

Supplementary Report

Additional (Post Gateway) Amendments Proposed to:
Dee Why Town Centre “Site B”

Planning Proposal

21 May 2015

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Annexure 1: Supplementary Urban Design Study

Annexure 2: Proposed LEP Height Map (as amended Post-Gateway)

Annexure 3: Schedule of LEP Clause Additional Amendments

1 Introduction

1.1 Overview

This report provides supplementary information to support Planning Proposal PP_2015_WARRI_002_00 which seeks to amend the planning controls contained within the Warringah Local Environmental Plan (LEP) as they relate to Dee Why Town Centre "Site B." This information has been requested by Council to provide suitable justification for certain amendments proposed by the Planning Proposal, specifically:

- An increase in the height of some buildings within the site as depicted in the Draft LEP height map presented in the Council Report dated 25 November 2014 (page 35) and which accompanied Council's formal request to the Department of Planning and Environment for a Gateway Determination including:
 - A nominal increase in podium height from RL31 metres to RL32 metres.
 - An increase in the street wall height to Pittwater Road from 38 metres to 47 metres.
 - An increase in the height of the building element in the north east corner of the site from RL31 metres to RL41 metres.
- An amendment to LEP Clause 7.8 to allow a moderate increase in the quantum of floor space permissible above podium level on land identified as "Area 2" on the LEP height map from 3,800sqm to 4,600sqm.
- An amendment to LEP Clause 7.10 to allow for auxiliary plant equipment and lift overruns to extend above the maximum height limits specified for buildings within the site with the exception of the two tower elements.
- The introduction of new LEP Clause 7.14 to allow for the introduction of a pedestrian footbridge to facilitate the development of an above ground connection between the two buildings within the site.

1.2 Background

Site B benefits from a Stage 1 development consent (DA2007/1249) which permits its redevelopment for a mix of uses as follows:

"Stage 1 Development Application for a concept mixed use development comprising residential, retail and commercial uses, including 3 storey street front buildings to Oaks Avenue and part of Howard Avenue, an 8 storey commercial office building fronting Pittwater Road, 7 storey mid-rise residential buildings, two residential tower buildings (one part 15 / part 18 storeys and one of part 14 / part 17 storeys), a publicly accessible "town square" and north-south pedestrian link, 5 levels of car parking (4 basement levels and 1 above ground level), a bus bay and vehicular access."

This DA (referred to as the "Stage 1 DA" throughout this report) was approved on 26 February 2009. The key design elements of DA207/1249 were incorporated into WLEP 2011. This has resulted in prescriptive building envelope controls which generally match the concept plan approved under the Stage 1 DA. It is relevant to note that the building heights approved under the Stage 1 DA do differ to an extent with the LEP height controls for the site as follows:

- Maximum building height of building in north eastern corner identified on North Elevation drawing as 40.80m AHD. The LEP height map permits a maximum building height of RL31 metres.

- Roof top plant equipment depicted on the architectural drawings (refer to Indicative Massing Plan – Site Plan) project above the maximum building height limits specified on the LEP height map.

In effect, the Stage 1 DA concept plan cannot be achieved under the current LEP height controls.

The controls do not allow for variations in the building form and land use mix depicted in Stage 1 DA concept plan. Changes to the approved Stage 1 DA concept plan may only be achieved through an amendment to the LEP. Planning Proposal PP_2015_WARRI_002_00 seeks to amend these prescriptive building envelope controls to allow an alternative concept design to be achieved by:

- Amending the Dee Why Town Centre provisions contained in Part 7 of the LEP as they relate to the subject site (Site B) by removing the restrictions on land use which currently apply to the above ground podium levels.
- Amending the 'Building Height Map' to reflect the building envelope of a new concept plan (referred to as the "Alternative Concept Plan").

The original Planning Proposal report was submitted to Warringah Council on 23 May 2014 (the "original report"). It was supported by an indicative Concept Plan prepared by Crones Partners dated 21 May 2014. In discussion with Council the indicative Concept Plan was subsequently modified and a revised Concept Plan dated 2 July 2014 was issued to Council for consideration.

The Planning Proposal (as amended) was considered by the Warringah Development Assessment Panel meeting on 8 October 2014, before being referred to a Council meeting on 25 November 2015. At that meeting Council resolved to forward the Planning Proposal to the Department of Planning and Environment (DP&E) for Gateway Determination. Gateway approval for the Planning Proposal was subsequently issued by the DP&E on 26 February 2015.

In accordance with the Gateway Determination Council will publicly exhibit the Planning Proposal for a period of 14 days. Prior to public exhibition Council requires additional justification with respect to those aspects of the Planning Proposal introduced following submission of the original report.

Further discussions have been held with Council staff with respect to the information required and accordingly we present this supplementary INFORMATION to the original report for Council's consideration. This report should be read in conjunction with the following:

- Original report and accompanying documentation
- Economic report prepared by Hill PDA
- Supplementary Urban Design Report attached at **Annexure 1** of this report.

As the Planning Proposal is substantially the same as the original proposal, the strategic justification contained in Section 7 of the original report remains relevant to the proposal.

1.3 Purpose of this Supplementary Planning Proposal Report

This supplementary report contains the following information:

- Describes the proposed building height changes depicted on the draft LEP height map which were not explicitly addressed in the original report.
- Details additional proposed amendments to site specific LEP clauses contained in Part 7 of the LEP that are detailed in Annexure 3. Namely, clauses 7.8(3)(a); 7.10(4)(a & b), are to be amended, and insert new clause 7.14 to allow a pedestrian bridge between buildings that was previously for cars.
- It provides justification for the proposed changes outlined above.

2 Land to which the Planning Proposal Applies

2.1 Site Description

This Planning Proposal relates to the land described in the original report, being the landholding shown in Figure 1 below and as described in Table 1. The site has a total area of approximately 14.5 hectares.

A detailed description of the site and its surrounding context can be found in Section 2 of the original report.

FIGURE 1 – SITE PLAN

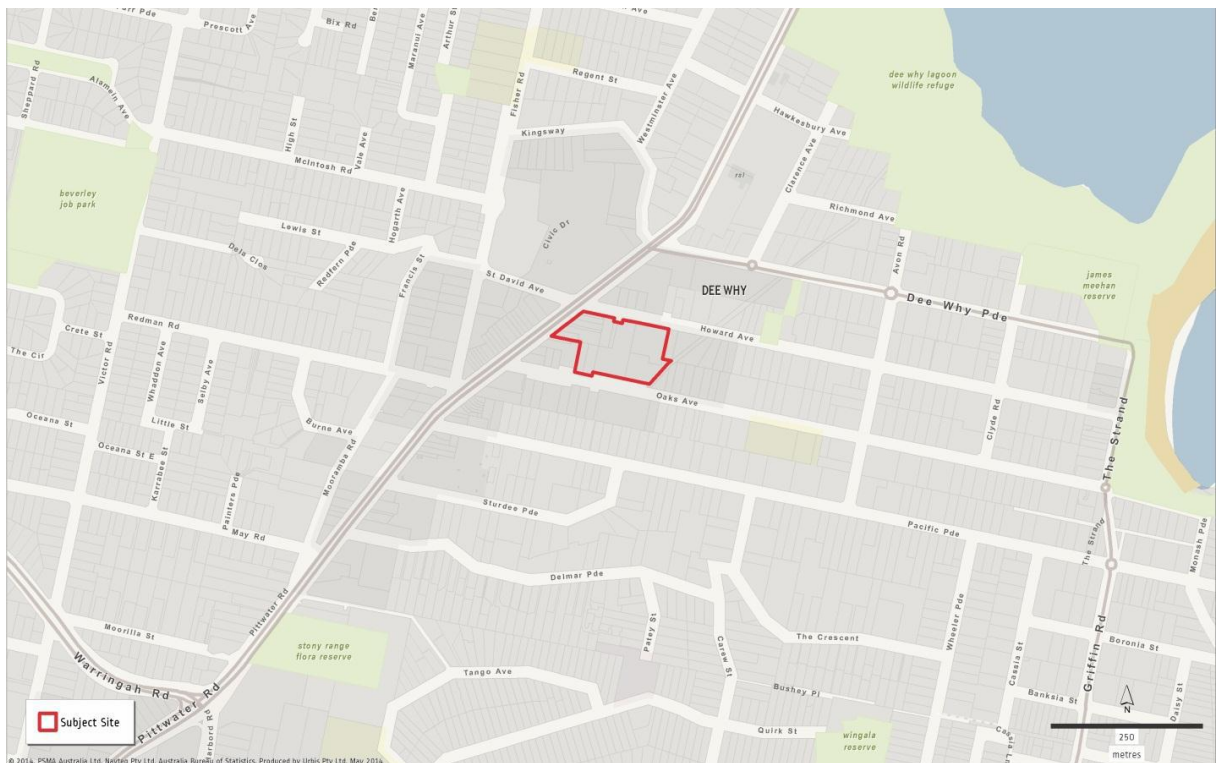


TABLE 1 – PROPERTY DESCRIPTION

ADDRESS	LOT/DP
9 Howard Avenue	Lot 7, DP 8172
11 Howard Avenue	Lot 1, DP 209503
15 Howard Avenue	Lot 1, DP 212382
17 Howard Avenue	Lot 2, DP 212382
14 Oaks Avenue	Lot A, DP 371110
16 Oaks Avenue	Lot B, DP 371110

ADDRESS	LOT/DP
28 Oaks Avenue	Lot 3, DP 212382
884 Pittwater Road	Lot A, DP 339410
888 Pittwater Road	Lot 11, DP 231418
890 Pittwater Road	Lot 10, DP 231418
892 Pittwater Road	Lot 1, DP 504212
894 Pittwater Road	Lot A, DP 416469
896 Pittwater Road	Lots 1 and 3, DP 307937

3 Planning Proposal Overview

The Planning Proposal has been prepared in accordance with Sections 55(1) and (2) of the *Environmental Planning and Assessment Act 1979* with consideration of the relevant guidelines, namely "A Guide to Preparing Planning Proposals" issued by the Department of Planning and Infrastructure (April 2013).

