



Steve Evans - Director, Environmental Planning & Community  
8am to 5:30pm Monday to Friday

13 October 2011

MR MICHAEL WOODLAND  
DIRECTOR, METROPOLITAN & REGIONAL PROJECTS SOUTH  
DEPARTMENT OF PLANNING & INFRASTRUCTURE  
GPO BOX 39  
SYDNEY NSW 2001

(Your Ref: MP09\_162 MOD 1)

Dear Mr Woodland


**RE: APPLICATION FOR MODIFICATION OF CONCEPT PLAN UNDER SECTION 75W  
14-18 BOONDAH ROAD, WARRIEWOOD**

Please find enclosed Pittwater Council's submission to the Application for Modification of the Concept Plan (MP09\_0162 MOD 1) at 14-18 Boondah Road, Warriewood.

If we can be of any assistance please do not hesitate to contact Liza Cordoba (Principal Officer Land Release) on (02) 9970 1150 or myself on (02) 9970 1134.

Yours faithfully

Steve Evans  
**DIRECTOR, ENVIRONMENTAL PLANNING & COMMUNITY**

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**Submission to Department of Planning &  
Infrastructure to MP09\_0162 (MOD 1) at  
14-18 Boondah Road, Warriewood**

Prepared by Pittwater Council 13 October 2011

## **EXECUTIVE SUMMARY**

The amendments sought by the Modification to the Concept Approval (MP09\_0162 MOD1) seek to dilute the original approval granted by the Planning Assessment Commission (PAC). This Modification Application like the prior Modification Applications for MP10\_0177 is again lodged with insufficient information and justification, and does not disclose the full range of amendments it is seeking, as depicted on the submitted plans.

A number of Modification Applications submitted thus far relate primarily to on-site car parking provision. The Applicant's carparking proposal as now submitted was originally dealt with and discarded by the PAC in its original decision. Meriton, by continuing to seek such changes, shows its contempt to the PAC decision. A fact not lost on Council given Meriton's press release of 14 September 2011 criticising the Council for not accepting the 'umpire's decision' (ie the PAC decision of 18 January 2011), a reference to Council's unsuccessful appeal in the Land & Environment Court.

The Applicant continues to lodge applications that are deficient in information and justification. The ad-hoc, inconsistent amendments proposed creates uncertainty in providing 'full picture' to the modifications. The amendments themselves must be considered in full to address the cumulative impacts of the various modifications.

MP09\_0162 MOD 1, the subject of this Submission, was submitted later than MP10\_0177 MOD 3. The implications associated with MP09\_0162 MOD 1 however, are far-reaching in its implications on the overall site and development and MP10\_0177 MOD 3 itself.

Under the circumstances, Council requests MP09\_0162 MOD 1 be considered and determined first before MP10\_0177 MOD 3 is to be considered by the Minister or his delegate.

## DESCRIPTION OF APPLICATION

The letter submitted by Meriton dated 9 September 2011 describes the proposed amendments to the plans and conditions (known as MP09\_0162 MOD 1) as:

- Delete the internal road, linking Macpherson Street and Boondah Road and replace with two driveways.
- Re-align the bicycle path route.
- Make no requirement for Accessible Units.
- Make provision for visitor car parking rate at 1 space per 10 units.
- Make provision for 2 bedroom car parking at 1 car space per 2 bedroom.

It is intended to amend Condition 2(2) and the accompanying Schedule 1 as it relates to list of plans accompanying the Concept Plan Approval.

New conditions are also proposed for the Concept Approval MP09\_0162 as follows:

### ***“Accessible Units***

*To provide consistency across the site no accessible units, associated parking, ramps and the like are required.*

### ***Visitor Car Parking***

*Visitor car parking provision is to be provided in accordance with the following rate:*

- a. 1 car space per 10 units, resulting in a total of 45 designated bays required.*

### ***Car Parking Provision for Two Bedroom Units***

*Two bedroom car parking provision is to be provided in accordance with the following rate:*

- a. 1 space per every two bedroom unit.”*

## **MATTERS RAISED**

### **(1) Implications from deletion of internal road**

To assist Council, Traffix Transport and Traffic Planners were commissioned to review this latest Modification Application. Their Report (in Appendix 1) forms an important part of Council's submission.

Meriton, in seeking this amendment, offers as justification the following:

*"Pittwater Council has indicated no particular need to seek ownership of the internal road as a public thoroughfare...Vehicular access into the site can be adequately provided from one internal driveway off Boondah Road, and another from Macpherson Street as indicated on the amended concept plans attached to Annexure 2."*

The internal road as approved provided for efficient access and movement arrangements within the development and the site. Council does not seek to 'own' the road but maintains that a 'private owned' internal road with a 3m wide shareway approximately 430m in length, for use by up to 449 dwellings raises safety and amenity concerns:

1. The shareway will in fact be the main access for four residential buildings (F, G, L and M) that front the shareway, in terms of vehicular access (as removalist and delivery vehicles would park along the shareway for convenience rather than utilise the garbage area some distance away) and pedestrian access into these buildings.
2. The length and width of the shareway does not accommodate opportunities to allow another vehicle to pass in the event there is a vehicle in the shareway.
3. The shareway intends to provide access for emergency vehicles however the width is too narrow for an appliance under the *Emergency Service Vehicles NSW Fire Brigade Code of Practice – Building Construction*. The width must be of sufficient width compliant with the *Planning for Bushfire Guidelines* and the

*Emergency Service Vehicles NSW Fire Brigade Code of Practice – Building Construction.*

4. A 'publicly accessible' cycleway/pedestrian pathway is located at either end of the shareway. Concern is raised regarding the utility of the shareway, in terms of access by general public using the cycleway/pedestrian pathway and resultant vehicular/pedestrian conflicts and pedestrian safety. No information has been supplied as to ongoing public rights of access.

