

30 August 2013

Pittwater Council
PO Box 882
MONA VALE NSW 1660

Dear Sir /Madam,

**Public Exhibition:
Planning Proposals PP 0003/13 and PP0004/13**

I am writing to you on behalf of our client Karimbla Construction Services Pty Ltd in relation to the public exhibition of the above Planning Proposals. I acknowledge that the public exhibition also includes one other Planning Proposal for other lands in the Warriewood Valley however our client only has interest in the Proposals referenced above.

As Council would be aware, our client has submitted its own Planning Proposal request (PP0002/13) in June 2013 and relating to land held under its ownership being:

- 2 Macpherson Street:
- 18 Macpherson Street:
- 23, 25 & 27 Warriewood Road:

This land is now also covered by the above Planning Proposals prepared by Council. We have had the opportunity to review the exhibition material and wish to register our client's disappointment in the Council Proposals as in our opinion; it represents a missed opportunity to deliver a more diverse and sustainable range of housing choice in Warriewood.

It is our opinion that our client's Planning Proposal is consistent with the underlying intent of the review of planning controls in the Valley triggered by the Planning Assessment Commission's (PAC) determination of the major project application (MP 09_0162) for 14-18 Boondah Road, which approved dwelling densities of 60 dwellings per hectare and building heights of three to four storeys.

"There is a need to increase housing stock in the Metropolitan Sydney and in each subregion to meet the housing demand generated by a growing population and changing household requirements. There is also a need for diversity in the mix of housing stock in the Pittwater area and there is merit in reviewing the current Pittwater council's development density control of 25 dwellings per hectare in the Warriewood Valley and the building height restriction of 8.5m. The Commission considers the retirement village development across from the subject site has already set a precedent for 3 storeys to be acceptable in the locality."

Planning Proposals PP 0003-4/13 prepared by Council will fail to achieve this intent simply as a consequence of the land economic fundamentals that drive development decision making in the Valley. The Council's Planning Proposal's very modest proposed increase in density does not recognise advice commissioned by the Department of Planning and Infrastructure (Economic Feasibility Study, Oct 2011) and used to inform the Council's and Department's joint strategic review of

the Warriewood Valley and now forming part of the exhibition material. This advice identified minimum densities required to sustain the level of infrastructure contributions proposed to support urban development in the Valley. Notably, the report stated that “for multi-storey development (e.g apartments) where on-site basement carparking is required, dwelling densities need to be at least 60 dwellings per hectare”. Recognising that apartments are a relatively new type of built form in the Warriewood Valley, the critical issue then becomes one of built form compatibility.

The PAC when making its assessment of the Boondah Road application found that the proposed built form was a well-considered design response that would be compatible within its context. The Planning Proposal put to Council by our client is simply looking to extend this logic. It is unfortunate that Council has not offered to discuss the merits of our clients’ Planning Proposal prior to placing its own suite of Planning Proposals including PP0003-4/13 on exhibition as it has effectively pre-empted Council’s attitude towards our client’s project. This appears to be in spite of an explicit requirement for such in the Department of Planning and Infrastructure’s Gateway Determination of the 7th August 2013 for Council’s Planning Proposal which states that

It is acknowledged that Meriton Pty Limited submitted a planning proposal to Council on 7 June 2013, which includes several parcels of land covered by this Gateway Determination. Meriton's planning proposal seeks to amend the height and maximum dwellings permitted in Sector 302. As previously discussed, opportunity for higher residential density development within Warriewood Valley may exist and it is appropriate that they are explored through site specific planning proposals based on a merit assessment.

The underlying premise of our client’s Planning Proposal is increasing housing choice in the area as recognised by the PACs assessment of the Boondah Road proposal. It is considered that if Council’s Planning Proposals proceed in their current form the opportunity to achieve this will be not only lost but also at the potential risk of sterilising land that is zoned for urban development. This is significant when census data highlights the significant under-representation of apartment housing product in the area as illustrated in Figure 1 below.

When this under-representation is matched against population composition, it illustrates that in spite of an overall increase in Pittwater’s population between 2001 and 2011, there has been an actual decline in population in the household forming years in both Warriewood and for the LGA as a whole. Conversely there has also been a significant increase in the age groups that are increasingly demanding apartment style housing elsewhere in Sydney. (Refer Fig 2 and 3).

In summary, our client maintains its position put forward in support of its own Planning Proposal as one that takes a wider view and is based around metropolitan and sub-regional planning strategy, but respectful of the local design and built form context which is clearly evolving. It recognises that to meet future housing needs an adequate supply of developable land must be made available. It is our view that Council’s Planning Proposals places an unnecessary constraint on this by seeking to limit development generally to lower densities that have historically prevailed within Warriewood and in spite of independently recognised opportunity to increase such. This has resulted in a significant underestimation of the development potential of the remaining land available within the Valley. This not only represents the inefficient use of land but it also jeopardises the potential to adequately satisfy the objectives of the Sydney Metropolitan Plan and the recently published draft Sydney Metropolitan Strategy.

