22
		Building 22. As the original nurses home for Manly Hospital, Building 22 important at a local level. Additional nurses accommodation was constructed there (Bldg 21) in 1952.
Criteria B; associational	An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW' cultural or natural history (or the cultural or natural history of the local area);	Its designer is not named. Building 22 does not appear to be linked with persons of importance.
Criteria C; aesthetic, creative or technical	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);	From its description, it is a standard public building relatively intact inside and out. Internally its design is a lot of small rooms running off hallways. It is included in the HA as having 'generic style'. Externally, the brickwork displays some austere decoration and the multi-paned timber frame windows retain a historical appearance. Overall, Building 22 does not demonstrate a high degree of creative or technical achievement.
Criteria D; social values	An item has strong or special associations with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons	The building, as a former historical nurses home, has historical social value for its inhabitants. However, this would be the case for any building serving that purpose. There is not a strong link with this building. Building 22 does not demonstrate social values.
Criteria E; scientific or archaeological value	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area	An archaeological report is pending, to date no specific archaeological potential is linked with Building 22.
Criteria F; rarity value	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area	As a 1931 nurses home the building has rarity. This is demonstrated in the comparative assessment undertaken for the HA.
Criteria G; representative value	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural and natural environments	As a 1931 nurses home the building is representative of its period of construction. This is demonstrated in the comparative assessment undertaken for the HA.

In summary, based on the above assessment; Building 22 meets local heritage significance values for its history, rarity and representative values.

This assessment now concurs with the findings of the 2018 HA which noted that Building 22 has a Moderate level of significance and that the building is capable of adaptive reuse. We recommend that its original balconies, which were enclosed, are opened up if the building is to be reused. Specific designs for Building 22 would need to be assessed via a statement of heritage impact.

Statutory Regulations and Requirements

Protection for heritage items listed on statutory registers in NSW is provided by the NSW Heritage Act 1977 (amended 1998, 2009) and the Environmental Planning and Assessment Act 1979. Under the NSW Heritage Act, "items of environmental heritage" include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. Items of identified heritage at a level of State significance are listed on the NSW State Heritage Register and are afforded automatic protection against any activities that may damage an item or affect its heritage significance under the Act.

An archaeological site is an area of land which is the location of one or more archaeological 'relics'. Section 4(1) of the Heritage Act (as amended 2009) defines 'relic' as: any deposit, artefact, object or material evidence that either (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, or (b) is of State or local heritage significance.¹

Sections 139 to 145 of the Act prevent the disturbance or excavation of any land if there is a reasonable cause to suspect that a relic will be discovered, exposed, moved, damaged or destroyed, unless an excavation permit has been issued by the Heritage Council of NSW. Impacts to the cultural significance of relics assessed to be minor can qualify for an Exception from the requirement for a permit².

Infrastructure, comprising engineered items such as drains, bridges and kerbing, are identified as a 'work'. This term is applied to functioning and often to non-functioning infrastructure. These items are not defined as a *relic*, and development affecting them can be carried out without the requirement of a permit. This can also be applied to railway tracks and their ballast.

In relation to historical archaeology – there is archaeological potential relating to demolished buildings on the property - the original c.1920s caretakers cottage referred to as demolished in the 1960s, and the morgue also demolished in the 1960s.

A historical archaeology assessment report needs to be undertaken, preferably with a zoning plan to indicate areas of archaeological sensitivity – as part of the planning process.

If the report entitled *Aboriginal Archaeological Due Diligence Assessment Manly Hospital, 150 Darley Road, Manly, NSW - Proposed Reuse Options, Report to NSW Health Dominic Steele Consulting Archaeology 28 March 2020* is the 'Archaeological report' referred to; it will not satisfy any planning regulations for historical archaeology, as its focus was Aboriginal archaeology.

The relevant statutory control for local heritage items is Council's Local Environmental Plan. For this site, it is MLEP 2013 which is still relevant under the management of the Northern Beaches Council. That Council has Schedule 5, Items of Environmental Heritage, with the following listing:

*Manly District Hospital (former principal building) Darley Road Part of Lot 2619, DP 752038
Manly St Patrick's Estate Darley Road Part of SP 67855; Part of SP 78900 Local I132 and
Local I133*

¹ NSW Heritage Branch, 2009, Assessing Significance for Historical Archaeological Sites and 'Relics'. New South Wales Heritage Branch of the Department of Planning, 6.

² NSW State Government, 6th August 2008, Schedule of Exceptions to Subsections 139 (1) and (2) of The Heritage Act 1977 Made Under Subsection 139 (4)

<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/gazette.pdf>

3.4 Section D – State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The site is located in an established urban area and benefits from access to a range of existing facilities and services, including utilities, with capacity to service the additional development.

The site is located in close proximity to a number of public transport services, including bus services along Darley Road opposite the site which provide connections to the Manly Town Centre and the Northern Beaches. The site is located a short 13 minute walk (800m) from the Manly Town Centre, which provides additional public transport connections to the Sydney CBD, North Sydney CBD and Chatswood.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Planning Proposal has been prepared on behalf of Property & Development NSW (PDNSW), part of the Department of Planning, Industry and Environment. The requested LEP amendments reflect both State agencies' visions for the redevelopment of the site. In addition, NSW Health also have been consulted with extensively in relation to the project through the PSAC.

In 2020 the proposal was referred to government agencies. Submissions are summarised below

3.4.1 Transport for NSW

TfNSW provided the following preliminary comments on the draft planning proposal:

Site specific DCP

We note it is intended that a site-specific DCP would be prepared to include built form controls which manage height, bulk, and scale, as well as requirements relating to traffic, environmental considerations and heritage.

We support Height of Building and FSR controls for the site being contained in the LEP, rather than in a DCP, to ensure greater certainty around potential impacts, given they are principal development standards.

Vehicle Access Point

The vehicle access points for standard vehicles, service vehicles and emergency vehicles should be determined in consultation with Council, noting the access points are located on a local road. TfNSW advises that the design should take into consideration existing driveway locations associated with the former Manly Hospital and also surrounding properties to limit potential conflicts.

Shared Zone

The proposed shared zone would require a legally enforced speed limit that can only be approved by TfNSW. As such, any shared zone proposals will need to be designed in accordance with the technical direction TTD 2016/001 – "Design and implementation of shared zones including provision for parking" and submitted to TfNSW for review and determination in terms of whether an approval will be granted.

Traffic and Transport Study

The future planning proposal should be supported by a Transport Impact Assessment (TIA), to provide an assessment of impacts of the proposal on all modes of transport.

Car Parking

TfNSW notes that different land uses would be permissible under the planning proposal for the site, and therefore the exact number of parking spaces to be provided cannot be determined at this stage. TfNSW advises that off-street parking is to be reviewed once the land uses are known and are to be provided in accordance with Manly Development Control Plan (DCP) 2013.

3.4.2 Sydney Water submission

Sydney Water's submission dated 21 December 2020 states:

Sydney Water have no objection to the proposal and provides the following advice in relation to the services strategy:

Water Servicing

- Potable water servicing should be available via 150mm CICL watermain (laid in 1965) located within the property boundary or via a 200mm DICL watermain (laid in 1989) fronting Darley Street.
- Amplifications, adjustments and/or minor extensions may be required.
- Detailed requirements, including preferred connection point, will be provided at the Section 73 application phase.

Wastewater Servicing

- Wastewater servicing should be available via a 225 SGW wastewater main (laid in 1938) located within the property boundary.
- Amplifications, adjustments and/or minor extensions may be required.
- Detailed requirements will be provided at the Section 73 application phase.

Critical Assets

- As specified within the services strategy, Sydney Water has the following critical assets within the site:
 - 3600 Unlined Borehole Trunk (laid in 1998)
 - 150mm CICL reticulation watermain
 - 4191mm x 2667mm Sandstone Concrete main (laid in 1927)
 - 225 SGW wastewater main (laid in 1938)
- Due to the age, material and significance of these assets, the proponent needs to lodge an out of scope Building Over and Adjacent application with Sydney Water once the proposed development's building plans have been finalised to ensure there is no impact to these assets and investigate if any require deviation if possible.
- For more information regarding out-of-scope BPAs, please see our website.

Trade wastewater requirement

- As the proposed development is going to generate trade wastewater, the developer must submit an application requesting permission to discharge trade wastewater to Sydney Water's wastewater system. The applicant must wait for the approval and issue of a permit before any business activities can commence.
- The permit application can be made on Sydney Water's web page through Sydney Water Tap In. <http://www.sydneywater.com.au/tapin/index.htm>.

3.4.3 Heritage NSW submission

Heritage NSW's submission, dated 10 December 2020 states:

Local Heritage

The subject site contains 'Manly District Hospital (former principal building)' (I133), a Local Heritage Item listed under Council's LEP. As this item is listed under your LEP, Northern Beaches Council is the consent authority, and the assessment and consideration of any impacts on this item rests with Council.

Potential Local Heritage Items

The heritage assessment identified several unlisted buildings within the site that are of potential local historical significance, being representative of inter-war period hospital designs, and retaining their original built form dating back to 1920s-1930s.

It is noted that these buildings are of significance as they are representative of Inter-war Georgian Revival and Inter-war Free Classical style buildings. They reflect the work of the NSW Government Architect's branch and the typical hospital designs of the Inter-war period.

Six buildings or features of the site are graded in the heritage assessment as having a 'High' level of significance:

- The remnant façade of Building 1, constructed 1928
- The Main Ward Block (Building 2), constructed 1928
- The Kitchen (Building 15), constructed 1928
- Parkhill Cottage (Building 20), constructed 1921, which has historical associations with the Quarantine Station
- The eastern and western sandstone boundary walls to Lot 2619 DP752038 and alignment of eastern boundary wall, constructed 1920
- The bushland areas, which provide the historical natural setting of the hospital site

The following two buildings are also graded in the heritage assessment as having a 'Moderate' level of significance:

- The Kiosk (Building 5), constructed 1931
- Nurses home (Building 22), constructed 1931, excluding later additions

Council should consider identifying the buildings listed above as Local Heritage Items under its LEP, especially in the case of the buildings and features that were identified as being of 'High' significance. This could either be done through amendments to the current planning proposal, or through a separate planning proposal.

Overall, the changes to the site identified in the concept master plan, public domain strategy and landscape strategy represent a significantly improved public realm and are considered to have a positive impact on both listed and potential local heritage.

Section 170 Register

As the 'Former Principal Building' of Manly Hospital is also listed on NSW Health's Section 170 Register, NSW Health must notify the Heritage Council of NSW of the proposed transfer of this building at least 14 days prior to this occurring.

Aboriginal Cultural Heritage

Heritage NSW's Aboriginal Cultural Heritage Regulation team may provide separate comments on the planning proposal in relation to Aboriginal heritage considerations under the *National Parks and Wildlife Act 1974*.

Prior to finalisation of the planning proposal, Council should be satisfied that all necessary due diligence, assessments and notifications have been undertaken.

3.4.4 RFS submission

The NSW RFS has considered the information submitted and provides the following comments.

The referral relates to amendments to Schedule 1 of the Manly Local Environmental Plan (LEP) 2013 to allow the following additional permitted uses within the former Manly Hospital site:

- A group home
- Community facility
- Educational establishment
- Food and drink premises
- Centre-based child care facility
- Indoor recreational facility
- Neighbourhood shop
- Function centre
- Respite day care centre
- Seniors housing

A number of the above proposed additional permitted uses are classified as Special Fire Protection Purpose (SFPP) developments and are therefore subject to compliance with the provisions of Chapter 6 of *Planning for Bush Fire Protection (PBP) 2019*.

Future development classified as SFPP must demonstrate compliance with the following:

- The provision of asset protection zones (APZs) must be provided in accordance with Section 6.8.1 and Table A1.12.1 of PBP 2019
- Internal access roads must comply with Section 6.8.2 of PBP 2019
- The provision of water, electricity and gas must comply with Section 6.8.3 of PBP 2019
- All future development will need to be supported by an emergency and evacuation plan that complies with Section 6.8.4 of PBP 2019

Future master plans and development applications must ensure that new development complies with the acceptable solutions of Chapter 6 PBP 2019 given the vulnerable nature of occupants being more at risk of bush fire attack. Where practically achievable, full compliance should be provided before variations to the required bush fire protection measures are considered. The current master plan provided, which is not the subject of the Planning Proposal, demonstrates that a number of future and existing buildings will not comply the provisions of Chapter 6 of PBP 2019, especially in relation to the provision of compliant asset protection zones (APZs) and construction requirements. As such, it is advised that the master plan may need to be amended to demonstrate compliant building locations and APZs.

