



THE PLANNINGHUB

by Hawes & Sward

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Mixed-Use Development
28 Fisher Road & 9 Francis Street, Dee Why**

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1.0 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) submitted to Northern Beaches Council on behalf of The George Group. This DA proposes a mixed-use development at 28 Fisher Road & 9 Francis Street, Dee Why.

Specifically, those works involve the following:

- Demolition of all existing structures onsite;
- Construction of a mixed use development consisting of a three (3) storey building and a five (5) storey mixed-use building with a maximum building height of 16m containing a café, church and conference centre, 51 boarding house rooms plus a manager's residence;
- Multi purposes and onsite overnight assistance areas on the top floor;
- Provision of rooftop communal open space;
- Provision of a two-level basement car parking comprising 34 car spaces (including 12 accessible spaces), 11 motorcycle spaces and 11 bicycle spaces to be accessed via Francis Street.

The overall aim of this project is to increase the quality and quantity of affordable housing options available in Dee Why, and in the wider Northern Beaches Local Government Area. The development will provide for a range of housing types to service the needs of a growing population on a site that is within the Dee Why Town Centre and in close proximity to Pittwater Road. The development is also located in close proximity to a range of services and facilities to meet the needs of the residents.

The design, scale and height proposed within this application is consistent with the current developments and desired future character of the site having regard to its location and site context. The elevations have been carefully designed to achieve an aesthetic outcome and composition based on the developments interface with the site's two street frontages and the adjoining properties. The facades and numerous architectural features provide articulation and interest to the elevations and result in a high-quality built form that contributes positively to the streetscape and the emerging built form.

This SEE provides a detailed description of the site and the proposal and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*. That assessment has found that the proposal:

- Meets the objectives of the, SEPP, LEP and DCP where applicable;
- Will not result in significant negative impacts on surrounding land uses and environment;
- Is responsive to site context and presents a positive visual relationship with surrounding uses; and
- Is strongly in the public interest.

The SEE forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-V**.

1.1 Project Context

The site is located on the western side of Fisher Road and the site currently contains an existing place of public worship that will be demolished as part of the subject development.

The site has a total area of approximately 1,391.2m² with a frontage of approximately 15m to Fisher Road to the east and a frontage of approximately 15m to Francis Street to the west. Surrounding development comprises of a mix of commercial and community land uses in close proximity and low and medium density residential land uses located further north and east of the site. The subject site represents a good opportunity for redevelopment for the purposes of a community and residential land use located in close proximity to existing services, the Dee Why Town Centre and transport located on Pittwater Road.

DA2020/1167 was submitted to Council in September 2020 for demolition works and construction of a mixed-use development to accommodate a cafe, church, conference centre, boarding house and two-level basement car park on the subject site.

DA2020/1167 was determined by the Sydney North Planning Panel by way of refusal on 10 August 2021 based on a range of non-compliance with the relevant controls of the Affordable Rental Housing SEPP, Warringah LEP 2011 and the Warringah DCP 2012 relating to built form and urban design.

Since the determination of **DA2020/1167** the design of the proposed development has been amended to address the issues raised under the previous application provide a development that provides affordable and diverse housing in a built form that is compatible with the existing and desired future character of the Dee Why Town Centre.

The vision for the site is to deliver a mixed-use development that provides housing choice and affordability for the existing and planned future community within Dee Why and the wider Northern Beaches LGA. The key aims of the project can be summarised as follows:

- Provision of a boarding house development consistent with the objectives of the State Environmental Planning Policy (Housing) 2021.
- Ensure that a high level of residential amenity is achieved within the site.
- Provision of a community land use and communal open space within the site to encourage the creation of a connected community.
- To provide a development that is with the bulk, scale and design of development envisaged within the Dee Why Town Centre and that is of an appropriate scale in relation to surrounding development.

1.2 Planning Framework and Referrals

The site is located in the Northern Beaches Local Government Area (LGA) and as such the DA will be assessed by Council's Planning Assessment Team. In preparation of the development, consideration has been given to the following planning instruments:

- State Environmental Planning Policy (Planning Systems) 2021

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan 2011.

Duo Tax Quantity Surveyors has undertaken a calculation of the project and estimates the capital investment value for the proposal is \$14,384,495.45 (see **Appendix I**). The development will therefore be determined by the Sydney North Planning Panel.

2.0 Site Analysis

2.1 Location and Context

The subject site is located on the western side of Fisher Road approximately 100m north of the intersection of Fisher Road and Pittwater Road. The eastern portion of the site sits within the Dee Why Town Centre and is zoned B4 Mixed Use under the provisions of the Warringah LEP and the western portion sits within an established medium density residential area and is zoned R3 medium density residential under the provisions of the Warringah LEP.

Surrounding development comprises of a mix of commercial and community land uses in close proximity and low and medium density residential land uses located further north and east of the site. The subject site represents a good opportunity for redevelopment for the purposes of a community and residential land use located in close proximity to existing services, the Dee Why Town Centre and transport located on Pittwater Road.

The site's locational context is shown at **Figure 1**.

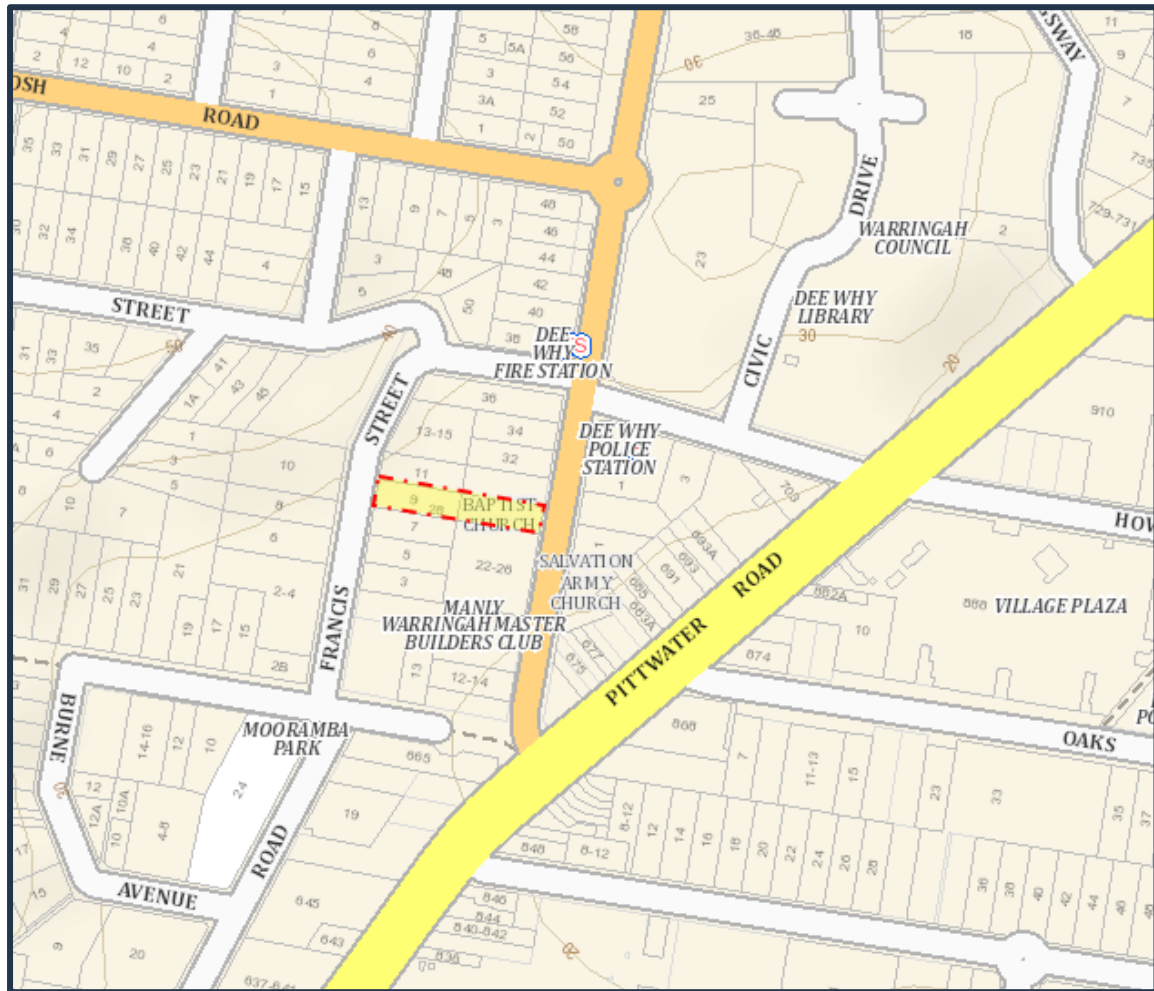


Figure 1: Locality Plan demonstrating the site outlined in red (Source – Six Maps)

2.2 Site Description

The site is commonly known as 28 Fisher Road & 9 Francis Street, Dee Why and legally described as Lots 28 & 43 DP 7413. The site. The site currently contains an existing place of public worship.

