



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 Cumberland 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 four (4) storey building and a six (6) storey mixed-use building with a maximum building height of 16m and a maximum Floor Space Ratio of 2.38:1 containing a café, church and conference centre, 80 boarding house rooms plus a manager's residence; and
- Provision of a two-level basement car parking comprising 40 car spaces, 19 motorcycle spaces and 20 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-T**.

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.

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 (Affordable Rental Housing) 2009.
- 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 Pre-Application Consultation

A number of pre-lodgement meetings have been held with Council to discuss the proposal. Council provided formal written comments from the meeting held on 20 February 2020. A subsequent meeting was held with Council on 29 April 2020 to discuss an amended design of the proposal in which Council noted the revised design was a considerable improvement in addressing their key concerns previously raised.

The matters discussed at the meetings and documented in the formal response from Council have been taken into consideration in the formulation of the Development Application. The key requirements raised by Council have been addressed as follows:

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
Urban Design	The proposal is required to demonstrated the building built-to	The proposed development is setback 4m from the kerbline for the first two storeys

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
	<p>lines on Fisher Road, of 4m from the kerb for the first 2 storeys (podium) and 8m for the above storeys (tower).</p> <p>The awning on the Fisher Road facade should provide some street amenity/shelter to form a unified element within the streetscape, respond to streetscape conditions and complement the architectural style of the host building.</p> <p>The maximum building height to the Francis Street site should be 11m.</p> <p>The 16m (13m+3m) building height requirement should be applied on the Fisher Road site only, and presented as a slim tower sitting on top of the 2 storey building podium.</p> <p>The side boundary setback to Fisher Road can consider a zero setback for the podium section.</p> <p>The boarding room levels, should consider window to boundary distances of 6m and window to window separation of 12m. The tower design should take into account possible future adjacent commercial development of zero setback to the common boundary.</p> <p>The community multi-function halls, café and foyer proposed is required to have an adequate floor to ceiling height of 3.6m at a minimum. The</p>	<p>and 8m for the remaining floors as detailed in the Architectural Plans.</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 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.</p> <p>The proposed development provides zero side setbacks for the Fisher Road portion of the site.</p> <p>The proposed development has been designed 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. The only windows facing the side boundaries are windows to corridors which has ensure there are no close or direct views between boarding rooms and adjoining properties.</p> <p>The floor to ceiling heights of the proposed entry lobby and church are 3.6m as detailed in the Architectural Plans (Appendix A).</p>

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
	<p>entry lobby from Fisher Road is be a more integrated, generous and welcoming area, with stairs/ lifts access to cater for big events such as church services and concerts. Amenities such as toilets and change rooms, etc must also be adequately provided.</p> <p>Shopfront to the café and foyer should activate the public footpath and be at the same entry level as the footpath.</p> <p>A detailed solar study to be provided to ensure solar penetration to adjacent residential development are not compromised.</p> <p>A view loss/ sharing analysis should be undertaken to ensure developments on the higher slopes will not be affected by the increase in built form on the site.</p>	<p>The proposed café actively addresses the street frontage and provides outdoor dining within the four area.</p> <p>A detailed solar study has been prepared by the architect and found within the architectural set of plans. They demonstrate that the adjoining residential development is not compromised.</p> <p>View loss is specifically addressed within this Statement of Environmental Effects which concludes that the proposed development satisfies the Land & Environment Court's planning principle in respect of view loss / view sharing.</p>
Access and Manoeuvrability	<p>The proposed basement carpark ramp between the ground and lower-ground floor does not comply with AS2890. The application must demonstrate that the basement carpark is designed in accordance with AS2890.</p> <p>The application shall be supported by turning paths in accordance with AS2890 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road.</p>	<p>The proposed basement level carpark has been designed in accordance with AS2890 as detailed in the Traffic Report prepared by Northern Transport Planning and Engineering (Appendix J).</p> <p>Turning paths have been provided in the Traffic Report prepared by Northern Transport Planning and Engineering (Appendix J).</p>