Given that future development of the subject site will likely proposed to retain and make use of existing buildings, future applications must address all existing non-compliant aspects of the

existing buildings and the subject site. Section 6.4 of PBP 2019 requires that new development within existing SFPP sites apply a combination of bush fire protection measures, including improved construction standards, APZs and evacuation management, in order that a better bush fire outcome than if the development did not proceed. Again where achievable, full compliance with PBP 2019 should be provided before variations to the required bush fire protection measures are considered.

Furthermore, the proposed additional permitted uses will significantly increase the number of occupants within the subject site which presents a number of challenges in relation to emergency management, evacuation, access and egress as that the existing site layout and buildings have not been designed with the benefit bush fire protection requirements. It has been shown that the existing access provisions within the subject site do not fully comply with the acceptable solutions of Chapter 6 of PBP 2019. Future development will need to demonstrate that the existing and proposed internal roads will allow future occupants to safely exit the subject site whilst still providing access for firefighting vehicles and emergency management on the hazard interface.

In this regard, future developments will need to include upgrades to the existing access road, give consideration to the provision of a perimeter road at the hazard interface, an additional access point to the public existing public road and the provision of a designated safe refuge building to accommodate all occupants in the event of an emergency. Future developments must also be supported by a traffic study that demonstrates that the internal road and surrounding infrastructure can support future increased activity. Future developments must also be supported by a traffic study that demonstrates that the internal road and surrounding infrastructure can support future increased activity.

All other development must demonstrate compliance with the provisions of Chapters 5, 7 and 8 of PBP 2019 where applicable.

3.4.5 Ausgrid

Ausgrid has advised that there are various assets within the site. The proponent will need to submit an application via Ausgrid website to relocate any assets.

4. Part 4 – Maps

The proposed amendments do not necessitate changes to the mapping that accompanies MLEP 2013. Rather, the Planning Proposal will introduce additional permitted uses under Schedule 1 pursuant to clause 2.5 of MLEP 2013.

5. Part 5 – Community Consultation

Community consultation was undertaken in August and September 2019 which identified key themes to inform the concept master plan. An outcomes report is available online.

Further consultation was undertaken between July and September 2020 to seek the community's feedback on the draft concept master plan prior to lodging the planning proposal. A virtual webinar was held on 21 September 2020 to answer the community's queries. An outcomes report is available online.

Council also publicly exhibited the proposal in 2020. Four public submissions were received. Council responses are detailed in Table 5-1 below.

Table 5-1 Response to public submissions

Submission	Council response
Please advise the area of bush land to be annexed into the new development. It is unclear in the plans available.	The Urban Design Report and plans submitted with the Planning Proposal are only indicative at this stage. The Planning Report submitted by the Applicant indicates that future development will sit within existing development footprints and that any vegetation removal will be subject to a Vegetation Management Plan prepared for the project. At this stage therefore, no bushland is proposed to be added to development.
Note that all the documents refer to "to amend the Manly Local Environmental Plan to permit additional permitted uses at the former Manly Hospital site at 150 Darley Road, Manly." Is there somewhere that describes exactly what these additional permitted uses are? Without that, the submission is excessively vague and could include almost anything,	Because of the number of proposed 'Additional Permitted Uses' to the site, these were not included in the description of the Planning Proposal but can be found on page 26 of the Planning Report prepared and submitted by the proponent. These are: <ul style="list-style-type: none"> • health services facility on Lot 2728, DP 752038; and • group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreational facility, neighbourhood shop, function centre, respite day care centre and seniors housing on Lot 2619, DP 752038.
Please advise where the plans are to be viewed. I assume council chambers at Dee Why.	Due to current restrictions no physical plans are available for public viewing but all documentation is online and can be found via this link.
Please clean up Manly, the streets and drains need attention	Noted.
Submission has asked if some of the buildings on the site could be used for primary or potentially pre-school education.	The site is under ownership of Property & Development NSW and therefore this submission will be provided to them for their consideration.
Submission indicates support for the Planning Proposal and overall redevelopment of the site, in particular the use of a portion of the site for educational purposes. However concerns raised regarding: requirement of additional information/consideration of the management of environmental areas; limited public transportation; and commemoration of history of the site in its redevelopment.	Concerns have been addressed in other sections of the report and additional information has been requested as required.

6. Part 6 – Project Timeline

Table 6-1 Timeline

Task	Anticipated timeframe
Anticipated commencement date (Gateway determination)	July/ August 2021
Anticipated timeframe for the completion of required technical information	November 2021
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	December 2021
Commencement and completion dates for public exhibition period	January 2022
Dates for public hearing (if required)	February 2022
Timeframe for consideration of submissions	March 2022
Timeframe for the consideration of a proposal post exhibition	April 2022
Date of submission to the Department to finalise the LEP	May 2022
Anticipated date the local plan-making authority will make the plan (if authorised)	July 2022
Anticipated date the local plan-making authority will forward to the PCO for publication	August 2022

7. Recommendations

GHD's engagement involved the following:

- Review and objectively assess the application and Planning Proposal.
- Undertake a peer review of the technical studies submitted with the application.
- Consider comments received from internal staff referrals, state and servicing agencies, adjoining property owners and independent parties as part of Council's non-statutory notification period.

On the basis of the information presented with the Planning Proposal, it is recommended that Council support the progression of the Planning Proposal for a Gateway determination from DPIE under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* subject to the following:

- The Planning Proposal is to include heritage listing for the following structures for Manly Hospital:
 - the remnant façade of Building 1, constructed 1928
 - the Main Ward Block (Building 2), constructed 1928
 - the Kitchen (Building 15), constructed 1928
 - Parkhill Cottage (Building 20), constructed 1921, which has historical associations with the Quarantine Station
 - the eastern and western sandstone boundary walls to Lot 2619 DP752038 and alignment of eastern boundary wall, constructed 1920
 - the bushland areas, which provide the historical natural setting of the hospital site (landscape setting)
 - the Kiosk (Building 5), constructed 1931
 - Nurses home (Building 22), constructed 1931, excluding later additions
- The Planning Proposal and subsequent LEP amendment should reference the need for a Conservation Management Plan to be prepared to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings as part of a site specific Development Control Plan and a Visual Assessment report of the site and potential future development outcomes.

In addition to the above it is noted that any future BDAR submitted in support of the broader Manly Hospital masterplan development should address the following matters:

- Interactions between E2 zone objectives and APZ establishment/maintenance;
- Direct vegetation impacts associated with the proposal including APZ establishment/maintenance;
- Indirect impacts associated with operation of the new uses/activities (e.g. light, noise, increased traffic causing road mortality of bandicoots, intensification of human activity);
- Potential impacts to threatened entities including Littoral Rainforest EEC, Powerful Owls, Little Penguins (including stormwater/run-off/erosion impacts to the AOBV), Long-nosed Bandicoots, Sunshine Wattle and Magenta Lilly Pilly.
- Discussion of measures to avoid and minimise impacts and mitigation measures for any residual impacts.

GHD

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Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	C Harris	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	18/01/2021
1	C Harris	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	03/02/2021
2	C Harris	S Lawer	<i>S Lawer</i>	S Lawer	<i>S Lawer</i>	10/02/2021
3	C Harris	S Lawer		S Lawer		04/06/2021

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3.3 PLANNING PROPOSAL - PEX2020/0009 - 150 DARLEY ROAD, MANLY (FORMER MANLY HOSPITAL)

PROCEEDINGS IN BRIEF

The proposal seeks to amend Schedule 1 of the Manly Local Environmental Plan 2013 to allow the following additional permitted uses on the former Manly Hospital site to facilitate the development of a health and well-being precinct:

- Development for the purpose of a health services facility permitted with development consent on Lot 2728, DP 752038.
- Development for the purpose of a group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreational facility, neighbourhood shop, function centre, respite day care centre and seniors housing permitted with development consent on Lot 2619, DP 752038.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by two representatives of the proponent.

RECOMMENDATION ON PLANNING PROPOSAL

That the Northern Beaches Local Planning Panel:

- A. Recommends that Council endorse the Planning Proposal for 150 Darley Road, Manly (former Manly Hospital), and forward it to the NSW Department of Planning, Industry and Environment (DPIE) to seek a Gateway Determination subject to the recommendations in Part 7 of the GHD report of June 2021.
- B. Recommends consideration of all critical infrastructure including electricity and gas, not just water, as required by the strategic bush fire assessment under the Planning for Bushfire Protection.
- C. Recommends that Council request DPIE to require that additional information (Heritage and Bushfire) be submitted as a condition of, and prior to, any future Gateway Determination.
- D. Recommends, as a high priority, the development of a master plan and the submission of a traffic impact assessment report addressing the issues raised in the GHD report dated June 2021.
- E. Recommends that the master plan confirms the primary purpose and use of the site as a health services facility together with details of the associated subservient uses.
- F. Recommends that site specific provisions be included in the LEP for the primary purpose and use of the site as health services facility together with associated subservient uses.

Vote: 3/0



northern
beaches
council

PLANNING PROPOSAL*

Amendments to Manly Local Environmental Plan
2013

**150 Darley Road, Manly (former Manly Hospital
site)**

**Proposal adopted from the Mecone Planning Proposal November 2020*

June 2021

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Part 1 – Objectives or Intended Outcomes

- 1) To amend Schedule 1 of the Manly Local Environmental Plan 2013 to allow a range of additional permitted uses on the former Manly Hospital site to facilitate the delivery of a health and well-being precinct at 150 Darley Road, Manly.
- 2) To amend Schedule 5 of the Manly Local Environmental Plan 2013 to include items identified as having high environmental heritage on the site.

The LEP amendments proposed will enable the making of a site-specific DCP which will inform the sites redevelopment in the future, reflective of extensive market sounding, needs-based analysis and community and stakeholder engagement undertaken to date by the relevant NSW Government Departments.

In summary, the objectives and intended outcomes of the planning proposal are as follows:

- Facilitate the redevelopment of the site for the purposes of a vibrant health and wellbeing precinct by permitting additional uses currently prohibited under existing zoning;
- Enable the preparation of a site-specific DCP reflective of the extensive market sounding, needs-based analysis, and community and stakeholder engagement undertaken to date by the NSW Government;
- Ensure that the site remains appropriately zoned and is retained for the primary use of a health services facility and is not developed for undesirable purposes;
- Preserve the site's important ecological values and biodiversity values through the retention of environmental zones at the site;
- Preserve the items of recognised high heritage value and ensure they are retained;
- Improve connectivity to the surrounding landscape and national park for patients, staff and visitors;
- Support the growth of the health services sector in the Northern Beaches which is forecast to be the fastest growing sector over the next 20-years; and
- Provide an employment generating use that will assist in achieving the Eastern District's job targets.

Part 2 – Explanation of Provisions

The planning proposal seeks to achieve the intended outcomes outlined in 4.1 of the planning proposal report through the introduction of additional permitted uses pursuant to clause 2.5 of the MLEP 2013. These uses would be permitted under 'Schedule 1 Additional Permitted Uses' as detailed further below.

The heritage listing of items identified as having high heritage value on the site will ensure that these are retained and adequately considered in any future development. Built aspects of the future development would continue to be managed in accordance with Clause 6.14 of MLEP 2013, which requires a site-specific DCP to be prepared prior to a development application being considered by the consent authority.

Schedule 1 Additional Permitted Uses

To achieve this desired outcome, the Planning Proposal amends the MLEP 2013 to include site specific additional use provisions. Pursuant to clause 2.5 of the MLEP 2013, the following provisions are to be introduced to Schedule 1 Additional Permitted Uses:

5 Use of certain land at 150 Darley Road, Manly

- 1) *This clause applies to land at 150 Darley Road, Manly, being Lot 2619 of DP 752038.*
- 2) *Development for the purpose of a health services facility is permitted with development consent on Lot 2728, DP 752038.*
- 3) *Development for the purpose of a group home, community facility, educational establishment, food and drink premises, centre-based child care facility, indoor recreational facility, neighbourhood shop, function centre, respite day care centre and seniors housing is permitted with development consent on Lot 2619, DP 752038.*

The site-specific provision will reinforce the intent for this Planning Proposal to deliver a multi-functional destinational health and well-being precinct, whilst retaining its primary purpose as a health services facility.