This report specifically addresses changes to the Planning Proposal that were not explicitly addressed in the original report, being introduced following lodgement of the original application documentation.

This Planning Proposal is structured as follows:

- Part 1 – A statement of the objectives or intended outcomes
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP
- Part 3 – The justification for the Planning Proposal and the process for the implementation
- Part 4 – Details of community consultation that is to be undertaken for the Planning Proposal.

Discussion for each of the above parts is outlined in the following Sections.

4 Part 1 – Objective or Intended Outcomes

4.1 Objectives

The primary objective of this Planning Proposal remains consistent with that identified in the original report. The objective is:

"To create a planning framework that will support the delivery of a high quality mixed use town centre precinct that is responsive to market demand."

4.2 Intended Outcomes

The intent of the Planning Proposal is as follows:

- To amend specific provisions contained in Part 7 of the Warringah LEP 2011 to achieve greater flexibility in the design approach that may be adopted in the future development of the site.
- To amend the Warringah LEP 2011 Height of Building Map as it applies to the subject site to facilitate the development of the alternative concept plan.

5 Part 2 – Explanation of the LEP Provisions

5.1 Overview

Since lodging the original report in May 2014, further work has been undertaken on the detailed design of a future development scheme for the site. This work has identified the need to amend certain additional LEP clauses to respond to the construction demands of such a complex project. Accordingly, this Planning Proposal report seeks to clarify the extent of changes proposed to the height map and other LEP clauses applicable to the site.

5.2 Revisions to the Alternative Concept Plan

The original report was accompanied by a concept plan which depicted an alternative approach to the redevelopment of the site when compared to the Stage 1 DA concept plan. The details of this concept plan have been further refined during the assessment of the application by Council (culminating in the submission of an amended Concept Plan in July 2014) and through detailed design planning. This has resulted in changes to some aspects of the original concept plan, specifically an increase in the height of the building in the north east corner of the site. The key design outcomes of the proposal remain unchanged when compared to those contained in the original report and are:

- To alter the mix of uses on the site.
- To deliver a modified built form which maintains a town square and pedestrian connection defined by active podiums.
- To support a more effective tower form design, which reads as separate towers on the Dee Why skyline, while minimising overshadowing to the public square and the public footpath on the southern side of Oaks Avenue.

In developing the detailed design for the project strong regard has been given to the key planning objectives for the Dee Why Town Centre which are as follows:

- Preserving solar access to the public domain in and around the site.
- Delivering an active, accessible and lively Town Square on the site.
- Maintaining opportunity for the site to deliver a mix of land uses.
- Delivery of retail uses at ground level which will benefit from high pedestrian traffic and activate adjacent public spaces, while increasing the range of uses which can occupy the above ground levels of the podium elements to ensure a viable mix of uses can be accommodated on the site.

A supplementary urban design report illustrating the changes is attached at **Annexure 1**. This report includes an overshadowing analysis of the proposed development. Importantly, the Alternative Concept Design (as amended) provides building envelopes that maintain solar access to the public domain, including the public footpath on the southern side of Oaks Avenue opposite the site, as required under Part 7 of WLEP 2011. The shadow analysis for the proposed development (refer to **Annexure 1**) confirms that the alternative design approach will maintain solar access to the footpath on the southern side of Oaks Avenue.

5.3 Proposed Additional LEP Amendments

This Planning Proposal seeks to amend WLEP 2011 to allow a high quality mixed use development on the site. In addition to those LEP amendments which have already been endorsed by the Gateway Determination namely amendments to Clause 7.3(i)(ii), 7.3(j), 7.12(2)(a), (c) and (d) this report seeks consideration of the following amendments to the LEP:

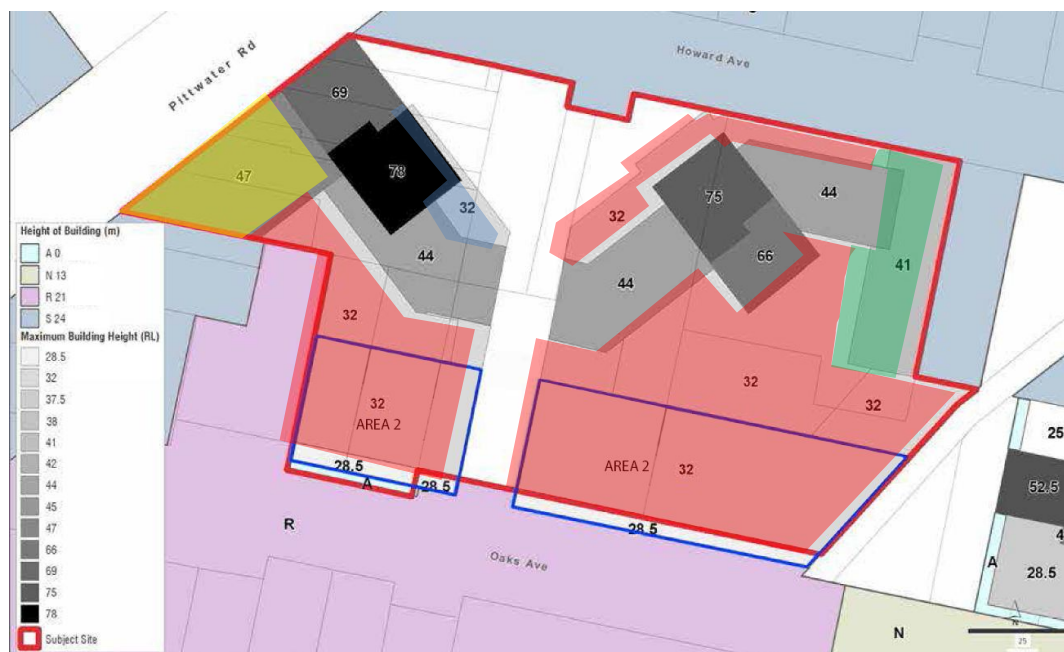
- Amend the LEP height map as illustrated in **Annexure 2** to achieve the following:
 - A nominal increase in podium height from RL31 metres to RL32 metres.
 - An increase in the street wall height to Pittwater Road from RL38 metres to RL47 metres.
 - An increase in the height of the building element in the north east corner of the site from RL31 metres to RL41 metres.
- Amend LEP Clause 7.8 to allow a moderate increase in the quantum of floor space permissible above podium level within "Area 2" from 3,800sqm to 4,600sqm.
- Amend LEP Clause 7.10 to allow for auxiliary plant equipment and lift overruns to extend above the maximum height limits specified for buildings within the site with the exception of the two tower elements.
- Insert new LEP Clause 7.14 to allow for the introduction of a pedestrian footbridge to facilitate the development of an above ground connection between the two buildings within the site.

These amendments are discussed in further detail below. A full schedule of additional changes proposed is included at **Annexure 3**.

5.3.1 Amendments to Height Controls

WLEP 2011 includes a mosaic of heights across the site that generally reflect the heights of the Stage 1 DA concept plan. There is no flexibility to deviate, even to a minor extent, from the height controls specified on the height map. Under normal circumstances minor departures to the building height would be considered under a Clause 4.6 variation. However, WLEP 2011 does not permit any variation to the height of buildings within the Dee Why Town Centre. Therefore, to facilitate the development of the Alternative Concept Plan the changes to the nominated height limits within the site (in addition to those described in the original report) illustrated in Figure 2 and discussed below are sought.

FIGURE 2: PROPOSED LEP HEIGHT MAP



A nominal increase in podium height from RL31 metres to RL32 metres (shaded in red in Figure 2)

The increase in the permitted height of the podium is sought largely to facilitate floor to floor heights of 5.3 metres and 3.5 metres at ground and first floor levels respectively. These levels will accommodate non-residential uses. It has become evident that the increased height within these levels will result in the maximum height of the podium extending marginally above the RL31 metre height limit. To achieve compliance with the existing height control it would be necessary to reduce the floor to floor height of these levels. This would result in a poorer design outcome for the site and a lower level of amenity for future tenancies.

The height amendment is considered to be justifiable on the basis that:

- The additional visual impacts associated with the proposed height increase to the podium (up to 1 metre) will be indiscernible when viewed from street level.
- No additional storeys will be created as a result of the change.
- The increase in the height of the podium can be achieved without adverse overshadowing impacts on the public domain.

An increase in the street wall height to Pittwater Road from RL38 metres to RL47 metres (shaded in yellow in Figure 2)

The existing LEP height control seeks to retain a street wall height of RL38 metres to Pittwater Street, allowing for a taller building component to RL47 metres setback within the site. An amendment to the height map is sought to allow a maximum height limit of RL47 metres to the site boundary, essentially eliminating the requirement for the RL38 metre street wall. This approach will result in a superior design response for the site as follows:

- The height control seeks to provide a 6 storey podium to the Pittwater Road frontage. This approach would severely compromise the design quality of the building given the need to accommodate a new bus bay at this side.
- The building adjacent to the Pittwater Road frontage of the development has been designed to respond to Roads and Maritime Services (RMS) requirements for the new bus bay. Land at ground floor level within the site is to be dedicated to facilitate the introduction of the new bus bay (as illustrated in Figure 3 below).
- The first two levels of the development must be setback from the site boundary to accommodate the bus bay. The upper levels of the development (commencing at RL24.8m) are built to the boundary. This is illustrated in Figure 4 below.

Importantly, increasing the height of this building as proposed will not result in unacceptable overshadowing impacts on the public domain as demonstrated in the shadow analysis at **Annexure 1**.