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
Sediment and Groundwater	A soil and water management plan must be provided.	An Erosion and Sediment Control Plan has been provided in the Stormwater Plans prepared by Mesh Group provided in Appendix H .
	bores must be drilled to greater than the intended depth of the basements to monitor groundwater. The presence of groundwater should be discussed in the Geotech report and if present, measures to respond should be addressed.	A Geotech Report has been prepared by Solisrock Engineering in support of the proposal and is provided in Appendix P .
Environmental Health	An acoustic report is to be provided by a qualified person to assess the acoustic impact of the development and measures in place to protect the developments future residents from existing noise impacts from neighbouring properties, Pittwater Road and other nearby developments.	An Acoustic Report has been prepared by TTM Group (refer to Appendix K) which details the potential noise impacts of proposed development and surrounding development on the proposal.
	The design should address ensure the proposal does not contribute to unhealthy conditions by providing sufficient garbage storage areas, and clear separation of residential and retail waste disposal. The garbage storage areas should be constructed with surfaces that can be easily and effectively cleaned with floor waste and a cleaners sink to sewer, and where appropriate, comply with AS4674:2004.	Sufficient waste storage areas have been provided as a part of the proposal and are provided in locations to ensure it does not contribute to unhealthy environment as detailed in the Architectural Plans (Appendix A) and Waste Management Plan (Appendix L).
	If the development is to be designed to accommodate a food business then adequate measures should be detailed in the application to ensure air effluent from the retail premises is disposed of externally, above the development. Any ventilation and exhaust must	The proposed café at ground level fronting Fisher Road has been appropriate designed and provision for a grease trap has been provided within the basement.

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
	<p>comply with AS1668 to prevent impact on the amenity of neighbouring properties.</p> <p>Design, construction and fit-out of the proposed café must comply with AS4674:2004 and detailed plans demonstrating compliance with AS4674 must be submitted with the DA. Should the fit-out of the food premises not be included in the initial DA then a separate development consent is required for the fit-out and operation of the proposed café.</p>	<p>The café will comply with the AS and plans have been prepared showing the layout of the café including kitchen. It is considered that appropriate conditions can be imposed to ensure compliances with the AS.</p>
Landscaping	<p>Any future Development will require a landscape plan by a qualified landscape designer/landscape architect indicating proposed planting, particularly in relation to raised planters and that those raised planters contain sufficient soil volume and width to support the intended planting, which on the montages appears to include trees and palms. The existing trees on site are not considered significant and therefore an Arborist's report is not required for their removal.</p>	<p>Landscape plans have been prepared by Design for Living and include appropriate detail including soil depths and planting schedule.</p>
ARH SEPP	<p>The design of the proposal is required to demonstrate the development is compatible with the character of the local area, which is particularly important as the proposal spans two different zones being B4 Mixed Use and R3 Medium Density.</p>	<p>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</p>

Table 1: Response to Pre-DA Requirements		
Development Component	Pre-DA Comment	Response
		<p>facilities to meet the needs of the residents.</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 proposed development therefore considered to be compatible with and will positively contribute to the character of the local area.</p> <p>An Operational Plan of Management has been prepared by the George Group and is provided in Appendix N.</p>
Building Height	The maximum building height of the B4 Mixed Use zone is 16m (13 + 3m) as per the Dee Why Town Centre Masterplan, and a variation to the building height of 2m would not be supported. The maximum building height of the R3 Medium Density zone is 11m. The proposal include a maximum building height of 11m within the R3 Medium Density zone.	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.

1.3 Planning Framework and Referrals

The site is located in the Cumberland Local Government Area (LGA) and as such the combined 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 (State and Regional Development) 2011
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy No.55 – Remediation of Land)
- 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 cost of development for the proposal is \$14,177,277.51 (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 on the western side of Fisher Road approximately 100m north of the intersection of Fisher Road and Pittwater Road. The astern 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**.

