

## WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 – COMPLIANCE ASSESSMENT

Development Standard	Control	Comment	Compliance
<b>Part 1: Preliminary</b>			
1.6 Consent Authority	The Council is the consent authority for the purpose of this application.		Yes
<b>Part 2 Permitted or prohibited development</b>			
2.1 Land use zones	B4 Mixed Use Zone	Retail premises (food and drink premises), commercial premises, and a boarding house are permitted uses in the zone.	Yes
2.3 Zone Objectives	B4 Mixed Use zone	Addressed above.	Yes
2.7 Demolition requires consent	Demolition of the existing buildings on the site may only be carried out with development consent.	Development consent is sought for the demolition of all existing structures on the site. This includes a 750mm stormwater pipeline (SPI12998) which is said to be located on the site and become redundant during the construction of the Meriton lighthouse development.	Yes
<b>Part 4 Principal Development Standards</b>			
4.3 Height of Buildings	The objectives of this clause are as follows:		

Development Standard	Control	Comment	Compliance
	(a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,		
	(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,		
	(c) to minimise any adverse impact of development on the scenic quality of Warringah's coastal and bush environments,		
	(d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.		
	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <a href="#">Height of Buildings Map</a> . (27m)	The proposed building height is 27m	Yes
4.4 Floor Space Ratio	(1) The objectives of this clause are as follows—		
	(a) to limit the intensity of development and associated traffic generation so that they are commensurate with the capacity of existing and planned infrastructure, including transport infrastructure,	The intensity of development is consistent with the capacity of the land and will not place undue pressure on transport infrastructure. It instead seeks to maximise the use of walking, cycling and public transport, with no vehicular parking proposed on the site. As a result, the proposal will not compromise existing infrastructure, while providing a modest increase for both residential and non-residential floor space that is suited to Dee Why as a town centre.	Yes
	(b) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,	The modest increase in floor space and the intended purpose of this is appropriate to the needs of the locality, providing small scale commercial floor space that is affordable, along with accommodation that is	Yes



Development Standard	Control	Comment	Compliance
		of a modest size to serve those struggling in the private rental or purchase market.	
	(c) to ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality,	As detailed below under Part 7, the proposed development is entirely consistent with the desired character of the locality.	
	(d) to manage the visual impact of development when viewed from public spaces,	As detailed below under Part 7, the proposed development is acceptable from a visual impact perspective, when considered from public spaces.	
	(e) to maximise solar access and amenity for public areas.	The proposal does not result in any adverse impact in terms of solar access and amenity for public areas.	
	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <a href="#">Floor Space Ratio Map</a> . [4.1]	The proposed floor space is 4.51:1; refer to the SEPP ARH.	Yes
<b>Part 6 Additional Local Provisions</b>			
6.2 Earthworks	(1) The objectives of this clause are as follows—		
	(a) 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,	<p>The proposed earthworks are generally limited given that no basement construction is proposed. Works are instead generally limited to subgrade preparation; minor filling and footings.</p> <p>Given the extent of building form that is adjacent to the site, the Geotechnical Report does identify that there may be some level of settlement or deflection on adjacent footings and basement retaining walls. During the design development process, potential impacts will need to be investigated to mitigate risk.</p>	Yes



Development Standard	Control	Comment	Compliance
		There are no known cultural features <sup>1</sup> within the vicinity of the site that would otherwise be affected, nor are any of the adjoining sites listed as heritage items. Standard dilapidation requirements would also be anticipated as part of any future development consent.	
	(b) to allow earthworks of a minor nature without requiring separate development consent.		Not applicable
	(2) Development consent is required for earthworks unless—		
	(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or		Not applicable
	(b) the work is ancillary to other development for which development consent has been given.		Not applicable
	(3) Before granting development consent for earthworks, the consent authority must consider the following matters—		
	(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	The proposed works have not been identified as having any impact on existing drainage patterns. Groundwater is identified as being approximately 5-6m below ground level. In terms of soil stability, the existing ground conditions comprise sand and clay at the upper levels, transferring to sand, and then sandstone. While these conditions are identified as constraints, detailed design at the construction certificate stage will be	Yes

<sup>1</sup> AHIMS Search for Lot B, DP 389449, dated 8 June 2021, does not identify any Aboriginal sites or places in or near (200m radius) of the site.