The cycleway/pedestrian pathway must be publicly accessible for the full length of the cycleway/pedestrian pathway.

5. The utility of the shareway as a vehicular/pedestrian access, being located so close to dwellings creates amenity issues for the future residents in Buildings F, G, L and M.

The PAC's approval recognised that the internal road as approved included kerbside parking. Convenient, easily accessible and visible parking will be lost with the deletion of the internal road.

Deleting the internal road reduces clear connectivity within the site creating adverse access, safety and traffic/pedestrian management issues within the development and site as detailed above. Consequently, this affects the amenity and enjoyment of future residents especially those in Buildings F, G, L and M.

**(2) Insufficient information to support the proposed change in car parking rate that was already dismissed by the PAC**

The amendments now sought by Meriton to reduce car parking rates are identical to those already dismissed by PAC in its January 2011 decision. The PAC required the development to provide car parking in accordance with *Pittwater 21 DCP*. Logically, in reintroducing its proposal to reduce car parking rates across the development, this application needs to clearly demonstrate and introduce new information demonstrating why the PAC's decision was wrong. This has not been done.

Through this Modification Application, Meriton seek to overturn the PAC's decision relating to quantum of car parking. In this regard, the PAC in its report of 18 January 2011, having noted that "Pittwater faces unique transport challenges", states:-

*"Having regard to the challenges of road access and public transport in the area, the proposed parking provision in the concept plan is considered insufficient. The Commission believes the parking rates required by Council's DCP 21 are more appropriate and should apply to the site."*

The information submitted is significantly deficient and does not demonstrate why a reduction in car parking rates should now be accepted by the PAC. The residential parking rates reinforced by the PAC's approval of 18 January 2011 must be upheld, for the reasons detailed in Council's Submission to the Preferred Project and to MP10\_0177 MOD 3 continue to apply to Application MP09\_0162 MOD 1(Extract is in Appendix 2).

To do otherwise without sufficient justification would significantly depart from an orderly and logical determination process. The consequences of such a departure would create traffic and parking implications that, in turn, affects the amenity of future residents of this and surrounding developments which is untenable for residents and the community alike.

### **(3) Implications to reducing the car parking rates**

Traffic Transport and Traffic Planners were commissioned to review this latest Modification Application. Their Report (in Appendix 1) forms an important part of Council's submission.

To highlight the implications in the proposed changes in car parking rates, the discussion focuses on the 226 dwellings approved for Stage 1 of the Concept Plan as there is no detail on the breakdown on the dwellings across the whole site.

The PAC had recently approved changes to car parking for Stage 1, with 474 parking spaces compacted into a single level basement parking area. The approved car parking provision is based on resident parking rates in accordance with *Pittwater 21DCP* and a

visitor parking rate of 1 space per 5 dwellings (RTA Guideline for medium density developments). 362 of the 474 spaces are in a stacked formation and allocated to the 2 or 3 bedroom units as stated under amended Condition B13 of MP10\_0177 MOD 1.

The changes to resident and visitor parking rates proposed by Application MP09\_0162 MOD 1 as it relates to the 226 dwellings approved for Stage 1, are detailed below,.

<b>Breakdown of Approved Dwellings</b>	<b>Approved Parking Rate</b>	<b>Approved Spaces</b>	<b>Proposed Parking Rate</b>	<b>Spaces Proposed</b>	<b>(Shortfall) in Spaces</b>
1 x studio	1 per dwelling	1	1 per dwelling	1	0
22 x 1 bed	1 per dwelling	22	1 per dwelling	22	0
2 x bed + study	1 per dwelling	2	1 per dwelling	2	0
168 x 2 bed	2 per dwelling	336	1 per dwelling	168	168
18 x 2 bed + study	2 per dwelling	36	1 per dwelling	18	18
15 x 3 bed	2 per dwelling	30	2 per dwelling	30	0
Visitor spaces	1 per 5 dwellings	46	1 space per 10 dwellings	23	23
	<b>TOTAL SPACES</b>	473 (474 spaces provided under MOD3)	<b>TOTAL SPACES</b>	264	209 (equivalent to 1254m kerbside parking)

As highlighted above, the proposed change in parking rates will result in a deficiency of 209 parking spaces for Stage 1 which equates to 1254m of kerbside parking, not available within the local road system (exacerbated by loss of kerbside parking on the internal road to be deleted).

The PAC approved a density of 60 dwellings per developable hectare for this site thus could result a development of 449 dwellings on this site. The applicant proposes 45 visitor spaces for the entire development.

Although the parking provision for Stage 2 is not fully defined, on the basis that Stage 2 may accommodate 223 dwellings (the balance of dwellings) then the shortfall in parking spaces for Stage 2 would be 206, based on pro-rata calculations derived from Stage 1.