FIGURE 3: PROPOSED BUS BAY

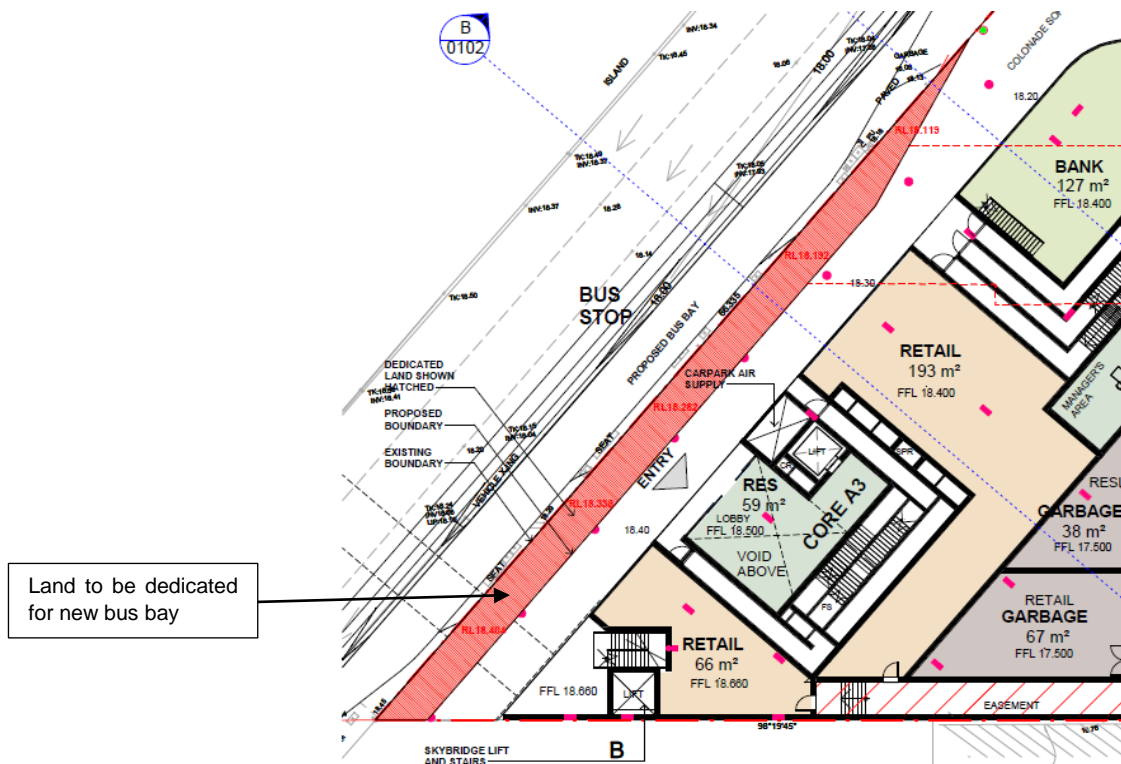
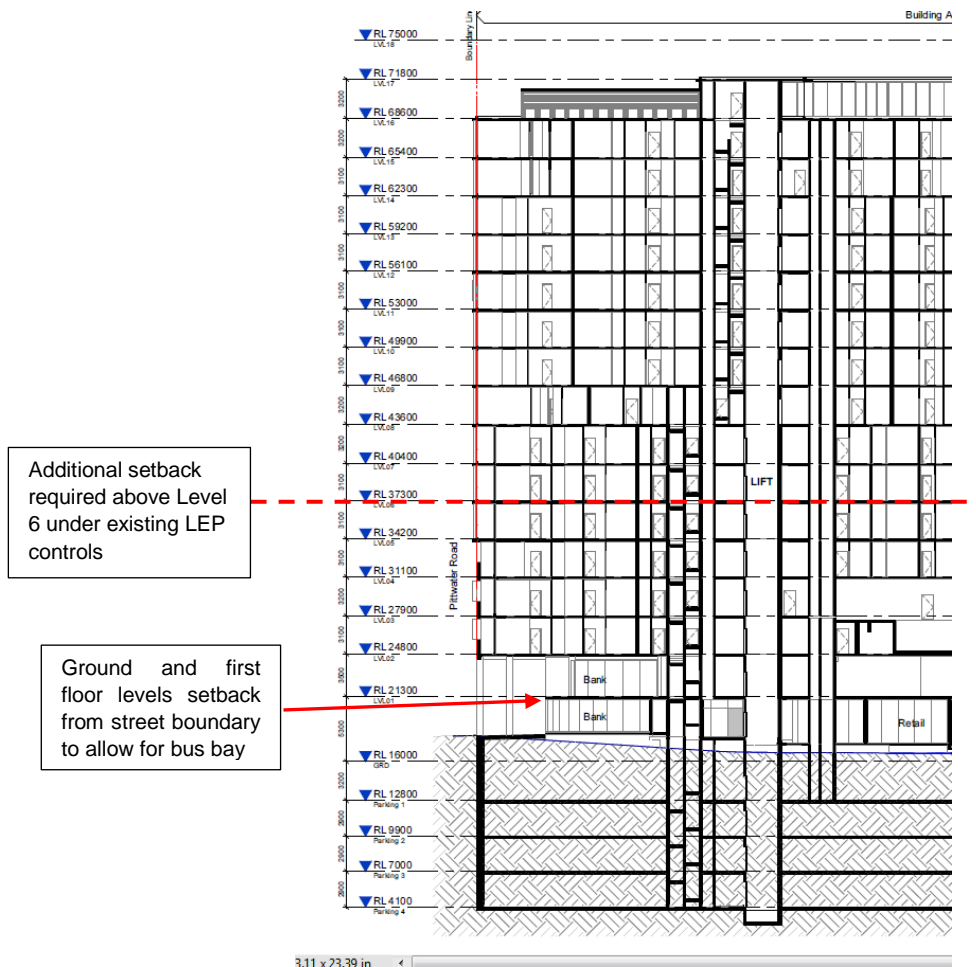


FIGURE 4: BUILDING SETBACK TO PITTWATER ROAD



An increase in the height of the building element in the north east corner of the site from RL31 metres to RL41 metres (shaded in green in Figure 2)

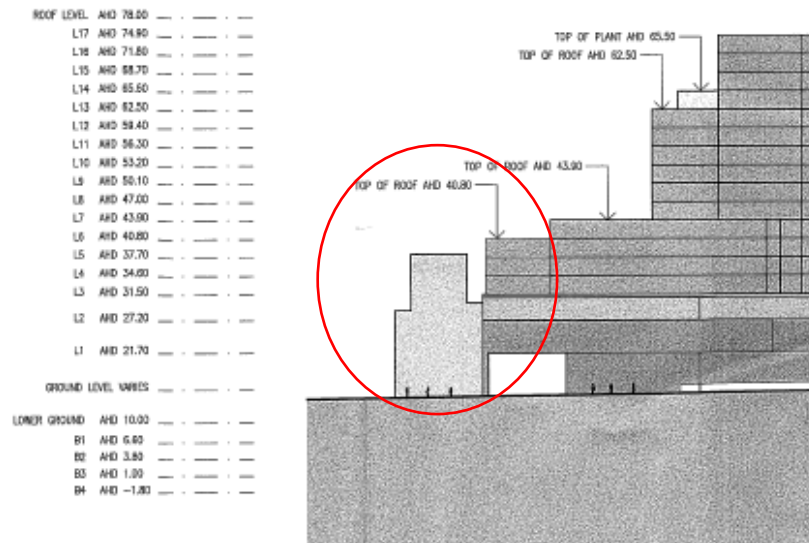
The proposed height of this building element responds to the pattern of development that surrounds the site, specifically the building height of the development immediately to the east. Measures to protect the privacy of the residential properties in the adjacent building will be appropriately addressed at detailed design stage. Compliance with the requirements of SEPP65 with respect to building separation would be required at DA stage.

The building envelope shape is perpendicular to the Howard Avenue that results in the least amount of shadowing upon the podium court yard. Of the buildings above the podium the height of RL41 is the lowest and will have no discernible impact. The easterly location of this building ensures that sunlight will be appropriately achieved on the internal podiums from midday onwards in winter, and in summer the angle of the sun being higher will leave the podium less in shadow, which may not be a good outcome as shading will be sought by residents.

The proposal does not impact on the ability for future proposed residential development to meet the solar access requirements of SEPP65 and this would be fully demonstrated in a future development application.

It is relevant to note that the proposed height of this building is consistent with that envisaged under the Stage 1 DA. As illustrated in Figure 3 below, the maximum building height of the proposed building in north eastern corner of the site identified on the approved North Elevation drawing is 40.80m AHD. The LEP height map permits a maximum building height of 31 metres.

FIGURE 5 STAGE 1 DA APPROVED PLAN – NORTH ELEVATION



5.3.2 Amendments to Site Specific Provisions

Part 7 of WLEP 2011 contains site specific controls for the Dee Why Town Centre. This proposal seeks to amend the controls to allow an Alternative Concept Plan which more appropriately responds to market trends and the surrounding development context to be delivered on the site. The changes are detailed below (new text shown in ***bold italics***, deleted text shown in *italics strike through*).

Clause 7.8 – Area 2

The LEP height map identifies the southern portion of the site as “Area 2.” Unlike the northern part of the site, there is some flexibility in the potential siting and height of building forms within Area 2 subject to compliance with the controls outlined in LEP clause 7.8 (3) (a-d).

The heights proposed under the Alternative Concept Plan are indicatively illustrated in Figure 6 below and shown in Annexure 2. In accordance with the requirements of Clause 7.8, this approach maintains a minimum 2 hours of sunlight to the footpath on the southern side of Oaks Avenue at a distance of 6 metres from the property boundary on 22 June (refer to ***Annexure 1***). The total floor space above podium level achieved under this concept is 4,600sqm.

FIGURE 6 INDICATIVE PROPOSED BUILDING HEIGHTS – AREA 2



Note: Indicative height map only.