Development Standard	Control	Comment	Compliance
		pertinent to ensure that the mitigation measures as set out in the Geotechnical Report are achievable.	
	(b) the effect of the proposed development on the likely future use or redevelopment of the land,	As identified in the Geotechnical Report, the excavation works for the site, despite being relatively limited as no basement is proposed, will not negatively impede the future use or redevelopment of the land.	Yes
	(c) the quality of the fill or the soil to be excavated, or both,	Matters of soil cut and fill quality are addressed under SEPP 55, above.	Yes
	(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	The construction process will naturally cause some level of disruption during the early stages of in-ground works at the commencement of construction. However, should the Council deem necessary, appropriate conditions of consent may be imposed that limit certain construction activities to restricted times of the day to minimise disruption.	Yes
	(e) the source of any fill material and the destination of any excavated material,	Matters of soil cut and fill quality are addressed under SEPP 55, above and in the Geotechnical Report.	Yes
	(f) the likelihood of disturbing relics,	As detailed above, there is no evidence to suggest any relics within the site itself, or the vicinity thereof.	Yes
	(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	There is no indication of any such adverse impacts, nor is the site located in a drinking water catchment or environmentally sensitive area.	Yes
6.3 Flood Planning	(1) The objectives of this clause are as follows—		
	(a) to minimise the flood risk to life and property associated with the use of land,	The ground floor of the proposed development has been set to ensure that the risk to life and property is minimised. This has been achieved by raising the floor	Yes



Development Standard	Control	Comment	Compliance
		level 550mm above the specified freeboard at the front (northern) side of the site to ensure that this risk is minimised. 550mm freeboard above the 100-year ARI flood level. While the levels at the rear are lower, the height at the front of the property will sufficiently provide protection from floodwater.	
	(b) 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 Flood Assessment Report demonstrates that the development of the land is compatible with the land's flood hazard.	Yes
	(c) to avoid significant adverse impacts on flood behaviour and the environment.	Refer to Flood Assessment Report.	Yes
	(2) This clause applies to land at or below the flood planning level.		
	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—		
	(a) is compatible with the flood hazard of the land, and	The Flood Assessment Report provides sufficient design and mitigation strategies, based on the flood hazard classification of the land to enable development consent to be granted. These are set out at Section 3.5 and the Flood Assessment Report.	Yes
	(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	The Flood Assessment Report states as follows: <i>The Council Flood Risk Map (Figure 2) demonstrates that overland flow occurs through Pittwater Road and Oaks Avenue. The proposed development is located on a lot which is fully covered with existing buildings and will not affect the floodway or flood behaviours.</i>	Yes



Development Standard	Control	Comment	Compliance
		<i>The proposed development does not require modifications to the existing major drainage systems or stormwater system as the area of the collected stormwater will not change. Accordingly, the proposed development has no impact on drainage infrastructure or creeks.</i>	
	(c) incorporates appropriate measures to manage risk to life from flood, and	A range of building components and structural design considerations are set out in the Flood Assessment Report to ensure that risk to life and property are minimised.	Yes
	(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	There is no suggestion in the Flood Assessment Report that the impacts of the development would result in unavoidable erosion, siltation, destruction of riparian vegetation or the stability of river banks, the latter of which there are no such elements within the vicinity of the site.	Yes
	(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	No such impacts are identified.	Yes
	(5) In this clause— <b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.		
<b>Part 7 Dee Why Town Centre</b>			
7.3 Objectives for development within Dee Why Town Centre	The objectives of this Part are as follows—		