Our client’s Planning Proposal responds to State government’s current direction of seeking to increase building height and density within this part of the Warriewood Valley. Importantly, the density sought by our client does not result in a radical departure from the prevailing and evolving built form or character of the area. Rather the proposal is of a scale similar to new development within the immediate surrounds. It is interesting to also note that the exhibited Planning Proposals also seek to maintain an approach to development control that is extremely prescriptive and appears contrary to the directions

for such being laid out in the Government's Planning Reform process. At the very least, given that Council has already exhibited a draft template LEP for the LGA, then the Council's Planning Proposals as exhibited should explain the intended relationship between controls proposed under this earlier draft template instrument and how these latest controls in the exhibited Proposals are to be ultimately translated. This would be of benefit to the wider community. In this respect our client's Planning Proposal contains an indicative FSR of 0.8:1. The draft Strategic Review document for the Valley and referenced in our client's Planning Proposal detailed an FSR of 0.5:1 across the Warriewood Valley. Based on our preliminary assessment of the dwelling density controls proposed in Council's exhibited Planning Proposals, potentially reduce the density below this figure.

This statutory planning overlay paints a confusing picture as to what is ultimately sought in Warriewood, namely quality and diverse housing choice respectful of an evolving design context and demonstrable lack of apartment choice. Our client's proposal provides opportunity to successfully achieve a balance between good urban design and density. It recognises the benefits of providing higher density development that can take advantage of the locational and amenity benefits that our clients sites' proximity to existing centres and public transport infrastructure can provide.

For these reasons, our client wishes to register its objection to Council's Planning Proposals in their current form.

If you would like to discuss this matter further I can be contacted on 82339900

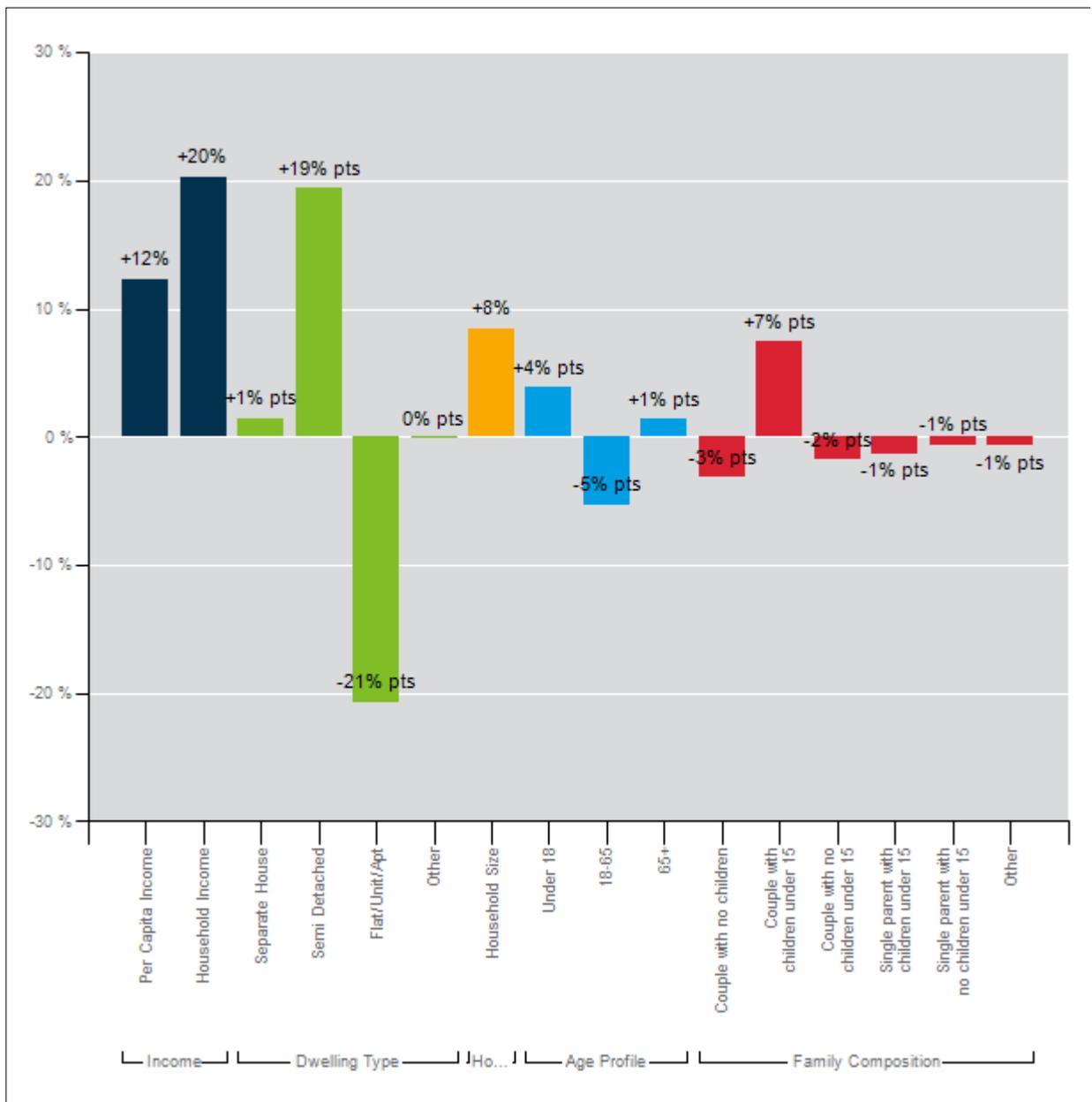
Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hoy', is written over a light grey rectangular background.