Accordingly, an amendment to the control is sought as follows:

"(3) Despite clause 4.3, development consent may be granted to the erection of a building on land shown as "Area 2" on the Height of Buildings Map that has a component above the podium level but only if:

- (a) The total gross floor area of the components of the buildings above the podium level does not exceed ~~3,800~~ 4,600 square metres,"*

Clause 7.10 – Roof top plant equipment

An additional site specific provision within Clause 7.8 of the LEP to permit rooftop equipment above the nominated height limits as follows is requested:

"(4) Despite clause 4.3(8A), development consent may be granted to the erection of a building on land identified as Dee Why Town Centre Site B on the Key Sites Map which exceeds the maximum building height on the Height of Buildings Map where:

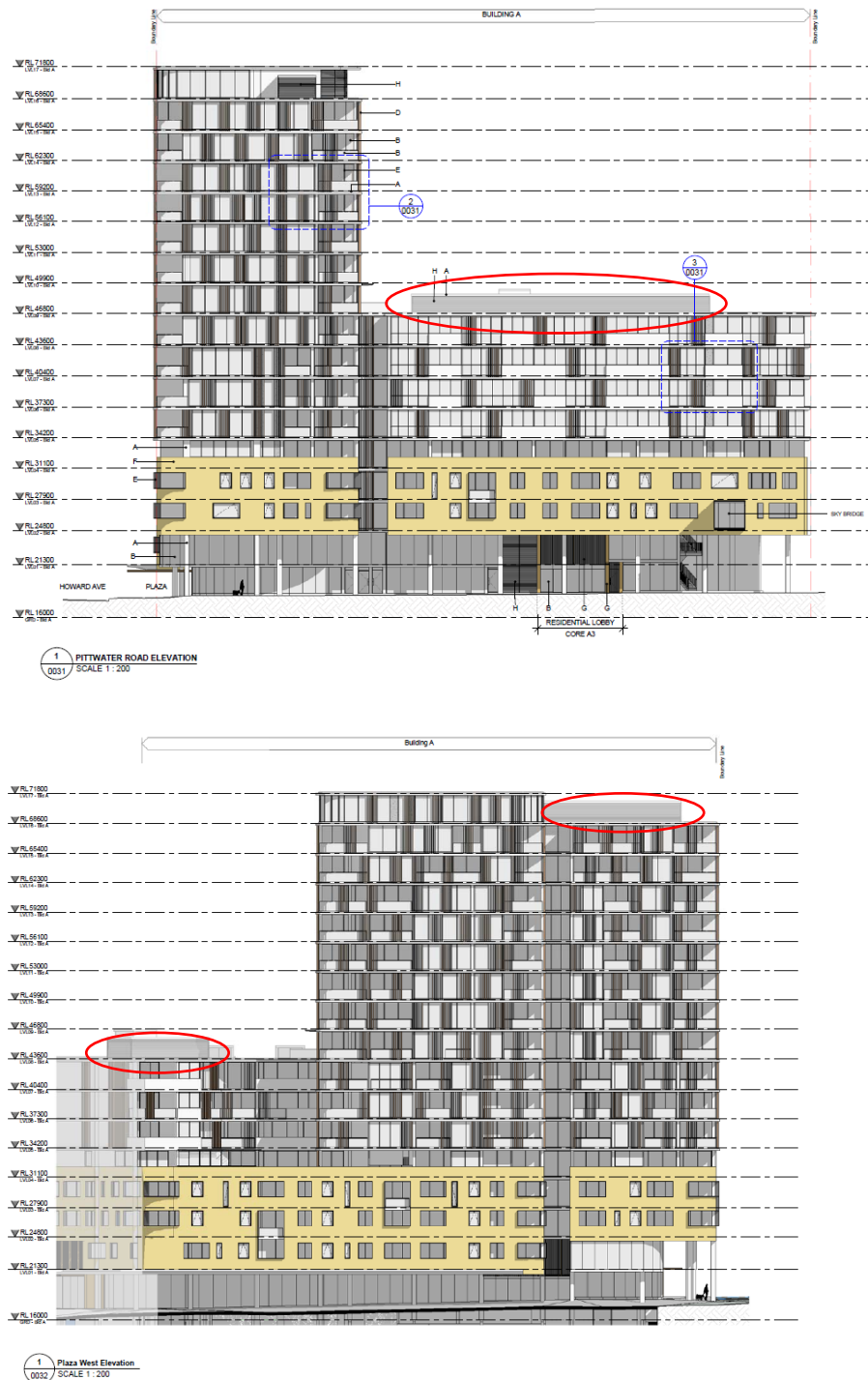
- (a) The component above the maximum building height accommodates plant and/or lift overruns.***
(b) No additional floor space is created or could be modified to create additional floor space."

An amendment to the LEP is required to enable rooftop plant equipment and lift overruns to extend above the nominated height limit. Under the current controls all rooftop equipment must be contained within the maximum building height limits specified on the LEP height map. Clause 7.10 permits lift overruns and plant, but does not allow the height of buildings to be above the height shown on the height map.

We believe this approach is justified for the following reasons:

- No additional levels are proposed to the development over and above those depicted in the original Planning Proposal and no additional floorspace would be introduced. The amendment to Clause 7.8 only relates to plant equipment and lift overruns at roof level.
- No variation to the height limits of the tallest tower elements is proposed. These maximum building height limit for these components will remain at RL78m and RL75m. Existing clause 7.10 (2f) would prevent the introduction of plant and other roof top equipment from these building elements.
- Plant equipment and lift overruns at roof level will not result in additional overshadowing of surrounding streets (in particular, the required periods of solar access to Oaks Avenue are achieved). The overshadowing impacts of the combined development are illustrated in the supplementary Urban Design Report at **Annexure 1**.
- As illustrated in Figure 3 below, the introduction of roof top equipment will not have any discernible impact on the visual bulk of the development, being centrally located within the roof space and will not be visible from street level.

FIGURE 7 VISUAL IMPACT OF PROPOSED ROOF TOP EQUIPMENT



5.3.3 Clause 7.14 – Pedestrian footbridge

An additional clause to allow for the introduction of a future footbridge to connect the two buildings at first floor level is sought as follows:

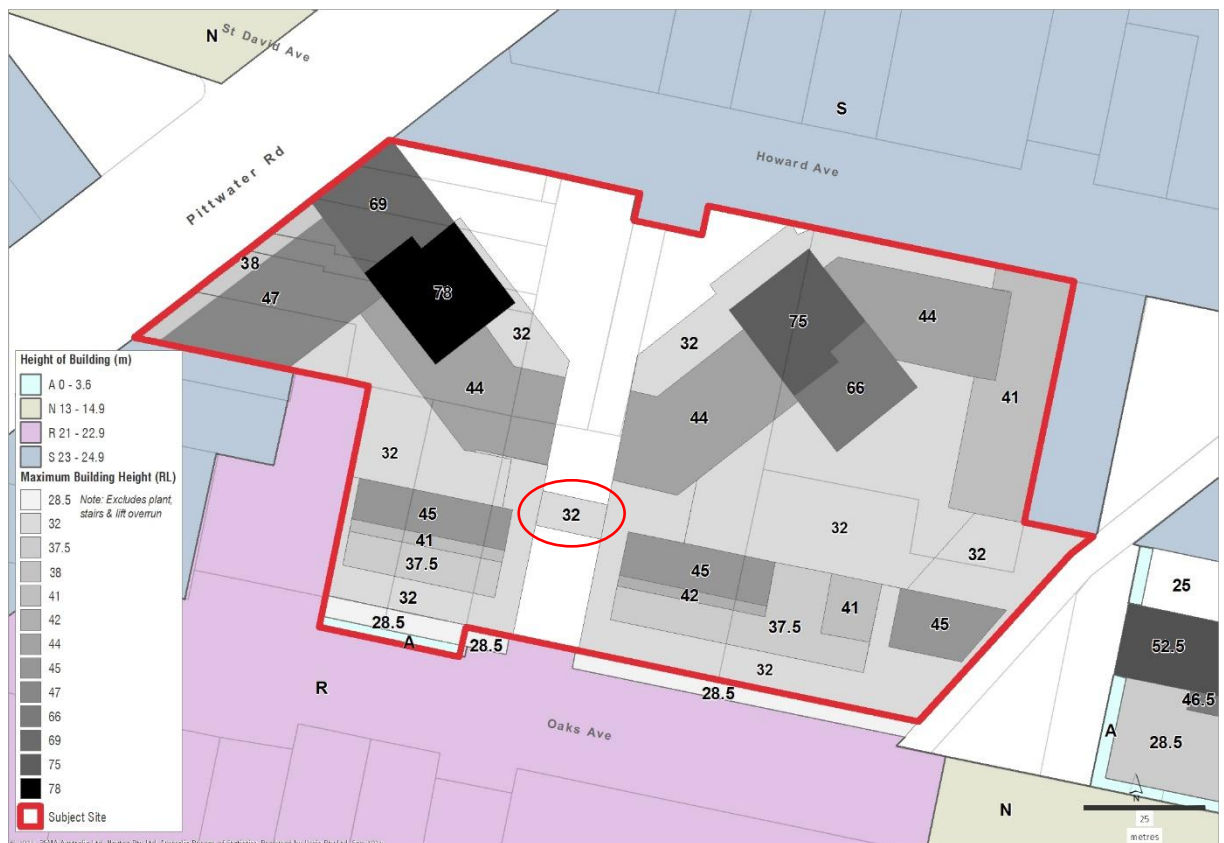
“Clause 7.14 Pedestrian Footbridge

(1) Despite clause 4.3(8A), development consent may be granted to the introduction of a foot bridge on land identified as Dee Why Town Centre Site B on the Key Sites Map to connect buildings within the site."

The footbridge is required to facilitate pedestrian accessibility through the development. It is also necessary to ensure the viability of the first floor non-residential uses as it will assist in channelling pedestrian movement through the space, thereby creating passing trade for the tenancies and assisting in helping to prevent "dead corners" which experience little pedestrian activity.

Under the current LEP provisions, the footbridge may not be constructed as no height limit applies to the land between the two buildings. A copy of the proposed height map included in Council's assessment report of 25 November 2014 and issued to DP&E is provided in Figure 8 below. This map included a height overlay to facilitate the introduction of the bridge. In its consideration of the Planning Proposal we understand that DP&E has raised concern about this approach does not accurately reflect the intent for this part of the site i.e. for an above ground connection and may be misinterpreted as permitting a building form that extends from ground level.

FIGURE 8 INDICATIVE PROPOSED LEP HEIGHT MAP INCLUDED IN COUNCIL ASSESSMENT REPORT AND ISSUED TO DP&E FOR GATEWAY DETERMINATION



Note: Indicative height map only.

6 Justification for the Planning Proposal

6.1 Overview

As this Planning Proposal is substantially the same as the original report, the strategic justification contained in Section 6 of the original report remains relevant. The key strategic justification contained in the original report is summarised in the following subsections.