The site is rectangular in shape and has a total area of approximately 1,391.2m² with a frontage of approximately 15m to Fisher Road to the east and a frontage of approximately 15m to Francis Street to the west. Vehicular access to the site is currently provided from Francis Street.

An aerial photo of the site is shown at **Figure 2**.



Figure 2: Site Aerial of the Subject Site (Source: Nearmap)

2.3 Existing Site Conditions

Specific details on analysis is provided as follows:

Existing Structures	Two storey place of public worship and associated structures.
Access	Vehicular access for the site is provided from Francis Street.
Vegetation	Existing vegetation associated with the existing place of public worship.
Easements	There are no known easements as shown in the Survey Plan prepared by DA Surveys provided in Appendix F .

3.0 Proposed Development

3.1 Overview

This DA seeks consent for a mixed-use development including the provision of a boarding house under the provisions of State Environmental Planning Policy (Housing) 2021 at 28 Fisher Road & 9 Francis Street, Dee Why.

Specifically, consent is sought for the overall consolidated development comprising of the erection and use of the following buildings and works:

- Demolition of all existing structures onsite and tree removal.
- Construction of a mixed use development consisting of a three (3) storey building and a six (6) storey mixed-use building with a maximum building height of 16m.
- Provision of a two-level basement car parking comprising 34 car spaces.
- Provision of 11 motorcycle spaces and 11 bicycle spaces.
- Access to the basement level car park will be provided via a driveway on Francis Street.
- The six (6) storey mixed-use building fronting Fisher Road will comprise of the following:
 - Ground Floor - a café, a church and conference centre and associated facilities;
 - Floors 1-4 will comprise of 41 boarding rooms and associated communal facilities;
 - Multi purposes and onsite overnight assistance areas on the top floor;
 - Provision of rooftop communal open space.
- The three (3) storey building fronting Francis Street will comprise of 11 boarding room and associated facilities.
- The provision of a deep soil zone on the ground floor to accommodate appropriate landscaping to integrate the development into the surrounding landscape and provide appropriate screening for adjoining properties.

3.2 Numerical Overview

A numerical overview of the development is presented in **Table 2** below:

Table 2: Numerical Overview	
Feature	Proposed
Site Area	1,391.2m ²

Table 2: Numerical Overview	
Feature	Proposed
Maximum Height	16m (6 storeys)
Floor Space Ratio	2.98:1 (For 28 Fisher Road)
Boarding House Units	51 and 1 manager's room
Car Parking	34 car spaces, 11 motorcycle spaces and 11 bicycle spaces
Communal Open Space	725.02m ² (52.11%)
Landscaped Area	308.4m ² (22.16%) (for 9 Francis Street)

3.3 Built Form and Design

As can be identified within the Architectural Plans prepared by The George Group (**Appendix D**), the building has been designed in accordance with the desired character for the Dee Why Town Centre on the site's eastern frontage and to ensure compatibility with the existing medium density residential neighbourhood and zoning for the site's western portion.

The design, scale and height proposed within this application is consistent with the current developments and desired future character of the site's split zoning and two street frontages having regard to its location and site context. The elevations have been carefully designed to achieve an aesthetic outcome and composition based on the developments interface with the street frontages and the adjoining properties. The facades and numerous architectural features provide articulation and interest to the elevations and result in a high-quality built form that contributes positively to the streetscape and the emerging built form.

3.4 Pedestrian and Vehicle Access

Pedestrian Access

- Direct street access is provided to the café and church and upper floor boarding rooms from Fisher Road. Additional direct access is provided to the boarding rooms from Francis Street.
- Lifts provide access to all floors from the basement levels and ground floor lobby areas.
- Access to the communal open space will be restricted to residents and visitors and is achieved via the lifts provided.

Vehicle Access

Vehicular access to the basement levels is proposed from Francis Street. Sufficient clearance space has been provided for all vehicles required to enter and exit the site.

3.5 Landscaping

Landscape Plans have been prepared by Paul Scrivener Landscape in support of the development and is provided in **Appendix G**. The key elements of the proposed landscaping scheme are summarised below.

Communal Open Space

The proposed development is provided with a communal private open space area of 725.02m². The communal open space area incorporates a number of activated spaces with various areas for sitting and other activities bordered by garden beds with a wide range of plants and trees to be incorporated to provide visual interest and increase amenity for occupants.

Deep Soil Zone

The proposed development includes the provision of deep soil zones on the ground floor to facilitate the planting of appropriate landscaping along the site's boundaries to integrate the development into the surrounding development and assist in softening the transition in built form.

3.6 Waste Management

A Waste Management Plan has been prepared by The George Group and is attached as **Appendix L** of this report. That details the proposed waste management during the demolition, construction and operational phases of the development. Key features include:

- Construction and use of the proposed development will be carried out in accordance with the Waste Management Plan.
- Waste streams from building construction will be recycled where possible;
- The proposed waste management facilities and equipment are to be designed and constructed to comply with council controls.

3.7 Excavation Works

The proposed development has been designed to respond to the natural topography of the site and to ensure it does not adversely impact the stormwater discharge from the site the subsurface flow conditions or the risk of landslides on the site and surrounding properties.

The proposal involves the excavation works to facilitate the basement levels. The earthworks will not have any detrimental impact on environmental functions, neighbouring uses or heritage items and all earthworks will be carried out in accordance with the recommendations of the Geotech Report prepared by Soilsrock Engineering in support of the application and provided in **Appendix P**.

3.8 Transport, Access and Parking

As noted, the subject site lies within the Dee Why Town Centre and is situated approximately 125m walking distance to Pittwater Road which provides a number of public transport options.

The proposed development requires a total of 12 car spaces to service the boarding house component of the development in accordance with the Housing SEPP, 2 spaces for the café and 15 spaces for the church in accordance with the Warringah DCP. The proposed development provides a total of 34 car spaces, 11 motorcycle spaces and 11 bicycle spaces across 2 levels of basement car parking.

The proposed development is supported by a Traffic Report (**Appendix J**) prepared by Northern Transport Planning and Engineering Pty Ltd that addresses the car parking and traffic impacts of the proposal.

4.0 Assessment of Environmental Impacts

4.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan 2011.

4.1.1 State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 - State and Regional Development

Pursuant to Clause 5 of Schedule 6 of the SEPP the proposed development has a Capital Investment Value (CIV) of more than \$5 million and therefore the development will be determined by the Sydney Western City Planning Panel. The Cost estimate is attached at **Appendix H**.

4.1.2 State Environmental Planning Policy (Housing) 2021

The aims of the Housing SEPP are to facilitate the effective delivery of affordable and diverse housing to mitigate the loss of existing affordable rental housing and provide incentives for the development of new affordable rental housing.

An assessment of the proposal against the relevant provisions of the SEPP applying to boarding houses of the development is provided in **Appendix A**.

4.1.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of the SEPP requires Council to consider whether the subject land of any development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose.

The SEPP further requires the preparation of a report specifying the findings of a preliminary investigation of the land concerned, carried out in accordance with the contaminated land planning guidelines, to be considered by the consent authority before determining an application for consent to carry out development that would involve a change of use of that land.

A Site Condition Report (**Appendix T**) has been prepared by The George Group in support of the application which concludes the site is suitable for its intended use and recommends that a survey of the existing building prior to the commencement of demolition works be undertaken to identify any hazardous materials.

