

Strategic Planning Referral Response

Application Number:	DA2021/0212
Date:	08/04/2021
To:	Lashta Haidari
Land to be developed (Address):	Lot 101 DP 1209504 , 5 Skyline Place FRENCHS FOREST NSW 2086

Officer comments

STRATEGIC AND PLACE PLANNING ASSESSMENT
Discussion of reason for referral
<p>The application has been referred as the subject site is identified within the 'jobs growth' area of the Hospital Precinct Structure Plan (2017), adopted by Council on 1 August 2017.</p> <p>The site is currently zoned B7 Business Park under <i>Warringah Local Environmental Plan (LEP) 2011</i>.</p>
Consideration of Application
<p>The application is for the demolition of the existing warehouse and associated at-grade parking and construction of a 3 to 12 storey seniors living and mixed use development comprising 133 independent living units at Lot 1 of 5 Skyline Place, Frenchs Forest. Of the 133 independent living units, 12 will be assigned as affordable housing for seniors and 10 will be assigned for disability housing, to be managed by Project Independence. In addition, the development proposes stratum subdivision into 3 lots (disability and affordable housing; seniors housing; commercial uses), 941m² of commercial floor space, associated communal facilities and 232 parking spaces.</p> <p>The application relates to Lot 1, which is located to the rear of Lot 2. Lot 2 was approved under Section 8.2 of the <i>Environmental Planning and Assessment Act 1979</i> by the Sydney North Planning Panel (SNPP) on 18 June 2019. This approval specified that the amendments to the application satisfactorily addressed the concerns raised by the previous decision of the SNPP on the application. It is also noted that Lot 1 was approved on the basis of retaining the existing warehouse at Lot 2, which is now proposed to be demolished under the current application.</p> <p>Notwithstanding the approval obtained for Lot 2, fundamental concerns regarding the introduction of residential land uses (in the form of seniors, affordable and disability housing) into the Frenchs Forest B7 Business Park zone remains. Whilst housing for seniors, affordable housing and those living with a disability is recognised as important within proximity of the new Hospital, the B7 Business Park zone is not the appropriate location as it will further compromise the existing strategic advantage of the business park and the future capacity of surrounding businesses to respond to economic opportunities.</p> <p>Key concerns with the proposal are discussed below.</p>

1) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with Council's Hospital Precinct Structure Plan and Local Strategic Planning Statement (Towards 2040), impacting on the delivery of the Frenchs Forest Strategic Centre

The Hospital Precinct Structure Plan (HPSP) was adopted by Council in 2017. Whilst this is not a statutory document, the document guides future land use planning decisions in Frenchs Forest over the next 20 years. Council is working with the NSW Department of Planning and Environment to implement Phase 1 of the HPSP into the statutory planning framework as part of the Frenchs Forest Planned Precinct project.

The subject site is located within the B7 Business Park zone of the Frenchs Forest Business Park, located east of Wakehurst Parkway. The HPSP notes that there whilst there are no changes to the existing land use zone, this precinct can grow and mature under its current zoning to support the new hospital and deepen the locality's employment place.

A key recommendation arising from the HPSP is the development of an Economic Development Strategy to facilitate employment growth in the area. This is currently underway as part of Council's work to consolidate the existing statutory planning framework (Local Environmental Plans and Development Control Plans).

Council's Place and Economic Development Team will provide further commentary on the future direction of the Frenchs Forest B7 zoned Business Park.

The HPSP does not contemplate or refer to the consideration of residential land uses in any form within the business park. This is a deliberate policy position of Council which is aimed at encouraging a range of employment generating uses, primarily office and light industrial uses, and preserving the land for further specialisation and innovation in its future employment options. The current planning regime recognises that many employment uses that are permitted in the zone may not be deemed compatible to co-locate with residential uses, hence residential accommodation is prohibited as a land use in the B7 Business Park zone under *Warringah LEP 2011*.

The position to safeguard employment lands is further strengthened by Council's Local Strategic Planning Statement (LSPS) known as Towards 2040. The LSPS was adopted by Council on 25 February 2020 and sets out the 20 year vision for land use in the local area, the special character and values that are to be preserved and how change will be managed into the future. Whilst the LSPS is not an explicit matter for consideration in the development assessment phase, it will inform Council's strategic planning and the development controls in the comprehensive Northern Beaches LEP, which is currently under preparation.

The relevant priorities in the LSPS for this application are identified below.

