

Northern Beaches Council  
Town Planning Delegate

Attention – Lashta Haidari,  
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**RE: DA 2020/1167 – INITIAL RESPONSE TO COUNCIL ASSESSMENT REPORT  
MIXED USE COMMUNITY FACILITIES AND BOARDING HOUSE  
28 FISHER RD & 9 FRANCIS ST, DEE WHY, NSW**



Further to The Planning Panel deferment and ongoing discussions and negotiations regarding the development for approval, please note the following -

#### Generally -

- We have worked as diligently as possible with council to achieve a negotiated result that fulfills requirements satisfactorily to benefit neighbours all to achieve approval.
- This set of documents has been upgraded further from the set that was forwarded to council 16.12.20 in initial response to your Council Assessment Report tabled for the Planning Panel.
- We contend that the amendments to the design and documentation as provided to and liaised with council represent a considerable improvement to the scheme in form, use, bulk and scale, landscaping and public offering and the development proposal is worthy of merit approval in relation to any small area of non-compliance. We believe the development will be an asset to the community of Dee Why for many years to come.

**Documents attached include –** [https://www.dropbox.com/sh/vm2zkfdz1msvk9f/AAArHnrs\\_nNpEkmvOyf7km8ha?dl=0](https://www.dropbox.com/sh/vm2zkfdz1msvk9f/AAArHnrs_nNpEkmvOyf7km8ha?dl=0)

- This Council response summary letter.
- Response report addressing items noted in your council assessment report to the SNPP.
- Architectural amended design and drawings.
- Traffic Engineer amended report.
- Landscape Architect amended design.

#### Main themes expressed in the presented documents from council

We have collated the general themes expressed and note our responses to these themes as follows –

EXPRESSED CONCERN CHARACTERISED AS -	OUR RESPONSES (with attachments / links in support)
<ul style="list-style-type: none"> <li>• <b>Boarding Unit Numbers</b> and site density</li> </ul>	<ul style="list-style-type: none"> <li>• We have minimised the proposed Boarding Unit numbers down from 80 (+1 Manager) to 72 (+1 Manager). This has particularly allowed the centralised space between the Fisher Rd and Francis St buildings to open up further and the envelope to the southern Francis St neighbour to be fully complied with.</li> <li>• The process has resulted in a 6m rear setback to the Fisher Rd part of the site (excepting some proposed rear articulation) and also a 6m rear setback at the Francis St end of the site (excepting some proposed ground level rear articulation of a landscape nature).</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Setback</b> (particularly to southern Francis neighbour)</li> </ul>	<ul style="list-style-type: none"> <li>• We have adjusted the proposed building layout to enable increased the Francis St southern setback to 6.476m at upper level, but with lighter-weight articulation elements at lower levels and recessed in from the ends to a minimum of 3.5m. The articulation elements respond in height to the southern Francis St neighbour and are of a softer nature. Articulations are inset from the corners that are 4.851m setback. This allows sun around the ends of the Francis St building.</li> <li>• We note articulation of the form with materials changes and side frontages.</li> <li>• We have proposed a 3.5m minimum setback to the north side Francis St neighbour.</li> </ul>