4.1.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The SEPP aims to encourage sustainable residential development and requires DA's for such development to be accompanied by a list of BASIX commitments as to the manner in which the development will be carried out. The proposed development is consistent with the aim of the SEPP and all of its planning controls.

A BASIX certificate has been prepared for the proposed development and demonstrates that the proposed development satisfies the requirement of the BASIX SEPP. The BASIX certificate is located at **Appendix R**.

4.1.5 Warringah Local Environmental Plan 2011

Permissibility

The site is situated within the Northern Beaches Local Government Area (LGA) and is subject to the provisions of the Warringah Local Environmental Plan (LEP) 2011.

The site has a split zoning of B4 Mixed Use on the eastern portion fronting Fisher Road and R3 Medium Density Residential on the western portion fronting Francis Street, as detailed in **Figure 3** below.

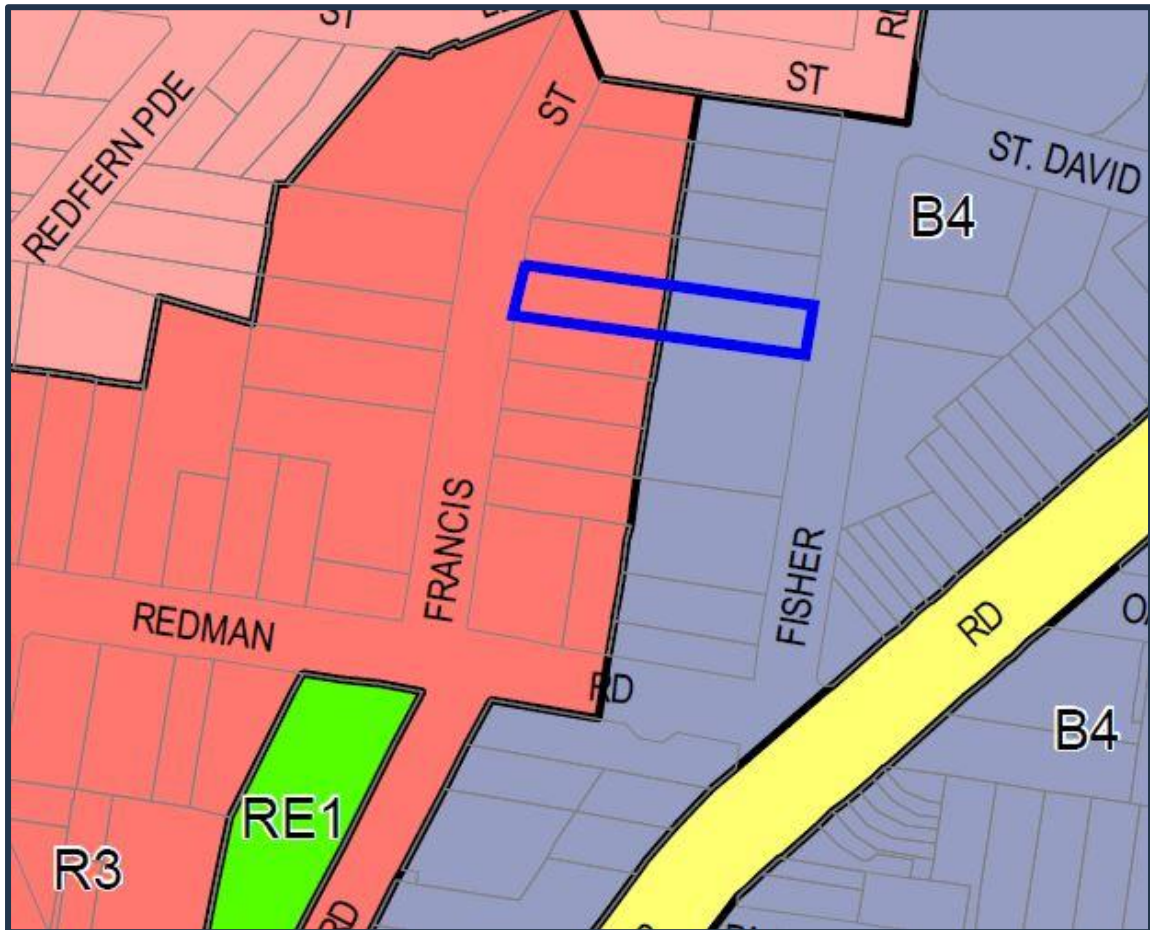


Figure 3: Zoning Map with the Subject Site Outlined in Blue (Source: Nearmap)

Boarding houses and places of public worship are permitted with consent in both the B4 Mixed Use zone and the R3 Medium Density Residential zone and Food and drink premises are permitted with consent in the B4 Mixed Use zone.

Zone Objectives

The objectives of the B4 Zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.
- To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.
- To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.

- *To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.*

Comment

It is considered that the proposed development is consistent with the relevant objectives of the B4 zone in that the DA proposes a mixed-use development that provides retail space and affordable rental housing within the Dee Why Town Centre. The development is located in close bus stops and a range of other services and facilities to meet the needs of the residents. The proposal has been designed to positively contribute to the streetscape and promote a land use patterns that provides active ground floor uses with upper floor residential accommodation.

Additionally, the development has been sited and designed so as to ensure it does not adversely impact adjoining properties and a high level of amenity is achieved and maintained.

The objectives of the R3 Zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*
- *To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.*

Comment

The proposed development is deemed to be consistent with the relevant objectives of the R3 zone in that it provides for the affordable housing needs of the community within an appropriate medium density residential environment that is of a high visual quality and facilitates additional land uses that will positively contribute to the vitality of the Dee Why Town Centre.

Relevant Clauses

An assessment of the relevant clause of the Warringah LEP 2011 is provided in **Appendix B**. That assessment has found that the proposed development is compliant with the objectives and controls of the LEP.

4.1.6 Warringah Development Control Plan 2011

The Warringah Development Control Plan (DCP) 2011 provides detailed provisions to supplement the Warringah LEP 2011. An assessment of the proposal against the relevant development controls applying to the subject land is provide for at **Appendix C**.

That assessment has found that the proposed development is consistent with the objectives and controls of the DCP and where a variation is proposed sufficient justification is provided.

4.2 Safety and Security

The construction of the proposed development will be in accordance with the conditions of consent and will be managed to ensure site safety and the minimisation of adverse environmental impacts.

The following section outlines CPTED principles and uses these to assess the architectural plans for the proposed redevelopment. This assessment has been undertaken in accordance with the NSW Government's CPTED principles (outlined below), and the requirements of the Warringah DCP 2011.

There are a number of criteria to be considered when assessing Crime Prevention through Environmental Design (CPTED) as part of a development application. As stated by the NSW Government, CPTED aims to influence the design and management of buildings and places by:

- Increasing the perception of risk to criminals by increasing the possibility of detection, challenge and Capture.
- Increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended.
- Reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- Removing conditions that create confusion about required norms of behaviour.

To that end, the four key principles to minimise the opportunity for Crime are outlined in the table below:

Table 3: CPTED Principles		
No.	PRINCIPLE	DEFINITION
1	Natural Surveillance	Involves maximising opportunities for passers-by or residents to observe what happens in an area (the 'safety in numbers' concept). This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. Natural surveillance is a by-product of well-planned, well-designed and well-used space. Higher risk locations can also benefit from organised surveillance, which involves the introduction of formal measures such as on-site security guards or CCTV.
2	Access control	Control of who enters an area so that unauthorised people are excluded, for instance, via physical barriers such as fences, grills etc.
3	Territorial reinforcement /ownership	People are more likely to protect territory they feel they own and have a certain respect for the territory of others. This can be expressed through installation of fences, paving, signs, good maintenance and landscaping. Territoriality relates to the way in which a community has ownership over a space.

Table 3: CPTED Principles		
No.	PRINCIPLE	DEFINITION
4	Space management	Ensures that space is appropriately utilised and cared for. Space management strategies include: activity coordination (i.e. having a specific plan for the way different types of activities are carried out in space), site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out lighting and the removal or refurbishment of decayed physical elements.