The net result is a total shortfall of 415 spaces for a development of up to 449 dwellings. This shortfall equates to 2490m of overflow on-street parking into adjacent local streets creating an unacceptable adverse impact on the community. This impact will be especially severe as the on-street parking in Macpherson Street and Boondah Road is extremely limited, and that on-street parking in/near adjacent developments already is extensively utilised.

Application MP09\_0162 MOD 1 also seeks deletion of the internal road and associated parking on this internal road. Council contends that the consequences of the deficiencies in parking spaces for this development is further exacerbated by the proposed deletion of the internal road, causing added traffic congestion and increased demand for the limited kerbside parking within the local road network.

Pittwater Council reiterates its original statement that it does not agree with the former NSW Transport and Infrastructure support for a low level of visitor parking and a reduced resident parking rate for this development. No written advice from the RTA has been received by Council in regard to this matter.

The resident parking rates under *Pittwater 21 DCP* must remain the operative control as this takes into account specific local influences, in particular remoteness of the area generally, poor provision of public transport and hence a high reliance on private vehicles. In this respect, Appendix 2 also includes an extract from the *Pittwater Local Planning Strategy 2011* adopted July 2011 which provides an analysis of the high car ownership in Pittwater. This, coupled with the PAC's acknowledgement there is poor public transport in Pittwater commonly lead to a rejection of the modification application.

#### **(4) Inconsistency between this Modification and a concurrent Modification Application (MP10\_0177 MOD 3)**

Council contends there is an inconsistency in the changes to parking rates sought between the two Modification Applications before the Department:

- MP09\_0162 MOD 1 seeks a lesser parking rate of 1 space per 2 bedroom units whilst MP10\_10177 MOD 3 proposes a rate at 1.5 spaces per 2 bedroom unit.

- MP09\_0162 MOD 1 seeks a lesser visitor parking rate of 1 visitor space per 10 dwellings as compared to the 1 visitor space per 7 dwellings proposed by MP10\_0177 MOD 3.

MP09\_0162 MOD 1 was submitted later than MP10\_0177 MOD 3. The implications associated with MP09\_0162 MOD 1 however, are far-reaching in its implications on the overall site and development and MP10\_0177 MOD 3 itself. A reduced carparking provision for 449 dwelling development as proposed by MP09\_0162 MOD 1 further exacerbates traffic and parking implications that, in turn, affects the amenity of future residents of this and surrounding developments which is untenable for residents and the community alike.

### **(3) Issues regarding the realignment of the bicycle path route**

Changes to the alignment of the bicycle route also means that the bicycle route is effectively in three separate sections connected by the shareway. Concerns have already been raised with the utility of the shareway (see section (1) above) and the resultant conflict and safety of users.

The construction of the pedestrian/cycleway network is already identified as a works in kind under the Concept Approval. The pedestrian/cycleway route on this site needs to be publicly accessible and forms a viable part of the overall pedestrian/cycleway network with connections to other areas in Warriewood Valley, and eventually Centro Warriewood and Playing fields/Indoor Sports Centre precinct (on south side of Jacksons Road).

Lack of information leads to uncertainty as to whether the pedestrian/cycleway route as proposed meets the design level specified in the Water Management Specification.

The pedestrian/cycleway route on this site must be a publicly accessible, continuous route across this site, built at an appropriate level and dedicated to Pittwater Council.

#### **(4) Bushfire implications**

The site is Bushfire Prone land. The proposed access arrangement has not made arrangements to the southern portion of the site for the maintenance of the water management facilities and an appliance under the *Emergency Service Vehicles NSW Fire Brigade Code of Practice – Building Construction*.

Access provisions must be provided at this portion of the site in accordance with the *Planning for Bushfire Guidelines* and the *Emergency Service Vehicles NSW Fire Brigade Code of Practice – Building Construction*.

#### **(5) Implications from no requirement for Adaptable Housing (not ‘accessible’ units as stated in the Application)**

Application MP09\_0162 MOD 1 in seeking to insert a condition in the Concept Approval that does not require adaptable housing offers, as its reason the following:

*“Pittwater Council requires 50% of the units to be accessible. This is excessively high as over the last 40 years has been only 1 request for Adaptable accommodation in Meriton development...*

*SEPP – Seniors Living was specifically legislated to provide housing for older people and people with disabilities... The planning system has already provided for this sector of the population. There is therefore no need to duplicate facilities.”*

In 2006, 16% of the existing population in the Pittwater LGA is aged 65 years or older. Pittwater’s ageing population is similar to the Sydney Metropolitan Area and Australia generally. The demographic characteristics combined with an increasing number older people preferring to remain living in their own home (as evidenced in *Pittwater Social Plan (2005-2009 Building Communities)*) raised a critical issue in understanding the future housing needs for the Pittwater LGA. This issue was specifically addressed in the recently adopted *Pittwater Local Planning Strategy – Planning for Pittwater Towards 2031* (an extract from that planning strategy document is in Appendix 3) and particularly by The Manly Daily’s article entitled “Councils must look after aged”, 17 September 2011

(in Appendix 4) which reflects on the State Government's *Planning for an Ageing Population toolkit*.

