

<b>ITEM 11.2</b>	<b>FRENCHS FOREST PLANNED PRECINCT TOWN CENTRE DEVELOPMENT OPTIONS</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC &amp; PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2018/346092</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To provide a status update on the Frenchs Forest Planned Precinct and to select a forward path for the next phase of the project including determining the preferred built form outcome and associated public consultation.

### SUMMARY

The Northern Beaches Hospital Precinct Structure Plan (Structure Plan) was adopted by Council in 2017. Since that time, Council has been working with the NSW Department of Planning and Environment to implement Phase One of the Structure Plan. This has included the preparation of technical studies to inform the preparation of detailed planning controls, preliminary engagement with the community through the Planned Precinct community information session, an online Place Score survey, and consultation with Councillors, local State Members of Parliament and the Northern Beaches Hospital Precinct Structure Plan Consultation Committee.

A key theme arising from the work has been the significance of the tree canopy, natural environment and the provision of open space in the town centre. This has been an important consideration and has influenced the refinement of the built form options, particularly for the town centre site.

The work undertaken to date highlights that an agreed built form option for the town centre site is needed prior to the preparation of detailed planning controls for the remainder of Phase One. A decision regarding the preferred built form and subsequent consultation strategy is required.

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### RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council write to the NSW Department of Planning and Environment confirming the preferred forward path for the Frenchs Forest Planned Precinct is either:

- A. A one-step exhibition process to consult on Option 1, which is largely consistent with the Northern Beaches Hospital Precinct Structure Plan (2017) and to exhibit the rezoning documents in the latter part of 2018; or
  - B. A two-step exhibition process. The first step will include consultation on three options for the town centre. The second step will include a review of submissions and selection of a preferred option for a second round of exhibition in mid-2019.
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**REPORT**

**BACKGROUND**

Frenchs Forest is identified by the State Government in the Greater Sydney Region Plan (A Metropolis of Three Cities) and North District Plan as a Health and Education Precinct that will play a vital role for the growth of Greater Sydney over the next 40 years. On 1 June 2017, Frenchs Forest was declared a 'Priority Precinct' (now Planned Precinct) by the NSW Department of Planning and Environment (the Department), who are leading the precinct planning for the area in collaboration with Council and relevant state agencies. The Planned Precinct includes Phase One of Council's Structure Plan.



**Legend**

 B1 Neighbourhood Centre	 R2+ Low Density Residential plus additional land uses	 R3+ Medium Density Residential plus additional land uses
 B4 Mixed Use	 R3 Medium Density Residential	 SP2 Infrastructure
 Phase 1 (Immediately)	 Phase 2 (10 years)	 Phase 3 (10 years +)
 Proposed new road		

Figure 1: Phasing Strategy identified in Council's Structure Plan

In accordance with the approved Structure Plan, Phase One comprises a new, centrally located town centre that is connected to the Hospital and involves:

- Retail and commercial space (approximately 22,500m<sup>2</sup> of retail and 5,000m<sup>2</sup> of commercial)

- Approximately 3,000 new dwellings subject to identified infrastructure upgrades (comprising approximately 1,500 dwellings on the town centre site)
- Complementary uses to activate and provide additional employment opportunities in identified areas in close proximity to the Hospital
- Neighbourhood shops to service the area south of Warringah Road
- 15% of new dwellings in the town centre as affordable rental housing to support key workers with 10% affordable rental housing to be provided elsewhere
- Approximately 3,000m<sup>2</sup> to 4,000m<sup>2</sup> of passive open space in the form of a piazza or town square.

### Work Undertaken To Date

A whole-of-government approach is a key focus of this project. Since the adoption of the Structure Plan, refinement of Council's proposed development framework has occurred. This has been undertaken through a range of methods including the Department's preliminary engagement with the community through the Planned Precinct community information session, an online Place Score survey, and consultation with Councillors, local State Members of Parliament (State MPs) and the Northern Beaches Hospital Precinct Structure Plan Consultation Committee (Consultation Committee).

A key theme arising from the work has been the importance of the retention of the existing tree canopy, natural environment and the provision of open space in the town centre. This has been an important consideration and has influenced the refinement of the built form options.