Schedule 5 Environmental Heritage

To ensure that the identified high heritage value of certain structures on site is retained, the Planning Proposal also amends Schedule 5 of MLEP 2013 to include the following:

- 1) the remnant façade of Building 1, constructed 1928
- 2) the Main Ward Block (Building 2), constructed 1928
- 3) the Kitchen (Building 15), constructed 1928
- 4) the eastern and western sandstone boundary walls to Lot 2619 DP752038 and alignment of eastern boundary wall, constructed 1920
- 5) the bushland areas, which provide the historical natural setting of the hospital site (landscape setting)
- 6) the Kiosk (Building 5), constructed 1931
- 7) Nurses home (Building 22), constructed 1931, excluding later additions

The inclusion of the above structures onto the MLEP 2013 Heritage Items list will ensure that they are retained and adequately included in any redevelopment of the site.

Clause 6.14 Requirements for Development Control Plans

A site specific DCP will continue to be required to be prepared in accordance with Clause 6.14 MLEP 2013 and will provide detailed development controls to be addressed by future development.

The site specific DCP will nominate a range of controls pertaining to the siting of the envelopes, maximum heights, setbacks, general and site-specific heritage provisions including the need to prepare a Conservation Management Plan to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings, and a Visual Assessment report of the site and potential future development outcomes. This will include a Biodiversity Assessment Report (BDAR) including the consideration of an Asset Protection Zone establishment, and maintenance particularly along SP2 and E2 zone boundaries.

Its purpose will be to provide the consent authority with surety that a future Development Application will achieve an appropriate built form outcome.

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?

No. The Planning Proposal is not the result of any specific strategy study or report. The Planning Proposal has been initiated by the Proponent in response to market sounding, a comprehensive Community Needs Analysis and extensive stakeholder and community consultation. The findings of these studies and the various consultation initiatives confirm that the site is ideally suited to accommodate non-acute health services and wellbeing related uses that are not strictly permitted under the current SP2 Infrastructure (Health Services Facility) zoning.

Market sounding was undertaken by Ernst and Young in early 2020 to ascertain the type of uses that would be suitable for the site. The findings confirmed support for the redevelopment of the site for health, retail, community, and residential care facilities for seniors and veterans as well as family support accommodation. The key findings are as follows:

- The site's isolation from designated health and education precincts (i.e. Frenchs Forest) means it is less suited for accommodating acute hospital services and more suited to non-acute health and wellbeing related services;
- The provision of residential care facilities across the site will generate a demand for other complementary uses such as retail, recreational and community uses;
- The delivery of a mix of uses across the site will foster community interaction and a sense of place, which are essential attributes of a wellbeing precinct and integral to the success of a future residential care facility;
- It was concluded by stakeholders that the future commercial viability of the site would be reliant on a mix of uses, including aged care, seniors housing or alternative housing; and
- In light of the above, there was a recognition that the provision of community uses needs to be balanced alongside the long-term commercial viability of the site as financial returns will be imperative to maintaining public access to the site.

Similar findings were reflected in the outcomes of the stakeholder and community consultation. The consultation process confirmed that there is strong community support for the provision of community related uses across the site which will support a range of activities and address the needs of the local community.

In addition to the above, the Community Needs Analysis identifies that the future demand for acute health services will be met by the nearby Northern Beaches Hospital. In light of this, there is a growing demand for non-acute health services. The site's locational benefits, including access to view corridors and landscapes, are conducive to supporting such services.

Key demographic trends, including the growing ageing population, provide an impetus for the delivery of residential care facilities across the site. The provision of residential care facilities and health related services will also generate a demand for complementary uses, such as retail, food and beverage, recreational and open space areas. Further discussion is provided in the Community Needs Analysis.

This Planning Proposal responds to the future demand for the aforementioned uses by facilitating their inclusion across the site. It is considered that these uses are integral to achieving a fully integrated destinational health and wellbeing precinct.

In addition to the above, the proposal will deliver on a range of strategic objectives, including the Greater Sydney Region Plan, the North District Plan and the LSPS. Further discussion is provided in **Section 4**.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. In preparing this Planning Proposal, four options were considered to facilitate the intended outcomes of the planning proposal. These are listed and discussed below:

- Option 1: Do nothing.
- Option 2: Lodge a Development Application.
- Option 3: Prepare a Planning Proposal to amend the zoning, height and FSR development standards set out by the MLEP 2013.
- Option 4: Planning Proposal to allow additional uses under Schedule 1 Pursuant to Clause 2.5 of MLEP 2013

Option 1: Do Nothing

Option 1 relates to the 'do nothing' option and involves leaving the site in its current underutilised, state. The site's services have been relocated to Northern Beaches Hospital, leaving it vacant. It is considered that this option represents a loss to the community as the site will cease to be a meaningful public asset and not be developed to its potential.

In contrast, the Proponent's vision provides an opportunity to address the growing demand for a range of community care services, including aged care, mental health and respite services for the terminally ill. Further, the delivery of a range of complementary health and well being uses, and recreational facilities, will provide needed ancillary services and allows a future development to capitalise on the site's proximity to scenic and historic landmarks.

It is considered that the introduction of additional permitted uses to the MLEP 2013 is required in order to derive the greatest value from the site and address the growing health needs of the community. As such, Option 1 is not considered viable.

Option 2: Development Application

Option 2 involves the preparation and lodgement of a Development Application with Council. The site is predominantly zoned SP2 Infrastructure (Health Services Facility) and therefore permits health services, including uses that are ancillary or incidental to a health facility.

If Option 2 were to be pursued, the current development concept would not be achievable given that many of the potential uses expressed to be of interest during market sounding and community stakeholder engagement are not strictly ancillary or incidental to a health facility, and are therefore non-permissible. Subsequently, a future development would be unable to optimise the full development potential of the site or maximise the opportunities it presents under current zoning provisions and is therefore not considered viable.

In addition, the potential to deliver on the objectives nominated by the strategic planning framework would be considerably reduced. In particular, the need to provide accommodation

and services for the ageing population and recreational, cultural and tourist facilities in accordance with the vision for the Manly Strategic Centre.

Option 3: Planning Proposal to Rezone the Site and introduce Height and Floor Space Ratio Development Standards

Option 3 pertains to the submission of a Planning Proposal that seeks a partial rezoning of the site to B4 Mixed Use to facilitate the delivery of uses that are not strictly ancillary but yet complementary to the health care use.

In consultation with Council during the pre-lodgement phase, it has been determined that a B4 Mixed Use zoning is at odds with the intended health and well-being focused uses and could potentially precipitate the inclusion of incompatible commercial uses.

Furthermore, it was agreed that built form could continue to be managed as it has historically, through the provision of a site-specific DCP in accordance with Clause 6.14 of MLEP 2013. This clause should be amended to specifically nominate a range of controls pertaining to the siting of the envelopes, maximum heights, setbacks, general and site-specific heritage provisions including the need to prepare a Conservation Management Plan to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings, and a Visual Assessment report of the site and potential future development outcomes. This will include a Biodiversity Assessment Report (BDAR) including the consideration of an Asset Protection Zone establishment, and maintenance particularly along SP2 and E2 zone boundaries.

Option 4: Planning Proposal to allow additional uses under Schedule 1 Pursuant to Clause 2.5 of MLEP 2013 and amendment of Schedule 5

The Planning Proposal as set out in this document is considered to be the best means of achieving the objectives and intended outcomes, giving both Council and the Proponent certainty of the development outcomes expected for the site.

The proposed LEP amendments will permit additional uses whilst maintaining the existing SP2 Health Services Facility zoning and providing the community with surety that this will remain the primary use of the site into the future. Both Council and the Proponent consider that relative to the B4 Mixed Use Zone objectives, the SP2 Health Services Facility zoning objectives better align with the intent to deliver a health and wellbeing precinct.

Furthermore, Option 4 will ensure that built form aspects of any future development continue to be appropriately managed through the provision of a site-specific DCP. The site specific DCP will provide detailed development controls for the land not limited to: building envelopes and built controls, traffic and parking controls, controls to manage the distinction between public and private spaces and indicative locations of proposed uses.

Section B – Relationship to Strategic Planning Framework

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

- a) Does the proposal have strategic merit?

Yes. The Proposal demonstrates strategic merit in this regard as it will:

- Contribute to the renewal of an underutilised site to facilitate its emergence as a vibrant health and wellbeing precinct;
- Provide social infrastructure to meet the growing demand for a diversity of health care services;
- Support the growth of the Manly Strategic Centre by enhancing its existing social infrastructure and promoting its cultural, tourism and employment uses by delivering a range of secondary uses across the site.
- Preserve and repurpose the site's heritage significant buildings to provide a development outcome that is sympathetic to the locality's heritage, culture and historical identity;
- Foster the emergence of green links by promoting connectivity between the site and the surrounding national park;
- Increase the urban tree canopy coverage by delivering comprehensive landscaping;
- Not result in adverse environmental, social or economic impacts;
- Provide new employment opportunities in proximity to housing; and
- Foster the collaboration of governments, community and businesses.

Further discussion on the Planning Proposal's consistency with the relevant State and local strategic plans and policies is provided below.

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan was released in March 2018. It provides a 40-year vision (to 2056) for the Greater Sydney Region and establishes a 20-year plan to manage growth and change for Greater Sydney. It identifies a vision for Greater Sydney to emerge as a metropolis of three cities comprising the Western Parkland City, the Central River City and the Eastern Harbour City.

The concept of three cities is predicated on the aspiration for its residents to live within 30-minutes of education, facilities, city-scale infrastructure and services and employment opportunities. To achieve this vision, the Greater Sydney Region Plan nominates 10 Directions centered around a framework based on the core themes of liveability, productivity and sustainability. These include:

1. A city supported by infrastructure
2. A collaborative city
3. A city for people
4. Housing the city
5. A city of great places
6. A well-connected city
7. Jobs and skills for the city
8. A city in its landscape
9. An efficient city
10. A resilient city

Each direction is supported by objectives and indicators that have been developed to guide the implementation of the plan. The overarching vision of the Greater Sydney Region Plan

and its associated objectives are to be achieved through collaboration with all tiers of governments, the community, businesses and non-government organisations.

At a regional level, the Greater Sydney Region Plan recognises the need for infrastructure to be co-located in metropolitan and strategic centres. In light of this, the delivery of new facilities and infrastructure is noted as being integral to fostering the growth of socially connected communities as well as social and cultural networks that improve mental and physical health outcomes. To achieve this, strategic planning should aim to consider and capitalise on local identity, heritage, and cultural values.

The Greater Sydney Region Plan also identifies that there is a growing demand for community and health infrastructure due to shifting demographics, including the record number of births each year and the growing ageing population.

In light of the above, the Planning Proposal responds to the Greater Sydney Region Plan by giving consideration to its strategic directions and objectives. Specifically, the proposal is consistent with the nominated objectives as it will:

- Deliver health infrastructure that supports the growth of the Eastern Harbour City (Objective 1);
- Address the demand for health infrastructure arising from demographic shifts (Objective 3) (Objective 6);
- Foster collaboration between governments, community and business (Objective 5);
- Contribute to the creation of a healthy and socially connected community by providing social infrastructure and community focused uses (Objective 7);
- Optimise the opportunity to contribute to a culturally rich and diverse neighbourhood by protecting the site's heritage (Objective 8);
- Protect environmental heritage by listing or adaptively reusing the site's heritage significant buildings (Objective 13);
- Increase employment opportunities in an accessible location (Objective 14);
- Provide a broader mix of uses that will support the operations of Australia's first AYA and the growth of the Manly Strategic Centre, which ultimately will contribute to the competitiveness of the Harbour CBD (Objective 18);
- Balance the need to redevelop the site for a viable purpose alongside the requirement to protect its biodiversity and scenic landscape (Objective 27) (Objective 28); and
- Give consideration to the site's constraints and implement measures to mitigate potential exposure to natural hazards (Objective 37); and
- Adopt a coordinated and collaborative approach to redeveloping the site that balances the needs of Government and stakeholders (Objective 39).

North District Plan

The North District Plan is intended to guide the implementation of the Greater Sydney Region Plan at a district level, bridging regional and local planning by informing Local Environmental Plans and Planning Proposals.

In particular, the District Plan provides detailed planning priorities which integrate relevant objectives, strategies and actions in response to identified challenges and opportunities. The planning priorities relate to three key aims of the District Plan, being:

- A productive city;

- A liveable city; and
- A sustainable city.