The provision of adaptable housing effectively responds to the changing needs of residents based on lifecycle and circumstance, and responds to the demand for 'ageing in place' consistent with the Draft North East Subregional Strategy and aims to achieve the underlying principle of social sustainability. The provision for adaptable housing is embedded in *Pittwater 21 DCP* and applies to a range of locations across the LGA including this site. The recently adopted *Pittwater Local Planning Strategy – Planning for Pittwater Towards 2031* reinforces the growing demand for adaptable housing to meet needs of people with physical disabilities or restricted mobility combined with Pittwater's ageing population. Opportunities for adaptive reuse of housing stock, particularly a percentage of new housing that has been designed to accommodate future lifecycle/circumstance of residents through the adaptable housing provision reiterates the housing strategy adopted through the Pittwater Local Planning Strategy. To do otherwise on the basis that other sites and developments in Pittwater being required to provide adaptable housing at the exclusion of this development is inequitable and unreasonable.


The argument that Stage 1 did not include any adaptable housing emphasizes the need within Stage 2 to incorporate 50% of its dwellings to be adaptable. This equates to approximately 25% of the total dwellings across the site being adaptable.

## **CONCLUSION**

This Application seeks to undermine the integrity of the original PAC decision. The applicant implies that PAC erred in its original decision. The PAC in its determination report clearly articulates its reasoning for applying the local DCP 21 car parking controls. The applicant has submitted no justification for a change in car parking rates. The proposed modification conflicts with the concurrent application to modify the Stage 1 Approval.

Deleting the internal road as proposed will result in adverse traffic/pedestrian management and safety issues, made worse by reducing the car parking provision for the 449 dwellings across the site. Significant traffic congestion within the local road network will result as the demand for limited on-street parking in the local road system is greatly increased given the total shortfall in parking provision proposed by this large development.

The modification of the PAC approval to not require 'adaptable housing' (not "accessible housing" as stated by the applicant) is contrary to the State Government's initiatives to plan for an ageing population and facilitate 'ageing in place', as well as Pittwater's controls.



**Submission to Department of Planning &  
Infrastructure to MP09\_0162 (MOD 1) at  
14-18 Boondah Road, Warriewood**

APPENDICES



PITTWATER COUNCIL

**APPENDIX A**  
**Traffic Transport and Traffic Planners Report**  
**27 September 2011**



Reference: 11.313v2

27 September 2011

Pittwater Council  
PO Box 882  
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traffic & transport planners

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Attention: Mr Chris Hunt, Director of Urban & Environmental Assets

Re: Meriton Part 3A Application, Warriewood 14-18 Boondah Road  
Section 76W Application to Major Project No. 10\_177  
Stage 1 Car Parking Provision

Dear Chris,

We refer to the subject Modification and in particular to the Traffic Report prepared by Halcrow Traffic consultants, which outlines the justification for the proposed amendments. In this regard, we advise as follows:

• Residential Parking for the Two Bedroom Units

We note that our previous submission dated 29<sup>th</sup> April 2010 in relation to the original Stage 1 Project Plan raised concerns over the reduction in parking for the two-bedroom units as then proposed, which was from 2.0 spaces/unit under DCP21, to 1.5 spaces per unit. These concerns were made in the context of the absence of any demonstration as to how the resultant increased reliance on public transport would be met. These concerns were presumably supported by the PAC in determining the Application and are reflected in the current approval which binds the parking provision to DCP21. In our view, these concerns, as raised in our original submission, remain valid in the context of the current modification.

The following points are emphasised:

- The basis of DCP21 parking rate of 2.0 spaces/unit needs to be understood if it is sought to be varied. The applicant has provided no consideration of the genesis DCP21 and its present relevance to local parking needs within Pittwater LGA.
- The RTA's Guideline refers to the ability of Council's to adopt local parking plans that more accurately reflect local needs. In this regard, Section 1.4 of the RTA's Guideline specifically states that the RTA's parking requirements are the minimum desirable requirement; while Council's parking codes reflect the minimum mandatory requirement (Section 1.4 refers). In our view, it is unreasonable to arbitrarily require compliance with the RTA Guideline, without a clear understanding of the basis of the DCP rate and the problems that might be



created by a departure from the DCP in this case, as well as in relation to any precedent that might be set by any approval that may be granted.

- It is noted that Halcrow accepts that the reduced parking will in turn reduce private car travel and hence traffic generation. The consequence is that these trips will be transferred onto public transport. In this regard, no assessment has been undertaken of the ability of existing buses to accommodate the expected demand from the development generally even if it is assumed that compliance with DCP21 is achieved, as per the current consent. In the event that DCP21 is not met, this will create a further demand on bus services;
- In the event that the DCP21 demand in fact occurs and insufficient resident parking is provided within the site, the consequence will be an unacceptable level of reliance on on-street parking. This will be exacerbated by the associated removal of extensive on-street parking that was previously proposed, arising from the deletion of the through site road connection. This is discussed further below in the context of visitor parking.
- It is emphasised that on-street resident parking relates to the effective full-time, long-term and effective permanent use of a public asset, which is inappropriate and unsound planning.

In summary, the decision of the PAC, which supported Council's DCP21 provision for residential parking for this development, should remain the relevant control so that the objectives that underpin DCP21 are not compromised. This is notwithstanding the views of the RTA which seem to overlook the importance of DCP21 which is a statutory parking instrument that is specifically attuned to local needs.

#### • Visitor Parking

The Stage 1 development accommodates 226 units and on the basis of Council's DCP21 would require 76 visitor spaces, based on application of a rate of 1 space/3 units. The current consent is understood to require 46 spaces, based on a rate of 1 space/5 units. We note our previous advice that the reduced rate of 1 space/5 units is generally supportable as it reflects the RTA's requirement for medium density dwellings. This rate is also the same as the RTA's rate for high density developments in sub-regional centres.