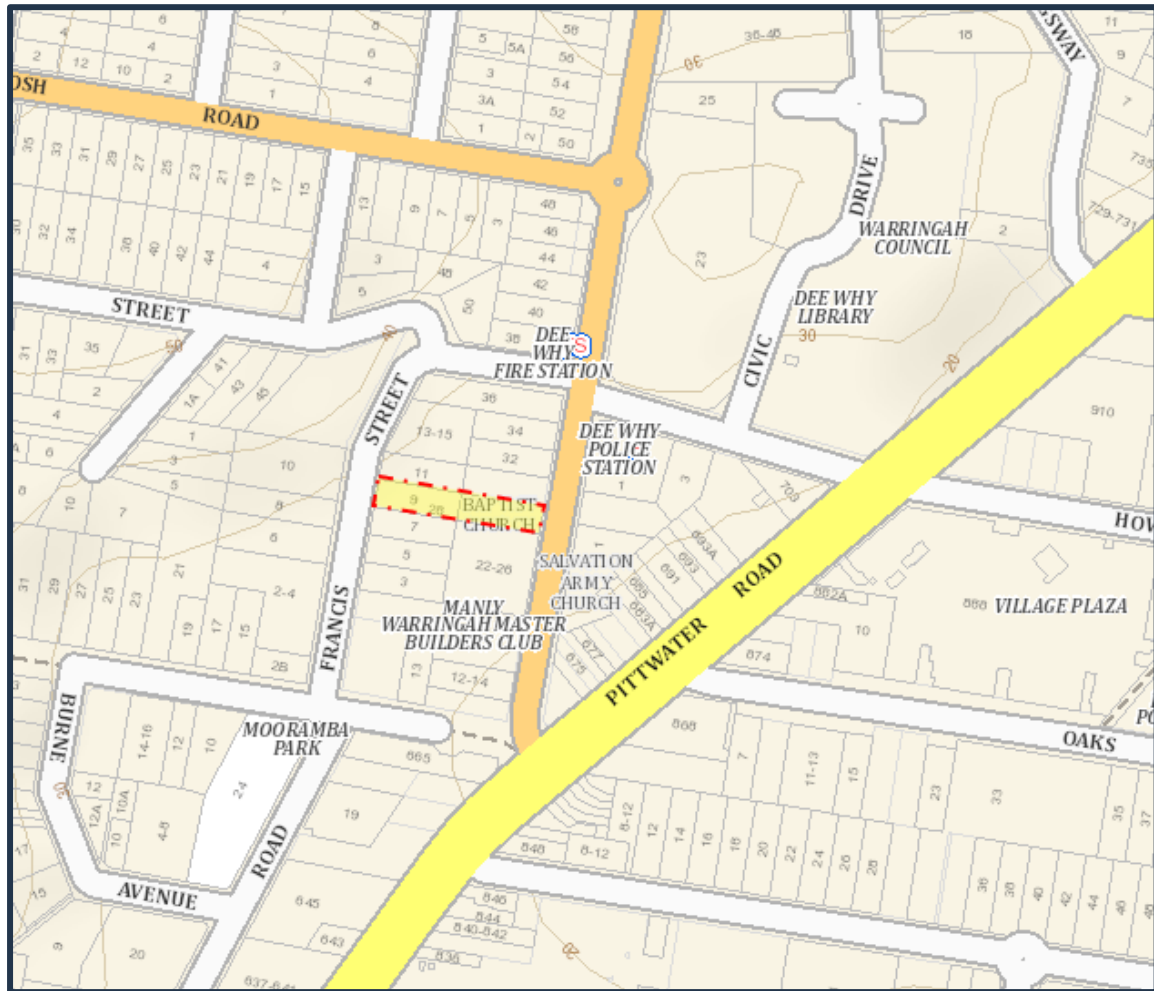


Figure 1: Locality Plan demonstrating the site outlined in red (Source – Six Maps)

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 (Affordable Rental Housing) 2009 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 four (4) storey building and a six (6) storey mixed-use building with a maximum building height of 16m and a maximum Floor Space Ratio of 2.48:1.
- Provision of a two-level basement car parking comprising 40 car spaces.
- Provision of 19 motorcycle spaces and 20 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;
 - Floor 1-4 will comprise of 52 boarding rooms and associated communal facilities;
- The four (4) storey building fronting Francis Street will comprise of 28 boarding room and associated facilities with a rooftop communal open space area.
- 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)
Gross Floor Area	3,312.84m ²
Floor Space Ratio	2.38:1
Boarding House Units	80 and 1 manager's room
Car Parking	40 car spaces, 19 motorcycle spaces and 20 bicycle spaces
Communal Open Space	213.25m ²
Landscaped Area	339.5m ² (24%)

3.3 Built Form and Design

As can be identified within the Architectural Plans prepared by The George Group (**Appendix A**), 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. Addition 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 in each building.

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 Design for Living 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 213.25m². 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 16 car spaces to service the boarding house component of the development in accordance with the ARH SEPP. The proposed development provides a total of 40 car spaces, 19 motorcycle spaces and 20 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 (State and Regional Development) 2011
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy No.55 – Remediation of Land)
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan 2011.