The site forms part of the Manly Strategic Centre which is identified as being strategically important for its cultural, eco-tourism, retail and recreational offerings that benefit from the District’s scenic and cultural landscapes, including North Head and Sydney Harbour National Park. The North District Plan identifies the need to protect its important biodiversity and habitat, whilst supporting tourism and access to its landscapes.

The North District is experiencing notable demographic changes which influence the demand for infrastructure, services and housing. Of the LGAs in the North District, Northern Beaches is expected to experience one of the largest increases in people aged 20-24 years (refer to figure below). This population segment is expected to increase by approximately 18% by 2036. In consequence the Northern Beaches LGA will accommodate a greater proportion of young adolescents relative to surrounding LGAs.

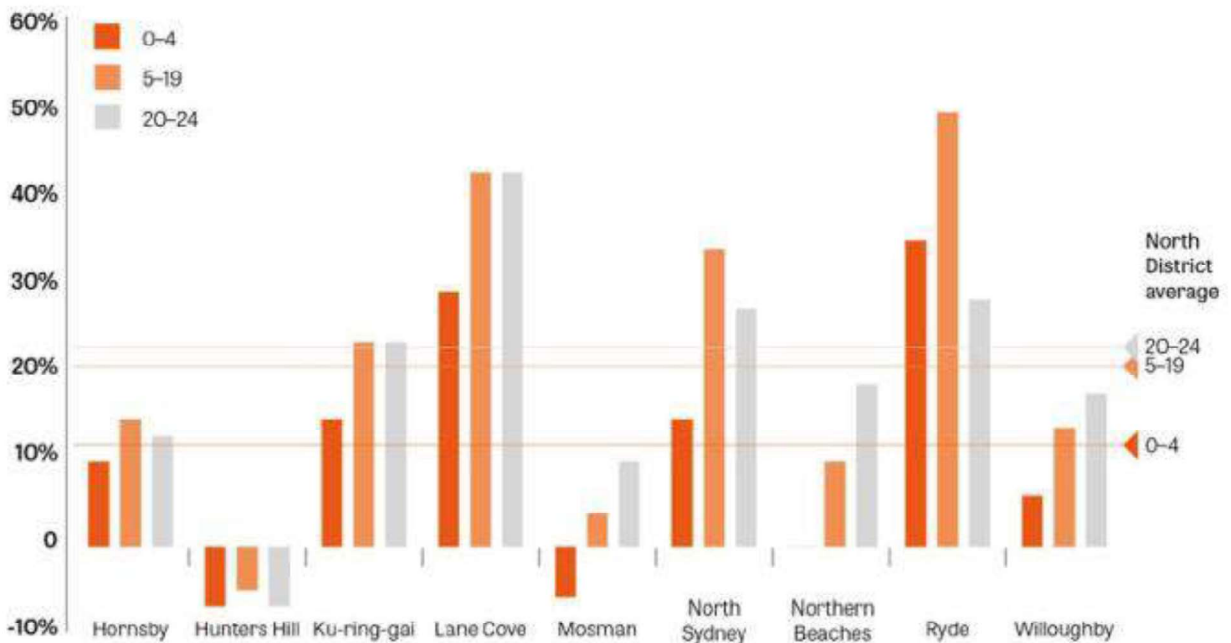


Figure 1 – Projected Population Change 2016-2036: 0-4, 5-19 and 20-24 Years
Source: North District Plan

The North District Plan prioritises the consideration of young people’s needs in the design and management of open space, cultural spaces, public realm and future development more broadly. It aims to deliver on the directions of the Office of the NSW Advocate for Children and Young People’s *Strategic Plan for Children and Young People* (the Strategic Plan).

The Strategic Plan represents one of the first legislated three-year whole-of-government plan focused on all children and young people aged 0 to 24 years. It aims to give children and young people opportunities to thrive, get the services they need and have their voice heard. The Strategic Plan is informed by extensive consultation with children and young people across NSW. Health care was identified to be one of five of the key issues raised. Key findings of relevance to the proposal are as follows:

- The need to improve access and increase funding for health and wellbeing services;
- Targeting health services to better treat and protect young people from intentional self-harm, psychosocial disorders and suicidal behaviour;

- Ensuring the provision of quality out-of-home-care services;
- Improving support and care for those with mental health problems; and
- Creating enabling and accessible environments for those with a disability.

As noted previously, the growth of the ageing population is another significant demographic trend affecting the North District. The North District is expected to see an 85% proportional increase in people aged 85 and over, and a 47% increase in the 65-84 age group by 2036. Of the LGAs across the North District, the Northern Beaches is anticipated to have one of the largest projected increases in the 65-84 age group (refer to **Figure 2**). In light of this, the North District Plan notes that more diverse housing types and medium density housing, as well as the design of walkable neighbourhoods, will create opportunities for older people to continue living in their community. In turn, the ageing population will benefit from being close to family, friends and established health and support networks that are integral to improving wellbeing.

The North District Plan identifies the need for additional health, social and aged care services to meet the growing demand for local aged care facilities and respite services.

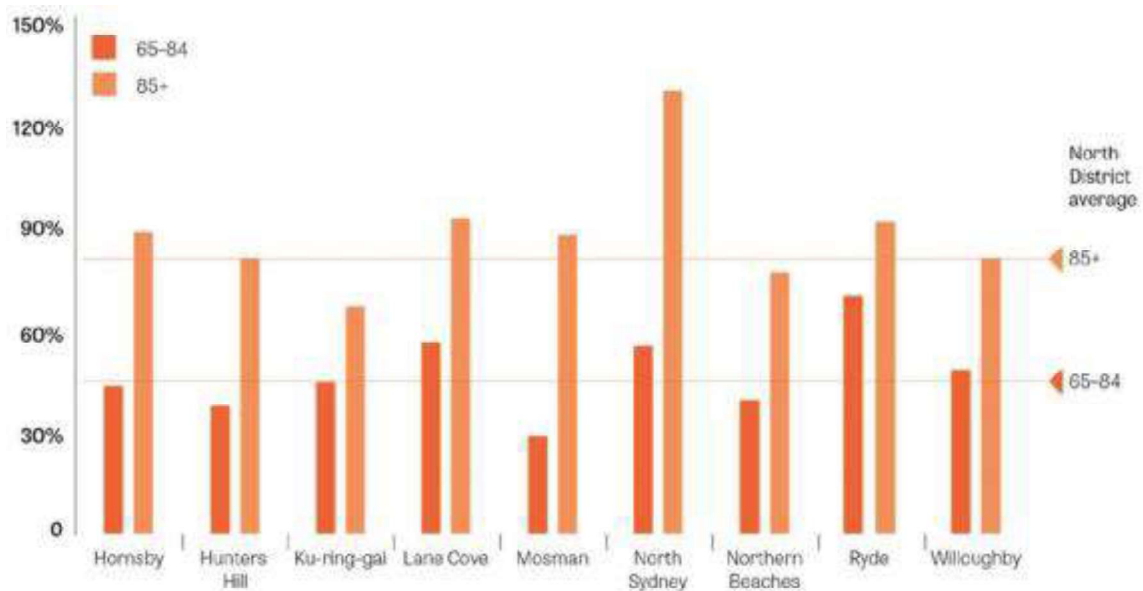


Figure 2 – Projected Population Change 2016-2036: 65-85 and 85 Years +
Source: North District Plan

The North District Plan identifies that future development and infrastructure are to be planned at the local, district or metropolitan levels to meet the needs of Greater Sydney. New development is to prioritise a place-based planning approach whereby future development is to respond to a place's opportunities and constraints to maximise its full potential. Sympathetic built-form controls and the adaptive re-use of heritage items are also identified as being important to new redevelopment opportunities.

In light of the above, the proposal supports the North District Plan's priorities to create a more productive, liveable and sustainable city in that the proposal will:

- Provide a coordinated approach to the delivery of community and health infrastructure that aligns with the projected demand for hospice, health and wellbeing, and aged care uses (Planning Priority N1);
- Adopt a collaborative approach involving Council, government and the community to facilitate the provision and expansion of high-quality health infrastructure within the

Northern Beaches LGA along with a broader range of ancillary community focused uses (Planning Priority N2);

- Provide services and social infrastructure that responds to people's changing needs, including the need for seniors housing resulting from the growing ageing population and additional health and well-being services for the growing proportion of young adolescents (Planning Priority N3);
- Contribute to the renewal of the site by delivering a high quality built form outcome that preserves its heritage buildings to allow for their ongoing appreciation and to assist with the preservation of the locality's character (Planning Priority N6);
- Whilst the proposal does not directly relate to a health and education precinct as defined by the North District Plan, it will facilitate the delivery of health/community infrastructure complementary to the nearby health precincts situated in Frenchs Forest and St Leonards (Planning Priority N9);
- Allow for an increased number of permissible uses that will facilitate employment creation within the Manly Strategic Centre and will contribute to the target of 817,000 jobs by 2056 (Planning Priority N10);
- Provide public domain areas with expansive views and pedestrian connections to North Head to encourage interaction with Sydney Harbour and the North District's waterways (Planning Priority N15);
- The proposal retains the portion of the site zoned E2 Environmental Conservation and will consequently protect important bushland and biodiversity (Planning Priority N16);
- The proposal will protect and enhance scenic and cultural landscapes by maintaining a number of historically significant buildings and providing architectural and urban design outcome that is sympathetic to the site's scenic qualities (Planning Priority N17);
- The proposal will contribute to the growth of the North District's urban tree canopy coverage by providing comprehensive landscaping, retaining as many trees as possible and conserving land with high environmental value (Planning Priority N19); and
- Deliver high quality open space areas that will benefit from access to views and the visual amenity afforded by the site's environmental setting (Planning Priority 20).

NSW State Plan 2021

The NSW State Plan 2021 sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The current focus of the Government is outlined in 12 Premier's priorities and 18 State priorities. The Planning Proposal supports the Premier's and aligns with the State priorities in that it will:

- Provide employment floor space facilitating jobs growth;
- Support new small businesses; and
- Create construction jobs.

The NSW State Infrastructure Strategy 2018 – 2038 (the Strategy) sets out the NSW Government's infrastructure vision for the State over the next 20 years. The Strategy aligns with the Greater Sydney Region Plan.

The Strategy identifies that a key challenge for the Eastern Harbour City is to drive and accommodate growth and density alongside investment in infrastructure that optimises use of existing assets. It outlines a number of key infrastructure responses, including the need to invest in improvements in cultural infrastructure and tourism; support the population with social infrastructure investments; and provide more school education facilities.

The Planning Proposal aligns with the aspirations of the Strategy in that it will:

- Provide recreational, cultural and public open space facilities that will support the visitor economy;
- Deliver cultural and social infrastructure to meet contemporary expectations;
- Facilitate investment in education infrastructure to support development and industry growth; and
- Support the population with investment in social infrastructure, including residential care facilities, mental health services and health services.

Future Transport Strategy 2056

Future Transport 2056 establishes a 40 year vision for transport investment. It has been prepared in conjunction with the Greater Sydney Region Plan. It provides a framework for planning and investment to support the delivery of an innovative transport network that adapts to change and is customer focused. The future Transport 2056 nominates a number of key priorities. The following priorities are of relevance to the proposal:

- Activating centres with a new Movement and Place framework;
- Encouraging active travel (walking and cycling) and using public transport;
- Connecting people to jobs, goods and services in our cities and regions; and
- Supporting more environmentally sustainable travel.

The Planning Proposal is entirely consistent with the Future Transport Strategy 2056 in that it will facilitate the activation of an underutilised site that is easily accessible by public transport by providing a mix of uses. These uses will increase visitation to the site and foster community interaction. The proposed uses will co-locate jobs alongside goods and services in an accessible location.

The Indicative Master Plan that accompanies the Planning Proposal makes provision for pedestrian connections that will support more environmentally sustainable modes of travel such as walking and cycling. This will be further iterated through the future site-specific DCP prepared for the site.

NSW Ageing Strategy 2016 – 2020

The NSW Ageing Strategy 2016 – 2020 establishes the key priorities to address the needs of the ageing population across NSW. These priorities support the overarching vision for the NSW population to experience the benefits of living longer and having the opportunity to be included in their communities. The priorities and associated objectives are as follows:

- *Priority 1: Health and Wellbeing* – Older people in NSW are encouraged to live active and healthy lives with improved physical and mental wellbeing;
- *Priority 2: Working and Retiring* – Older people in NSW have opportunities to remain in the workforce, are financially secure and independent in retirement, and plan their finances based on their circumstances and needs;
- *Priority 3: Housing Choices* – Older people in NSW live in affordable accessible, adaptable and stable housing;
- *Priority 4: Getting Around* – Older people in NSW travel safely and appropriately to participate in social and economic life and access to services; and
- *Priority 5: Inclusive Communities* – Older people in NSW stay connected and contribute to their communities.