Development Standard	Control	Comment	Compliance
	(a) to create an attractive living centre that sustains the social, economic and environmental needs of its community and visitors,	<p>The proposal provides an integrated mixed-use development that attends to the social and economic needs of the community by providing lower cost accommodation to the market that will enhance the ability to achieve services and facilities within the town centre of Dee Why.</p> <p>From an environmental perspective, there are no adverse impacts likely to result, particularly in relation to flooding and there is no removal of trees or vegetation that would compromise the existing environment.</p> <p>The lack of car parking proposed on the site results in a positive environmental outcome, through reduced opportunity for the transfer of pollution through vehicle usage, instead relying upon public transport and bicycles.</p> <p>The site will also benefit from areas of deep soil planting to enhance the natural features of the site, albeit that there is only limited ability to do this having regard to the site constraints.</p>	Yes
	(b) to ensure a balance between the provision of high quality housing with a mix of retail, business, employment, civic, cultural and recreational facilities,	The proposed development comprises, retail, commercial and residential use, of an appropriate balance to ensure sustainable use of the site.	Yes
	(c) to ensure that development is consistent with the role of Dee Why as a major centre for the sub-region,	The combination of uses on the site is entirely consistent with the role of Dee Why as a major centre. The application provides accommodation of which there is a significant deficit in the market place having regard to the needs of those seeking	Yes



Development Standard	Control	Comment	Compliance
		affordable accommodation, particularly close to land uses such as Northern Beaches Hospital. It also provides diversity in retail and commercial space for smaller businesses in modern facilities.	
	(e) to ensure that taller buildings that are distributed across the Dee Why Town Centre from west to east provide a coordinated, modulated and varied skyline and that the towers are spatially separated to provide useable public spaces, including a Town Square,	The narrow configuration of the site means that the proposal is required to respond to the buildings that are immediately adjacent to the site to the north and south, which are of varying height. The proposal therefore provides a transitional form between the two buildings, with a form lower than that to the north and higher to that at 880 Pittwater Road. This provides variation to the skyline, while the buildings connect with each other, such that variation to the skyline is achieved, while providing a consistent building form to the street with that presented by adjoining properties.	Yes
	(f) to achieve a pattern of development that reflects the underlying urban form in Dee Why with predominantly east-west orientated buildings and high levels of visual and physical permeability,	The proposed built form is positioned on an east-west axis with high levels of visual and physical permeability through active use at the ground floor level, along with window openings and balcony treatments of varying configuration at the upper floors, within the confines of a narrow site that provides a uniformed building frontage with those presented on the adjoining sites to the east and west.	Yes
	(g) to achieve good sunlight penetration to public spaces and Oaks Avenue,	Due to the compacted nature of built form surrounding the site, the proposal has limited impact on sunlight penetration to public spaces and Oaks Avenue.	Yes



Development Standard	Control	Comment	Compliance
	(h) to ensure that development responds to the surrounding natural environment and protects the scenic qualities of Dee Why and its views and vistas,	As detailed previously, in relation to matters of stormwater and flooding, the proposed development does not result in any challenges to the natural environment based on a sensitive design response. The height and scale of the development, which is consistent with, and complementary to, adjoining properties, does not comprise any views and vistas within the vicinity of the site, that would otherwise compromise the scenic qualities of Dee Why.	Yes
	(i) to establish ground floor levels that are occupied by retail uses that—		
	(i) are highly active, accessible to the street and create a lively ambience, and	The proposal provides a retail use (café) at the ground floor to maximise activation at the street level, in a highly pedestrianised position adjacent to the bus stop.	Yes
	(ii) provide a mix of retail shops, cafes and restaurants at the edges of street, pedestrian areas and open spaces, and	Retail space is proposed at the edge of the street.	Yes
	(iii) are at the same level as the footpaths and provide opportunities for a generous promenade and distinctive street tree planting for shade and shelter,	The levels that are proposed respond to the flooding limitations of the site to ensure mitigated risk to life and property.	Yes
	(j) to accommodate additional employment opportunities, service functions and space for business, consistent with the role of Dee Why as a major centre, by providing at least 2 levels (including the ground floor) of development for non-residential purposes,	The proposal provides two-and-a-half levels of employment generating uses.	Yes