	<p>This is broken by recessed vertical elements to avoid a continuous façade. This northern façade notes high level, north-facing windows and sculptural shading elements to conform with privacy requirements and BCA light and ventilation requirements.</p>
<ul style="list-style-type: none"> <li>• <b>Setback from central (rear) boundary of both Francis St and Fisher Rd sites</b></li> </ul>	<ul style="list-style-type: none"> <li>• We have widened this central setback at both Francis and Fisher (above lower level) to provide greater sun penetration, openness and alignment with council stated objectives. At upper levels this means around 12m between buildings, but generally is 11m. At ground level there is a proposed communal space and also a store and toilet that are proposed closer to the joint boundary, but still maintain in excess of 5m between the buildings and in excess of 2m setback from the joint rear boundary.</li> <li>• A simplified and glazed overbridge connection remains at level 1, but it is noted that this has been aligned to run straight through between the buildings and allow northern sun into the landscape courtyards between the buildings. The connection is necessary to allow staff utility particularly.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Sun/shadow detail to southern Francis neighbour</b></li> </ul>	<ul style="list-style-type: none"> <li>• We have completed more up-to date sun/shadow studies for the proposed amended project. These include shadow plans and elevations of the southern Francis St neighbour.</li> <li>• We believe that these documents indicate general compliance with requirements.</li> <li>• We also note that the Francis St southern neighbour is an under-developed building of 2 levels in relation to the allowable height requirements and that Francis St has been undergoing an updating process that is likely to continue over the coming period due to its proximity. Accordingly, we have indicated an 11m building height that could be applied to this site. We note that even at worst case of June 21 that a more developed building would be in majority sun during the day. The current building has a varying and stepped roof ridge of around 7 - 8m above ground level, with current upper living area at around 5.5-6.5m above ground level. This means that there is an available extra 4.5m plus of space for development over (that would be in full sun). This represents a large percentage of space that we believe needs to be considered as a part of the overall development along Francis St.</li> <li>• It is noted that our northern neighbours at Francis St represents a 10-11m building that is just over 2.5m side setback to our site with no relief and as a full block. This represents significant impost onto our site and is exceedingly worse a condition than what we are proposing.</li> <li>• We note that the baseline study of the existing Francis St southern neighbour indicates that the large brick fence and battened screens obscures sun entry into their northern yards courtyards and lower level is obscured from the sun</li> <li>• We note that the imposition of a zoning change centrally to our singular site and the requirement by council to ensure setback to this zoning change has in effect forced us to focus the break our site buildings at the least helpful point to our Francis St neighbours. We note that the current buildings on the site straddle this zoning change point and this allows for better conditions for our Francis St neighbours (who are both built at close proximity to the side boundaries of their sites).</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Landscape setback (particularly to southern Francis neighbour)</b></li> </ul>	<ul style="list-style-type: none"> <li>• The increased Francis St southern setback has allowed for more landscape areas and buffer to the Francis St southern neighbour. We have particularly ensured that walkway ramps have been located adjacent to the building ends and away from the southern neighbour. This has left approx. 2.5m landscape setback generally before the pathway.</li> <li>• The natural ground line is proposed to be maintained at the side boundaries and fences of 1.8-2m height be installed as privacy barriers. It is noted that there is currently a brick fence on the southern Francis St boundary of around 1.8-2.1m height and that this can be maintained in essence. It is also noted that Francis St Units 1 and 2 have significant battened barriers on top of the current brick fence and that these can be maintained. A photo of this can be seen in the Sun Study documents.</li> </ul>

<ul style="list-style-type: none"> <li><b>Traffic Impacts</b> around the surrounding road network</li> </ul>	<ul style="list-style-type: none"> <li>The traffic consultant has conducted local area vehicle and speed studies as per the attached report.</li> <li>He has indicated that traffic along Francis St is often fast and that there is potential difficulty with driver viewing lines on exit from the site driveway but he has contended to your traffic officer that drivers exiting the property onto Francis Street have the opportunity to review oncoming traffic up the footpath before proceeding onto the road. A proposal to leave 2 carparking bays on Francis St open was rejected and a left turn only out proposal was rejected.</li> <li>The Council traffic officers proposal for cars to exit via Fisher Rd is rejected on the basis that this is a double lane road and council has indicated their strategic planning directive to ensure Fisher Rd becomes more pedestrian (and less vehicular) oriented over time. The proposal has been through multiple Pre-DA and other meetings without ever any suggestion for exit to Fisher Rd. We believe there are sufficient mechanisms available in Francis St to ensure straight-forward and safe entry and exit of vehicles. Some of the responsibility for managing traffic flow along Francis St may lay with others as this is an issue that extends well beyond the parameters of this development site (as drivers rat-run through the rear streets to avoid a congested Pittwater Rd).</li> </ul>
<ul style="list-style-type: none"> <li><b>Vehicle access</b> process and gradients to carpark</li> </ul>	<ul style="list-style-type: none"> <li>We have amended the vehicle access gradients to respond to the suggested requirements. This amendment includes a 1/20 gradient for the first 6m, with steeper gradients beyond.</li> <li>Also, the centralised ramp system has been widened to allow full width access for cars at the lower-level basement and a separate one-way up and down ramp to serve the lowest level basement carpark. This caters for better traffic separation. Turning is proposed at the T-end of each level. Full turning circles will again be presented by the Traffic Consultant.</li> <li>We have increased carpark entry ramp head clearance to approx. 2,300 min at all points to provide for larger vehicle access.</li> </ul>
<ul style="list-style-type: none"> <li><b>Rubbish collection</b> process</li> </ul>	<ul style="list-style-type: none"> <li>We have agreed a collection process with your council officer involving 2 weekly collections via the council truck to Francis St. 31 bins have been requested in a rubbish room adjacent to the street (with 1:8 max ramp access). This has been provided in the proposal.</li> </ul>
<ul style="list-style-type: none"> <li><b>Bigger windows to Rear of Fisher Rd site with internalised bathrooms</b></li> </ul>	<ul style="list-style-type: none"> <li>Bathrooms have been internalised into the rear of the Fisher St building with around 3 boarding units being dropped to accomplish this. This has allowed for larger windows and outlook as suggested. All balconies have been removed after discussion with council Urban Planner and prismatic sculptural sun shields have been fitted to glazing elements behind. The proposal is to install glazed curtain wall inset frontages as a stylised and modernised expression of a "stain glass window" frontage to the church. Muted beach scenes in cool water colours are proposed.</li> </ul>
<ul style="list-style-type: none"> <li><b>Privacy elements</b></li> </ul>	<ul style="list-style-type: none"> <li>We have indicated privacy elements / screening.</li> <li>We have removed the larger-scale green wall elements as suggested by DSAP. We have the desire to provide a green outlook and sustainably based building and intend to install as much planting as practical.</li> </ul>
<ul style="list-style-type: none"> <li><b>Roof rainwater catchment</b> detail off curved roof</li> </ul>	<ul style="list-style-type: none"> <li>The curved roof edge has been deleted to remove concerns relating to water run-off.</li> </ul>
<ul style="list-style-type: none"> <li><b>Carpark Escape Stair</b></li> </ul>	<ul style="list-style-type: none"> <li>We have relocated the carpark internal stair to better respond to stated DSAP concerns (even though it did comply previously). This exits at the central open courtyard as well as to the Fisher Rd frontage.</li> </ul>
<ul style="list-style-type: none"> <li><b>Car parking allocations</b> and Tandem Carparking designations</li> </ul>	<ul style="list-style-type: none"> <li>We have indicated the noted 34 carparking spaces within the 2-level basement (incl. 10 disabled carparking spaces). Your documentation suggests that we have previously technically complied with requirements.</li> <li>Carparking designations / allocations are noted on the drawings and include 16 individually accessible parking spaces for the boarding room units allocation (to</li> </ul>