The Planning Proposal is consistent with the NSW Ageing Strategy 2016 – 2020 in that it will expand the range of permissible uses across the site to facilitate the provision of seniors

housing in an accessible location. It will co-locate seniors housing with retail, health and recreational uses and in turn will reduce the need for residents to travel in order to participate in social activities and access needed services.

The proposal will facilitate the provision of recreational open areas and health facilities in a high quality urban environment, In turn, it provides the opportunity to improve physical and social wellbeing for occupants as well as the ageing population in the wider community.

b) Does the proposal have site-specific merit?

Having regard to the following:

- The natural environment (including known significant environmental values, resources or hazards); and
- The existing uses, approved uses, and likely future uses of land in the vicinity of the 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.

The Proposal demonstrates site-specific merit in this regard as it:

- Innovatively integrates a range of health care services and ancillary uses that will support the growing demand for health and social infrastructure;
- Will provide a built form outcome that preserves and is sympathetic to the site's heritage values;
- Will deliver a range of complementary uses that will attract visitors and encourage the people to explore the scenic landscape and tourism / cultural offerings in the surrounds;
- Will facilitate the creation of new employment opportunities in proximity to homes and services;
- Is located within an accessible and desirable location;
- Retains the site's primary historic use as a health care facility and is consistent with the objectives of the SP2 Health Services Facility zoning;
- Will provide an appropriate framework to ensure a desirable built form outcome is achieved that protects the site's scenic and landscape values as well as those of the surrounds.
- Will protect the site's biodiversity values by largely isolating future works to the existing developable portion of the site.
- Will achieve a high-quality landscaping outcome with linkages to promote connectivity to the surrounds to encourage people to interact with the locality's environmental and historic cultural assets;
- Will not result in unacceptable environmental impacts or compromise the amenity of surrounding residential properties;
- Is consistent with the desired future character of the locality as contemplated by the existing zoning provisions;

- Will facilitate the provision of seniors housing and health care facilities for adolescents in response to demographic shifts;
- Is compatible with the surrounding development, which provides comparable health facilities (i.e. Bear Cottage) and uses;
- Is appropriate for the site's location given its isolation from surrounding education and health care precincts; and
- Provides non-acute health services that will not undermine the competitiveness of nearby health and education precincts in areas such as Frenchs Forest.

Summary

This Planning Proposal achieves the assessment criteria as it demonstrates both strategic merit and site-specific merit. It is therefore considered that this Planning Proposal meets the Strategic Merit Test.

4. Will the Planning Proposal give effect to a Council's endorsed Local Strategic Planning Statement, or another endorsed local strategy or strategic plan?

Towards 2040 – Northern Beaches LSPS

Towards 2040 is Northern Beaches Council's LSPS which was adopted by Council on 26 March 2020. Within the context of the LSPS, the site is situated within the Manly Strategic Centre, which is noted to accommodate the highest concentration of social infrastructure. The LSPS identifies Australia's first hospice for young adults as one of many specialist uses to be accommodated in Manly – which will be undertaken by NSW Health on the subject site.

The LSPS notes that future development and planned infrastructure are to respond to population growth and demographic changes. The Northern Beaches' population is projected to increase by around 39,000 people over the next 20 years. Of this projected growth, the LGA will accommodate a greater proportion of the ageing population relative to Greater Sydney.

Job creation is to occur concomitant with population growth. Consistent with the North District Plan, the LSPS envisages the LGA will accommodate around 9,000 to 13,000 additional jobs in its four strategic centres. As of 2016, 20% of the workforce were employed in health and education related jobs, which is projected to increase. Accordingly, health related uses are a key employment generator in the LGA.

The LSPS prioritises a place-based planning approach to preserve and enhance the LGA's local identity. Integral to this identity is its scenic and cultural landscapes, which are to be protected for the community's benefit. Place-based planning is to occur with community involvement where people are engaged in planning and decision-making.

The LSPS prioritises the need for a diversity of housing types to cater for different demographic groups, including the growing ageing population. The LSPS supports planning proposals for residential accommodation where strategic and site-specific merit are demonstrated and facilitate the delivery of a broader public benefit.

The Former Manly Hospital site is identified in the LSPS as a planning opportunity site, as shown in Figure 3. In particular, it identifies that there is a need to plan for the redevelopment of the site and its various uses. The site is to be redeveloped through a

collaborative approach with local and State agencies to facilitate the realisation of shared outcomes.

The LSPS is supported by a range of planning priorities which aim to deliver on the directions of the Greater Sydney Region Plan and North District Plan. These planning priorities are underscored by a range of principles, with many directly applicable to the subject site.

The relevant Planning Priorities and associated principles are as follows:

- Priority 3 – Protected scenic and cultural landscapes.
 - Protect core areas and areas of high environmental value from urban development.
- Priority 9 – Infrastructure delivered with employment and housing growth.
 - Collaborate across levels of government to integrate land use and infrastructure.
- Priority 11 – Community Facilities and services that meet changing community needs.
 - Facilitate transparent collaboration process and involve stakeholders and the community early.
 - Provide flexible diverse and multi-use places and spaces close to public transport and strategic and local centres.
- Priority 17 – Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes.
 - Renew great places through design excellence and innovation design while respecting and enhancing local character.
 - Enhance local identity through place-based planning and design
 - Recognise heritage and culture as a fundamental aspect of the identity of place, including identification of places and items which contribute to the significant character of a place.
- Priority 26 – Manly as Sydney’s premier seaside destination.
 - Balance competing land uses in Manly to serve the needs of workers, residents and visitors.
 - Protect and enhance Manly’s character, identity and social significance.
 - Improve links to North Head and the former Manly Hospital site.

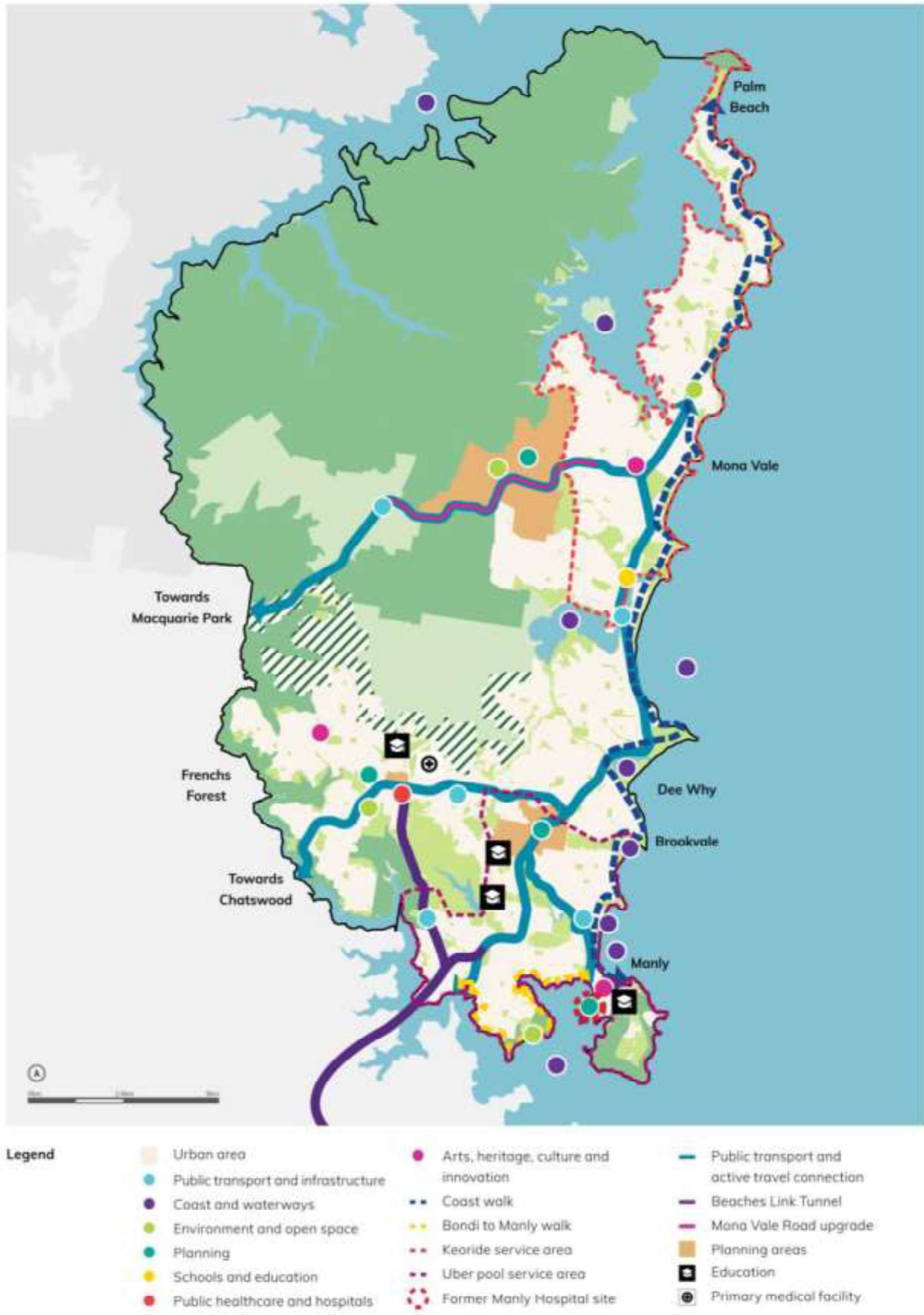


Figure 3 – Northern Beaches Collaboration Projects
 Source: *Towards 2040 - Northern Beaches LSPS*

The Planning Proposal supports the afore-mentioned Planning Priorities and Principles, for the following reasons:

- Through collaboration with the local and State government, the proposal will facilitate a planning framework that will allow for the delivery of social and health infrastructure, tertiary education, seniors living, residential care facilities and services that will address the changing needs of the community, including those of the ageing and younger populations;
- The proposal will maintain and protect the site’s environmental values by preserving the areas containing high environmental values and largely limiting the site’s redevelopment to the land zoned SP2 Health Services;
- The proposal will redevelop the site for a multifunctional purpose, providing a health and well-being focused precinct close to transport and a local centre that will accommodate a greater range of compatible uses to that currently permitted;
- The proposal will contribute to the renewal of an underutilised site by delivering a built form outcome that exhibits design excellence;
- The redevelopment of the site will adopt a place-based approach, conserving its local identity and social significance through the adaptive reuse of its historically important heritage buildings;
- The proposal accommodates a range of competing land uses that will address the needs of the community whilst facilitating the creation of local employment opportunities; and
- The proposal incorporates linkages to North Head that will foster connectivity.

Shape 2028 – Northern Beaches Community Strategic Plan 2018-2028

Shape 2028 – Northern Beaches Community Strategic Plan 2018 -2028 (the CSP) was adopted 17 April 2020 and is Northern Beaches Council’s first CSP. It defines the community’s long-term vision, priorities and strategic direction for the Northern Beaches LGA.

The CSP prescribes an overarching vision which is for Northern Beaches to be:

‘a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment’.

To support this vision, the CSP nominates a framework that includes a range of goals. The proposal’s consistency with the relevant goals is outlined in the table below.

Table 4. Consistency with Shape 2028 – Northern Beaches CSP 2018-2020

Goal	Comments
1 Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.	The proposal predominantly relates to land that has been redeveloped for urban purposes. Consequently, the planning proposal will not impact the biodiversity values associated with the portion of the site zoned E2 Environmental Conservation.
5 Our built environment is developed in line with best practice sustainability principles.	The proposal has the capacity to adopt best practice sustainability principles. Sustainability measures and commitment will be addressed further through the development of a site-specific DCP and Detailed development application at a later date.