In addition to the above, Council has been working with the Department to progress various technical studies required to support the statutory rezoning process. This includes:

- Urban Design Built Form Analysis
- Public Domain, Social Infrastructure and Open Space Assessment
- Green Infrastructure Plan
- Heritage
- Utilities
- Traffic and Transport
- Sustainability
- Employment
- Stormwater
- Contamination
- State Infrastructure Contributions Levy and Development Contributions Plan

The technical studies are an ongoing piece of work and the preliminary findings have been incorporated into the urban design and built form controls for the precinct. It is noted that most of the technical studies will need to be finalised once a preferred development option for the town centre has been chosen.

In regards to the provision of passive open space in the Structure Plan, it is important to note that there was a strong desire to focus on the existing parcels of open space in the precinct (such as

Brick Pit, Akora, Rabbett and Patanga Reserves) and embellish them to make these spaces more usable and accessible to the community and future residents. Detailed landscape plans have been prepared for these parcels of open space, however the embellishment and provision of these open space areas would be in addition to the passive open space being proposed on the town centre site in this report.

### Draft Built Form Options for the Town Centre

Critical to the success of the Frenchs Forest Planned Precinct is the creation of a vibrant and sustainable town centre adjacent to the Hospital. As previously identified, the new town centre is proposed to be located on the site of the existing Forest High School. Accordingly, and as identified in the Structure Plan, this will require the construction of a new High School at Aquatic Reserve. The NSW Department of Education in partnership with Council, have undertaken an investigation process to facilitate the development of a world class education and recreation precinct at Aquatic Reserve. Details in relation to the outcome of this investigation process will be provided in the coming weeks.

The feedback received via the Planned Precinct community information session and the Place Score Survey, consultation with Councillors, local State MPs, and the Consultation Committee has been instrumental in the development of built form controls for the new town centre. This feedback has highlighted the importance of the retention of the existing native tree canopy. Accordingly, the preparation of built form controls has focused on the retention of the existing trees and bushland on the town centre site. This has led to a 'trade-off' whereby the retention of the existing trees and bushland has resulted in a reduction in the developable footprint on the town centre site. This has led to a subsequent reduction in floor space ratio (FSR) on this site. Table 1 provides a comparison between the adopted Structure Plan and the refined built form controls in Option 1.

As can also be seen in Table 1, a further two options have been developed for the consideration of Council. Again, as an outcome of the consultation process undertaken, there has emerged an interest in exploring further 'trade-offs' in the interests of delivering the best outcome for the town centre. Option 2 involves a 'trade-off' of the provision of a signature tower of up to 70 metres (21-22 storeys), a 55 metre tower (16-17 storeys) and a 45 metre tower (14-15 storeys) for an additional 3,500m<sup>2</sup> of open space in the town centre delivery of a total of 1ha of open space in the town centre. This will also have the benefit of providing a more visually varied skyline compared to Option 1. The multiple buildings above the 40 metre height will allow a built form that sensitively transitions from a visually prominent signature tower down to low buildings at the edge of the town centre, particularly along Frenchs Forest Road West. The varied height will provide a more aesthetically pleasing, tapered silhouette to the skyline and allow for better view sharing from spaces within the buildings. This approach will also provide improved solar access to the piazza within the town centre.

Option 3 builds on Option 2 and involves a 'trade-off' of compliant FSR and more units for several tall towers ranging in height from 40 metres to 70 metres.

The details of the three options are provided below.

Table 1: Comparison of Structure Plan controls with Draft Built Form Options for the Town Centre

Structure Plan	Option 1	Option 2	Option 3
<b>FSR</b> 2.9:1	2.4:1	2.4:1	2.9:1
<b>Height</b> 40m	40m (12-13 storeys)	70m signature tower (21-22 storeys), 55m tower (16-17 storeys) and 45m tower (14-15 storeys)	40m (12-13 storeys) with approximately 5 – 7 towers between 40m - 70m (12-22 storeys)
<b>Open Space</b> 3,000m <sup>2</sup> – 4,000m <sup>2</sup>	6,500m <sup>2</sup> (0.65ha)	10,000m <sup>2</sup> (1ha)	10,000m <sup>2</sup> (1ha)