- Priority 12 – an inclusive, healthy, safe and socially connected community

Comment: the intent of this priority is to facilitate social inclusiveness in centres with access to high-frequency public transport. Whilst the subject site is located within the Frenchs Forest Strategic Centre, consideration of other competing priorities in the LSPS is required including Priority 28, to safeguard employment lands.

- Priority 15 – housing supply, choice and affordability in the right locations

Comment: this priority recognises that future growth will implement the HPSP through the phased delivery of 4,360 new homes over the next 20 years. The subject site is inconsistent with the HPSP by introducing residential land uses in the B7 Business Park zone and is therefore not considered the right location for residential growth.

- Priority 16 – access to quality social housing and affordable housing

Comment: whilst the proposal for affordable rental housing is consistent with this priority, consideration of other competing priorities in the LSPS is required including Priorities 15 and 28, which recognise that housing needs to be in the right locations and that employment lands need to be safeguarded.

- Priority 22 – jobs that match the skills and needs of the community

Comment: the residential component of this proposal will diminish employment or economic opportunities for office and light industrial uses, along with further specialisation and innovation in the future. The HPSP already allocates ample commercial, office and retail floor space west of Wakehurst Parkway, particularly around the town centre site.

- Priority 23 – Frenchs Forest as a sustainable health and education precinct

Comment: this priority recognises that the Frenchs Forest Business Park will focus on attracting health-related businesses and that the precinct will function together with the town centre, hospital and Forest Way Shopping Centre. The residential component within the business park will impact on the delivery of the HPSP and desired future character of the Frenchs Forest Strategic Centre.

- Priority 28 - safeguarded employment lands

Comment: this priority acknowledges that the Frenchs Forest Business Park is the fourth largest (developed) business park in Greater Sydney and makes up 54% of the 100 hectares of business park zoned land on the Northern Beaches. Whilst the application notes that the subject site comprises a minor proportion of the overall business park, the cumulative impact of multiple seniors housing developments will result in a loss of available employment land and diminishing of the business park's employment role. This priority also emphasises the importance of safeguarding employment land from non-compatible uses, particularly residential and mixed-use development. Further, the priority notes the importance of focusing on economic outcomes that support population rather than job numbers. The application is inconsistent with this priority.

2) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with the desired future character established by the objectives of the B7 Business Park zone under *Warringah Local Environmental Plan 2011*, which seeks development of a non-residential character and significantly less scale

The application is not considered to meet the objectives of the B7 Business Park zone under *Warringah LEP 2011*, which aims:

- *to provide a range of office and light industrial uses.*
- *to encourage employment opportunities.*
- *to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *to create business park employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.*
- *to minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.*

Whilst the commercial floor space is consistent with the objectives, the residential component of the development is clearly inconsistent as it will not provide employment opportunities and minimise land use conflicts in the B7 zone.

Whilst the application has noted that the architectural design, site and operational planning has carefully considered land use conflicts, concern remains that:

- amenity for residents can be impacted by the operation of nearby businesses due to the different needs and requirement of the respective land uses
- operators of certain employment uses will decide not to locate in the B7 zone due to perceived limitations on their operation that will result due to conflict between their different needs and requirements and those of a residential population.

3) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with the desired future character established by State Government metropolitan planning, which reinforces the importance of retaining and enhancing employment uses within the Business Park

The future strategic planning directions of the State Government continue to support and build on Council's current planning directions for the B7 Business Park zone are contained in the HPSP and LSPP. It is noted that the State Government has declared a Planned Precinct at Frenchs Forest and current planning does not contemplate residential land uses in the B7 Business Park zoned land.

The broader strategic planning directions contained in the Greater Region Plan (A Metropolis of Three Cities) and North District Plan reinforce the importance of retaining and enhancing employment uses.

The relevant objective from the Greater Sydney Region Plan are:

- Objective 10 – greater housing supply
- Objective 11 – housing is more diverse and affordable
- Objective 12 – greater places that bring people together
- Objective 21 – internationally competitive health, education, research and innovation precincts
- Objective 22 – investment and business activity in centres
- Objective 23 – industrial and urban services land is planned, retained and managed

The relevant priority from the North District Plan is:

- Planning Priority N11 – retaining and managing industrial and urban services land

Whilst the proposal is consistent with some objectives and priorities in the Greater Sydney Region and North District Plan, consideration of the conflicting objective to retain and manage industrial and urban services land is important. The residential component of this application does not meet this objective and will have implications on the gradual loss of urban services found in the Frenchs Forest Business Park.