Development Standard	Control	Comment	Compliance
	(k) to ensure that signage associated with the new development is of high quality, is innovative, coordinated and minimised to avoid visual clutter and will complement the overall urban design, streetscape and architectural quality and amenity of the Dee Why Town Centre,	Signage will be subject to a separate development application.	Not applicable
	(l) to ensure that development within the Dee Why Town Centre is designed to take account of, and be compatible with, the hydrological conditions associated with the Dee Why Lagoon South Catchment,	The proposal will not have any impact on the hydrological conditions of Dee Why Lagoon.	Yes
	(m) to ensure that development within the Dee Why Town Centre positively contributes to the visual quality and pedestrian comfort of the public domain and provides a seamless integration between public and private spaces,	The narrow width of the site will not compromise the pedestrian experience at street level, nor upon entry to the building given the shared lobby space that is proposed between both retail, commercial and residential uses, which is vertically extrapolated with a void space to the first floor of the building to create a sense of light and openness upon entry, to disperse what would otherwise be a darker and more closed in composition of space. This will aid a seamless integration between public and private areas, and create an inviting sense of space into the café area.	Yes
	(n) to achieve a consistent built form character that features podiums that define street edges, and to reduce the visual scale of built form, except on land on Site A or Site B,	Similar to the built form on the neighbouring sites, the proposed building will be constructed to the street edge, to create continuity in the visual scale that is already in place along this frontage. A recessive element is created at Level 6, with landscape treatment, which visually aids the connection to the lower building form to the south of	Yes



Development Standard	Control	Comment	Compliance
		<p>the site, providing a softer stepping down of the form, than simply a harsher podium style structure.</p> <p>The use of landscaping at this point, and then with an increased balcony to the rooms above, but with a solid form connecting to the building to the north ensure a strong response to the street edge presentation.</p>	



Development Standard	Control	Comment	Compliance
			
	<p>(o) to ensure that development is designed with consideration of transport infrastructure,</p>	<p>The site is located on a significant number of bus services that transport people both locally and regionally. To this extent, and given the limited width of the site, it is not proposed to provide car parking, instead with the focus being on public transport usage, walking and cycling. This is considered to be</p>	<p>Yes</p>

Development Standard	Control	Comment	Compliance
		one of the site's greatest opportunities being located in this public transport hub and particularly given its limited size and dimensions. By not placing pressure on focusing on private transport options as part of this development increases its level of affordability as encouraged under the ARH SEPP.	
	(p) to ensure that development within the Dee Why Town Centre is designed to contribute 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	The proposal does not compromise any of these elements within the Town Centre.	Yes
7.4 Development must be consistent with objectives for development and design excellence	(1) 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—		
	(a) is consistent with the objectives of this Part that are relevant to that development, and	The objectives are achieved as set out above.	Yes
	(b) incorporates—		
	(i) stormwater management measures, including water sensitive urban design and ecologically sustainable development principles, and	Stormwater matters are addressed on the relevant plans.	Yes
	(ii) innovative design solutions that minimise stormwater impacts, including stormwater quantity and quality impacts, on the Dee Why Lagoon system, and	Stormwater matters are addressed on the relevant plans.	Yes



Development Standard	Control	Comment	Compliance
	(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	Adequate freeboard is proposed as set out in the Flood Assessment Report.	Yes
	(iv) continuous colonnades or pedestrian awnings on those parts of any building that are on the edges of streets or public spaces.	The required awning is proposed to Pittwater Road (Refer to A120)	Yes
	(3) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building on land within the Dee Why Town Centre unless the consent authority is satisfied that the development exhibits design excellence.	Refer to discussion below.	Yes
7.5 Design Excellence within Dee Why Centre	In determining whether development exhibits design excellence, the consent authority must have regard to the following matters—		
	(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,	The variation in both materiality and colours of the building will complement the detailing that is provided to the facades, particularly that of Pittwater Road, where the building is most visible. The composition will highlight the form, but is mindful of the slim nature of the allotments, such that a balanced outcome is achieved that sits complementary to the adjoining properties that are of a larger scale as they present to the street.	Yes
	(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,	While the site has limited visibility when standing on the eastern side of Pittwater Road at street level, the form is entirely visible from the western side. The site is currently a single storey form with a void space above that presents as an anomaly in the streetscape, having regard to the buildings adjacent. The	