<b>Structure Plan</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
<b>Trees and Bushland Impacted</b>	Retains tree canopy and bushland	Retains tree canopy and bushland	Retains tree canopy and bushland
<b>Affordable Housing</b> 15%	15%	15%	15%
<b>Solar amenity</b> Overshadowing	Overshadowing of piazza in the morning	Improved solar amenity	Potential overshadowing of public domain
<b>Skyline</b> Consistent skyline – flat towers	Consistent skyline – flat towers	Varied skyline – Tapering towers	Varied skyline – Tapering towers
<b>Dwellings (approx.)</b> 1,500	1,080	1,080	1,500
<b>Jobs (approx.)</b> 800	1,700	1,700	1,700
<b>Retail</b> 22,500m <sup>2</sup>	15,000m <sup>2</sup>	15,000m <sup>2</sup>	15,000m <sup>2</sup>
<b>Commercial</b> 5,000m <sup>2</sup>	11,400m <sup>2</sup>	11,400m <sup>2</sup>	11,400m <sup>2</sup>
<b>Total Retail and Commercial</b> 27,500 m <sup>2</sup>	20,500m <sup>2</sup>	20,500m <sup>2</sup>	20,500m <sup>2</sup>



Figure 2: Section showing Town Centre Development Options (Source: CHROFI and Architectus)

The positive aspects and matters of concern for each option are considered below.

Table 2: Positive aspects and matters of concern for each draft Option

	Option 1	Option 2	Option 3
<b>Positive aspects</b>	<p>Height is consistent with Structure Plan.</p> <p>Delivers open space.</p> <p>Retains tree canopy and bushland.</p> <p>Achieves 15% affordable housing target.</p> <p>Within airspace requirements for the Hospital helipad.</p> <p>One-step exhibition.*</p>	<p>Delivers varied skyline.</p> <p>Delivers an iconic tower.</p> <p>Delivers greater open space.</p> <p>Retains tree canopy and bushland.</p> <p>Achieves 15% affordable housing target.</p> <p>Improves solar amenity.</p>	<p>Delivers varied skyline.</p> <p>Delivers an iconic tower.</p> <p>Delivers greater open space.</p> <p>Retains tree canopy and bushland.</p> <p>Achieves 15% affordable housing target.</p>

	Option 1	Option 2	Option 3
<b>Matters of concern</b>	<p>Less open space compared to Options 2 &amp; 3.</p> <p>Overshadowing of piazza in the morning.</p> <p>Consistent skyline – flat towers.</p>	<p>Building height has not been tested with the community.</p> <p>May exceed airspace requirements for the Hospital helipad.</p> <p>Two-step exhibition.*</p>	<p>Building height has not been tested with the community.</p> <p>May exceed airspace requirements for the Hospital helipad.</p> <p>Two-step exhibition.*</p> <p>Potential overshadowing of public domain.</p>

\*Refer to Table 3 for further explanation

## CONSULTATION

To progress the precinct planning process, the Department have requested advice from Council on a preferred consultation approach with the community, given the extensive engagement completed over four years as part of the preparation of the Structure Plan.

The consultation pathways include either:

- A one-step exhibition process to exhibit Option 1 for the town centre which is largely consistent with the Structure Plan. This will allow exhibition of the rezoning documents in the latter part of 2018; or
- A two-step exhibition process to exhibit all options for the town centre site and select a preferred option following the review of feedback. Following this, exhibition of the rezoning documents will occur in mid-2019.

Each approach comprises certain positive aspects and matters of concern.

Table 3: Analysis of consultation process

	Positive aspects	Matters of concern
<b>One-step exhibition</b>	<p>Meets community expectations around timing of rezoning.</p> <p>Consistent with Structure Plan and previous community feedback.</p> <p>Presents a more comprehensive planning package (draft State Infrastructure Contribution levy, technical studies, local character statement etc.)</p> <p>The Department has funded a one-step exhibition process.</p>	<p>Lost opportunity for built form identified in Options 2 and 3, which provides a number of positive aspects such as a greater area of open space.</p>
<b>Two-step exhibition</b>	<p>Direct community input at options testing as well as exhibition stage.</p> <p>Opportunity to identify and integrate elements of the options that are supported by the community.</p>	<p>Delays exhibition of rezoning to 2019 (1 year). Timing will mean that the Hospital will be operating well before any rezoning.</p> <p>Risk of consultation fatigue in the community.</p> <p>Budget implications. Funding would be required from Council.</p>