However, we strongly oppose the adoption of any rate lower than 1 space/5 units for the following reasons:

- Council's DCP is arguably entitled to require parking for visitors to accommodate peak demands, rather than 'typical' demands based on the RTA's Guideline. Nevertheless, the rate of 1 space/3 units is high, and probably reflects demands above the 85<sup>th</sup> percentile demand level. As a minimum, the onus should be on the applicant to justify a departure from the DCP through surveys of a comparable development and to our knowledge, this has not occurred.
- The policy implications of a departure from the DCP and the implications for any precedent this would create is a matter that the applicant should address.
- The rate of 1 space/7 units referenced by Halcrow relates only to a high density residential dwelling in a regional centre, which includes the Sydney CBD and North Sydney. These centres are characterised by a very high level of public transport accessibility, as well as high density land uses where many people would walk. This is not applicable to Warriewood Valley.



- The previous scheme enjoyed a significant 'safety valve' provided by the extensive on-street parking that was available within the internal road linkages. The modified plans remove the internal through road, with deletion of a 600 metre long section of 7.5 metre wide roadway that would have accommodates up to 100 parking spaces, assuming 6 metres per space and parking on one side only. The net loss of up to 100 on-site spaces, which is additional to the loss of on-site visitor parking provision of 13 spaces (46 less 33 as now proposed) is a matter of concern.

#### ➤ Removal of Through Road

As discussed above, the deletion of the through road raises issues concerning parking supply for visitors, as well as residents should the demand for parking be higher than the DCP21 rates which we note are minimum requirements. The following matters are also raised:

- The deletion of the through site link reduces the ability of emergency vehicles to access the southern side of the development. This is a matter for assessment but is outside our area of expertise.
- The deletion of the through site link will reduce the permeability of the site by service vehicles, including removalist vans. It is unclear, for example, how removalist vans would gain convenient access to the southernmost buildings F, G and L.
- The road closures at both ends of the retained portions of internal road do not provide any turning area and will therefore result in unacceptable reversing movements, with attendant safety implications.

In summary, the consequence of the current modifications will be to impose unnecessary and avoidable pressure on on-street parking, to a degree that will be unacceptable and may introduce safety concerns. Please contact the undersigned should you have any queries or require any further information regarding the above.

Yours faithfully,

**traffix**

Graham Pindar  
Director

## **APPENDIX B**

**Extract from Council Submission to MP10\_0177 MOD 3, pp 5-10**

“Pittwater Council asserts that the carparking rates under *Pittwater 21 DCP* are consistent with the RTA’s *Guide to Traffic Generating Developments* for medium density residential flat buildings (“RTA Guide”) as the parking rates are established with consideration of the specified factors influencing local demand, namely public transport accessibility, geography, socio-economic, the locality and large development, and visitor parking. Council’s response to each determining factor is as follows:

a) *Public transport accessibility*

- The high rate of car ownership per dwelling/household in Pittwater, see Appendix 1, is primarily due to socio economic factors and the fact that the existing limited bus system does not provide a viable and convenient alternative to the use of the private car.
- The existing bus service to the City in Macpherson Street is adjacent to the site, however this bus service does not provide access to many areas of Pittwater, Warringah and adjacent Council areas (such as Chatswood and Macquarie Park), and is irregular out of peak hours, particularly at night and during weekends.
- The Transport Corridor operating in Pittwater Road is approximately 1km from the development site. Over the 1km length, only 250 metres of footpath has been constructed between the development site and Pittwater Road. Additionally, the section of Macpherson Street east of the site is currently a rural road prone to frequent flooding, and will only be upgraded when local development contributions are received to fully fund the upgrade of this section of Macpherson Street.
- The current rural conditions of section of the pedestrian walk together with the distance to the Strategic Bus Corridor (at Pittwater Road) will, in fact, discourage public transport usage. Further, these conditions do not comply with requirements established and adopted by various State Departments, including the Department of Planning & Infrastructure, Department of Health, Department of Transport, and Department of Trade & Investment Regional Infrastructure & Services (Trade and Investment).
- The lack of direct cross-regional public transport services for which comfortable bus interchanges are available associated with the crowding and

extended travel times make the few existing services unattractive to Pittwater residents, resulting in private cars being the preferred choice of travel mode (includes travel to work trips to employment centres in adjacent Council areas where the aim of subregional plans is for these trips to be by public transport). In fact, recent proposals by Sydney Buses have included suggestions to cease vital services to areas off the main roads as they were not profitable (steep terrain and narrow roads mean Sydney Buses cannot access many areas, forcing dependence upon cars by the residents and their visitors).

- The RTA has no current proposals to upgrade any main road servicing Pittwater, Warringah or adjacent Local Government Areas to increase the traffic capacity in the foreseeable future.
- While the Metropolitan Transport Plan identifies Pittwater Road and Mona Vale Road as transport corridors (bus only lanes are being introduced to Pittwater Road), the additional buses being provided by this Plan to service this area simply reduces the current level of crowding and reduce travel times especially on peak hour and late night services and do little to improve the attractiveness of the service due to ongoing passenger congestion south of Dee Why (including Military Road) and further, there are almost no services on Mona Vale Road. The Metropolitan Transport Plan does not propose to increase the capacity of Pittwater Road, Mona Vale Road and Wakehurst Parkway to facilitate improvements to public transport.