6.2 Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of a strategic study or report, but it nonetheless responds to the Dee Why Town Centre Masterplan which supports the development of the site as a gateway to the town centre. The proposal will facilitate the delivery of development on the site for a high quality mixed use scheme.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is presented as the best means of achieving the objectives and intended outcomes of this proposal as it will facilitate the implementation of the Alternative Concept Plan. The requested changes seek to preserve the overall amenity objectives for development within Dee Why Town Centre and allow suitable flexibility to enable the design to be further refined without compromising the amenity of surrounding properties and public spaces.

6.3 Section B – Relationship to Strategic Planning Framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional and sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The original report considered the Planning Proposal against the provisions of the Sydney Metropolitan Strategy and the draft Sydney Metropolitan Plan. As demonstrated in the original report there is a clear alignment between State policy settings and our vision for the site. The redevelopment of the site will respond positively to forecast population growth for the area and will make an invaluable contribution to employment and housing within the Warringah LGA.

A Plan for a Growing Sydney was released by the Department of Planning and Environment in December 2014. The Plan identifies the following goals which define the Government's vision for Sydney:

- A competitive economy with world-class services and transport
- A city of housing choice with homes that meet our needs and lifestyles
- A great place to live with communities that are strong, healthy and well connected
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Planning Proposal responds positively to these goals. It will provide new housing, with a choice of dwelling types in a well-serviced location. Additionally, the proposal will directly contribute to the directions of the Plan as detailed in Table 2 below.

TABLE 2 A PLAN FOR GROWING SYDNEY – RELEVANT DIRECTIONS

Direction	Proposal
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs	<p>The proposal will help to deliver additional housing supply and urban renewal.</p> <p>The proposal will facilitate the development of new housing in proximity to local employment opportunities.</p>
Direction 2.3: Improve housing choice to suit difference needs and lifestyles	The proposal will contribute to the delivery of additional housing supply. A range of dwelling types will be provided.
Direction 3.1: Revitalise existing suburbs	The proposal will facilitate the development of this key town centre site which is recognised as the gateway to the town centre. The redevelopment of the site has the potential to act as a catalyst for the revitalisation of Dee Why.

Q4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

As outlined in the original report the proposal is consistent with the Dee Why Town Centre Master Plan (July 2013) which was adopted by Warringah Council in July 2013 as it will facilitate the development of Site B "as a Gateway to the Dee Why Town Centre."

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

As outlined in the original report, the proposal is consistent with all relevant State Environmental Planning Policies (SEPPs).

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

As outlined in the original report, the proposal is consistent with all relevant Section 117 Directions.

Additional information relating to the proposal's compliance with Direction 1.1 Business and Industrial Zones has been provided to Council (Economics Report prepared by Hill PDA). The changes proposed within this supplementary planning proposal report do not specifically relate to this direction.

6.4 Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

As outlined in the original report, the site is fully developed and comprises little vegetation. There are no known critical habitats, threatened species or ecological communities on the site and therefore the likelihood of any negative impacts are minimal.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

As outlined in the original report, the likely environmental effects of the proposal will remain the same as those envisaged by the Stage 1 DA concept plan. An assessment of the specific impacts of the proposal will be addressed with a future development application.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. As highlighted in the original report, the proposal will deliver significant community and economic benefits including:

- It will create a gateway to the Dee Why Town Centre incorporating high quality public spaces including a new Town Square.
- It will provide new housing opportunities with excellent access to public transport infrastructure.
- It will deliver improved pedestrian connections through the site providing greater permeability through the Dee Why Town Centre.
- It will facilitate a new bus bay on Pittwater Road enhancing access to public transport not only to the site but to the wider town centre.
- It will deliver new, much needed childcare facilities.
- It will provide good quality retail floorspace that will enhance the appeal and general amenity of Dee Why Town Centre.

6.5 Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

Yes. The site is currently connected to all existing utility services. Additionally, development of the site will result in the delivery of new public infrastructure as follows:

- A new town square.
- Pedestrian easement allowing public access between Howard Avenue and Oaks Avenue.
- The introduction of a new bus bay on Pittwater Road which will further enhance access to the site by public transport. Land dedication to facilitate the bus bay is the subject of an amendment to the Voluntary Planning Agreement for the site.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

As stated in the original report, it is acknowledged that Warringah Council will consult with relevant public authorities during the public exhibition of the Planning Proposal.

Consultation with RMS has been undertaken to understand their requirements for the bus by on Pittwater Road. These requirements have been incorporated into the proposal.

7 Part 4 – Community Consultation

Since the preparation of the original report, the proponent has engaged in meetings with elected members and officers of Warringah Council to discuss the Planning Proposal.

The Planning Proposal will be publicly exhibited for 28 days meeting the requirements of the Gateway Determination. It is anticipated that the public exhibition will be notified by way of:

- Public notice in the local newspaper
- A notice on the Warringah Council website
- Written correspondence to adjoining and surrounding landowners

The Planning Proposal will be available at Council's offices to provide an opportunity for interested parties to view the submitted documentation.

8 Conclusion

This Planning Proposal report has been prepared to provide additional information in support of amendments to the planning controls which apply to Dee Why Town Centre Site B.

This Planning Proposal and the requested WLEP 2011 amendments represent an invaluable opportunity to manage future development of this significant site in a logical and comprehensive manner that is responsive to market demand. The proposal will facilitate the subsequent lodgement of a development application for the staged redevelopment of the subject site in a planned and co-ordinated manner and facilitate the redevelopment of this gateway site within the short term.

The proposed changes to the built form controls are responsive to detailed site planning. For the reasons detailed in this report, the Planning Proposal is worthy of Council support.

Annexure 1: Supplementary Urban Design Study

Dee Why Town Centre

Master Plan

Contents

1. Plans

2. Elevations

3. Shading Analysis

1. Plans

Ground Level

KEY

- Retail
 - Resi Core
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
GROUND : RL 16.00



1. Plans
Parking -1, -2, -3.

KEY

Parking

Resi Core

Approved Stage 1 DA Outline

Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014

Approx. 336 car spaces.
(Based on SIDA numbers)



RL
P-1 (B1) : RL 12.10
P-2 (B2) : RL 9.30
P-3 (B3) : RL 6.40



1. Plans

Level 1

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Commercial
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL1 : RL 21.30



1. Plans

Level 2-3.

KEY

- Residential
- Resi corridors
- Resi core/storage spaces
- Approved Stage 1 DA Outline
Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL2 : RL 24.80
LEVEL3 : RL 27.90



1. Plans

Level 4 - 5

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL4 : RL 31.10
LEVEL5 : RL 34.20



1. Plans

Level 6.

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL6: RL 37.40



1. Plans
Levels 7.

- KEY
- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



1. Plans
Level 8.

KEY

Residential

Resi corridors

Resi core/storage spaces

Approved Stage 1 DA Outline

Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL8: RL 43.80



1. Plans
Level 9.

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL 9: RL 46.90



1. Plans
Levels 10-14.

KEY

Residential

Resi corridors

Resi core/storage spaces

Approved Stage 1 DA Outline

Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL10: RL 49.90
LEVEL11: RL 53.00
LEVEL12: RL 56.10
LEVEL13: RL 59.20
LEVEL14: RL 62.30



1. Plans
Level 15.

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL15: RL 65.40



1. Plans
Level 16.

KEY

Residential

Resi corridors

Resi core/storage spaces

Approved Stage 1 DA Outline

Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



RL
LEVEL16: RL 68.60

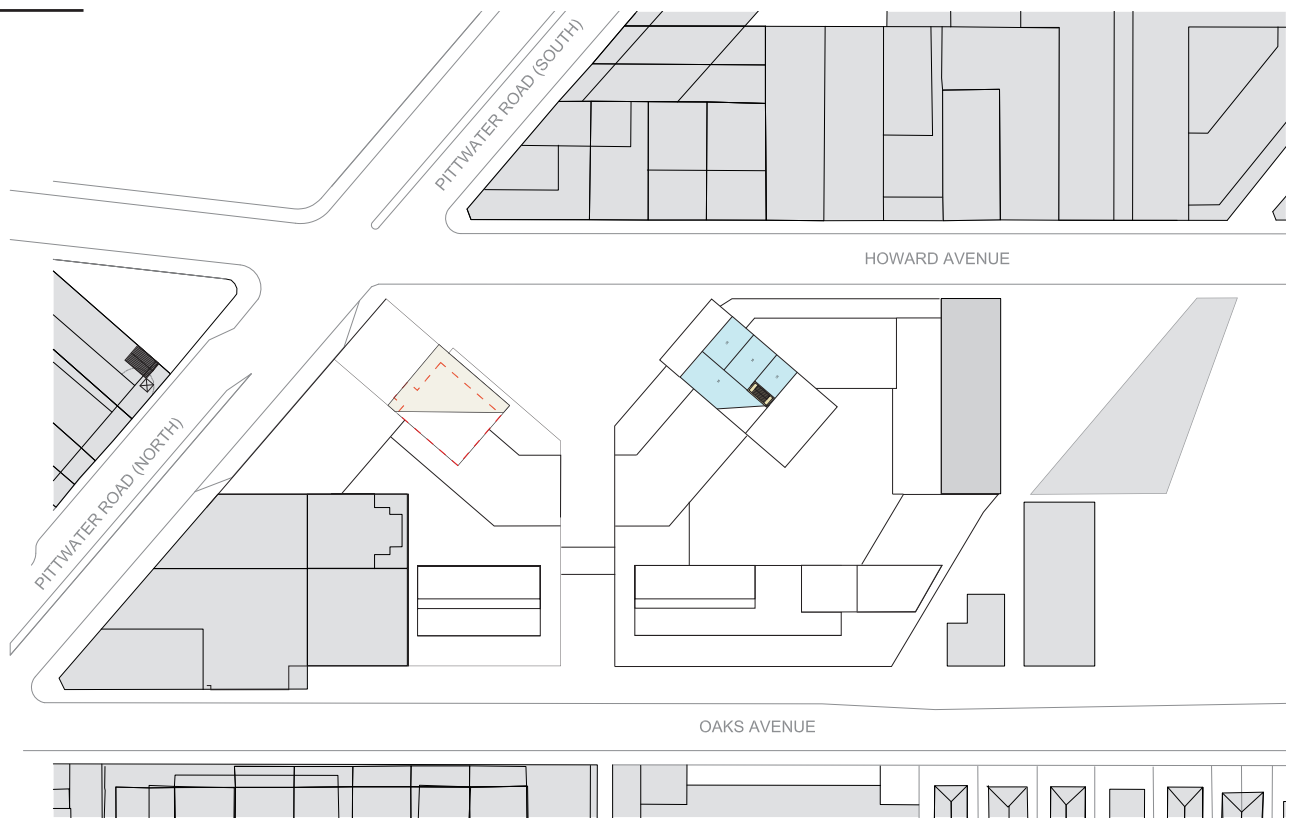


1. Plans

Level 17.