Development Standard	Control	Comment	Compliance
		<p>composition of the proposed form will provide a comparable amenity to the public domain that will improve the presentation and external appearance within the streetscape, thus that greater continuity to the public domain is provided at the upper building levels.</p> <p>At the lower, ground floor of the building, the narrow allotment size will be opened up with a void space that stretches to Level 1 thus creating a greater sense of space at street level thus improving the site's relationship between the indoor areas and attached public domain of the site.</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><b>Sunlight</b> Refer to Solar Access Studies</p> <p><b>Natural Ventilation</b> Twelve (12) of the proposed rooms achieve natural ventilation. This is achieved with a lightwell on the northern side of the property, adjacent the boundary, necessary because of the width of the site.</p> <p><b>Wind</b> The proposed development is not of a scale that would comprise wind conditions surrounding the site.</p> <p><b>Reflectivity</b> The glazing to external surfaces will be consistent with the relevant Australian Standards, thus not</p>	<p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>



Development Standard	Control	Comment	Compliance
		<p>compromising degrees of reflectivity surrounding the site.</p> <p><b>Visual Privacy</b>            There are only two components of the building that potentially impede external visual privacy; the first is the openings to the eastern boundary and the second along the southern wall.            To the east, at the ground and first floor levels, the building is setback 4m from the site boundary, where commercial uses are proposed, and then increased to 6m at the second level, again where commercial use is proposed. From Level 3 upwards, the building design is such that on the northern half of the building, the eastern face of the balcony is located 6m from the property boundary, with the dwelling itself further recessed in a westerly direction. There is also a laced wall which encroaches past the balcony by 0.5m to ensure that there is no opportunity for direct overlooking to the north, where the built form finishes at the same point as the proposed development, adjacent the boundary.            On the southern side of the eastern face, while the terrace extends into the 6m setback zone, there is an angled, solid element that ensures that the privacy of the adjoining site to the south (880 Pittwater Road), does not have its privacy compromised through opportunity for direct overlooking.</p>	Yes



Development Standard	Control	Comment	Compliance
		<p>At Level 8, the communal open space is located at the eastern end of this level. Following the alignment of the level below, this is provided with landscaping treatment to increase separation distance with the eastern boundary, while also providing a softer visual form. This also aids screening adjacent to the communal area, which is located within the next 6m of this level, before the building line itself, which is set back a further 6.6m from the property boundary.</p> <p>The southern wall has openings that are to be treated with glass blockwork to ensure that there is no degree of direct overlooking from these.</p> <p>The detailed design elements that have been incorporated into the building will ensure that both adequate physical separation and screening techniques will maintain the privacy of adjoining developments to the north, east and south of the site.</p> <p>Internally within the development, the proposed lightwell has the potential to impede the privacy enjoyed between rooms within the development. These rooms are separated by a distance of 7.15m and house bedrooms at the interface with the lightwell. These rooms are a lower order habitable space.</p> <p>Approximately mid-way through the lightwell, it is proposed to place a series of privacy battens which will assist to deflect viewing angles that may</p>	



Development Standard	Control	Comment	Compliance
		<p>otherwise arise through the composition of this section of the building; however, in the interests of ensuring adequate ventilation, and having regard to the constraints of the site, this outcome is acceptable and without impact between rooms.</p> <p><b>Acoustic Privacy</b></p> <p>An Acoustic Report accompanies this application. This addresses matters of construction materials to ensure adequate privacy within the development itself.</p> <p>In terms of the external context of the site and nearby residential receivers, these have been specifically considered in the context of the rooftop communal areas (both indoor and outdoor), to ensure that the amenity of these is maintained.</p> <p>Based on the number of rooms associated with the boarding house, there is the potential for 41 persons on site at any one time. The acoustic assessment therefore assumes that the communal outdoor area is occupied by 18 people.</p> <p>Based on these assumptions and the modelling undertaken to establish the project trigger noise levels, the following recommendations are made:</p> <p>Use of the Communal Areas between 7:00m and 10:00pm:</p> <ul style="list-style-type: none"> <li>○ a maximum if 18 people are permitted to use the outdoor area of the terrace at any one time</li> </ul>	Yes