- | | | |
|----|--|--|
| 7 | Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community. | The proposal adopts a place-based approach to the site's redevelopment. The proposal will enable the delivery of a range of community uses that will address the evolving needs of the community. |
| 8 | Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing. | The planning proposal relates to the delivery of a health and well-being precinct. The planning proposal will enable the delivery of uses which will foster social interaction and supported the health and well-being needs of the community. |
| 14 | Our economy provides opportunities that match the skills and needs of the population. | The proposal seeks to broaden the permissible uses on the site. The uses proposed to be permitted at the site are employment generating uses that will cater to a diversity of people within the community, including the growing health care sector, which is forecast to be one of the fastest growing sectors in the LGA. |

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered consistent with applicable State Environmental Planning Policies (as shown in Table 1), namely:

Table 1: Compliance with State Environmental Planning Policies (SEPPs)

SEPPs (as at June 2021)		Applicable	Consistent
1	Development Standards	NA	Not applicable pursuant to clause 1.9 of the MLEP 2013.
19	Bushland in Urban Areas	Consistent	This Planning Proposal does not derogate or alter the application of the SEPP to future development.
21	Caravan Parks	NA	
33	Hazardous and Offensive Development	NA	
36	Manufactured Home Estates	NA	
44	Koala Habitat Protection	NA	Pursuant to Schedule 1 of the SEPP, the site is not located within a koala management area.
47	Moore Park Showground		
50	Canal Estate Development	NA	
55	Remediation of Land	NA	

SEPPs (as at June 2021)		Applicable	Consistent
64	Advertising and Signage	NA	Not relevant to the proposed LEP amendment. May be relevant at the Development Application Phase.
65	Design Quality of Residential Apartment Development	NA	Residential apartment development will not be undertaken at the site.
70	Affordable Housing (Revised Schemes)	Consistent	The proposal does not inhibit operations of the former Part 3A provisions or the replacement measures.
	(Aboriginal Land) 2019		
	(Affordable Rental Housing) 2009		
	(Building Sustainability Index: BASIX) 2004		Will be addressed at the Development Application Phase if required.
	(Coastal Management) 2018	Yes	The site contains areas of littoral rainforest; however, these portions of the site will not be impacted by future development as identified in the Ecological Constraints Assessment in Appendix 5. Compliance with the SEPP will be addressed at the site-specific DCP and Development Application Phase.
	(Concurrences) 2018	NA	
	(Education Establishments and Child Care Facilities) 2017	NA	
	(Exempt and Complying Development Codes) 2008	NA	Not relevant to the proposed LEP amendment. The SEPP may be relevant at the Development Application Phase.
	(Gosford City Centre) 2018		
	(Housing for Seniors or People with a Disability) 2004	Yes	The delivery of seniors housing across the site is permissible with consent pursuant to Clause 4(1)(a)(iv) of the SEPP.
	(Infrastructure) 2007	Consistent	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development. The full requirements of the SEPP will be considered at the detailed development application phase once the full design parameters of the proposal are known.
	(Kosciuszko National Park – Alpine Resorts) 2007	NA	
	(Kurnell Peninsula) 1989	NA	

SEPPs (as at June 2021)		Applicable	Consistent
	(Mining, Petroleum Production and Extractive Industries) 2007	NA	
	(Miscellaneous Consent Provisions) 2007	NA	
	(Penrith Lakes Scheme) 1989	NA	
	(Primary Production and Rural Development) 2019	NA	
	(State and Regional Development) 2011	NA	
	(State Significant Precincts) 2005	NA	
	(Sydney Drinking Water Catchment) 2011	NA	
	(Sydney Region Growth Centres) 2006	NA	
	(Three Ports) 2013	NA	
	(Urban Renewal) 2010	NA	
	(Vegetation in Non-Rural Areas) 2017	Consistent	Future development of the site will require minimal vegetation planning as the majority of development will be contained within areas of the site comprising existing built form. Notwithstanding, the full details of necessary vegetation clearing will be confirmed at later DCP and DA planning stages of the development process.
	(Western Sydney Employment Area) 2009	NA	
	(Western Sydney Parklands) 2009	NA	
Sydney Regional Environmental Plans (Deemed SEPPs):			
8	(Central Coast Plateau Areas)	NA	
9	Extractive Industry (No 2 - 1995)	NA	
16	Walsh Bay	NA	
20	Hawkesbury – Nepean River (No 2 – 1997)	NA	
24	Homebush Bay Area	NA	

SEPPs (as at June 2021)		Applicable	Consistent
26	City West	NA	
30	St Marys	NA	
33	Cooks Cove	NA	
	(Sydney Harbour Catchment) 2005	Consistent	<p>The site is located within the bounds of the Sydney Harbour Catchment REP. The site is zoned W2 Environmental Protection. The LEP amendment is consistent with the relevant zoning objectives. Specifically, the site relates to the redevelopment of urbanized land and is located a considerable distance from the foreshore. Accordingly, the proposal will have no impact on the environmental and cultural values of waters in the zone and adjoins foreshores.</p> <p>The site is located within the 'Foreshore and Waterways Area'. With reference to the relevant matters of consideration nominated under Division 2, supporting subconsultant reports confirm that:</p> <ul style="list-style-type: none"> • The proposal will have no impact to biodiversity, ecology and environmental protection. • The scenic quality of foreshores and waterways; • The proposal will have no impact to views to and from Sydney Harbour.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is consistent with applicable Ministerial Directions (as shown in Table 2):

Table 2: Compliance with Ministerial Directions

Directions (as a June 2021)		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	NA	
1.2	Rural Zones	NA	
1.3	Mining, Petroleum Production and Extractive Industries	NA	
1.4	Oyster Aquaculture	NA	
1.5	Rural Lands	NA	

Directions (as a June 2021)		Applicable	Consistent
2	Environment and Heritage		
2.1	Environment Protection Zones	Yes	The planning proposal will primarily support redevelopment of portions of the site that contain little vegetation and have been subject to land clearing previously. Further discussion is provided in Section C of the planning proposal report.
2.2	Coastal Protection	Yes	<p>The site is not identified as being within a coastal vulnerability area or on land within a coastal wetland as defined by the SEPP (Coastal Management) 2018.</p> <p>The site is however mapped as containing littoral rainforest. Notwithstanding, as addressed in the Ecological Constraints Assessment at Appendix 5 only the far southern portion of the site contains littoral rainforest of high ecological value. This area will not be impacted by future redevelopment activities.</p> <p>Littoral rainforest located within other parts of the site is in poor condition and relates only to select remnant species. The area is dominated by exotic vegetation and has experienced historical clearing.</p> <p>The site relates to land that is impacted by a coastal hazard, with this identified by the MLEP 2013 as being landslide risk. However, the proposal does not seek to rezone the site. It also does not seek to enable increased development or a more intensive land-use. Specifically, the proposed health and wellbeing precinct represents a less intensive land use relative to the site's former hospital operations.</p> <p>In accordance with Direction 2.2(8)(a), the Ecological Constraints Assessment, the proposed redevelopment of the site is suitable. Further, as demonstrated throughout this report and consistent with Direction 2.2(8)(b), the proposal is entirely consistent with the applicable strategic plans.</p>
2.3	Heritage Conservation	Yes	The planning proposal will support the heritage listing of a number of structures on site that have been identified as being of heritage significance.
2.4	Recreation Vehicle Areas	NA	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	NA	
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	The proposed additional uses relate to residential accommodation primarily in the form of seniors housing and temporary accommodation for patients and their families. The proposal will provide the site with the ability

Directions (as a June 2021)		Applicable	Consistent
			to address the growing demand for seniors housing due to demographic changes.
3.2	Caravan Parks and Manufactured Home Estates	NA	
3.3	Home Occupations	NA	
3.4	Integrating Land Use and Transport	Yes	<p>The proposal is adequately serviced by public transport consisting of bus services that service the site from Darley Road. It will therefore increase the supply of jobs in a location well serviced by public transport.</p> <p>The traffic generation associated with the proposal is significantly less than that associated with its former hospital use. Further discussion is provided in Section C.</p>
3.5	Development Near Licensed Aerodromes	NA	
3.6	Shooting Ranges	NA	
3.7	Reduction in non-hosted short term rental accommodation period	NA	
4	Hazard and Risk		
4.1	Acid Sulfate Soils	NA	The MLEP 2013 does not identify the site as containing acid sulfate soils.
4.2	Mine Subsidence and Unstable Land	NA	
4.3	Flood Prone Land	NA	The site is not identified by Council's Flood Risk Precinct Maps as being affected by flooding.
4.4	Planning for Bushfire Protection	Yes	<p>The site is identified as bush fire prone land. The Bushfire Assessment Report accompanying the Proposal designates the site as being of 'medium' bushfire risk. It confirms that the site can be suitably redeveloped subject to the adoption of the recommendations, including the provision of compliant APZ.</p> <p>Further review of the assessment report has shown that additional information will be required to confirm that evacuation and access/egress are adequate to service the additional uses being proposed.</p>
5	Regional Planning		
5.1	Implementation of Regional Strategies	NA	

Directions (as a June 2021)		Applicable	Consistent
5.2	Sydney Drinking Water Catchments	NA	
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NA	
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NA	
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	NA	
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008 See amended Direction 5.1)	NA	
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	NA	
5.8	Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	NA	
5.9	North West Rail Link Corridor Strategy	NA	
5.10	Implementation of Regional Plans	Yes	This Planning Proposal is consistent with the Regional and District Plan.
5.11	Development of Aboriginal Land Council land	NA	
6	Local Plan Making		
6.1	Approval and Referral Requirements	NA	No new concurrence provisions are required.
6.2	Reserving Land for Public Purposes	NA	No new road reservation is proposed.
6.3	Site Specific Provisions	Yes	The proposal will not introduce any site specific planning controls that are unduly restrictive.
7	Metropolitan Planning		
7.1	Implementation of A Plan	Yes	The Planning Proposal is entirely consistent with the

Directions (as a June 2021)		Applicable	Consistent
	for Growing Sydney		Greater Sydney Region Plan for the reasons set out in Section 4 of the planning proposal report.
7.2	Implementation of Greater Macarthur Land Release Investigation	NA	
7.3	Parramatta Road Corridor Urban Transformation Strategy	NA	
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NA	
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA	
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	NA	
7.9	Implementation of Bayside West Precincts 2036 Plan	NA	
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	NA	

Section C – Environmental, Social and Economic Impact

7. 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?

The Planning Proposal will not impact critical habitat or threatened species, populations, or ecological communities, or other habitats as assessed in the Ecological Constraints Assessment undertaken by Narla Environmental provided with the Planning Proposal.

The report provides an assessment of the biodiversity constraints affecting the site and the implications for the proposal. The report notes the following:

- Littoral rainforest contained within the site is primarily in poor condition, dominated by weeds and has already experienced clearing;
- The proposal occupies land that has already been subject to redevelopment and is therefore unlikely to have an adverse impact on threatened species, populations, or communities; and
- Impacts to vegetation may arise from the establishment of the APZs required to address bushfire risk; however, a Vegetation Management Plan will be implemented to guide the removal of exotic vegetation.

In summary, the report concludes that the site can accommodate redevelopment activities associated with the health and wellbeing precinct envisions providing areas mapped as being highly constrained are avoided. In addition, the report identifies that due to the site's location, a Biodiversity Development Assessment Report and entry into a Biodiversity Offset Scheme will be required. These requirements can be readily addressed as part of the site specific DCP where a Biodiversity Assessment Report (BDAR) including the consideration of an Asset Protection Zone establishment, and maintenance particularly along SP2 and E2 zone boundaries.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Bulk and Scale

A site-specific Development Control Plan (DCP) will be prepared for the site and provided detailed development control plans for future development. In accordance with Clause 6.14 of MLEP 2013, the development control plan will provide the following:

- a) principles drawn from an analysis of the site and its context,
- b) building envelopes and built form controls,
- c) subdivision pattern,
- d) distinct public and private spaces,
- e) overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists,
- f) preferred location of permissible uses,
- g) traffic management facilities and necessary parking ratios,
- h) staging of development.

The DCP for the site will be developed in close consultation with the PSAC, the community and Council and ensure that an appropriate development response is achieved at the site. The built

form controls introduced to the site will be commensurate to the scale of existing development located on the land and respond appropriately to surrounding context of the locality.

The site-specific DCP will be informed by further environmental investigations, urban design analysis and landscaping strategy. In addition, it is also intended to be prepared in parallel with a Conservation Management Plan (CMP), which will also assist in informing detailed controls for the site's redevelopment and consider the heritage listing of structures on the site.

Transport and Access

A Preliminary Transport Assessment has been prepared by JMT Consulting and is included at Appendix 6 with key findings provided below.

Traffic Generation Impacts

JMT Consulting have prepared an assessment of the traffic volumes in the surrounding road network to assist in understanding the traffic generation impact associated with a proposal commensurate to that which is envisioned for the site.

Traffic counts were undertaken in December 2019. The counts reveal that traffic volumes along Darley Road were below 300 vehicles per hour in one direction across any typical day. As the typical capacity of a traffic lane is 900 vehicles per hour, the results confirm that Darley Road has ample capacity to support additional traffic generation that may arise from the proposed future redevelopment of the site.