	<p>match the requirement). There are also another 3 allocated spaces for the café and 15 allocated for church use</p> <ul style="list-style-type: none"> <li>The church spaces are generally indicated on the lowest level and are noted as tandem carparking spaces (15 spaces). These are proposed to be managed by the church and the Site Manager (as they are all from this same owner/user group and we propose that this can be managed, signed and conditioned for approval accordingly). The Manager for the Facility will control this process and is located near to the carpark entry to enable this process. It is suggested that these cars will need to supply keys to enable movement if required in a valet manner.</li> </ul>
<ul style="list-style-type: none"> <li><b>External wall treatments</b> – concern about landscape graphic forms expressed</li> </ul>	<ul style="list-style-type: none"> <li>We have removed the landscape graphic forms and worked on the external appearance further. There appeared to be a suggestion for vertical elements from your Urban Planner and breakup that we have now indicated.</li> </ul>
<ul style="list-style-type: none"> <li><b>Kitchenettes</b> to be indicated in boarding house rooms</li> </ul>	<ul style="list-style-type: none"> <li>Kitchenettes have now been labelled in all boarding house rooms.</li> <li>In addition, we note that there are 2 commercial kitchens within the facility as well as multiple communal zones with kitchens to enable food preparation.</li> </ul>
<ul style="list-style-type: none"> <li><b>Roof garden</b> and management – There have been conflicting suggestions from council and your Design and sustainability Panel about use of the roof</li> </ul>	<ul style="list-style-type: none"> <li>We have proposed roof garden areas on the Fisher Rd end of the site. We propose that these can be used as managed exercise areas with strict policies in place for time use. All areas have been noted with acoustic / privacy screens to 1700 and a management process proposed. This applies also to a small area on the Francis St end of the site where exercise was strongly suggested by DSAP. We propose a management system be conditioned for the use of the Francis St roof space whereby residents can exercise for a designated period through the middle of the day (when adjacent residents are more likely to be at work) and with no out of business hours access permitted.</li> </ul>
<ul style="list-style-type: none"> <li><b>Hydraulic – Drains Model</b></li> </ul>	<ul style="list-style-type: none"> <li>We note that the provided Drains model has now been included in your online documentation for assessment in due course.</li> </ul>

We acknowledge that more detail updates can be provided in relation to each consultancy involved if required. Initially we request consideration of the amended documents as prepared in good faith in response to the items that council have raised in the documents referred to in your Issues letter.

Thank you for your consideration.

Yours faithfully,

**Philip George**

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