

THE PLANNINGHUB

by Hawes & Swan

APPENDIX C

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 - COMPLIANCE TABLE

28 FISHER ROAD & 9 FRANCIS STREET,
DEE WHY

📍 Suite 4, Level 4
35 Buckingham Street
Surry Hills NSW 2010

☎ 02 9690 0279
🌐 www.theplanninghub.com.au
✉ info@theplanninghub.com.au



**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 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 (Affordable Rental Housing) 2009 (ARH SEPP) and utilises the 0.5:1 additional FSR afforded under Clause 29 of the ARH SEPP.</p> <p>Therefore, the proposed development has a maximum FSR control of 2.9:1.</p>	<p>A portion of the site is subject to a FSR of 2.4:1 under the provisions of the Warringah LEP. The proposed development is afforded a FSR bonus of 0.5:1 under the ARH SEPP increasing the maximum allowable FSR to 2.9:1.</p> <p>The proposed development has a total gross floor area (GFA) of 3,312.84m² which equates to a Floor Space Ratio (FSR) of 2.38:1.</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. <p>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</p>	✓

		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	Th 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	Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and (c) the development will not impact on or affect the existing subsurface flow conditions.	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 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.	✓
7.4 - Development must be consistent with objectives for	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—	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	✓

development and design excellence	<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>	provides an appropriate pedestrian awning on Fisher Road in line with the applicable controls of the Warringah DCP.	
7.5 - Design excellence within Dee Why Town Centre	<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>(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>	As detailed in Council's Pre-DA Advice the George Group (Appendix E) have prepared an Architectural Design Statement that addresses the design excellence provisions and the surrounding heritage matters.	✓

	<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>(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</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>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 of adjoining or nearby residential properties or conflict with pedestrian access, and there will be minimal disruption to retail and commercial activity at street level because the proposed development— 	<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>	✓

	<ul style="list-style-type: none"> • 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. 		
--	---	--	--