The traffic generation assessment has been prepared in accordance with the *RMS Guide to Traffic Generating Development*. Accordingly, the following traffic generation rates have been adopted for the assessment:

- *Health and Wellbeing Uses*: 0.5 traffic movements / parking;
- *Seniors Housing*: 0.1 traffic movements / dwellings

Based on the rates noted above, redevelopment of the site will generate less than 100 vehicle movements in the peak hour period. In light of the traffic count findings, the surrounding road network has sufficient capacity to support the traffic generation associated with the development. Further, as the intensity of land use sought by the proposal is relatively less compared to the site's former hospital, JMT Consulting confirm that the anticipated traffic generation will be comparatively less than what has historically emanated from the site and its former hospital operations.

Public Transport Capacity

JMT Consulting have prepared an assessment of the surrounding public transport infrastructure and its capacity to support the proposal. The report confirms that the existing transport infrastructure in the locality has the capacity to support the proposal without the need for further upgrades. It recommends however that bus routes to and from the site be increased to foster the use of public transport and reduce the reliance on private vehicles.

The report identifies that the redevelopment of the site presents an opportunity to encourage public transport usage. It recommends that the future development make provision for green travel plans, car pooling arrangements for staff, and bicycle parking / end-of-trip facilities. These measures can readily be addressed at the Development Application stage and adopted during the occupation phase.

Stormwater Management

A Stormwater Strategy Report has been prepared by Arcadis and is included at Appendix 9. The report provides an assessment of the proposed stormwater strategy and the water sensitive urban design measures proposed for the site.

The stormwater infrastructure for the site will consist of an expanded pit and pipe system. The existing drainage network within the site will be replaced and/or expanded. Vegetated swales and castellated kerbs will be installed to manage runoff. Internal roadways will also be upgraded to ensure that stormwater can be conveyed downstream and to avoid potential inundation of the site. The proposal will seek to retain the existing trunk drainage pipeline that traverses the site to prevent impacts to the surrounding drainage infrastructure.

Consideration has been given to the inclusion on on-site detention. Arcadis have determined that the on-site detention is not necessary given that the proposal does not seek to increase the extent of impervious areas across the site. On-site detention may be required in the instance overland flow paths increase across the site notwithstanding the proposed stormwater infrastructure upgrades. The report notes that future hydraulic modeling will be required to determine the need for on-site detention at the detailed design phase.

Water sensitive urban design measures will be incorporated in accordance with Council's requirements. These measures consist of gross pollutant traps, tree pits, vegetated swales, castellated kerbs and bioretention basins. In addition, rainwater harvesting will be adopted to eliminate the need for water quality treatments and to reduce the demand for potable water demand. The implementation of these measures will improve stormwater quality discharge and promote water efficiency for the future development.

Bushfire Considerations

A Bushfire Assessment Report has been prepared by Peterson Bushfire and was submitted with the Planning Proposal. The report provides an assessment of the bushfire hazard and risk and nominates protection measures.

The report notes that the site is categorised as being of 'medium' bushfire risk. The risk rating has been determined in consideration of the site's proximity to bushland within the Sydney Harbour National Park. As shown in the figure below the site is surrounded by Vegetation Category 1 to the south and east, which represents the most hazardous type of vegetation. It also contains Category 2 Vegetation.

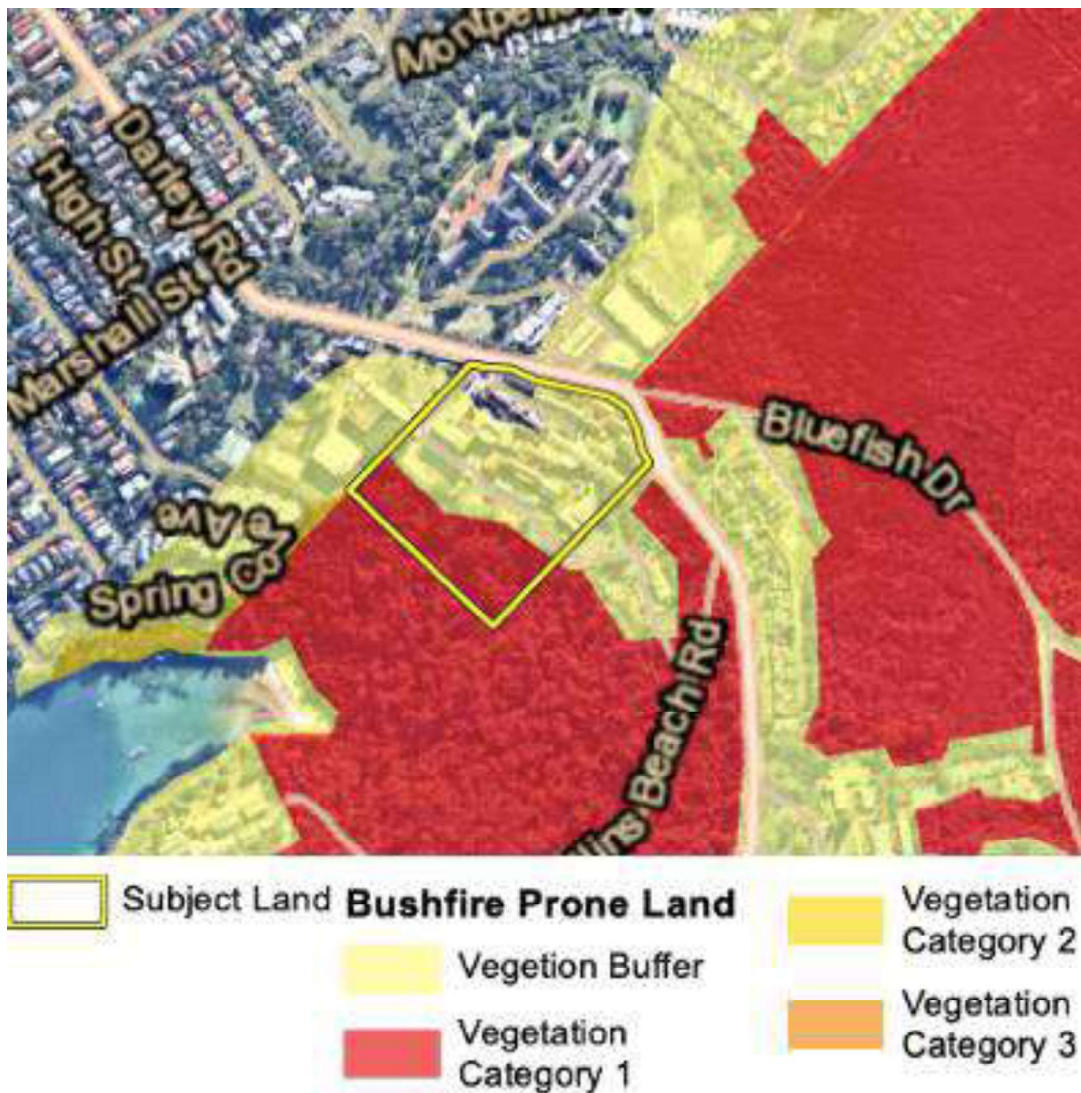


Figure 3 – Location of Bushfire Prone Land
 Source: Peterson Bushfire

While this hazard rating is not anticipated to change in the post development phase, the proposal to introduce several uses one of which is considered to be a *special fire protection purpose* needs to be duly considered.

The report nominates the following mitigation measures to ensure adequate bushfire protection and compliance with the requirements of *Planning for Bush Fire Protection 2019*:

- Provision of compliant APZs between future building envelopes and bushfire hazards;
- Provision of BAL mapping to guide compliant building construction;
- Adequate access for emergency response and evacuation;
- Compliant road widths and design;
- Perimeter road between buildings and bushfire hazards;
- Adequate water supply to facilitate fire-fighting operations; and
- Appropriate vegetation management within the APZ and landscaping across the site.

The site historically has not incorporated the aforementioned measures. Therefore, the proposal provides the opportunity to improve compliance with the bushfire protection requirements in the future.

Asset Protection Zones

The proposed APZs comply with the requirements of *Planning for Bush Fire Protection 2019* and will consequently ensure new buildings are not exposed to intolerable heat impacts. The APZs will set the buildings back further from the bushfire hazard areas and will be routinely maintained in accordance with the detailed Vegetation Management Plan that accompanies the report (refer to *Appendix 7*).

With these measures in place, the report concludes that the proposal can be accommodated on the site without exposing future occupants to bushfire risk. In preparing a site-specific development control plan, further consideration will need to be given to the APZs and their impact on vegetation within the site.

Additionally, upon review of the planning proposal, Council will require a traffic report prepared by a suitably qualified traffic consultant modelling traffic evacuation and identified access/egress points for the precinct, in the event of an emergency especially a bushfire event in accordance with the Planning for Bush Fire Protection 2019 guidelines.

Further consideration will also need to be given to the adequacy of all critical infrastructure including electricity and gas, not just water as required by the strategic bush fire assessment under the Planning for Bushfire Protection 2019 Guidelines.

Geotechnical

JK Geotechnics have prepared a Geotechnical Investigation which provides an assessment of the subsurface conditions and proposes recommendations to facilitate the demolition and construction phase.

The investigation confirms that excavation to a depth of 2m is required along with the importation of fill. With the anticipated depth of excavation required, it is not anticipated that ground water will be encountered.

Based on the site's conditions and the proposed scope of works, the report proposes the following recommendations:

- The preparation of detailed dilapidation reports for the heritage buildings contained within the site that may be impacted by excavation or associated vibration impacts;
- Additional borehole investigations should be carried out once the detailed design is finalized;
- A stability assessment should be prepared to assess the risk to surrounding areas; and
- New structures should be founded on underlying sandstone bedrock.

Subject to the adoption of the above recommendations, JK Geotechnics confirm that the site can be made suitable for the proposed development as sought by this Planning Proposal and a future Development Application. Consistent with the conclusions of the report, the geotechnical recommendations will be reviewed following the finalisation of the detailed design.

9. Has the Planning Proposal adequately addressed any social and economic effects?

Social Impact

Ethos Urban have prepared a Community Needs Analysis and Social Strategy which is included at Appendix 2. The purpose of the report is twofold; to firstly assesses the social and health

infrastructure needs of the community and secondly to determine whether the future health and well-being precinct will generate a demand for additional social infrastructure.

The methodology employed to prepare the Community Needs Analysis consisted of community profiling; a review of existing social infrastructure in the LGA; an assessment of the applicable strategic policies applying to the site; and the outcomes of consultation activities undertaken to date, including the results of Ernst and Young's market sounding.

The findings of the report lend support to the amendments proposed by this Planning Proposal and sufficiently justify the need for the proposed additional land uses. In summary, the findings of the assessment conclude that there is a growing need for expanded health and social infrastructure in the locality, including specialised mental health, community health services and complementary uses (i.e. recreational, educational, retail etc.) that will differentiate the health precinct from existing acute health services in the LGA. Collectively, these uses will facilitate the delivery of a destinational health precinct that services patients, visitors and the wider community.

Social Context and Existing Infrastructure

In determining the uses suitable for the site, Ethos Urban have prepared a Social Context Study that identifies the demographic trends affecting the LGA and the existing social and health infrastructure in the locality. The key findings are as follows:

- The Northern Beaches LGA has a greater ageing population relative to that of Greater Sydney, with a higher median age and higher share of residents aged over 60 years;
- The site is not identified as suitable for accommodating a community facility given that Council's vision is to concentrate community facilities within the core of the town centre to realise the benefits associated with the co-location of similar community facilities (e.g. library, cultural and creative facility and local community facilities).
- It is projected that across the LGA, there will be a shortfall of publicly accessible open space areas over the next 20 years and in consequence there is an identified need for flexible and multifunctional open space areas;
- The site is dislocated from the Manly Town Centre and nearby strategic health and education precincts, with the latter already providing or designated by strategic plans to provide acute health services; and
- There is a need for social infrastructure that caters to the ageing population who require specialist health and well-being services that are not provided by nearby acute health service facilities.

The conclusions of the Social Context analysis confirm that due to the site's locational attributes and the existing supply of health infrastructure in the LGA, the site is better suited to support non-acute health and well-being uses, including specialised mental health and community health services. In accommodating these uses, there is an opportunity for the site to operate as a destinational health and wellbeing precinct that caters to the local community as well as visitors in the broader surrounds.