*b) Geography*

- The Pittwater Council area is large, spread out and isolated from the rest of Sydney with all access being via only three main roads which are heavily congested. Sydney GPO is approximately 30km from development site. The current bus timetables estimate a travel time of 55 minutes (for buses only) during the peak period.
- Internally, much of the terrain is steep so that bikes/walking/public transport is not realistic options. For this reason, cars remain the transport option of choice for all residents (including future residents of this proposed

development) to visit friends, obtain goods/services and travel to work journeys both within Pittwater and to other Local Government Areas.

- The terrain and geographical location of Pittwater does not make it a reasonable conclusion to reduce the resident parking rate below that specified in *Pittwater 21 DCP*.

c) *Socio-economic*

- Pittwater residents/households are generally mobile and affluent, who can afford and demand private vehicles to support their lifestyle, and for convenient access to the services/facilities they use in Pittwater and the rest of Sydney. This desire cannot be satisfied by the existing public transport system evident in the Pittwater LGA.
- The future residents of this development will experience the same difficulties and needs. It is unreasonable and inappropriate to reduce the resident parking rate below that specified in *Pittwater 21 DCP*.

d) *Locality and large developments*

- On-street parking opportunities in Warriewood Valley, particularly in the streets surrounding the site are already extremely limited. With the exception of Macpherson Street west of the site, currently the sections of Macpherson Street east and Boondah Road south are rural roads.
- There is evidence that demand exceeds supply in adjacent developments where the DCP parking rates were applied.
- A reduction in the resident parking rate is unreasonable as there would be significant parking shortfall. This will result in congestion in surrounding streets as people try and park in available limited kerbside parking and, in turn, adversely impacting the safety and amenity of residents in the surrounding area.

e) *Visitor parking*

- Council, in its Submission dated 8 October 2010 in regard to MP09\_0162 & MP10\_0177, considered the RTA rate of 1 space per 5 dwellings for visitor parking may be appropriate for the following reasons:

- (i) In this instance, it reflects a more accurate representation of the nature of visitations likely to occur to a development of this size in Warriewood Valley and
  - (ii) Some reliance on on-street parking is acceptable in principle; the on-street demands for visitor parking for a development of this size must be able to be satisfactorily accommodated on the internal road system of the development site, with no adverse amenity or safety implications.
- The recently approved modification, MP10\_0177 MOD1, now requires 46 visitor parking spaces and complies with the RTA rate of 1 visitor space per 5 dwellings (for the approved 226 dwellings).
  - MP10\_0177 MOD 3 however proposes 33 visitor spaces, resulting in a shortfall of 13 visitor spaces. The parking rate is 1 visitor space per 7 dwellings, based on a rate typically applied to high residential developments in centres characterized by a high level of public transport accessibility and surrounding high density land uses such as the Sydney CBD and North Sydney.

Bus services routes in proximity are insufficient to warrant public transport accessibility credit as the services are in hourly intervals and therefore must be discounted as providing high level of public transport accessibility. Additionally, the PAC approval clearly gives approval for a medium density development not high residential.

The parking rate that must be applied is the RTA rate of 1 visitor space per 5 dwellings, as already imposed by the PAC.

- The Applicant contends that additional to the 33 visitor spaces, 2 spaces for emergency vehicles and a designated space for vehicle washing will be provided to cater for this development and the parking provision satisfactory for 226 dwellings. The proposed shortfall in visitor parking spaces is unreasonable and inappropriate at this location for the reasons mentioned above. This should be considered in the light of the proposed concurrent but separate modification of the Concept Approval that seeks to delete the internal road between Boondah Road and MacPherson Street that provides, under the PAC approval, a degree of on-street visitor parking opportunity.

The Applicant relies on a SRDAC alleged statement relating to this site which has not been seen. Such a statement by the SRDAC is inconsistent with its own criteria for reducing car parking rates and be at odds with the local “unique transport challenges” as stated by PAC in it’s determination.

The applicant’s attempt to use of Census Information to depict resident car parking demand cannot be relied upon to support a reduction in car parking rate in the light of published Pittwater data as per Appendix 1.

There is insufficient demonstrable justification to show cause as to why the PAC rejection of a reduction in car parking provision should be overturned. Certainly, as the cumulative impact of amendments to both the Concept Plan and Stage 1 are considered, it is appropriate to uphold the PAC decision for resident and visitor parking being provided in accordance with the rate in *Pittwater 21 DCP* and 1 visitor space per 5 dwellings in accordance with the *RTA Guide* respectively.

### **(3) Numerical Shortfall in Car Parking Provision**

Traffix Transport and Traffic Planners were commissioned to review this latest Modification Application. Their Report (in Appendix 2) forms an important part of Council’s submission.

Numerical shortfalls in resident parking (334 spaces proposed, instead of the 426 approved) and visitor spaces (33 spaces, instead of the 46 approved) are evident given the car parking rates are proposed to be reduced. This results in a total deficiency of 105 parking spaces for the 226 dwellings that, in turn, will increase demand for the limited number of kerbside parking that exists in adjoining streets. For the 226 dwellings alone, the deficiency in parking spaces equates to 630 metres in length of kerbside parking of which there is no latent capacity to be accommodated internally or within the local road system. This would be further exacerbated should the internal road be deleted as is suggested in Modification Application MP09\_0162 MOD 1.