KEY

- Residential
 - Resi corridors
 - Resi core/storage spaces
 - Approved Stage 1 DA Outline
- Based on .cad file
"DRAWING1.dwg" provided by
Meriton on 04/06/2014



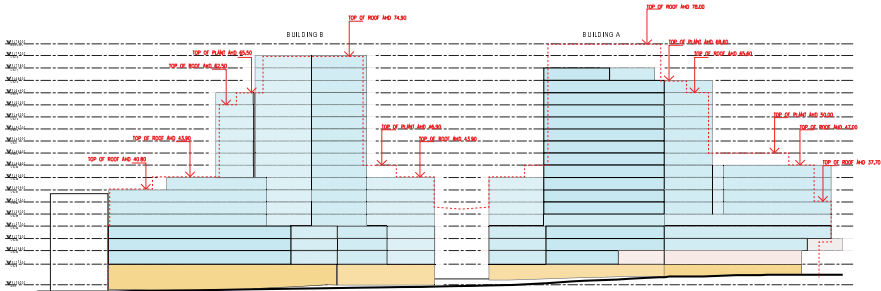
RL
LEVEL17: RL71.80



2. Elevations
Howard Ave.

KEY

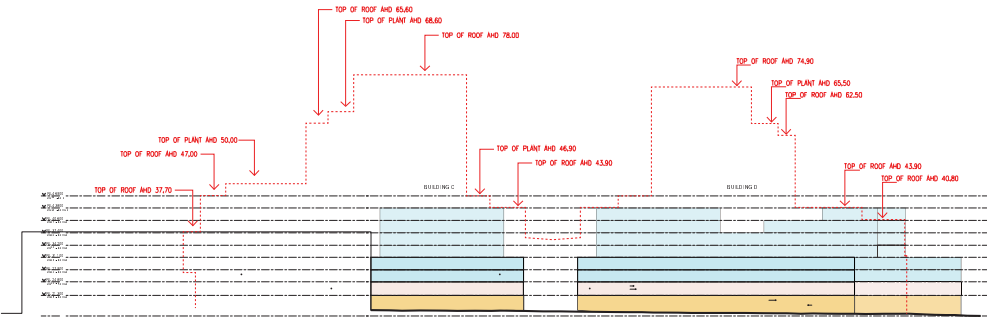
- Residential
- Retail
- Commercial
- Approved Stage 1 DA Outline
SIDA heights indicated



2. Elevations
Oaks Ave.

KEY

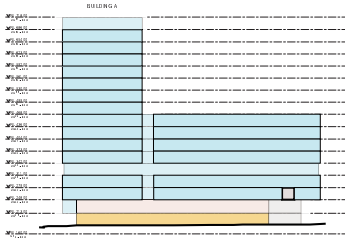
- Residential
- Retail
- Commercial
- Approved Stage 1 DA Outline
SIDA heights indicated



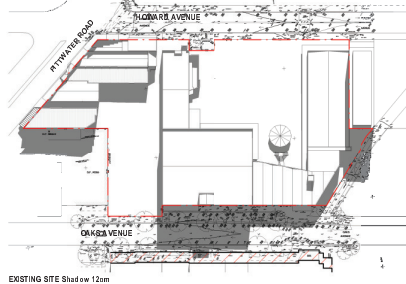
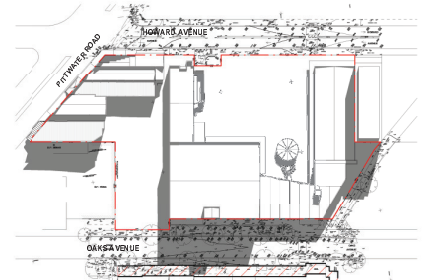
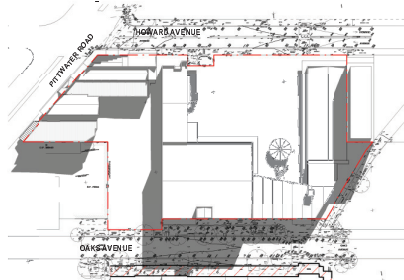
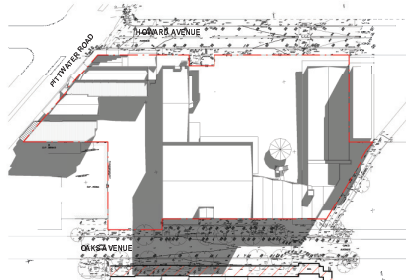
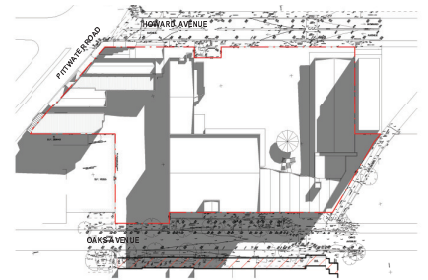
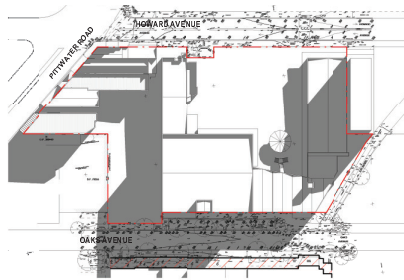
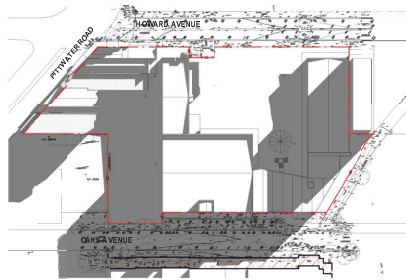
2. Elevations
Pittwater Road

KEY

- Residential
- Retail
- Commercial
- Approved Stage 1 DA Outline
SIDA heights indicated

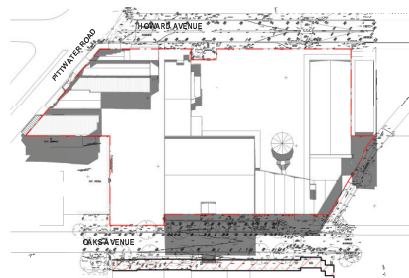


5. Shading Analysis Existing

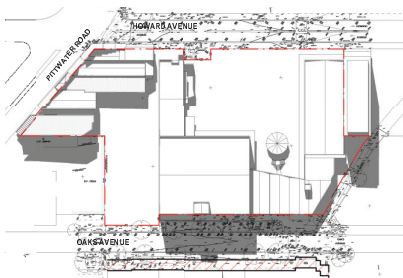


5. Shading Analysis

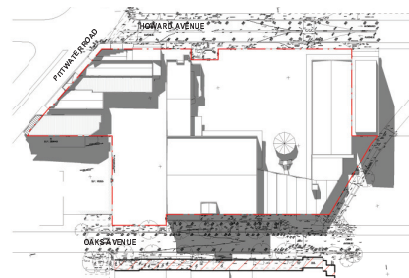
Existing



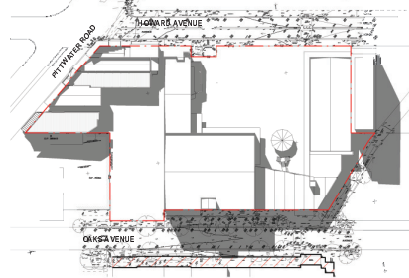
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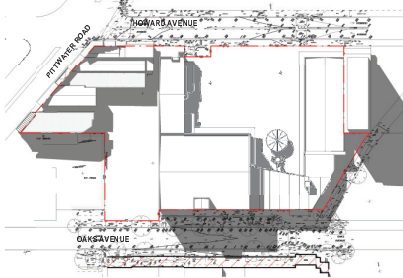
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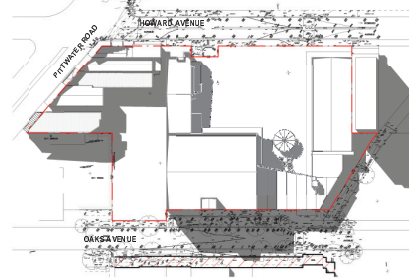
EXISTING SITE Shadow 1_30pm