4.1.1 State Environmental Planning Policy (State and Regional Development) 2011

Pursuant to Clauses 20 and 21 of the SEPP and Schedule 4A of the Environmental Planning and Assessment Act 1979, 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 No.55 – Remediation of Land

SEPP 55 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.

A Preliminary Site Investigation (**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.

4.1.3 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.

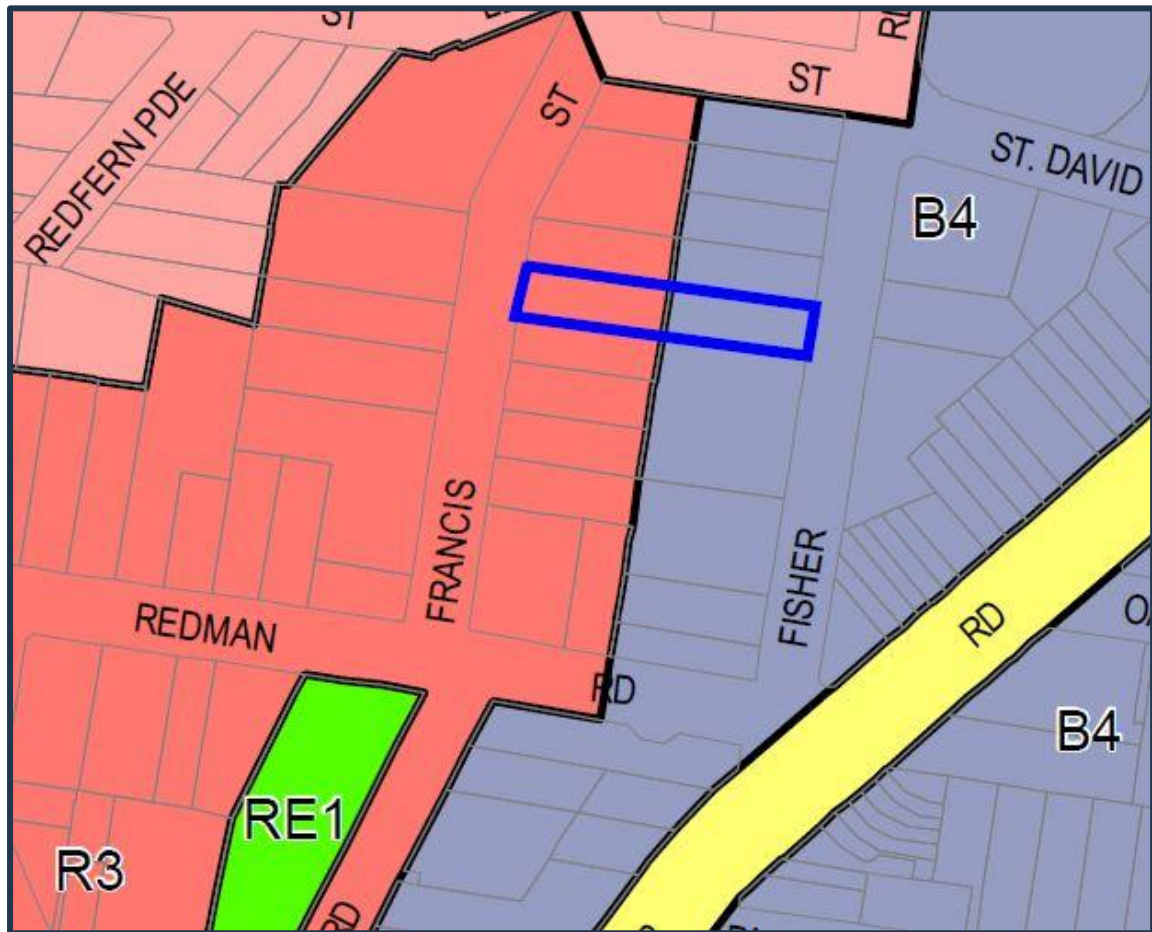


Figure 3: Zoning Map with the Subject Site Outlined in Blue (Source: Nearmap)

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 d 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 C**. That assessment has found that the proposed development is compliant with the objectives and controls of the LEP.

4.1.4 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 D**.

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

Table 3: CPTED Principles		
No.	PRINCIPLE	DEFINITION
		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.
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/exist.
- 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.

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 assess 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 ARH 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 (Affordable Rental Housing) 2009 at 28 Fisher Road & 9 Francis Street, Dee Why.

The proposal is generally consistent with the relevant environmental planning instruments, including the ARH 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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