

15 June 21

Liza Cordoba
Executive Manager
Northern Beaches Council
1 Belgrave Street
MANLY, NSW 2095

Attention: Liza Cordoba

Dear Liza,

RE: PLANNING PROPOSAL (PEX2020/0009) FOR 150 DARLEY ROAD, MANLY - RESPONSE TO COUNCIL'S RECOMMENDATION TO THE LOCAL PLANNING PANEL

We write on behalf of Property & Development NSW (PDNSW) (part of the Department of Planning, Industry and Environment) (the Proponent) in relation to the Planning Proposal (PEX2020/0009) for the site at 150 Darley Road, Manly (the site), also known as the Former Manly Hospital Site.

The purpose of this letter is to respond to the recommendation made by the Northern Beaches Council (Council) to the Northern Beaches Local Planning Panel (Panel) within the Panel's Agenda for 16th June 2021.

The recommendation and matters raised to be responded to include the following:

Relevant Council staff have reviewed GHD's recommendation, and agree to progress it to the Northern Beaches Local Planning Panel for consideration noting that the following information be sought before the land is rezoned, namely:

- *Additional information is needed to determine the adequacy of access/egress in the event of an emergency in accordance with the relevant Planning for Bushfire Protection 2019 guideline;*
- *Intention to list a number of buildings on the subject site with demonstrated, high heritage value.*

It is Council's intention to request that this information be required as a condition of any future Gateway Determination.

RECOMMENDATION OF MANAGER STRATEGIC & PLACE PLANNING

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.*
- Recommends that Council request to DPIE that additional information (Heritage and Bushfire) be required to be submitted as a condition of and prior to any future Gateway Determination.*

It is firstly noted that there is some confusion between the conclusions made by Council in their report and the recommendation as detailed above. In this respect, Council concludes that this information be required as a condition of any future Gateway Determination. However, the recommendation provides that the information be submitted as a condition of and prior to any future Gateway Determination. As discussed in the ensuring sections of this letter, it is requested that this information be deferred to post-gateway and the Development Application stages of the project.

A detailed response to the recommendation has been provided in the letter below. In relation to the recommendations of Council and GHD, it is important to reiterate the purpose of the Planning Proposal and the intended next steps in the planning process for the site.

The Planning Proposal seeks Additional Permitted Uses (APU) at the site through an amendment to Schedule 1, pursuant to clause 2.5 of the Manly Local Environmental Plan 2013 (MLEP 2013) to expand the range of health, wellbeing and related uses permitted at the site. The Planning Proposal does not seek concept approval or built form changes across the site as these potential outcomes are yet to be realised. The Planning Proposal purely seeks an amendment to the MLEP 2013 to facilitate the subsequent master planning of the site which would be subject to a Development Application and further environmental assessment.

As provided in Mecone's response to Council dated 19th March 2021, the request for this information at this stage is considered premature and out of sequence. These considerations should be subject to detailed master planning which would more accurately reflect the likely development outcomes of the site and thus inform the assessment and consideration of the matters raised by GHD at a more appropriate stage in the process. It is acknowledged however, that further information in relation to heritage may be provided post-gateway and prior to finalisation.

Following consideration of the recommendations of Council and GHD, we suggest it is unreasonable to request this information to be provided prior to Gateway Determination. Deferring the requirement for this information to post-gateway (heritage) and the Development Application (bushfire) stages would be more reasonable for the reasons discussed below.

Mecone maintain that the planning proposal has been prepared in accordance with DPIE's *A Guide to Preparing Planning Proposals* and addresses feedback provided by Council throughout the pre-lodgement consultation process.

B. Recommends that Council request to DPIE that additional information (Heritage and Bushfire) be required to be submitted as a condition of and prior to any future Gateway Determination.

- **Additional information is needed to determine the adequacy of access/egress in the event of an emergency in accordance with the relevant Planning for Bushfire Protection 2019 guideline;**

Response: Given the built form and specific land use outcomes for each building across the site are yet to be realised, it is considered that a request for bushfire emergency access/egress information is premature. It is unlikely that such an assessment would accurately reflect the ultimate development outcome of the site.

The Bushfire Assessment Report prepared by Peterson Bushfire recommends adequate access for emergency response and evacuation in accordance with the requirements of *Planning for Bush Fire Protection 2019* for future development.

Given the future development of the site is yet to be determined, it is considered unreasonable and out of sequence to request this information as part of the Planning Proposal. It is important to note that Peterson Bushfire concludes that the potential future development of the site can satisfy the requirements of *Planning for Bush Fire Protection 2019*.

It is therefore requested that this information be deferred to the master planning and Development Application stage of the project and not form part of the Planning Proposal.

- **Intention to list a number of buildings on the subject site with demonstrated, high heritage value.**

Response: As provided in Mecone's response on 19th March 2021, it is suggested that the Part 1 Heritage Assessment submitted with the Planning Proposal provides sufficient information to enable an assessment of the Planning Proposal pre-gateway. The report identifies significant buildings and elements within the site to be retained and where appropriate, conserved and/or adaptively reused.

Mecone note that the Proponent will prepare the Part 2 Heritage Assessment and Conservation Management Plan for the site, to be submitted to Council in conjunction with the site-specific DCP, post-gateway and prior to finalisation of the planning proposal.

The Proponent is supportive of the listing of some of the buildings as heritage items on the site prior to the finalisation of the Planning Proposal. The items identified for listing can be confirmed following further heritage related investigations being undertaken including the Part 2 Heritage Assessment and Conservation Management Plan. However, the listing of heritage items should be limited to those buildings within the site itself, being Lots 2619, 2727 and 2774 DP 752038. In this respect, the following buildings as identified by GHD are not located within the site and Planning Proposal boundaries and therefore should not be subject to heritage listings under this Planning Proposal:

- Building 20 (Parkhill Cottage); and
- Bushland (landscape setting) that is not located within the site.

Further to the above, the GHD report identifies the Adolescent and Young Adult Hospice (AYAH) site (Lot 2728 DP752038) to the south-east of the site as forming part of the Planning Proposal. This site does not form as part of the Planning Proposal and therefore should not be considered for the purpose of the proposed APUs. The AYAH site is under the ownership and control of another government agency (Health Administration Corporation) and is subject to a separate approvals process. It is therefore requested that AYAH site not be included as part of this Planning Proposal.

In view of the above and consideration of the conclusions made by Council, it submitted that the recommendation be amended as follows:

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.*
- B. Recommends that Council request to DPIE that additional information (Heritage ~~and Bushfire~~) be required to be submitted as a condition of ~~and~~ ~~prior to~~ any future Gateway Determination.*

We trust that Council and the Panel give due consideration to this request and act in the public interest by allowing PDNSW and the Planning Proposal to proceed in the manner recommended in this letter.

We look forward to hearing from you and please do not hesitate to contact me on 0411 088 666 or tcook@mecone.com.au should you require anything further.

Yours sincerely



Tom Cook
Director