

23 Fisher Rd, Dee Why

Warringah Development Control Plan 2011

Table 1 – Summary of Key Controls under WDCP 2011

Clause/Standard	Relevant Provisions	Compliance
Part C Siting Factors		
C2 Traffic, Access and Safety	<p>Requirements</p> <p>(1) Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p> <p>(2) Vehicle access is to be obtained from minor streets and lanes where available and practical.</p> <p>(4) Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.</p> <p>(5) Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</p> <p>(6) 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. 	<p>Complies.</p> <p>A traffic impact assessment has been undertaken by Colston Budd Rogers and Kafes Pty Ltd to ensure that the proposal suitably addresses traffic, access and safety requirements in the DCP. The traffic impact assessment is attached in Appendix 11 of the SEE. Furthermore, the findings of the assessment are discussed in Section 4.1.6 and 4.2.2 of the SEE.</p>
Appendix 1 - Car parking requirements	<p>Multi-dwelling housing, Residential flat buildings, Serviced apartments (including holiday flats), Shop-top housing (residential component)</p> <ul style="list-style-type: none"> • 1 space per 1 bedroom dwelling 	<p>Complies.</p> <p>The proposed development requires 190 parking spaces (156 resident spaces and 34 visitor/business spaces).</p>

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	<ul style="list-style-type: none"> • 1.2 spaces per 2 bedroom dwelling • 1.5 spaces per 3 bedroom dwelling • 1 visitor space per 5 units or part of dwellings <p>Shop (includes retail / business component of shop top housing, retail premises and neighbourhood shop)</p> <ul style="list-style-type: none"> • 1 space per 16.4 m² GLFA (6.1 spaces per 100 m²GLFA). 	<p>191 parking spaces are proposed therefore satisfying parking requirements.</p>
<p>C3(A) Bicycle Parking and End of Trip Facilities</p>	<p>(2) Bicycle parking shall be designed and constructed in accordance with Australian Standard AS 2890.3 – Bicycle Parking Facilities.</p> <p>(3) Bicycle parking facilities shall be designed to be an integral part of the development and where visible from public places or streets, will complement the visual quality of the public domain.</p> <p>(4) Bicycle parking shall be provided in accordance with the following generation rates:</p> <ul style="list-style-type: none"> 1 per dwelling for each dwelling for occupants plus an additional 1 per 12 dwellings for visitors 1 per 200m GFA for office premises <p>(5) End of trip facilities must be provided for new buildings and for alterations or additions to existing buildings. In the case of alterations or additions to existing buildings end of trip facilities are required for the additional floor area only. End of trip facilities are not required for schools, wholly residential buildings or residential components of mixed use buildings.</p>	<p>Complies.</p> <p>The DCP requires 142 bicycle parking spaces (130 resident spaces, 11 visitor spaces, and 1 office space).</p> <p>The site provides 140 designated bicycle parking spaces on basement level 1 and a further 10 on basement level 2. Therefore, the proposed development provides in excess of 8 bicycle parking spaces than what is required under the WDCP 2011.</p>
<p>C4 Storm water</p>	<p>(1) Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p>	<p>Complies.</p> <p>Stormwater plans are attached in Appendix 20 and addressed in 4.2.12 of the SEE.</p>

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	<p>(2) The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.</p>	
<p>C5 Erosion and Sedimentation</p>	<p>(4) An Erosion and Sediment Control Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of up to 2500m² of land.</p> <p>(5) Soil and Water Management Plan must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of more than 2500m² of land.</p>	<p>Complies.</p> <p>An Erosion and Sediment Control Plan has been prepared and is attached in Appendix 18. The ESCP has been prepared in accordance with the Blue Book as required.</p>
<p>C7 Excavation and Landfill</p>	<p>(1) All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</p> <p>(2) Excavation and landfill works must not result in any adverse impact on adjoining land.</p> <p>(3) Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</p>	<p>Complies.</p> <p>The Stage 1 Preliminary Environmental Site Assessment attached in Appendix 15 concludes that the site can be made suitable for the proposed development subject to further investigations being undertaken to identify any isolated contaminated areas. As such, prior to construction being undertaken, it is intended to undertake further investigations, so these areas can be identified and managed with accordingly. Please see the conclusions and recommendations in the Report for further details.</p> <p>Furthermore, a Preliminary Geotechnical report has been</p>