Meriton’s proposal to reduce residential parking and visitor vehicle parking below that required under *Pittwater 21 DCP* and the *RTA Guide* respectively is unacceptable as this

places a heavy reliance for parking to be provided off the site in the surrounding street system within which there is simply no surplus capacity.

Approval of MP10\_0177 MOD 3 sets a dangerous precedent for the remainder of the development for this site, 14-18 Boondah Road Warriewood as well as other developments in the Warriewood Valley Urban Land Release, with major carparking deficiencies. The combined impact would swamp the Warriewood Valley and surrounding areas with spill over cars requiring parking spaces. This could also adversely affect parking areas associated with adjoining sportsgrounds and shopping centres, and result in serious safety and amenity implications as raised by Council's Traffic consultant (Traffix)."

## **APPENDIX C**

**Extract from Pittwater Local Planning Strategy – Planning for  
Pittwater towards 2031**

***Section 8.5 - Housing Choice and Adaptable Residential Design  
that Facilitates 'Ageing in Place'***

does not address the long term need for affordable housing and does not provide Community Housing Providers with the opportunities to leverage the housing stock which they have title to. Therefore Council suggests the affordable units should be retained in perpetuity.

Furthermore there are opportunities to meet the need for affordable rental housing by requiring any future major re-zoning in Pittwater that result in a significant increase in density and subsequent "windfall profit", to be required to make a contribution towards affordable rental housing supply. In such circumstances 10% of additional dwellings with title to be given to either Pittwater Council or a local Community Housing provider for the dwellings to be kept in perpetuity for affordable housing purposes.

In the short term the area in which any re-zoning is likely to occur is in the remainder of Warriewood Valley, this being the area with the most take up potential of any affordable rental housing developments. In the short to medium term a review to refine the demand and supply situation in Pittwater in relation to 'key workers' is necessary. With the aim to more adequately define what percentage of the total new dwellings for Pittwater should be in the form of affordable rental housing targeted at key workers.

Finally there is an opportunity in all medium to large multi unit developments for a new SEPP to require a percentage of dwellings to be provided in perpetuity as affordable rental units.

Subject to the State Government's new policy and the findings of the NSW Affordable Housing Taskforce, Council should be able to meet some of the demand for affordable rental housing in Pittwater with a percentage of the expected yield of dwellings to being provided in the form of affordable rental housing.

As previously stated Council will be working towards researching the demand and supply of affordable rental housing needs of key workers within Pittwater and that any results from this should be incorporated to future reviews of the Pittwater Local Planning Strategy.

It is recognised that there is much debate in the literature regarding the success and effectiveness of development incentives for increasing the provision of affordable housing. It is considered that development incentives create inequalities that unfairly benefit some and disadvantage others and therefore should not be encouraged as a measure for creating additional affordable housing. It is recommended that Council lobby the State Government to investigate improved ways of providing affordable housing across the entire Sydney region.

It is recommended that Council develop a 'Local Affordable Housing Choice Strategy' to reflect the affordable housing needs of Pittwater within the context of our local character. The NSW Government has indicated that they will include a provision in the new Affordable Housing Choice SEPP which will exempt councils from all or part of the SEPP once they have implemented their own Local Affordable Housing Choice Strategy.

## **8.5 Housing Choice and Adaptable Residential Design that Facilitates 'Ageing in Place'**

As described in Chapter 4.4 (Demographic Analysis), Pittwater has an ageing population with 16% of the population aged 65 years or older in 2006 and current trends showing that this figure is likely to increase to 22% by 2031. The Pittwater Social Plan (2005-2009: Building Communities) explains that in relation to housing needs and preferences, older people generally want to remain living in their own home, consistent with the draft North East Subregional Strategy, which recognises a demand for 'ageing in place'. The Social

Plan gives further consideration to how Pittwater can meet the housing needs of older people over the coming years and reports that although many prefer to remain in the family home, some older people remain living in large family homes because of a lack of suitable alternatives in the local area. The conclusion reached in the Social Plan is that some increase in the supply of housing types, more appropriate for older people, will be required in the future.

The Pittwater Social Plan (Pittwater Council, 2004, p.65) describes adaptable housing as housing that “can be modified to suit the needs of a person with a disability, thereby allowing continuity in accommodation and living arrangements”. The Social Plan acknowledges that there is currently limited housing stock available to meet the needs of people with physical disabilities or restricted mobility, and considering Pittwater’s ageing population, demand for adaptable housing is likely to increase.

Adaptable housing is currently provided by Housing NSW, in limited numbers, to people with a disability who are unable to obtain housing through the private sector. The waiting lists for this type of social housing are extremely long and therefore not easily accessed. There are also long waiting lists for community-based supported accommodation services, as provided by the Sunnyfield Association, the NSW Department of Community Services, and the Cerebral Palsy Alliance. This type of accommodation often occurs in the form of Group Homes, currently permissible in Pittwater under the Affordable Rental Housing SEPP. New adaptable dwellings are also provided in the private sector, and often approved under SEPP (Housing for Seniors or People with a Disability) 2004 (known as the Seniors Housing SEPP). However, while these dwellings might be affordable to existing home owners looking to downsize, the high average cost of these dwellings in Pittwater limits the access for people with disabilities, as they often have limited incomes (Pittwater Council, 2004).