Car Parking Areas

Car parking areas are typically common spaces for offences against property or persons. Relevant CPTED considerations for car parks include: access control, providing visibility, ensuring safe access for cars and pedestrians, and discouraging loitering. The subject DA proposes the following measures:

- Adequate lighting compliant with AS1158 will be provided throughout car park, including at all car park entry/exit points and loading/unloading areas;
- Clear demarcation of pedestrian walkways throughout the car park to avoid conflicts with vehicles is provided through signage; and
- Safe parking signage throughout car park to remind people to secure their cars and valuables will be installed prior to the occupation of the development.

Entry and Exit Points

Entry and exit points are a key consideration for CPTED assessments because of the interface they provide with the surrounding area. Relevant CPTED considerations for entry and exit points include: access control, providing visibility, ensuring safe access for cars and pedestrians, and discouraging loitering. The subject DA proposes the following measures:

- Adequate lighting at all entry and exit points is proposed;
- All entry/exit points are aesthetic and inviting and the landscaping, building position and activities are all orientated to maximise natural surveillance on entry/exit.
- Ground level landscaping has been selected so that it does not provide areas of concealment.

Internal Layouts

Key internal layout considerations in regards to CPTED include interfaces between public and private space; and the existence of 'dead space', 'areas of entrapment' and 'areas of concealment'. The subject DA proposes the following measures:

- The design of new internal spaces does not create 'areas of entrapment or concealment, particularly in toilets and accessways;
- All unit entries have good sight lines, are well lit and are in areas with ample room for access.
- Clear definition between public and private access areas are created using signage and secure doors.

External Areas

Key external layout considerations in regard to CPTED include visibility, activation and prevention of vandalism and graffiti. The subject DA proposes the following measures:

- All external areas of the building are proposed to be well lit, particularly at night and lighting is identified in the site plan prepared by Stephen Jones & Associates.
- No opportunities for concealment are provided by external building design or landscaping based on the design and plant selection.

As identified above, the proposed development has been designed with regard to the principles of Crime Prevention Through Environmental Design. Landscaped areas within the development site will be maintained to a good standard. Clear delineation between public and private areas is proposed. Lighting that complies with AS1158 will be used. Car parking areas will be well lit at night and are in easy walking distance of the building.

The proposed development is therefore considered compliant with the requirements of CPTED.

4.3 Noise and Visual Impacts

Noise

An Acoustic Report has been prepared by TTM (refer to **Appendix K**) which details the potential noise impacts of proposed development and surrounding development on the proposal.

Following the result of noise monitoring undertaken on site, the Acoustic Report provides a series of recommendations to ensure any adverse noise impacts on the proposed development are minimised.

Subject to the implementation of the recommendations detailed in the Acoustic Report the proposed development can satisfy all acoustic and vibration assessment requirements.

Visual Impacts

From a visual perspective, an appropriate composition of building elements, material textures and colours have been utilised to reflect the buildings commercial and residential use character.

The external appearance of the building reflects consideration to various development controls and the articulation of the building along with its massing composition reflects the desired future character of the two streetscapes

The massing of both Fisher Road and Francis Street as well as other elevations has been designed to achieve an aesthetic outcome to fit within a desired building envelope. Its facades are all designed with various architectural elements to provide articulation, depth, shade and a pleasing aesthetic.

The development is considered to represent a positive contribution to the streetscape and its siting design and location of car parking with a basement ensures the amenity of adjoining residents is not unduly compromised.

An Urban Design Review of the development has been prepared by Architects Johannsen Associates and is provided in **Appendix U**. The review concludes that the project can be an exemplary benchmark for showing how introduction of affordable or key worker rental accommodation in conjunction with church related common facilities can be introduced in a way to foster positive social and community benefits.

Affordable housing such as this can provide significant social and community benefits by improving residential accommodation choice while being complementary to the desired character of this evolving mixed-use precinct in the Dee Why Town Centre.

The proposed development is supportable from an urban design perspective and satisfies the intentions of the Warringah LEP 2011, DCP 2011 and Housing SEPP 2021 in a manner that can address any perceived adverse environmental effects and can make a positive contribution to meeting the growing and changing needs of the community and particularly key workers as identified in Northern Beaches Council Policy for Affordable Housing.

View Sharing

The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment.

View sharing is generally tested against a well-established planning principle established by the NSW Land & Environment Court, referred to as the *Tenacity Principle* (*Tenacity Consulting v Warringah [2004] NSW LEC 140*).

To decide whether or not view sharing is reasonable, a four-step assessment should be used.

- Step 1** *The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

- Step 2** *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*
- Step 3** *The third step is to assess the extent of the impact. This needs to be done for the whole of the property, and not just to that part where the views are affected. The views from living areas (including kitchen areas) are more significant than from bedrooms or service areas. Whilst the impact could be assessed quantitatively, it is more useful to look at the issue in a qualitative sense and ask whether the view loss is negligible, minor, moderate, severe or devastating.*
- Step 4** *The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours.*

It is noted that we have not accessed specific properties but have assessed the general views obtained from various public vantage points.

The fourth step, which is to access the reasonableness of the proposal notes that a development that complies with all planning controls will be considered more reasonable than one that breaches them.

In respect of the proposed development it is noted that the building fully complies with Council's LEP height limit. It is also noted that the front of the site with a 16m height limit sits within the Dee Why Town Centre.

It is considered that there will be no adverse view loss experienced by adjoining development and the proposed development complies with Tenacity.

4.4 Social and Economic Impacts

The development as proposed will bring with it a number of important social and economic benefits for the local and wider community as outlined below.

- Enable Northern Beaches Council to continue to meet the needs of local residents through the provision of mix of affordable unit types and additional community uses;
- Promote enhanced neighbourhood safety and security through casual surveillance generated by the presence of a permanent new development and activity within the site;
- Provide short-term economic benefits through construction expenditure and employment; and

- Provide improvements to streetscape appearance, character, amenity of the area thus enhancing resident quality of life and satisfaction.

4.5 Site Suitability

Having regard to the characteristics of the site and its location in Dee Why, the proposed development is considered appropriate having regard to the following elements:

- the zoning of the site permits the proposed use and the development has been designed having regard to the prescriptive measures to achieve the desired character as required by the Housing SEPP, Warringah LEP and DCP;
- the size and dimensions of the land are appropriate for accommodating the proposal in its current form;
- the development is sited and designed to ensure no adverse impacts occur on surrounding development including overshadowing, noise and traffic impacts.

4.6 Public Interest

The proposal will facilitate the development of the site by providing a development that meets the growing needs of the local and wider population. It is in the public interest to reinforce the importance of this location as a suitable development site for high-density affordable rental housing development. Generally, the proposal provides the following public benefits:

- It is consistent with the objects of the EP&A Act of encouraging the economic and orderly development of land;
- It has been carefully designed to ensure consistency with the applicable Council policies where possible;
- It provides a development with no adverse overshadowing impacts, noise impacts, traffic impacts or visual impacts; and
- Delivers a development that enhances and responds sensitively to its setting through the creation of a space that reflects the required scale and significance of the immediate precinct.

5.0 Conclusion

This proposal seeks approval for a mixed-use boarding house development under the provisions of the State Environmental Planning Policy (Housing) 2021 at 28 Fisher Road & 9 Francis Street, Dee Why.

The proposal is generally consistent with the relevant environmental planning instruments, including the Housing SEPP, the Warringah LEP 2011 and Warringah DCP 2011.

The proposal will directly contribute to the provision of a well-designed mixed-use development in the Dee Why Town Centre Area. The proposed development has significant planning merit in the following respects:

- the proposed development provides additional affordable housing to meet the needs of a growing population;
- The proposal will provide valuable community services / church facilities in close proximity within the town centre;
- the development is located on close proximity to range of services and amenities and public transport; and
- there are no adverse impacts on surrounding properties.

Having regard to the above, and in light of the relevant heads of consideration listed under Section 4.15 of the Environmental Planning and Assessment Act, 1979 the proposal is reasonable and appropriate and warrants favourable consideration.