Development Standard	Control	Comment	Compliance
		<ul style="list-style-type: none"> <li>○ the bi-fold doors adjacent the internal common area are to be kept closed at all times</li> <li>○ no music is permitted to be played in this area.</li> </ul> <p>Use of the Communal Area between 10:00pm and 7:00am</p> <ul style="list-style-type: none"> <li>○ Any music being played after 10:00pm in the internal common area is to cease</li> <li>○ The common areas should not be occupied for recreational purposes during this period.</li> </ul> <p>Other measures are to include:</p> <ul style="list-style-type: none"> <li>○ signage is to be erected to remind occupants to keep noise down and respect the quiet enjoyment of surrounding neighbours</li> <li>○ signage of the managers contact details is also to be provided in the event that noise rules are not complied with.</li> </ul> <p>In relation to mechanical plant and equipment, recommendations are provided for air conditioning systems including the need for a one metre high barrier around these, which is located towards the western end of the site.</p> <p><b>Safety &amp; Security</b></p> <p>As detailed previously, the design of the ground floor of the building, with the double height void space will</p>	



Development Standard	Control	Comment	Compliance
		<p>create a greater sense of openness to the site and allow for passive surveillance to Pittwater Road. The openings to the northern elevation will also enhance opportunities for passive surveillance to Pittwater Road.</p> <p><b>Resource, Energy &amp; Water Efficiency</b></p> <p>These matters are addressed as part of the BASIX certificate accompanying the application.</p>	
	(d) whether satisfactory arrangements have been made to ensure that the proposed design is carried through to the completion of the development concerned,	This would be administered by conditions of consent.	Yes
	(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,	The communal recreational areas are provided with treatment to enhance passive use of these spaces, thus creating a social effective environment within the development for both the residential and non-residential uses.	Yes
	(f) whether the development connects with and provides a high quality interface with surrounding streets and public domain areas at the pedestrian level,	This has been detailed above.	Yes
	(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.	This opportunity is limited by the adjoining developments.	Not applicable
7.6A Podium Heights	(1) The objectives of this clause are as follows—		




Development Standard	Control	Comment	Compliance
	(a) to achieve a consistent built form character that features podiums that define the street edge, and to ensure upper level setbacks reduce the visual prominence of building height	<p>A podium built form is proposed at Level 5, being set in 9m from the property boundary. This is consistent with the newer form presented by the building to the north, which has the same configuration to the street.</p> 	Yes
	(b) to maximise building separation for the purposes of visual appearance, privacy and maintaining solar access to adjoining properties and the public domain.	The northern and southern property boundaries are provided with blank walls the same as those adjoining the site to ensure that there are no adverse impacts in terms of visual appearance and privacy, creating a consistent street wall to Pittwater Road, while not providing narrow spaces that may lead to vermin or similar along the side boundaries.	Yes

Development Standard	Control	Comment	Compliance
		Matters of privacy and solar access have been addressed above.	
	(2) Development consent may be granted to the erection of buildings on the following land with the following maximum podium heights—		
	(c) land fronting Pittwater Road (except land on Site A or Site B)—3 storeys,	Refer to discussion above.	No
7.10 Allowance for external ancillary plant and roof access	(1) The objectives of this clause are as follows—		
	(a) to ensure that the height, scale and number of permanent or temporary external ancillary structures located on roofs of buildings do not add to the perceived height of buildings or detract from the roof form of buildings,		Yes
	(b) to ensure that roof forms are attractive when viewed from surrounding vantage points, including when viewed, at a short distance, from the public domain and surrounding apartment buildings, and when viewed, from a long distance, from the southern and western hill sides that have northerly and easterly aspects, respectively, over Dee Why,		Yes
	(c) to promote low scale vegetative landscaping of podium roofs of buildings and the use of podium roof spaces as areas for passive recreation for residents of the buildings concerned.		Yes
	(2) 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—		