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		provided in Appendix 19 to support the development application and to assess the geotechnical stability of the site for the proposal. The geotechnical study outlines that the proposal presents a low risk development and the site is geotechnically feasible.
C8 Demolition and Construction	(1) 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.	Complies. A Waste Management Plan is located in Appendix 17 of this report in accordance with the Waste Management Guidelines.
Part D Private Open Space		
D2 Private Open Space	<p>(1) Residential development is to include private open space for each dwelling.</p> <p>(2) The minimum area and dimensions of private open space applicable to residential flat buildings (not located at ground level) are as follows:</p> <ul style="list-style-type: none"> • A total of 10m² with a minimum dimension of 2.5m² <p>(3) Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.</p> <p>(4) Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>(5) Private open space shall not be located in the primary front building setback.</p> <p>(6) Private open space is to be located to maximise solar access.</p>	N/A. On-site open space is provided as private open space attached to individual apartments in accordance with ADG requirements pursuant to SEPP 65. It is noted that 8 units (2 bed size) have balconies 9m ² in size, however this is considered to be a minor non-compliance and the site includes generous communal open space and landscaping in excess of the requirement amounts, and the dwellings are able to achieve the other

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		amenity requirements such as solar, ventilation, internal size and storage.
D6 Access to Sunlight	<p>(1) Development should avoid unreasonable overshadowing any public open space.</p> <p>(2) 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.</p>	<p>N/A.</p> <p>The solar performance of the development has been considered against the ADG requirements in accordance with SEPP 65.</p>
D8 Privacy	<p>(1) Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</p> <p>(2) Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>(3) The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</p> <p>(4) 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>(5) 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>Complies.</p> <p>Adequate building separation and window orientation has been incorporated into the design to ensure that no adverse privacy impacts are caused. A minimum distance of 9m between windows is met.</p>
D9 Building Bulk	<p>(1) Side and rear setbacks are to be progressively increased as wall height increases.</p> <p>(2) Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</p> <p>(3) On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:</p>	<p>Complies.</p> <p>The proposal is considered to provide adequate building setbacks and upper storey stepping to respond to the natural topography. Furthermore, high quality design elements are adopted to ensure that the development provides</p>

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	<ul style="list-style-type: none"> • The amount of fill is not to exceed one metre in depth. • Fill is not to spread beyond the footprint of the building. • Excavation of the landform is to be minimised. <p>(4) Building height and scale needs to relate to topography and site conditions.</p> <p>(5) Orientate development to address the street.</p> <p>(6) Use colour, materials and surface treatment to reduce building bulk.</p> <p>(7) Landscape plantings are to be provided to reduce the visual bulk of new building and works.</p> <p>(8) Articulate walls to reduce building mass.</p>	<p>visual appeal. Building bulk is further addressed in 4.1.5 and 4.2.1 of the SEE.</p>
Part E The Natural Environment		
E6 Retaining unique environmental features	<p>(1) Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.</p> <p>(2) Development should respond to these features through location of structures, outlook, design and materials.</p>	<p>Complies.</p> <p>The proposal responds to the unique sloping nature of the lot and rocky escarpment located along the southern boundary and retains several mature trees on site.</p>
E7 Development on land adjoining public open space	<p>The subject site adjoins areas of public open space as identified in the DCP mapping.</p> 	<p>Complies.</p> <p>The proposal has no adverse impact on the adjoining areas of open space identified on surrounding land including heritage items (Dee Why Public Library, Civic Centre and civic centre landscaping). Existing tree coverage which will generally be retained on the eastern portion of the site and new tree</p>