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APPENDIX A

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021 - COMPLIANCE TABLE

28 FISHER ROAD & 9 FRANCIS STREET,
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State Environmental Planning Policy (Housing) 2021
28 Fisher Rd & 9 Francis St, Dee Why

Clause	Requirement	Comment	Complies
23 - Boarding houses permitted with consent	Development for the purposes of boarding houses may be carried out with consent on land on which development for the purposes of boarding houses is permitted with consent under another environmental planning instrument.	The subject site in zoned B4 Mixed Use and R3 Medium Density under the provisions of the Warringah Local Environmental Plan (LEP) 2011. Boarding houses are permitted with consent in the B4 Mixed Use and R3 Medium Density zones under the Warringah LEP.	✓
24 - Non-discretionary development standards—the Act, s 4.15	<p>The following are non-discretionary development standards in relation to the carrying out of development to which this Division applies—</p> <p>a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—</p> <p>(i) the maximum permissible floor space ratio for residential accommodation on the land, and</p> <p>(ii) an additional 25% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of the boarding house,</p> <p>b) if paragraph (a) does not apply—a floor space ratio that is not more than the maximum permissible floor space ratio for residential accommodation on the land,</p>	<p>The eastern portion of the site (28 Fisher Road) is subject to a FSR of 2.4:1 under the provisions of the Warringah LEP. Based on a site area of 695.6m² (for 28 Fisher Road) a maximum GFA of 1,669.44m² (FSR of 2.4:1) is permissible on the site.</p> <p>The proposed development is afforded a FSR bonus of 25% (additional 417.36m²) under Clause 29 of the Housing SEPP increasing the maximum allowable FSR to 3:1 for 28 Fisher Road (total GFA of 2,086m²).</p> <p>The proposed development has a total gross floor area (GFA) of 2075.7937m² for the built form on 28 Fisher Road which equates to a Floor Space Ratio (FSR) of 2.98:1.</p>	✓

Housing SEPP Compliance Table – 28 Fisher Rd & 9 Francis St, Dee Why

	c) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,	A total of 40% of the 3 zoned portion of the site (9 Francis Street) is required to be landscaped area. 308.4m ² (44.3%) of landscaped area has been provided on the R3 zoned portion of the site.	✓
	d) for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument,	N/A	N/A
	e) at least 3 hours of direct solar access provided between 9am and 3pm at mid-winter in at least 1 communal living area,	The communal living rooms receive at least 3 hours direct sunlight between 9am and 3pm in mid-winter, as detailed on the shadow diagrams provided in the Architectural Plans (Appendix D).	✓
	f) for a boarding house containing 6 boarding rooms— (i) a total of at least 30m ² of communal living area, and (ii) minimum dimensions of 3m for each communal living area,	N/A	N/A
	g) for a boarding house containing more than 6 boarding rooms— (i) a total of at least 30m ² of communal living area plus at least a further 2m ² for each boarding room in excess of 6 boarding rooms, and (ii) minimum dimensions of 3m for each communal living area,	A total communal living area of 122m ² is required for the development. A total of 155.9m ² is provided.	✓

Housing SEPP Compliance Table – 28 Fisher Rd & 9 Francis St, Dee Why

	<p>h) communal open spaces—</p> <p>(i) with a total area of at least 20% of the site area, and</p> <p>(ii) each with minimum dimensions of 3m,</p> <p>i) if a relevant planning instrument does not specify a requirement for a lower number of parking spaces—at least the following number of parking spaces—</p> <p>(i) for development on land within an accessible area—0.2 parking spaces for each boarding room,</p> <p>(ii) otherwise—0.5 parking spaces for each boarding room,</p> <p>if a relevant planning instrument specifies a requirement for a lower number of parking spaces—the lower number specified in the relevant planning instrument.</p>	<p>725.02m² (52.11%) of communal open space is provided.</p> <p>The proposed development is located within an accessible area as it is located within 400m on a bus stop used by a regular bus service that has at least 1 bus per hour servicing the bus stop between—</p> <p>(i) 6am and 9pm each day from Monday to Friday, both days inclusive, and</p> <p>(ii) 8am and 6pm on each Saturday and Sunday.</p> <p>The boarding house component of the development therefore requires a total of 11 car spaces (52 units x 0.2 spaces). The proposed development is provided with a total of 34 car spaces, 11 motorcycle spaces and 11 bicycle spaces across 2 levels of basement car parking.</p> <p>The proposed development is supported by a Traffic Report (Appendix J) prepared by Northern Transport Planning and Engineering that addresses the car parking and traffic impacts of the proposal.</p>	✓
25 – Standards for boarding houses	1) Development consent must not be granted under this Division unless the consent authority is satisfied that—		

Housing SEPP Compliance Table – 28 Fisher Rd & 9 Francis St, Dee Why

	<p>a) no boarding room will have a gross floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, of more than 25m², and</p>	The maximum gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of a boarding house room is 21m ² .	✓
	<p>b) no boarding room will be occupied by more than 2 adult residents, and</p>	No boarding room will be occupied by more than 2 adult lodgers at any one time.	✓
	<p>c) adequate bathroom, kitchen and laundry facilities will be available within the boarding house for the use of each resident, and</p>	Each boarding room is provided adequate private bathroom and communal kitchen facilities.	✓
	<p>d) for a boarding house on land in Zone R2 Low Density Residential or an equivalent land use zone—the boarding house will not have more than 12 boarding rooms, and</p>	N/A	
	<p>e) for a boarding house on land in a business zone—no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and</p>	No part of the ground floor of the development on the portion of the site zoned B4 Mixed use is used for residential purposes. A café and church is proposed on the ground floor with frontage to Fisher Road.	✓
	<p>f) for a boarding house containing at least 6 boarding rooms—the boarding house will have at least 1 communal living area, and</p>	Communal living areas are provided on all levels of the boarding house component of the development.	✓
	<p>g) the minimum lot size for the boarding house is not less than—</p> <p>(i) for land in Zone R2 Low Density Residential—the minimum lot size requirements for manor houses under a relevant planning instrument, or 600m², or</p>	There is not applicable minimum lot size for multi dwelling housing or residential flat buildings under the Warringah LEP.	✓

	<p>(ii) for land in Zone R3 Medium Density Residential—the minimum lot size requirements for multi dwelling housing under a relevant planning instrument, or</p> <p>(iii) otherwise—the minimum lot size requirements for residential flat buildings under a relevant planning instrument, and</p> <p>h) each boarding room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, of at least the following—</p> <p>(i) for a boarding room intended to be used by a single resident—12m²,</p> <p>(ii) otherwise—16m².</p> <p>(i) the boarding house will include adequate bicycle and motorcycle parking spaces.</p> <p>2) Development consent must not be granted under this Division unless the consent authority considers whether—</p> <p>a) the design of the boarding house will be compatible with—</p> <p>(i) the desirable elements of the character of the local area, or</p>	<p>All proposed boarding house units are at least 12m² for a single room and 16m² for a double room (excluding any area used for the purposes of private kitchen or bathroom facilities).</p> <p>A total of 11 motorcycle and 11 bicycle spaces are provided at a rate of 1 space per 5 boarding rooms which is adequate to service the subject development.</p> <p>The design, scale and height proposed within this application is consistent with the current developments and desired future character of the site's split zoning and two street frontages having regard to its location and site context. The elevations have been carefully designed to achieve an aesthetic outcome and composition based on the developments interface with the site's two street frontages and the adjoining properties. The facades and numerous architectural features provide articulation and interest to the elevations and result in a high-quality built form that</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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Housing SEPP Compliance Table – 28 Fisher Rd & 9 Francis St, Dee Why