Development Standard	Control	Comment	Compliance
	(a) the height of any external ancillary plant or access point is minimised and does not exceed 3.0 metres, and	Ancillary plant is less than 3m in height	Yes
	(b) any external ancillary plant or access point is suitably integrated with landscaping or architectural elements of the building, and		Yes
	(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	All plant and access points to this are located central to the building form. These would not be visible from the public domain as evidenced by the photograph below taken from the opposing side of Pittwater Road. Given the width of the roadway (approximately 28m) it is clear that, based on the building height, the plant and equipment would not be visible from the public domain interface.	Yes



Development Standard	Control	Comment	Compliance
		 <p data-bbox="1265 1082 1904 1155">From Oaks Avenue, the plant and equipment will be screened from the building form on the north of this,</p>	



Development Standard	Control	Comment	Compliance
		such that the plant and equipment will not be visible. 	
	(d) the total area of such plant and access points does not exceed 10% of the roof area, and		Yes
	(e) any balustrade or similar safety restraint (except a building parapet) is set in from the roof edge at least 3 metres, and		Not applicable
	(3) In this clause— <b>external ancillary structure</b> means an access point or ancillary plant or a balustrade or similar safety restraint.		Note
7.12 Provisions promoting retail activity	(1) The objectives of this clause are as follows—		
	(a) to promote retail activity on the ground and first floors of new buildings in the Dee Why Town Centre,	Both retail and commercial facilities are proposed to the ground and first floor of the development.	Yes



Development Standard	Control	Comment	Compliance
	(b) to promote employment generating uses in addition to retail activity.	Commercial space is proposed within the development for small scale businesses and will provide additional opportunities for employment generation in the locality.	Yes
	(2) Development consent must not be granted to development in the Dee Why Town Centre unless the consent authority is satisfied that—		
	(c) buildings will have at least two floor levels (including the ground floor level) of employment generating space, and		Yes
	(d) development on the ground floor level of buildings in the Dee Why Town Centre will contribute to an active street life in accordance with the document titled <i>Our Greater Sydney 2056 North District Plan</i> published by the Greater Sydney Commission in March 2018.		Yes
7.13 Mobility, traffic management and parking	(1) The objectives of this clause are as follows—		
	(a) to ensure improved vehicle access and circulation in the Dee Why Town Centre through good design and the management of traffic flows within the existing and new roads servicing the centre,	The proposed development has no impact in terms of traffic flows as car parking is not proposed in association with this application.	Not applicable
	(b) to ensure increased road network capacity and improved vehicle circulation through the Dee Why Town Centre,		Not applicable
	(c) to encourage alternative forms of transport from private vehicle use,	Bicycle usage is highly encouraged through the implementation of seventeen spaces in association with the proposal. This is coupled with the high	Yes



Development Standard	Control	Comment	Compliance
		degree of public transport accessibility, based on the site's location.	
	(d) to minimise the disruption of pedestrian movement and safety,	The proposal has no impact on pedestrian movement.	Yes
	(e) to reduce the visual scale of parking, loading and waste collection facilities.	No parking is proposed. Loading and waste facilities are integrated into the rear of the development, with waste transferred down a separate corridor for collection. Given the width of the site, it is not possible for collection to occur within the allotment boundaries. The approach, however, provides a discrete element that ensures that the street character is not adversely impacted.	Yes
	(2) 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—		
	(d) 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		Yes
	(e) car parking will be provided principally underground and will accommodate the demand generated by the additional residential, retail and commercial uses, and		Not applicable
	(h) 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 of adjoining or nearby residential properties or conflict with pedestrian access, and		Yes



Development Standard	Control	Comment	Compliance
	(i) there will be minimal disruption to retail and commercial activity at street level because the proposed development—		
	(i) minimises the width of footpath crossings and vehicle entrances, and	No vehicle entrances or footpath crossings are proposed.	Yes
	(ii) ensures that loading facilities are substantially enclosed by occupied floor space, and	These elements are recessed into the rear of the building.	Yes
	(iii) demonstrates high standards of civic design to portions of loading dock and car park entrances that are visible from the street.		Not applicable.