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	<p>(1) Development on land adjoining public open space is to complement the landscape character and public use and enjoyment of the adjoining parks, <u>bushland</u> reserves and other public open spaces.</p> <p>(2) Public access to public open space is to be maximised.</p> <p>(3) Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.</p> <p>(4) Development is to provide a visual transition between open space, <u>bushland</u> reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.</p> <p>(5) Development is to protect views to and from public open space.</p> <p>(6) Development is to provide buffers for bushfire protection on private land, not on public land.</p> <p>(7) If the adjoining parks, <u>bushland</u> reserves or public open space contain <u>bushland</u>, development is not to threaten the protection or preservation of the <u>bushland</u>.</p> <p>(8) Development should be designed to maximise opportunities for casual surveillance of the public open space.</p> <p>(9) Development is to utilise landscaping or existing landscape elements to screen development.</p>	<p>plantings will screen the development from these areas in accordance with the DCP and soften the built form.</p> <p>Furthermore, access to areas of public space will not be restricted by the proposal.</p>
<p>E10 Landslip risk</p>	<p>The land is identified in an Area B Landslip Risk Map in accordance with the DCP and therefore E10 applies.</p>	<p>Complies.</p> <p>The Geotechnical Report in Appendix 16 concluded the proposal presents a low risk development and the site is geotechnically feasible in relation to landslide risk.</p>

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	 <p>Requirements</p> <p>(1) 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>(3) Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>(4) Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</p> <p>To address Requirements 1 to 3 for land identified as being in Area B:</p> <ul style="list-style-type: none"> • A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application. 	<p>Furthermore, the proposal is not expected to have an adverse impact on stormwater discharge or subsurface flow conditions at the site. Stormwater management will be in accordance with the civil and external stormwater design provided in Appendix 20 which provides adequately for the proposal.</p>

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Part G Special Area Controls		
<p>G1 Dee Why Mixed Use Area</p>	<p>The subject site is identified within Area 10 of the Dee Why Civic Centre in the DCP mapping.</p>  <p>Area 10 Civic Centre</p> <p>(1) This area will remain the focus of Civic activity within Warringah with this role enhanced by the development of a new Civic Building on Pittwater Road. The building will be enhanced by the use of colonnades to distinguish it from other buildings in the locality and the planting of double row of Norfolk Island Pines at the front of the building along Pittwater Road. The corner of Pittwater Road and St. David Avenue will be strongly defined as a major pedestrian access to the site.</p>	<p>Complies.</p> <p>Careful consideration to the design of the proposal has been given due to the desired role of the area to continue to be a civic centre.</p> <p>Rear (north) and side setbacks (east) will also meet minimum setback requirements in accordance with the DCP.</p>
	<p>(2) The minimum floor to ceiling heights are as follows:</p> <ul style="list-style-type: none"> • ground floor storey (other than where used for housing): 3.6 metres • ground floor storey (where used for housing): 2.7 metres • upper storeys: 2.7 metres 	<p>Complies.</p>
	<p>(3) Development is to maintain a minimum front building setback. The minimum front setbacks will be 15 metres from Pittwater Road, zero metres from St. David Avenue and 6 metres from the Kingsway.</p>	<p>Complies.</p> <p>The proposal maintains a 6m setback to St David Avenue.</p>

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	(5) The minimum rear building setback is 6 metres.	Complies.
	(6) Development must be sited within an envelope determined by projecting planes at 45 degrees from a height of 5 metres above <u>natural ground level</u> at the side boundaries.	<p>Non-compliance</p> <p>The proposed development is outside of the building envelope. Given the 13m height control and topographic nature of the site, a building envelope is not able to be contained within the subject envelope. However, the envelope noncompliance is not considered to have any adverse impacts on the surrounding area as it provides adequate setbacks, responds to the fall of the land, and achieves ADG solar and privacy requirements.</p>
	(7) The minimum setback from a building to a side boundary is 4.5 metres.	Complies.
	(9) The minimum area of landscaped open space is 40 per cent of the site area.	<p>Complies.</p> <p>The proposal provides 40% site landscaping as required.</p>
	(10) Carparking facilities must be provided below ground or behind buildings in shared parking areas Ground level parking must be provided with trees that will achieve 70% mature canopy coverage over the area.	<p>Complies.</p> <p>Carparking is provided across two basement levels.</p>