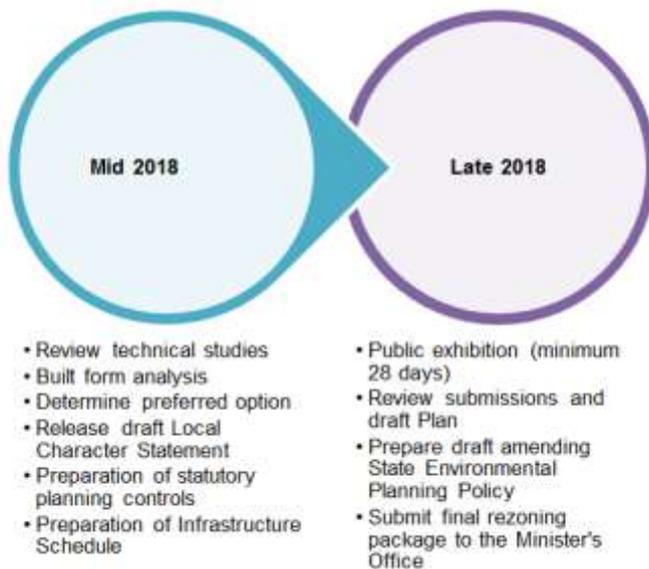
**TIMING**

The one-step exhibition approach will allow the rezoning document to be placed on public exhibition in late 2018 with an aim to submit the final rezoning package to the Minister for Planning’s (the Minister’s) Office for determination at the end of 2018.

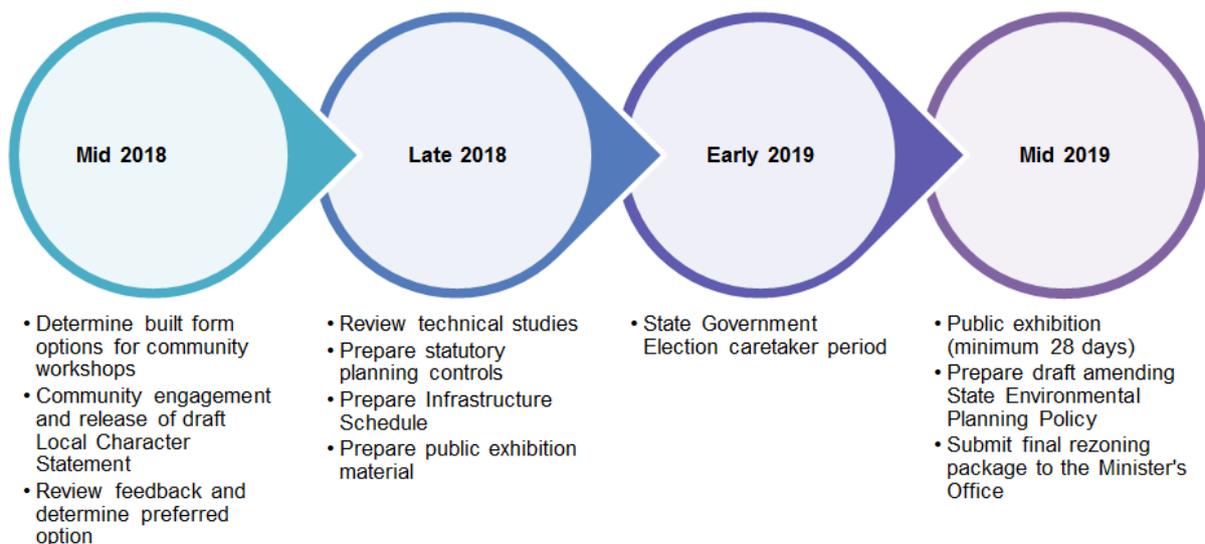
The two-step exhibition process will allow the rezoning document to be placed on public exhibition in mid-2019 with an aim to submit the final rezoning package to the Minister’s Office for determination later in 2019.

A breakdown of the steps required to achieve each consultation approach is below.