#### Existing planning controls

The Pittwater 21 Development Control Plan (DCP) aims to ensure that the community’s lifecycle housing needs are met through well designed adaptable housing, as defined under Australian Standard AS 4299 – 1999. This requirement applies to multi unit and shop top housing throughout Pittwater and development in Sectors 3, 5 and 8, and the STP Buffer Area of the Warriewood Valley Land Release Area. The requirement is that a percentage (ranging from 20 - 100% depending on location and development type) of dwellings in these developments must be adaptable in accordance with the Australian Standard. The design of all other residential housing is encouraged to meet the adaptable housing standard.

The Seniors Housing SEPP overrides local planning controls and circumvents the orderly planning process established by Council. These developments are legally permitted in areas that Council and the local community may not consider appropriate and there have been numerous Land and Environment Court battles fought regarding these developments. Notwithstanding, it is necessary to include consideration of future developments under the Seniors Housing SEPP in Pittwater. If legislation permitting these developments is repealed then adjustments will be made to the Pittwater Local Planning Strategy.

The Seniors Housing SEPP provides a planning instrument to facilitate housing for older people and people with a disability. The SEPP applies to land zoned primarily for urban purposes or land adjoining this, and allows development for the purpose of dwelling houses, residential flat buildings, hospitals, and special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries.

### **8.5.2 Addressing the Changing Age Structure of the Population**

Council’s strategy for facilitating a range of housing types that will meet the needs of older people and people with a disability was firstly through the introduction of secondary

dwellings and also through a wider range of adaptable housing being made available in Pittwater.

The current Pittwater 21 DCP controls for adaptable housing should be retained and strengthened where necessary. The Social Plan reports that "based on a review of housing developments between July 2000 and July 2004, Council has projected that by 2016, 1,344 new adaptable dwellings will be available in Pittwater" (Pittwater Council, 2004, p.66).

Council should continue to encourage the provision of new dwellings in a range of sizes suitable for 'ageing in place', including medium density and secondary dwellings. To this end, it is considered that the current controls for secondary dwellings and the available undercapitalised land zoned for multi unit and shop top housing, zoned in response to the Pittwater Residential Development Strategy adopted in 1998, in conjunction with the ongoing development of Warriewood Valley, is sufficient to meet the likely demand to 2031.

The Seniors Housing SEPP provides dwellings specifically for persons over the age of 55 years or persons with a disability. These dwellings are built to specific standards of accessible design. The Affordable Rental Housing SEPP encourages the construction of affordable housing and the retention of low-rental residential buildings. While Council does not support the application of these policies, it recognises that these developments will continue to occur and contribute towards housing suitable for older people and 'ageing in place'.

## 8.6 Promoting Environmental, Economic and Social Sustainability

### 8.6.1 Planning for Sustainable Residential Development

In planning for new residential development, including land release and infill developments, a number of factors can contribute to the environmental, economic and social sustainability of neighbourhoods and communities. The issues of housing affordability, housing choice and adaptable (universal) design, as discussed above, are considered fundamental for achieving social and economic sustainability in Pittwater, with related flow-on effects to environmental sustainability.

For achieving environmentally sustainable residential development in Pittwater new housing and increased housing densities should be located away from the most sensitive and hazardous areas. Consistent with this concentrating any new housing in and around existing centres will ensure good access to employment opportunities, transport and services, and help reduce peak hour vehicular traffic flows on arterial roads through the use of alternative forms of transport to the private motor vehicle. This centres based approach is also considered to make more efficient and cost effective use of existing physical and social infrastructure.

In the construction of any new housing, sustainable design should be promoted as a way to reduce the end user consumption of resources, production of waste and the emissions of greenhouse gases.

### 8.6.2 Sustainable Residential Buildings

Residential buildings are responsible for around 13 per cent of Australia's greenhouse gas emissions, most of which is attributed to the end use of the building, which for the most part consists of electricity consumption (Centre for International Economics, 2007). Many aspects of dwelling design affect the end user demand for electricity and other resources. It is considered that the promotion of design standards that reduce the demand for electricity

## **APPENDIX D**

**Extract from Manly Daily - 17 September 2011**

# Councils must look after aged

**Andrew Priestley**

COUNCILS need to “age-proof” themselves and their communities to head off potential problems as the proportion of elderly people increases across Australia, according to the state government.

Local Government Minister Don Page said it was up to councils to make sure they could deal with impending issues such as greater financial challenges from lower intake of rates; planning and infrastructure issues like housing; and increased needs for services like community transport, gardening and maintenance services.

“Councils will have to understand what an ageing population will mean for them. By ignoring it, communities will be ill-equipped to cope,” he said.

The state government has released an online “toolkit” outlining finance, resource, service and

asset management issues that can arise from an ageing population.

Mr Page said the resource would be there to guide councils on how to “prepare for, provide for, and best utilise the residents of an ageing population”.

The toolkit was announced by Mr Page and Minister for Ageing Andrew Constance.

Mr Constance raised housing as an example of issues related to an ageing population that needed attention.

“It is projected that in the next decade NSW will have more people aged over 65 than people 15 or less,” he said.

“We must ensure there is appropriate housing and services for older citizens for long periods,” he said.



**Is the peninsula equipped to deal with an ageing population?**

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