The site's redevelopment as a destinational health and well being precinct is also supported by the community consultation outcome findings and market sounding undertaken on behalf of the proponent.

Demand for Social Infrastructure

Ethos Urban confirm that the proposal will generate a demand for additional social infrastructure. The report notes that the redevelopment of the site will result in an increase of

273 workers, 228 residents and 370 tertiary students. Combined, the proposed uses along with the increased number of occupants across the site will increase the demand for social infrastructure in the form of open space necessary for respite, physical activity and social interaction.

Economic Impact

The Planning Proposal will create a number of positive economic outcomes, including:

- Enable the site to be redeveloped for non-acute health purposes and facilitate additional jobs in the Eastern Harbour Facility in the health sector and other industries;
- Support competitiveness and job growth by increasing the number of permissible employment generating uses across the site which will facilitate the generation of 273 jobs;
- Facilitate additional jobs through construction activities associated with the future redevelopment of the site;
- Will deliver employment generating floorspace along with much needed health and social infrastructure in response to the needs of the community.

Heritage

Aboriginal Heritage

An Aboriginal Archeological Due Diligence Assessment has been prepared by Dominic Steele Consulting Archaeology and was submitted with the planning proposal. The purpose of the report is to assess the archeological significance of the site and the implications for the proposal.

The report has been completed in consultation with the Metropolitan Local Aboriginal Land Council (MLALC) and in accordance with the Office of Environments & Heritage's (OEH) Due Diligence Code of Practice (2010) guidelines. The findings of the report are informed by a site inspection where extensive field recording was undertaken to ascertain areas of Aboriginal archaeological sensitivity. A sample survey of the southern and eastern bush land areas and photographic recordings were relied upon to complete the field recording.

The report concludes that no Aboriginal Archaeological sites or objectives have previously been recorded on the site. It notes that the bush land located on the perimeter of the site, within its south and south eastern portions, has the potential to contain archaeological remnants. These remnants may be within sandstone surfaces and buried soils. The remainder of the site has been subject to extensive redevelopment to facilitate the construction of the former hospital. In turn, the former sandstone and associated soil profiles that have the potential to contain Aboriginal rock engravings, deposits and objects are likely to have been destroyed or significantly disturbed. Notwithstanding, the proposal does not seek to redevelop these areas, with the future built form confined to the already redeveloped portions of the site. Accordingly, these sensitive areas are not likely to be impacted by the proposal.

Based on the findings of the field recording, the report provides the following recommendations to facilitate the redevelopment of the site:

- That a geotechnical investigation of subsurface conditions beneath the existing car park and landscaped surfaces be undertaken to identify if intact sandstone and soils are present. If found, appropriate heritage management approaches should be adopted.
- Where the future redevelopment of the site necessitates disturbance to the bush land areas located at the fringes of the site, the proposed works must be evaluated at a site-specific

level by the MLALC to identify if there will be any potential Aboriginal cultural heritage impacts.

European Heritage

Paul Davies Pty Ltd have prepared a Heritage Assessment Report which was submitted with the Planning Proposal. The report assesses the heritage significance of the buildings contained within the site and the potential impacts to the European heritage values.

The assessment has been prepared in accordance with the guidelines of the NSW Heritage Manual and The NSW Heritage Division, Office of Environment and Heritage's (OEH) Assessing Heritage Significant guidelines as well as the principles established by the Australian ICOMOS Burra Charter and associated Practice Notes.

While the report identifies that the site contains only one locally listed heritage building known as (Item I133 – the Manly District Hospital (former principal building)) there are a number of unlisted buildings contained within the site that are of local historical significance. These buildings are significant as they are representative of inter-war period hospital designs and reflect their original built form dated back to 1920s-1930s.

Buildings 5 and 15, and the remnant façade of Building 1, are of significance as they are representative of Inter-war Georgian Revival and Inter-war Free Classical style buildings. They reflect the work of the NSW Government Architect's branch and the typical hospital designs of the Inter-war period. Building 20 is of heritage significance due to its historical associations with the Quarantine Station. The assessment concludes that these buildings are capable of being adaptively reused.

The remaining buildings across the site are identified as being of moderate significance or detracting items that are not worthy of retention.

Based on the preceding assessment, the report nominates two recommendations. Firstly, that the buildings discussed above that are identified as having heritage significance be retained, conserved and adaptively reused. In accordance with this recommendation, an Indicative Concept Master Plan for the site was prepared and submitted with the Planning Proposal demonstrating how this may be able to occur.

The second recommendation relates to the preparation of a Conservation Management Plan to guide the redevelopment of the site and the proposed adaptive reuse of the existing buildings. To satisfy this recommendation, it envisaged that a Conservation Management Plan will be prepared at the site-specific DCP or detailed Development Application preparation stage of the project.

In order to further inform the preparation of a Conservation Management Plan, it is also recommended that the structures identified as having heritage significance be put forward for heritage listing. The planning proposal reflects this.

In summary, the assessment confirms that the site contains a variety of significant heritage buildings and whilst not designated as being locally listed heritage items under the MLEP 2013, some of these buildings are worthy of retention and adaptive reuse. With the adoption of the recommendations, the proposal as envisaged by the Indicative Concept Master Plan can be accommodated on the site without providing unacceptable impacts to its significant heritage fabric.

Consistent with the report's recommendations, the proposal seeks to list these significant buildings so that their heritage significance can be preserved as well as the site's important aesthetic qualities and historical associations.

Section D – State and Commonwealth Interests

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

The site is located in an established urban area and benefits from access to a range of existing facilities and services, including utilities, with capacity to service additional envelope. See the accompanying Services Strategy undertaken by Cardno provide as Appendix 1 for further details.

The site is located in close proximity to a number of public transport services, including bus services along Darley Road opposite the site which provide connections to the Manly Town Centre and the Northern Beaches. The site is located a short 13 minute walk (800m) from the Manly Town Centre, which provides additional public transport connections to the Sydney CBD, North Sydney CBD and Chatswood.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Planning Proposal is being prepared in accordance with consultation guidelines and provisions prepared by the Department of Planning, Industry and Environment and all statutory consultation will occur in accordance with the requirements of any future Gateway Determination, including any State or Commonwealth authorities.

The Planning Proposal has been prepared on behalf of Property & Development NSW (PDNSW), part of the Department of Planning, Industry and Environment. The Proposal has been amended to reflect an independent assessment undertaken on behalf of Northern Beaches Council, as well as a review by the Northern Beaches Local Planning Panel.

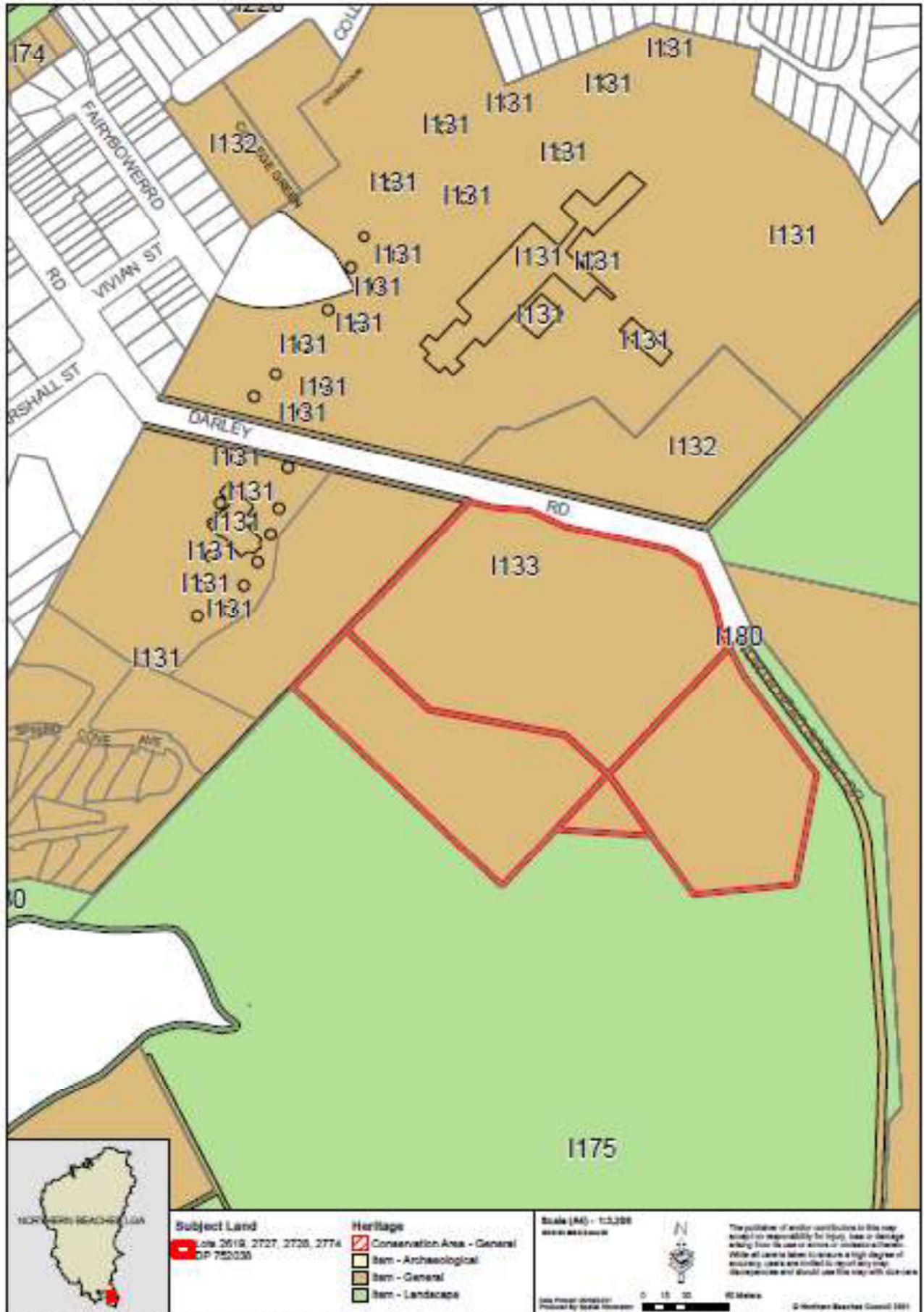
The views of other State and Commonwealth public authorities will be further known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

Where necessary, further consultation with relevant authorities will be undertaken as required at the Gateway Determination Phase. State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition.

Part 4 – Maps

The proposed amendments necessitate a change to the mapping that accompanies the MLEP 2013, identifying the property for inclusion in Schedule 5 of the MLEP 2013.

The Planning Proposal will introduce additional permitted uses under Schedule 1 pursuant to clause 2.5 of the MLEP 2013.



Part 5 – Community Consultation

Council placed the Applicant's Planning Proposal on non-statutory public exhibition in accordance with the Northern Beaches Community Participation Plan from 20 November 2020 – 4 December 2020] (2 weeks). Notification included:

- Letters to land owners and occupiers within 30m of the subject site
- Electronic copies of the exhibition material on Council's website
- Emails to registered community members who have listed their interest on Council's Community Engagement Register

6 submissions were received in response to the public exhibition period. A response to the submissions is contained within the attached planning proposal assessment report.

Council's assessment of the Planning Proposal has identified that additional information must be provided by the proponent with regard to evacuation and access/egress in view of the additional uses being permitted on the site. Council is seeking to have this information be provided as a condition of a Gateway Determination.

The Gateway determination will confirm the public consultation that must be undertaken. It is recommended that the following government agencies be consulted:

- NSW Rural Fire Service
- Ausgrid
- Sydney Water
- Heritage Council of NSW
- NSW State Emergency Services
- Roads & Maritime Services

Any future site-specific DCP and detailed design DA for the site would also be exhibited in accordance with Council's requirements, at which point the public and any authorities would have further opportunity to comment on the Planning Proposal.

Part 6 – Project Timeline

Task	Anticipated timeframe
Anticipated commencement date (Gateway determination)	July/August 2021
Anticipated timeframe for the completion of required technical information	November 2021
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	December 2021
Commencement and completion dates for public exhibition period	January/February 2022
Dates for public hearing (if required)	February 2022
Timeframe for consideration of submissions	March 2022
Timeframe for the consideration of a proposal post exhibition	April 2022
Date of submission to the Department to finalise the LEP	May 2022
Anticipated date the local plan-making authority will make the plan (if authorised)	July 2022
Anticipated date the local plan-making authority will forward to the PCO for publication	August 2022