One-step exhibition approach



Two-step exhibition approach



**FINANCIAL CONSIDERATIONS**

Should Council elect to pursue a one-step exhibition process, the Department will fund all consultation activities. Council staff will be required to assist the Department at certain consultation events, which will be funded under Council’s existing Operational budget.

Should Council elect to pursue a two-step exhibition process, it is likely that Council will be required to contribute to a portion of this work. Council will need to enter into negotiations with the Department on an exact amount to be contributed. This work has not been budgeted and will potentially require amendments to the Strategic and Place Planning 2018/19 budget.

### **SOCIAL CONSIDERATIONS**

All three built form options will include an appropriate level of social infrastructure, subject to development feasibility. In regards to the consultation activities, Council will advise the Department that this must include a broad spectrum of the community. A key focus of the consultation activities will involve online engagement and three-dimensional visualisations to demonstrate the built form outcomes.

### **ENVIRONMENTAL CONSIDERATIONS**

All three built form options for the town centre retain significant portions of the native vegetation and bushland on the western edge of the site. In regards to the consultation activities, Council will advise the Department that minimal impact to the environment is to be achieved.

### **GOVERNANCE AND RISK CONSIDERATIONS**

The Department is the lead government agency for the Frenchs Forest Planned Precinct. A governance arrangement has been adopted by the Department which ensures that the Department, Council and relevant state agencies work collaboratively.

<b>ITEM 7.1</b>	<b>MAYORAL MINUTE NO 05/2018 - MORATORIUM ON SEPPS – FRENCHS FOREST PLANNED PRECINCT</b>
<b>TRIM FILE REF</b>	<b>2018/369701</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

## **BACKGROUND**

When planning for growth, it is imperative that policies work together and complement each other to achieve great community outcomes. In the case of the Frenchs Forest Planned Precinct, there is a great risk that existing State Environmental Planning Policies may deliver housing outcomes that are not in the interests of the community in the long term.

The Frenchs Forest Planned Precinct project is led by the NSW Department of Planning and Environment in collaboration with Council and relevant state agencies. Significant work is underway to implement Phase One of Council's adopted Northern Beaches Hospital Precinct Structure Plan in Frenchs Forest.

I would like to bring to your attention a serious and important issue that Council is facing regarding this planned precinct. Council has received several development applications using State Government planning policy to override local planning controls for boarding house and seniors' housing development within this Precinct.

Whilst Council recognises the importance of providing for a range of housing options, this needs to be provided in locations which can support this type of development and areas which do not compromise the overarching strategic intent of the precinct. Frenchs Forest is designated by the NSW Government as a Strategic Centre, Health and Education Precinct and Planned Precinct and the Affordable Rental Housing & Seniors Housing SEPPs have the potential to significantly undermine the delivery of Frenchs Forest as a Planned Precinct.

In consideration of the above, it is proposed to write to the Minister for Planning to request an immediate moratorium on State Environmental Planning Policy (Affordable Rental Housing) 2009 and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the Frenchs Forest Planned Precinct.

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## **RECOMMENDATION OF MAYOR**

That Council write to the Minister for Planning to request an immediate moratorium on State Environmental Planning Policy (Affordable Rental Housing) 2009 and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the Frenchs Forest Planned Precinct.

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**Michael Regan**  
**MAYOR**

## 10.0 ENVIRONMENT AND INFRASTRUCTURE DIVISION REPORTS

### 10.5 ROCK FISHING SAFETY ACT 2016

180/18 RESOLVED

**Cr Amon / Cr Ferguson**

That Council opts-in to the *Rock Fishing Safety Act 2016* and works with the NSW State Government to implement it on the Northern Beaches at the earliest opportunity.

#### VOTING

**FOR:** Unanimous

**CARRIED**

## 11.0 PLANNING PLACE AND COMMUNITY DIVISION REPORTS

### 11.2 FRENCHS FOREST PLANNED PRECINCT TOWN CENTRE DEVELOPMENT OPTIONS

#### PROCEDURAL MOTION - EXTENSION OF TIME

181/18 RESOLVED

**Cr Ferguson / Cr Grattan**

That Councillor Philpott be granted an extension of two minutes to address the meeting.