David Hoy
Director

Fig. 1 Key Demographics Variation from Greater Sydney

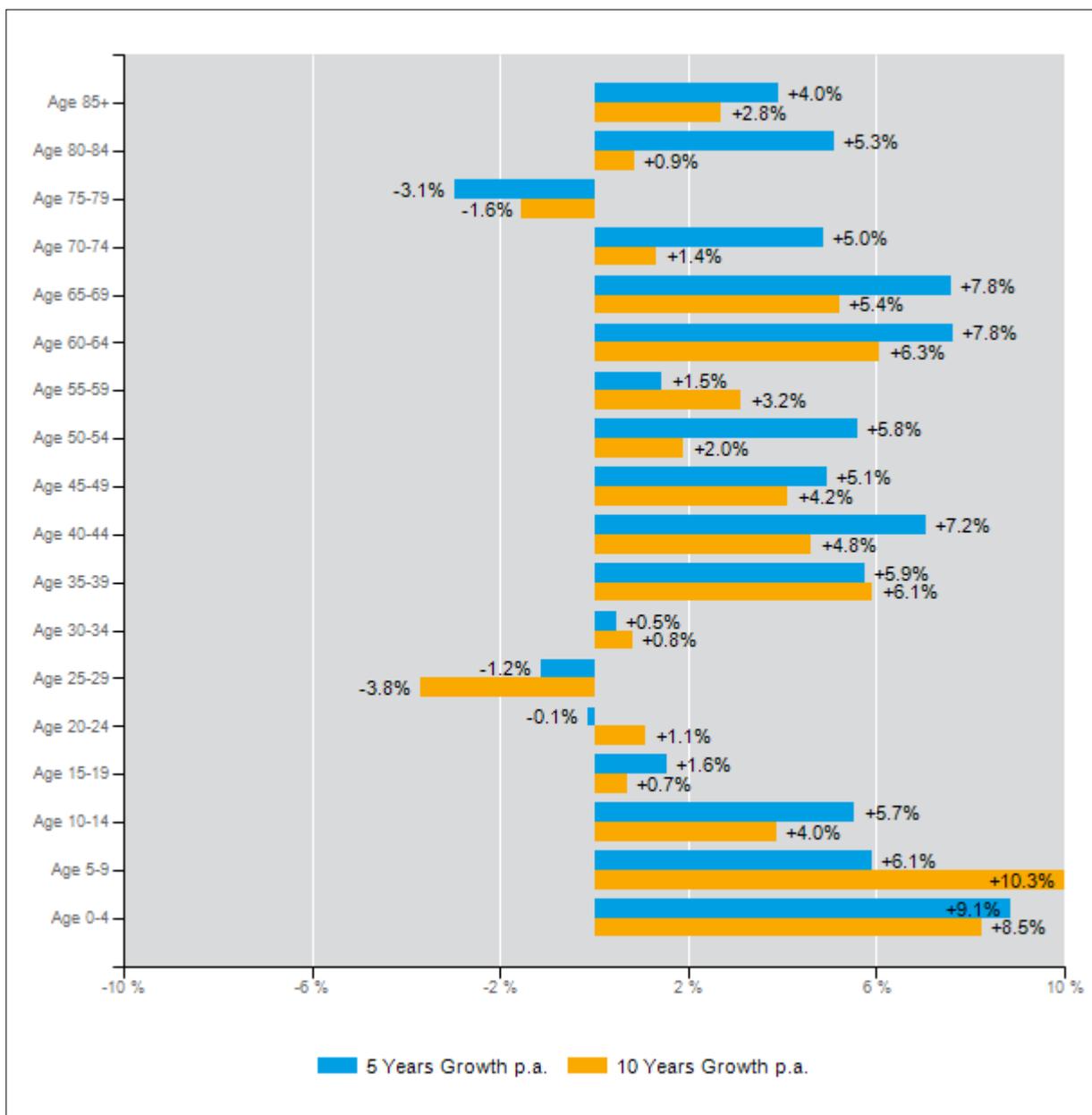
POSTCODE 2102



Source : ABS Census of Population and Housing 2011; Urbis

Fig. 2 Population Growth p.a. by Age, 2001-2011