	<p>(ii) for precincts undergoing transition—the desired future character of the precinct, and</p> <p>b) the front, side and rear setbacks for the boarding house are not less than—</p> <p>(i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument,</p> <p>(ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument,</p> <p>c) if the boarding house has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide.</p>	<p>contributes positively to the streetscape and the emerging built form.</p> <p>The proposed development therefore considered to be compatible with and will positively contribute to the character of the local area.</p> <p>The proposed design of the development has considered the setback requirements for development on the R3 zoned portion of the site. The development provides a compliant 6.5m front setback to Francis Street and compliant side setbacks of 4.5m above ground floor. the proposed development provides 3m side setbacks for the western portion of the site for the ground floor and 4.5m for the upper floors. The minor variation to the minimum 4.5m on the ground floor is deemed to be reasonable as substantial landscaping is proposed and adequate separation distances are provided from an acoustic and visual privacy perspective.</p> <p>The variation is considered reasonable due to the proposed boarding house use of the site and the treatment of the northern and southern elevations of the building that ensure an appropriate level of privacy is maintained onsite and on adjoining properties. The proposal is consistent with side setbacks on adjoining properties.</p> <p>The proposed development has been designed with consideration of the building separation and visual privacy requirements of the Apartment Design Guide. Appropriate building separation has been provided on the western portion of the site (R3 zoned land) with the built form on the eastern portion of the site (B4 zoned land) built to boundary with 4.5m insets to allow for future development on the adjoining sites. The side elevations have been designed to provide appropriate privacy measures through the use</p>	<p>✓</p> <p>✓</p>
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Housing SEPP Compliance Table – 28 Fisher Rd & 9 Francis St, Dee Why

		of opaque glazing for windows to stairway and bathrooms and a 4.5m setback for windows to communal living areas. The design of the proposal has therefore considered the building separation and visual privacy requirements of the Apartment Design Guide and provides a suitable built form that is consistent with the desired character of the Dee Why Town Centre and allows for adequate visual separation and privacy and does not impact on the ability of adjoining lots to be redeveloped in line with the applicable controls of the ADG, LEP and DCP.	
26 Must be used for affordable housing in perpetuity	<p>Development consent must not be granted under this Division unless the consent authority is satisfied that from the date of the issue of the occupation certificate and continuing in perpetuity—</p> <p>(a) the boarding house will be used for affordable housing, and</p> <p>(b) the boarding house will be managed by a registered community housing provider.</p>	The proposed development is to be used for the purposes of affordable housing and will be managed by a registered community housing provider (Uncle Earl) as detailed in Appendix Q .	✓
27 Subdivision of boarding houses not permitted	Development consent must not be granted for the subdivision of a boarding house.	Subdivision is not proposed under the development.	✓

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APPENDIX B

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 - COMPLIANCE TABLE

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Warringah Local Environmental Plan 2011
28 Fisher Road & 9 Francis Street, Dee Why

Clause	Requirement	Comment	Complies
4.3 – Height of Building	11m for the western portion of the site fronting Francis Street and 16m for the eastern portion of the site fronting Fisher Road.	The proposed development has a maximum building height of below 11m on the western portion of the site and 16m on the eastern portion of the site in line with the applicable maximum building height controls.	✓
4.4 – Floor Space Ratio	<p>2.4:1</p> <p>The proposed development comprises the construction of a boarding house under the provisions of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and utilises the 25% additional FSR afforded under Clause 29 of the Housing SEPP.</p> <p>Therefore, the proposed development has a maximum FSR control of 3:1.</p>	<p>The eastern portion of the site (28 Fisher Road) is subject to a FSR of 2.4:1 under the provisions of the Warringah LEP. ased on a site area of 695.6m² (for 28 Fisher Road) a maximum GFA of 1,669.44m² (FSR of 2.4:1) is permissible on the site.</p> <p>The proposed development is afforded a FSR bonus of 25% (additional 417.36m²) under Clause 29 of the Housing SEPP increasing the maximum allowable FSR to 3:1 for 28 Fisher Road (total GFA of 2,086m²).</p> <p>The proposed development has a total gross floor area (GFA) of 2075.79m² for the built form on 28 Fisher Road which equates to a Floor Space Ratio (FSR) of 2.98:1.</p>	✓
5.10 – Heritage Conservation	To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views	<p>The subject site is not identified as a heritage item or as being located within a heritage conservation area. The is located in proximity to the following items as identified in the Warringah LEP:</p> <ul style="list-style-type: none"> ● I42 – Dee Why Fire Station at 38 Fisher Road; ● I43 – Pacific Lodge (Salvation Army) at 15-23 Fisher Road; and ● I48 – Commonwealth Bank at 691 Pittwater Road. 	✓

		The proposed development has been sited and designed to ensure it does not detract from the heritage significance of the heritage items located in proximity to the site and complements the existing streetscape character whilst representing the emerging built form and desired character for the Dee Why Town Centre.	
6.2 - Earthworks	To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	The proposal involves the excavation works to facilitate basement levels. The earthworks will not have any detrimental impact on environmental functions, neighbouring uses or heritage items and all earthworks will be carried out in accordance with the recommendations of the Geotech Report prepared by Soilsrock Engineering in support of the application and provided in Appendix P .	✓
6.3 - Flood planning	To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change	The proposed development has been designed to best respond to the flood hazard of the site to ensure it is compatible and does not adversely impact on the flood hazard of the site or surrounding area.	✓
6.4 - Development on sloping land	<p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and</p> <p>(b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and</p> <p>(c) the development will not impact on or affect the existing subsurface flow conditions.</p>	<p>The proposed development has been designed to respond to the natural topography of the site and to ensure it does not adversely impact the stormwater discharge from the site the subsurface flow conditions or the risk of landslides on the site and surrounding properties.</p> <p>The proposed development is supported by a Geotech Report (Appendix P) and Concept Stormwater Plans (Appendix H) that demonstrate the proposal's compatibility with the site's landslide risk and ensure it will not detrimentally impact the site or surrounding area.</p>	✓

<p>7.4 - Development must be consistent with objectives for development and design excellence</p>	<p>Development consent must not be granted to development on land in the Dee Why Town Centre unless the consent authority is satisfied that the development—</p> <p>(a) is consistent with the objectives of this Part that are relevant to that development, and</p> <p>(b) incorporates—</p> <p>(i) stormwater management measures, including water sensitive urban design and ecologically sustainable development principles, and</p> <p>(ii) innovative design solutions that minimise stormwater impacts, including stormwater quantity and quality impacts, on the Dee Why Lagoon system, and</p> <p>(iii) finished floor levels and basement car park entry levels that include adequate freeboards to protect against the entry of stormwater from the Council’s street drainage system, and</p> <p>(iv) continuous colonnades or pedestrian awnings on those parts of any building that are on the edges of streets or public spaces.</p>	<p>The proposed development has been designed to ensure it is consistent with the objectives of the Dee Why Town Centre and provides adequate stormwater management measures and design as detailed in the Concept Stormwater Plans (Appendix H) and provides an appropriate pedestrian awning on Fisher Road in line with the applicable controls of the Warringah DCP.</p>	<p>✓</p>
<p>7.5 - Design excellence within Dee Why Town Centre</p>	<p>In determining whether development exhibits design excellence, the consent authority must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,</p>	<p>The George Group (Appendix E) have prepared an Architectural Design Statement that addresses the design excellence provisions and the surrounding heritage matters.</p>	<p>✓</p>

	<p>(c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resources, energy and water efficiency,</p> <p>(d) whether satisfactory arrangements have been made to ensure that the proposed design is carried through to the completion of the development concerned,</p> <p>(e) whether the configuration and design of communal access and communal recreational areas within the residential elements of development incorporate exemplary and innovative treatments and will promote a socially effective urban village atmosphere,</p> <p>(f) whether the development connects with and provides a high quality interface with surrounding streets and public domain areas at the pedestrian level,</p> <p>(g) whether the development contributes to the provision of a network of green spaces, natural systems and semi-natural systems, including parks, waterways, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.</p>		
7.10 - Allowance for external ancillary plant and roof access	<p>Development consent must not be granted to development on land in the Dee Why Town Centre involving the construction of a new building or external alterations to an existing building unless the consent authority is satisfied that—</p> <p>(a) the height of any external ancillary plant or access point is minimised and does not exceed 3.0 metres, and</p>	<p>The proposed rooftop areas have been designed to provide a high level of amenity to users of the site whilst maintaining an adequate level of privacy of adjoining properties. The proposed lift overruns and roof plant has been sited and designed to ensure it is appropriately setback and has a minimal impact on the design of the building when viewed from the public domain.</p>	✓