#### VOTING

**FOR:** Crs Amon, Bingham, De Luca, Ferguson, Grattan, Heins, McTaggart, Philpott, Walton and White

**AGAINST:** Crs Harrison and Regan

**CARRIED**

#### PROCEDURAL MOTION - AMENDMENT BE PUT

182/18 RESOLVED

**Cr Amon**

That the amendment be now put.

#### VOTING

**FOR:** Crs Amon, Bingham, Ferguson, Grattan, Heins, McTaggart, Philpott, Walton and White

**AGAINST:** Crs De Luca, Harrison and Regan

**CARRIED**

**AMENDMENT*****Cr White / Cr Philpott***

That:

- A. Council write to the NSW Department of Planning and Environment confirming the preferred forward path for the Frenchs Forest Planned Precinct is a two-step exhibition process. The first step will include consultation on three options for the town centre. The second step will include a review of submissions and selection of a preferred option for a second round of exhibition in mid-2019.
- B. The future planning controls to apply to the town centre site require that, prior to any consent being granted, an applicant is to demonstrate the achievement of design excellence through a competitive design process.

**VOTING**

**FOR:** Crs Bingham, Grattan, Heins, Philpott and White

**AGAINST:** Crs Amon, De Luca, Ferguson, Harrison, McTaggart, Regan and Walton

**LOST**

***The amendment was lost and Council returned to the substantive motion.***

**183/18 RESOLVED*****Cr Harrison / Cr Regan***

That:

- A. Council write to the NSW Department of Planning and Environment confirming the preferred forward path for the Frenchs Forest Planned Precinct is a one-step exhibition process to consult on Option 1, which is largely consistent with the Northern Beaches Hospital Precinct Structure Plan (2017) and to exhibit the rezoning documents in the latter part of 2018.
- B. The future planning controls to apply to the town centre site require that, prior to any consent being granted, an applicant is to demonstrate the achievement of design excellence through a competitive design process.

**VOTING**

**FOR:** Crs Bingham, Ferguson, Harrison, Heins, McTaggart, Regan and Walton

**AGAINST:** Crs Amon, De Luca, Grattan, Philpott and White

**CARRIED**

## 11.9 GLEN STREET THEATRE COMPLIMENTARY TICKETS POLICY

171/18 RESOLVED

**Cr Ferguson / Cr Philpott**

That the draft Glen Street Theatre Complimentary Tickets Policy be placed on public exhibition for a period of 28 days, with the results reported back to Council.

**RESOLVED BY EXCEPTION**

## 15.2 TRANSFER OF ROAD RESERVE ADJOINING LAND AT LOT 2 DP 1034722, LOT 5 DP 861591, LOT 3 AND 4 DP 861592 AND LOT 1 AND 2 DP 1030165 MANLY

172/18 RESOLVED

**Cr Ferguson / Cr Philpott**

That:

- A. Council authorises road reserve closure under the provisions of the *Roads Act 1993* for the road reserve identified in this report being part North Steyne and South Steyne, Manly adjacent to 42 North Steyne (Lot 2 DP 1034722), 28 – 29 South Steyne (Lot 5 DP 861591), 30 – 32 South Steyne (Lot 3 and 4 DP 861592 and Lot 2 DP 1030165) and 33 South Steyne (Lot 1 and 2 DP 1030165) Manly.
- B. Council authorises the transfer of the subject road reserve identified in Item A of this resolution to the adjoining land owners, subject to the land being consolidated with the respective adjoining allotments.
- C. Council authorises the carrying out of all things necessary to give effect to this resolution, including the execution of any required documentation under Power of Attorney.

**RESOLVED BY EXCEPTION**

## 7.0 MAYORAL MINUTES

### 7.1 MAYORAL MINUTE NO 05/2018 - MORATORIUM ON SEPPS - FRENCHS FOREST PLANNED PRECINCT

*NOTE: Councillor Amon left the chamber at 7:39pm and returned at 7:40pm.*

173/18 RESOLVED

**Cr Regan**

That Council again write to the Minister for Planning to request an immediate moratorium on the State Environmental Planning Policy (Affordable Rental Housing) 2009 and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the entire Northern Beaches Council area, and in particular the Frenchs Forest Planned Precinct.

### VOTING

**FOR:** Unanimous

**CARRIED**