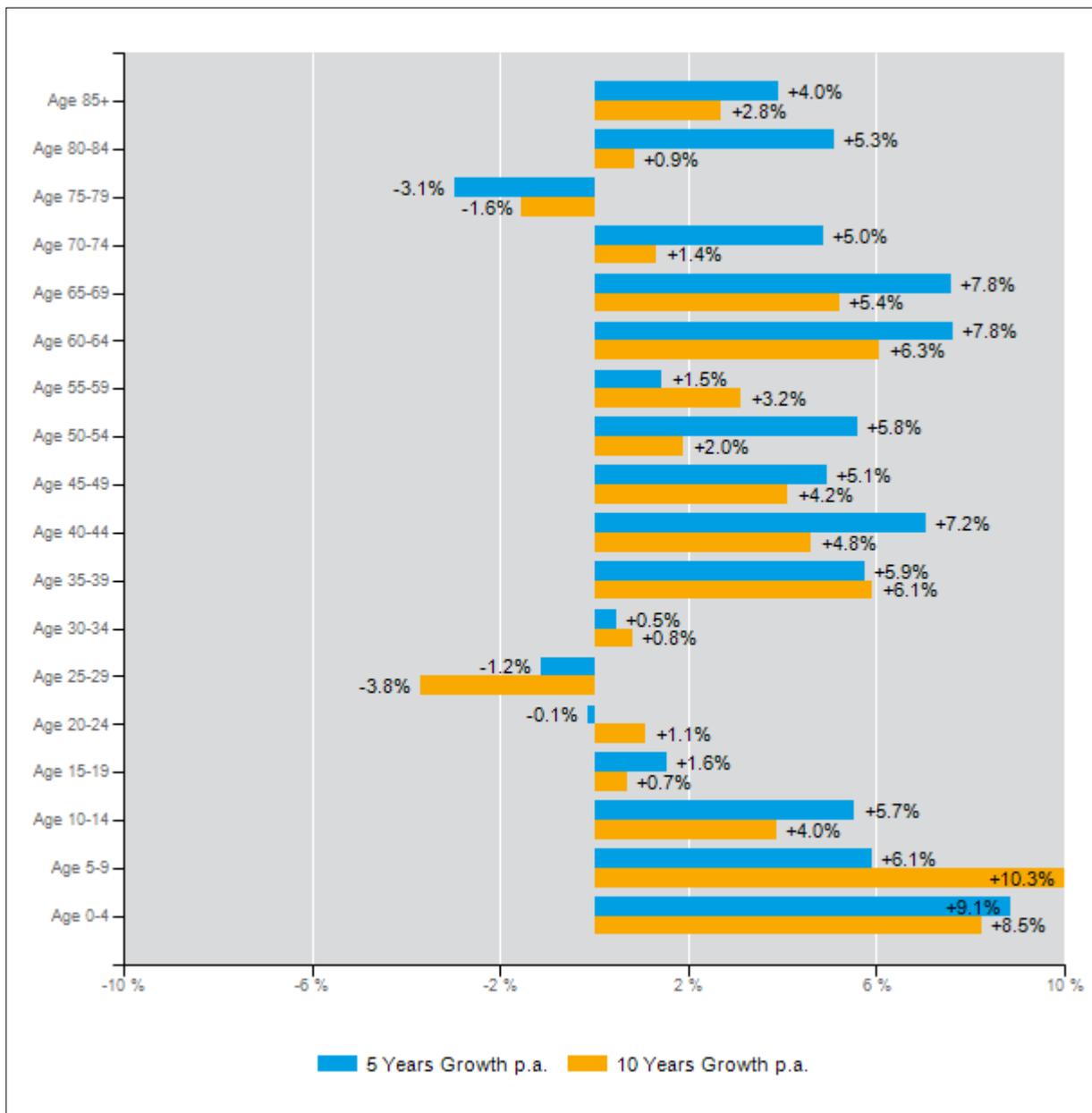
WARRIEWOOD SUBURB



Source : ABS Census of Population and Housing 2001, 2006 and 2011; Urbis

Fig. 3 Population Growth p.a. by Age, 2001-2011

POSTCODE 2102



Source : ABS Census of Population and Housing 2001, 2006 and 2011; Urbis