	<p>(b) any external ancillary plant or access point is suitably integrated with landscaping or architectural elements of the building, and</p> <p>(c) any external ancillary plant or access point is centrally located within the roof area to minimise or completely avoid being visible from the public domain in close proximity to the building, and</p> <p>(d) the total area of such plant and access points does not exceed 10% of the roof area, and</p> <p>(e) any balustrade or similar safety restraint (except a building parapet) is set in from the roof edge at least 3 metres</p>		
7.13 - Mobility, traffic management and parking	<p>Development consent must not be granted to the construction of new buildings in the Dee Why Town Centre unless the consent authority is satisfied that –</p> <ul style="list-style-type: none"> the development will improve vehicle access and circulation within the Dee Why Town Centre and will reinforce the priority of pedestrian movements and networks to make the Dee Why Town Centre safe, enjoyable and attractive, and car parking will be provided principally underground and will accommodate the demand generated by the additional residential, retail and commercial uses, and if car parking adjoins a street frontage, the amenity of the adjoining and nearby uses is protected, and loading facilities and waste collection facilities are accommodated in a way that does not adversely impact on the visual amenity of the public domain, the amenity 	<p>The proposed development has been designed to ensure it has a positive impact on the vehicular access and circulation of the Dee Why Town Centre. This has been achieved through the provision of vehicular access from Francis Street located outside of the Town Centre, the provision of all vehicular parking and associated facilities are located underground and there will be minimal disturbance to retail and commercial activity on Fisher Road.</p>	✓

	<p>of adjoining or nearby residential properties or conflict with pedestrian access, and</p> <ul style="list-style-type: none"> • there will be minimal disruption to retail and commercial activity at street level because the proposed development— • minimises the width of footpath crossings and vehicle entrances, and • ensures that loading facilities are substantially enclosed by occupied floor space, and • demonstrates high standards of civic design to portions of loading dock and car park entrances that are visible from the street. 		
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APPENDIX C

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 - COMPLIANCE TABLE

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Warringah Development Control Plan 2011 – Compliance Table

28 Fisher Road & 9 Francis Street, Dee Why

Control	Requirement	Comment	Complies
Part B – Built Form Controls			
B2 – Number of Storeys	Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum number of storeys identified on the DCP Map Number of Storeys: <ul style="list-style-type: none"> Western portion of site – three storeys 	The proposed development has been designed to respond to the site's two street frontages and relevant height controls. The proposed development provides a three-storey built form to Francis Street in line with the relevant control applicable to the western portion of the site.	✓
B3 – Side Boundary Envelope	Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> 4 metres, or 5 metres 	The proposal provides appropriate side setbacks based on the narrow width of the site and adopts a built form that responds to the existing streetscape and is reflective of the proposed use and the site's other frontage located within the Dee Why Town Centre. As demonstrated in the Architectural Plans (Appendix D) the proposed development provides a compliant building envelope for the western portion of the site.	✓
B5 – Side Boundary Setbacks	Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map – 4.5m to Francis Street. <p>Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.</p>	The proposed development provides 3m side setbacks for the western portion of the site for the ground floor and 4.5m for the upper floors. The minor variation to the minimum 4.5m on the ground floor is deemed to be reasonable as substantial landscaping is proposed and adequate separation distances are provided from an acoustic and visual privacy perspective. <p>The proposed side setback areas are to be appropriately landscaped to integrate the proposal into the existing landscape and provide screening.</p>	On Merit ✓

B6 - Merit Assessment of Side Boundary Setbacks	<p>Side boundary setbacks will be determined on a merit basis and will have regard to:</p> <ul style="list-style-type: none"> streetscape; amenity of surrounding properties; and setbacks of neighbouring development 	<p>As detailed the proposed development provides 3m side setbacks for the western portion of the site for the ground floor and 4.5m for the upper floors. The minor variation to the minimum 4.5m on the ground floor is deemed to be reasonable as substantial landscaping is proposed and adequate separation distances are provided from an acoustic and visual privacy perspective.</p> <p>The variation is considered reasonable due to the proposed boarding house use of the site and the treatment of the northern and southern elevations of the building that ensure an appropriate level of privacy is maintained onsite and on adjoining properties. The proposal is consistent with side setbacks on adjoining properties.</p>	✓
B7 – Front Boundary Setbacks	<p>Development is to maintain a minimum setback to road frontages - – 6.5m to Francis Street</p> <p>The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.</p>	<p>The proposed development provides a front setback of 6.5m to Francis Street.</p> <p>The proposed front setback area will be appropriately landscaped to integrate the proposal into the existing streetscape and provide visual interest and amenity.</p>	<p>✓</p> <p>✓</p>
Part C – Siting Factors			
C2 - Traffic, Access and Safety	<p>Vehicle access is to be obtained from minor streets and lanes where available and practical.</p> <p>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</p>	<p>Vehicular access is proposed to be provided from Francis Street.</p> <p>The proposed vehicle crossing has been designed in accordance with the relevant standards and specifications.</p>	<p>✓</p> <p>✓</p>

	<p>Facilities for the loading and unloading of service, delivery and emergency vehicles are to be:</p> <ul style="list-style-type: none"> • appropriate to the size and nature of the development; • screened from public view; and • designed so that vehicles may enter and leave in a forward direction. 	All proposed parking and associated facilities are located in the basement level carpark. The basement level carpark has been designed to ensure it is an appropriate size for the development, is screened from the public and allows vehicles to enter and exit in a forward direction.	✓
C3 – Parking Facilities	<p>Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments.</p> <p>Carparking, other than for individual dwellings, shall :</p> <ul style="list-style-type: none"> • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. 	<p>All proposed parking and associated facilities are located in the basement level carpark.</p> <p>All proposed parking and associated facilities are located in the basement level carpark. The basement level carpark has been designed to ensure it is an appropriate size for the development, is screened from the public, has been designed in accordance with the relevant Australian standards and allows vehicles to enter and exit in a forward direction.</p>	<p>✓</p> <p>✓</p>
C3A – Bicycle Parking and End of Trip Facilities	<p>Boarding house – 1 per 10 beds + visitor – 1 per 20 beds.</p> <p>Bathroom/ change area(s) shall be provided and shall contain:</p>	<p>A total of 8 bicycle spaces are required and a total of 11 bicycle spaces have been provided.</p> <p>The proposed boarding rooms have adequate private bathroom facilities for users.</p>	<p>✓</p> <p>✓</p>

	<p>i) At least one toilet, wash basin, mirror, clothing hooks and power points (including shaving plugs).</p> <p>ii) A minimum of one shower cubicle per seven (7) required bicycle parking spaces.</p> <p>iii) Each shower cubicle shall include a private clothes changing area with a bench and a minimum of two (2) clothing hooks.</p> <p>b) Clothes Lockers shall be:</p> <p>i) Provided at the rate of one clothes locker for every required bicycle parking space.</p> <p>ii) Secure, ventilated and large enough to store cycling gear</p>		
C4 – Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.	Concept Stormwater Plans have been prepared by Mesh Group Pty Ltd in support of the proposal and are provided in Appendix H .	✓
C5 - Erosion and Sedimentation	An Erosion and Sediment Control Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004).	An erosion and sediment control plan is included in Appendix H .	✓
C7 – Excavation and Landfill	Excavation and landfill works must not result in any adverse impact on adjoining land, shall be constructed to ensure the geological stability of the work and shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.	The proposal involves the excavation works to facilitate the basement levels. The earthworks will not have any detrimental impact on environmental functions, neighbouring uses or heritage items and all earthworks will be carried out in accordance with the recommendations of the Geotech Report prepared by Soilsrock Engineering in support of the application and provided in Appendix P .	✓
C8 – Demolition and Construction	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	A Waste Management Plan has been prepared by The George Group in support of the proposed development and is provided in Appendix L . The waste management plan includes the proposed waste management for demolition, construction and ongoing use of the site.	✓
C9 – Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management	A Waste Management Plan has been prepared by The George Group in support of the proposed development and is provided in Appendix L . The waste management plan	✓

	Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	includes the proposed waste management for demolition, construction and ongoing use of the site.	
Part D – Design			
D1 - Landscaped Open Space and Bushland Setting	<p>The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting – 40% for the western portion of the site.</p> <p>To measure the area of landscaped open space:</p> <ul style="list-style-type: none"> a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. 	<p>A total of 308.4m² (44.3%) of landscaped area has been provided on the western portion of the site.</p> <p>The landscaped area calculations only include ground floor areas and do not include hard paved areas or structures.</p>	<p>✓</p> <p>✓</p>
D6 – Access to Sunlight	At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.	Detailed shadow diagrams have been prepared demonstrating compliance with adjoining residential lots (Appendix D).	✓
D7 - Views	Development shall provide for the reasonable sharing of views.	The proposed development has been sited and designed to provide for reasonable sharing of views.	✓
D8 - Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	The proposed development has been stored and design to maintain an appropriate level of privacy for users of the site and adjoining properties. This has been achieved through the design of the internal layout and the location of windows and openings.	✓

	<p>Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</p> <p>Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</p>	<p>The proposed habitable room windows and balconies have been located and orientated to minimise overlooking of and from adjoining properties.</p> <p>The proposed development does not contain any dwellings however the windows and opening of the proposal have been sited and orientated to ensure they do not provide direct or close views. The only windows facing the side boundaries are windows to corridors.</p> <p>Landscaping has been incorporated on the ground floor and rooftop communal areas to provide adequate screening of adjoining properties and to minimise opportunities for overlooking, as detailed in the Landscape Plans (Appendix G).</p>	<p>✓</p> <p>✓</p> <p>✓</p>
D9 - Building Bulk	<ul style="list-style-type: none"> Side and rear setbacks are to be progressively increased as wall height increases. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief. Building height and scale needs to relate to topography and site conditions. Orientate development to address the street. Use colour, materials and surface treatment to reduce building bulk. Articulate walls to reduce building mass <p>Landscape plantings are to be provided to reduce the visual bulk of new building and works.</p>	<p>The design, scale and height proposed within this application is consistent with the current developments and desired future character of the site's split zoning and two street frontages having regard to its location and site context. The elevations have been carefully designed to achieve an aesthetic outcome and composition based on the developments interface with the site's two street frontages and the adjoining properties. The facades and numerous architectural features provide articulation and interest to the elevations and result in a high-quality built form that contributes positively to the streetscape and the emerging built form.</p> <p>The proposal incorporated landscaping that assists in the integration of the proposal into the surrounding landscape and softens and reduces the visual bulk of the building.</p>	<p>✓</p> <p>✓</p>

D10 - Building Colours and Materials	In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.	Appropriate materials and finishes have been incorporated that will complement the area whilst positively contributing to the visual interest of the streetscape.	✓
D11 - Roofs	Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.	The proposed lift overruns have been integrated into the roof design to ensure they do not add unnecessary bulk and are not readily apparent from the street frontages.	✓
D12 - Glare and Reflection	<p>The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following: Selecting an appropriate lighting height that is practical and responds to the building and its neighbours;</p> <ul style="list-style-type: none"> • Minimising the lit area of signage; • Locating the light source away from adjoining properties or boundaries; and • Directing light spill within the site. 	The proposed lighting will be designed in accordance with the relevant Australian standards and will not contribute to any light spill or offensive light for adjoining properties and the public domain.	✓
D14 - Site Facilities	Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places.	All proposed site facilities have been located and designed to ensure they are not visible from the public domain.	✓
D15 - Side and Rear Fences	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.	Fencing will not exceed 1.8m	✓
D18 - Accessibility and Adaptability	The design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided	An access report has been prepared by Accessible Public Domain (Appendix M)	✓
D20 - Safety and Security	Buildings are to overlook streets as well as public and communal places to allow casual surveillance.	The proposed development has been designed to maximise casual surveillance of communal areas and public places in proximity to the site.	✓

	Entrances to buildings are to be from public streets wherever possible.	The proposed development provides pedestrian entrances facing Fisher Road and vehicular entrance facing Francis Street.	✓
D21 - Provision and Location of Utility Services	Utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.	The site currently contains a place of public worship that has access to sewer, water, electricity, and telecommunications. The proposed development will maintain access to those services and has sufficient area to deal with service provision requirements.	✓
D22 - Conservation of Energy and Water	The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.	The proposed development has been sited and designed to make the best use of natural ventilation, daylight and solar energy whilst maintain an appropriate level of privacy for adjoining properties.	✓
Part E - The Natural Environment			
E10 - Landslip Risk	<p>The applicant must demonstrate that:</p> <ul style="list-style-type: none"> • The proposed development is justified in terms of geotechnical stability; and • The proposed development will be carried out in accordance with good engineering practice. <p>Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</p>	<p>The proposed development has been designed to respond to the natural topography of the site and to ensure it does not adversely impact the stormwater discharge from the site the subsurface flow conditions or the risk of landslides on the site and surrounding properties.</p> <p>The proposed development is support by a Geotech Report (Appendix P) and Concept Stormwater Plans (Appendix H) that demonstrate the proposal's compatibility with the site's landslide risk and ensure it will not detrimentally impact the site or surrounding area.</p>	✓
E11 - Flood Prone Land	Low Flood Risk	It is considered that given the low flood risk that no further information is required.	✓
Part G1 – Dee Why Town Centre			
4 - Streetscape and Public Domain	Development is to maintain minimum front building setbacks from the kerb as outlined in Figure 3 – Fisher Road = 4m	The proposed development has a 4m setback to Fisher Road which is consistent with the setbacks of adjoining properties	✓

	<p>High quality facades must be provided and include modulation, articulation and may include planting on structures to create visual interest and contribute to the character of the area.</p> <p>Awnings must form an integral part of the architecture of the building and be designed:</p> <ul style="list-style-type: none"> a. Along the full extent of the street frontage of the building. ; b. At a height to ensure suitable weather protection, having regard to site orientation. c. At a height that ensures continuity in appearance with adjacent awnings and to relate to any distinctive features of the building. <p>Where possible, retail premises and food and drink premises are to open onto the public domain.</p>	<p>and assist in the activation of the site's street frontage, integration into the streetscape and provision of an appropriate street awning.</p> <p>The proposed development incorporates high quality façade design, materials and finishes and green walls to provide visual interest and positively contribute to the streetscape and wider Dee Why Town Centre.</p> <p>The proposed development includes the provision of a street awning that along the full extent of the site's Fisher Road frontage is at an appropriate height that provides suitable weather protection and is consistent with the streetscape.</p> <p>The proposed development includes a café on the Fisher Road frontage which opens out onto the public domain.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
5 - Design and Architectural Diversity	New developments must be designed to avoid the use of blank walls fronting streets and the public domain	The proposed development has been designed to avoid blank walls facing the site's two street frontages through use of architectural features, articulation and location of openings.	✓
6 - Site amalgamation	Development should not result in the isolation of land adjacent to the development site, preventing the reasonable development of that land.	The proposed development involves the amalgamation of two existing lots and provides a development that will not result in the isolation of adjoining sites.	✓
7 - Traffic and Parking	<p>Parking should be:</p> <ul style="list-style-type: none"> a. Provided underground; b. Designed and located to optimise deep soil planting. 	The proposed car parking and associated facilities are provided in the basement level and have been sited to allow for some deep soil planting on the ground floor.	✓

9 - Sustainability	New development with a cost of works equal to or greater than \$5 Million must achieve a minimum 4 Star, Green Star – Design and As Built rating in the Green Building Council of Australia rating system.	A section J report has been prepared by Certified Energy and is provided in Appendix O .	✓
10 - Water Sensitive Urban Design (WSUD)	A water sensitive urban design (WSUD) Strategy shall be prepared for all new buildings. The Strategy shall demonstrate compliance with WSUD objectives of this DCP and with Council's Water Management Policy (PL 850). The Strategy must be prepared by a Civil Engineer, who has membership to the Institution of Engineers Australia (NPER-3)	Mesh Group Pty Ltd have prepared detailed stormwater plans and supporting information in accordance with the DCP.	✓
11 - Landscaping	<p>A minimum of 20% of the site area is to be provided as landscaped area, which may be located on balconies, ground, podium and roof top levels or green walls of buildings.</p> <p>Where green walls are provided, they must be via a cladding structure with growing medium to facilitate extensive plant growth.</p>	A landscaped area of 388.95m ² (55%) is provided for the Fisher Road portion of the site as detailed in the Architectural Plans (Appendix D).	✓