EXISTING SITE Shadow 2pm

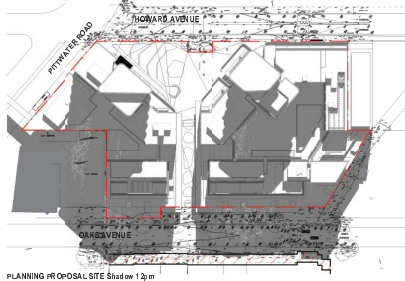
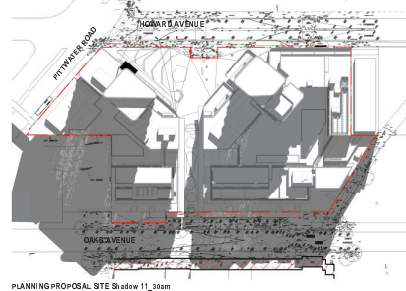
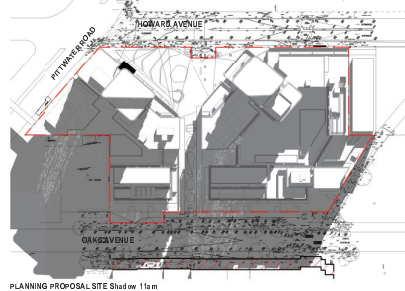
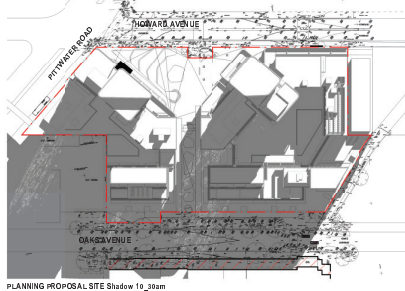
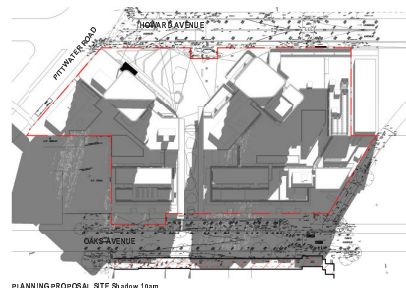
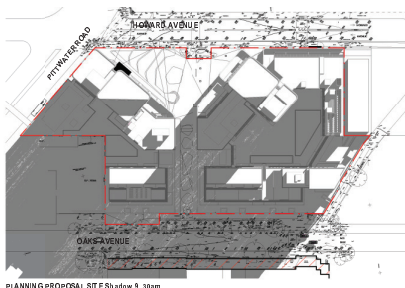
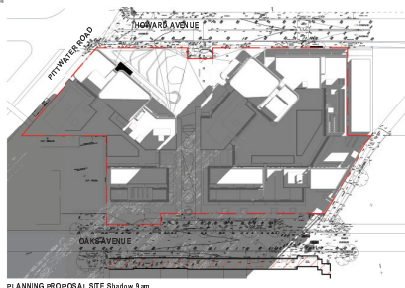


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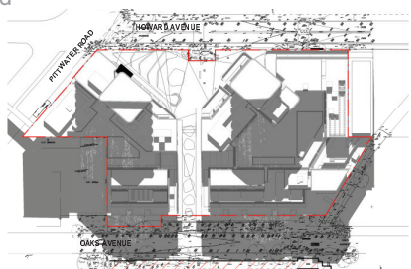
EXISTING SITE Shadow 3pm

5. Shading Analysis Proposed

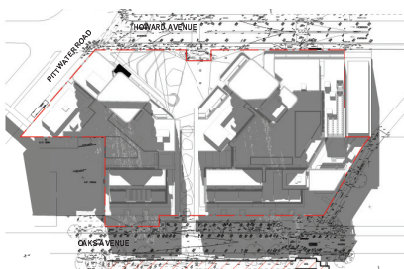


5. Shading Analysis

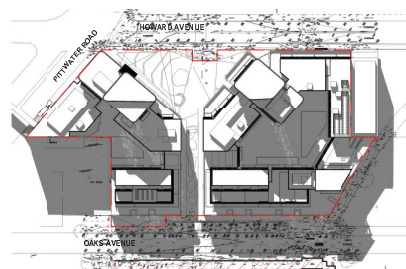
Proposed



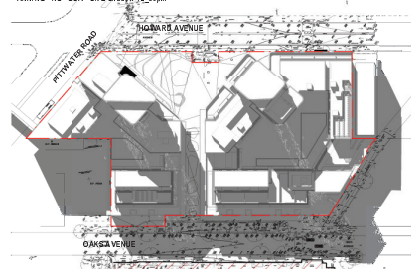
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PLANNING PROPOSAL SITE Shadow 1pm



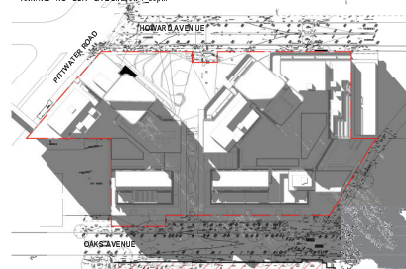
PLANNING PROPOSAL SITE Shadow 1_30pm



PLANNING PROPOSAL SITE Shadow 2pm



PLANNING PROPOSAL SITE Shadow 2_30pm



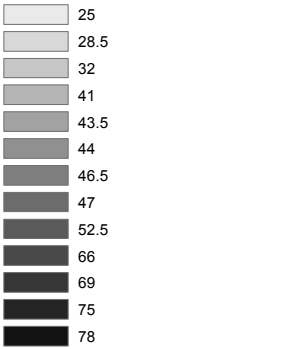
PLANNING PROPOSAL SITE Shadow 3pm

Annexure 2: Proposed LEP Height Map

(as amended Post-Gateway)

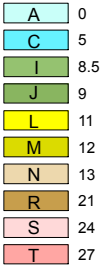
Meriton's additional proposed amendments to WLEP2011
Height of Buildings Map for 'Site B'

Maximum Building Height (RL)
Heights shown on map in RL (m)

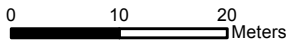
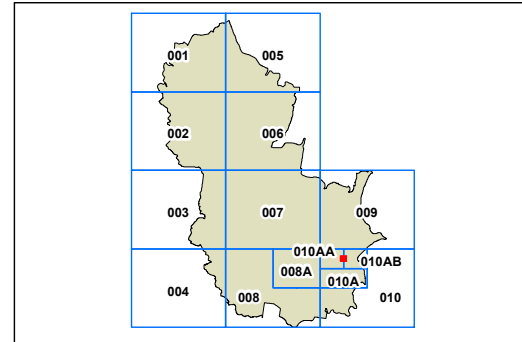


Area 1 Refer to Clause 7.7
Area 2 Refer to Clause 7.8
Area 3 Refer to Clause 7.9

Maximum Building Height (m)

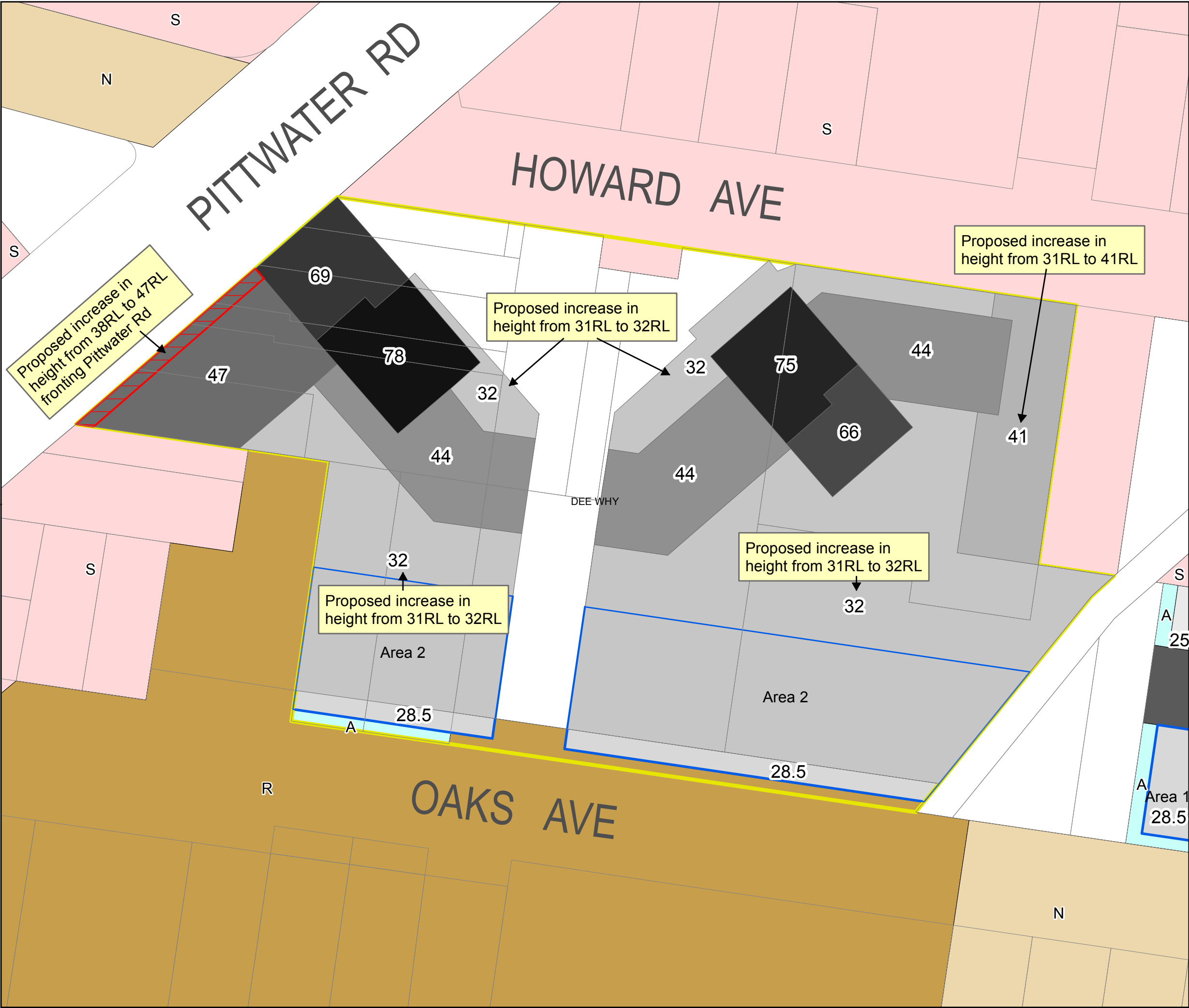


Cadastre
Cadastre 20/05/2015 © Warringah Council
Site B



Scale: 1:700 @ A3

Projection: GDA 1994
Zone 56



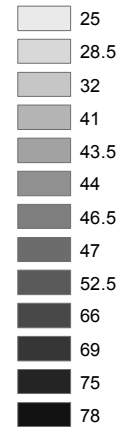


Warringah Local Environmental Plan 2011

Height of Buildings Map - Sheet HOB_010AA

Maximum Building Height (RL)

Heights shown on map in RL (m)