The application notes that the subject site is not industrial and urban services land and considers the B7 Business Park zone to be a mixed use zone as it permits a range of uses and prohibits a range of industrial uses, as per the definition of industries and urban services in the District Plan. Whilst this interpretation is debatable, it is noted that there are new and emerging light industrial uses that are relocating to Frenchs Forest, which are permissible in the B7 Business Park zone under *Warringah LEP 2011*. For example, an emerging manufacturing business located nearby is Black Lab Design. In 2017, this business was identified as 45th on the prestigious 2017 AFR Fast Starters List, providing innovative end-to-end design and production service for sheet metal based projects. This business relocated to accommodate their rapid expansion and growth and demonstrates that there is light industry occurring in the B7 zoned lands, which provides an important urban service.

4) The proposed development raises potential for land use conflict with surrounding businesses

The introduction of a residential land use to this zone would impact the future commercial and industrial activities that could take place in this Business Park zone (including office, research and development, manufacturing and warehouse).

The current absence of residential land use is a key differentiator for this employment land precinct from others in the region. Removing this point of difference would impact the attractiveness of this business park to prospective businesses and undermine its ability to cater for a diversity of business types, affecting the resilience of the Northern Beaches economy.

Any future industrial and commercial developments and activities within this zone would have to consider impacts to the amenity of this proposed residential population. Noise concerns could impact hours of operations and truck movements for nearby businesses.

5) The subject site is not the right location for seniors housing, affordable housing and disability housing

Frenchs Forest is characterised by a separation between the new hospital and future town Centre from the Business Park, which is to the eastern edge of the suburb by the Wakehurst Parkway and Warringah Road.

As a result, there are severance issues with the hospital and business park, located either side of Warringah Road and the Wakehurst Parkway. Pedestrian access to the subject site is unappealing given the slope of Frenchs Forest Road East and Frenchs Forest Road West and large intersections at Wakehurst Parkway. Access will likely be

via the private vehicle, adding further to the traffic and transport capacity of the surrounding road network.

It is noted that future housing growth will be focused west of Wakehurst Parkway with opportunities for seniors housing envisaged in the town centre under the B4 Mixed Use zone and R3 Medium Density Residential zone, west of Wakehurst Parkway. This area is seen as more appropriate to locate seniors housing, affordable housing and disability housing given its topography and accessibility to services and public transport.

6) The proposed development will set a precedent for the introduction of residential land uses into the B7 Business Park zoned land within Frenchs Forest

The approval of the proposed development at Lot 1 will signalise to the market that residential uses within the B7 Business Park zoned lands is acceptable. Whilst the business park is currently underutilised, the development of the hospital and synergies with medical uses will stimulate growth over time. Retaining and managing the B7 Business Park zone solely for employment purposes is crucial for the success of this business park.

The application relies on the approval at Lot 2 as a precedent, with the justification that increasing net jobs will enhance the overall economic growth of the business park. However, it is important to note that the strategic planning for this precinct also documents the importance of retaining and managing employment lands and supporting jobs which provide an important service to the community, rather than focusing on job numbers. A reliance on Lot 2 as a precedent is therefore not considered appropriate.

In conclusion, Strategic and Place Planning does not support the application for the following reasons:

- 1) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with Council’s Hospital Precinct Structure Plan and Local Strategic Planning Statement (Towards 2040), impacting on the delivery of the Frenchs Forest Strategic Centre**
- 2) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with the desired future character established by the objectives of the B7 Business Park zone under *Warringah Local Environmental Plan 2011*, which seeks development of a non-residential character and significantly less scale**
- 3) The proposed land use (seniors housing, affordable housing, disability housing) is inconsistent with the desired future character established by State Government metropolitan planning, which reinforces the importance of retaining and enhancing employment uses within the Business Park**
- 4) The proposed development raises potential for land use conflict with surrounding businesses**
- 5) The subject site is not the right location for seniors housing, affordable housing and disability housing**
- 6) The proposed development will set a precedent for the introduction of residential land uses into the B7 Business Park zoned land within Frenchs Forest**

Further Comments

COMPLETED BY: Maxine Szeto, Principal Planner

DATE: 8 April 2021

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Strategic Planning Conditions:

Nil.