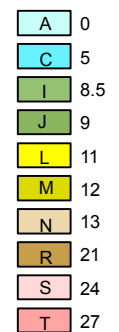


Area 1 Refer to Clause 7.7

Area 2 Refer to Clause 7.8

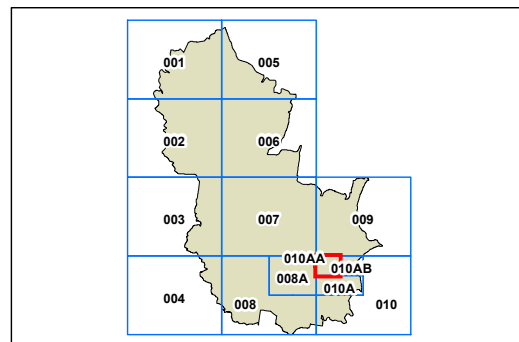
Area 3 Refer to Clause 7.9

Maximum Building Height (m)



Cadastre

Cadastre 21/05/2015 © Warringah Council

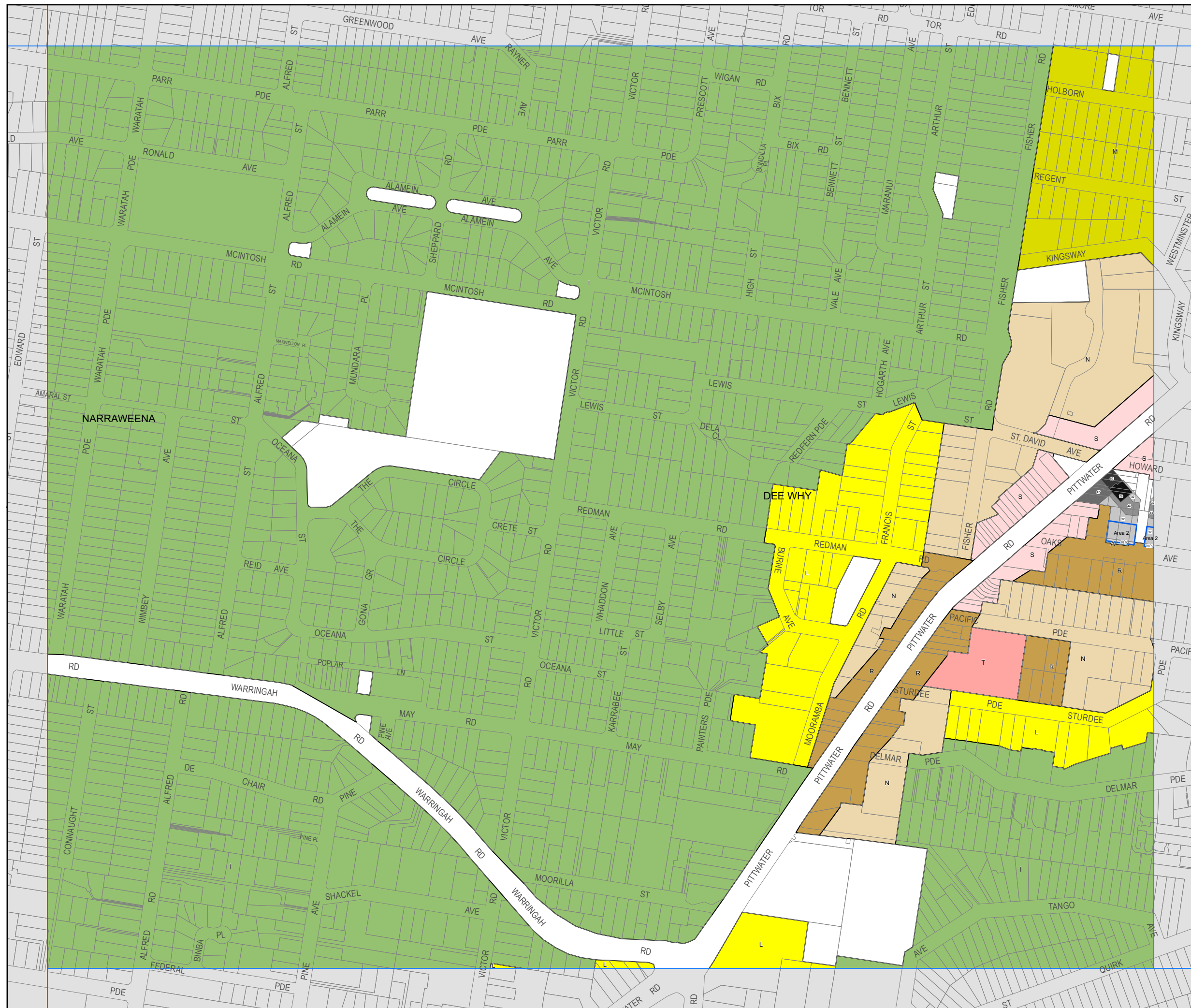


0 50 100 Metres

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number: 1800_COM_HOB_010AA_005_20150521



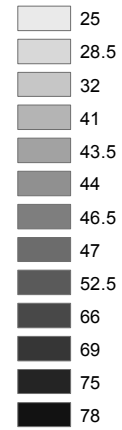


Warringah Local Environmental Plan 2011

Height of Buildings Map - Sheet HOB_010AB

Maximum Building Height (RL)

Heights shown on map in RL (m)

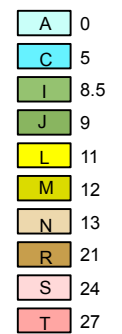


Area 1 Refer to Clause 7.7

Area 2 Refer to Clause 7.8

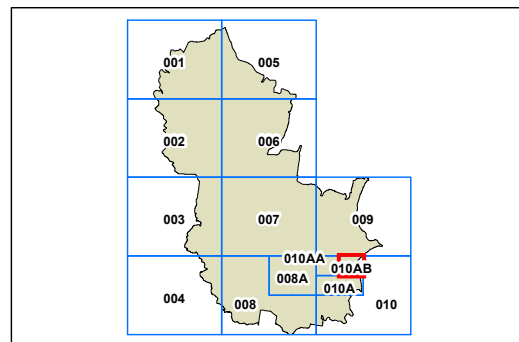
Area 3 Refer to Clause 7.9

Maximum Building Height (m)



Cadastre

Cadastre 21/05/2015 © Warringah Council

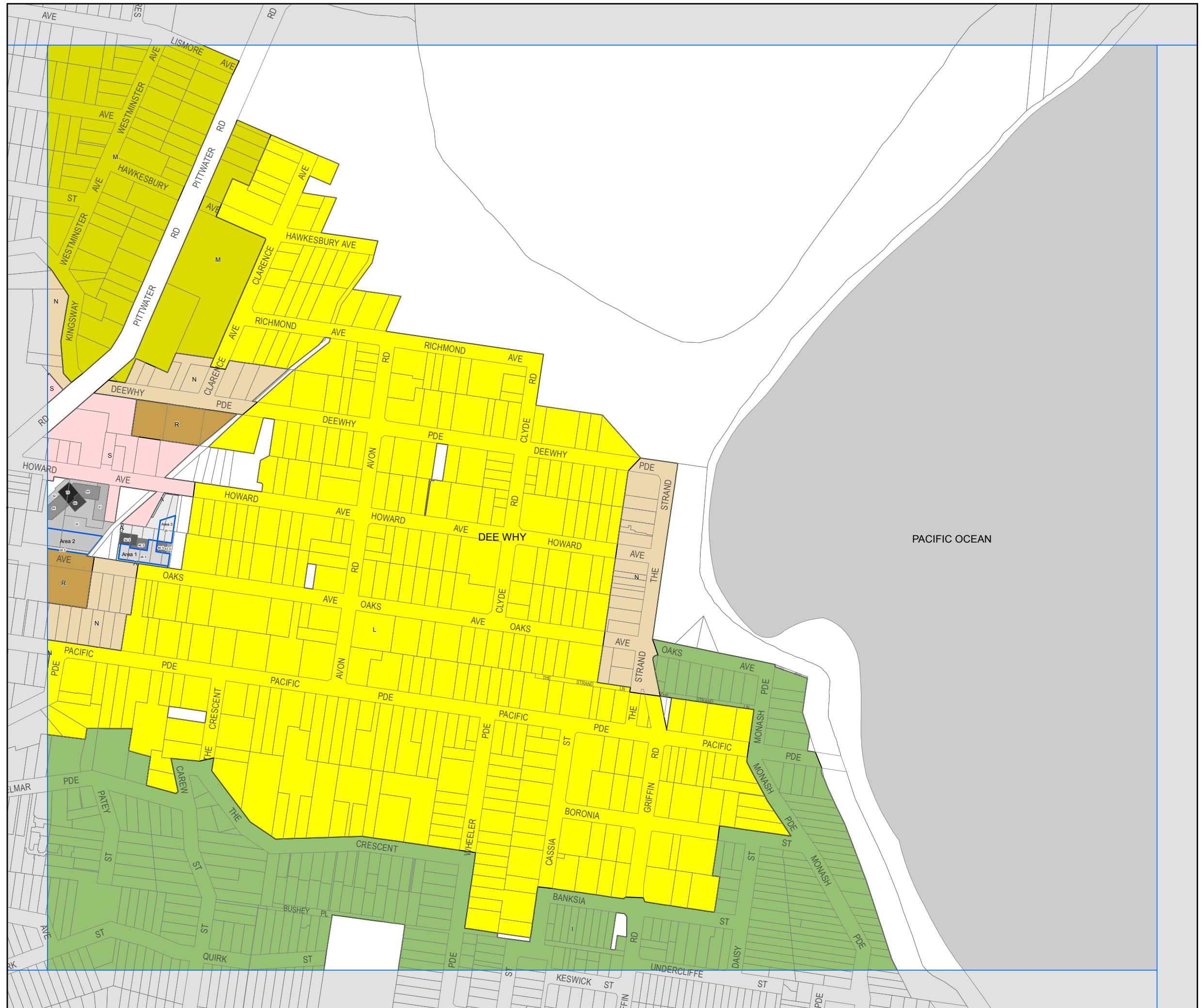


0 50 100 Metres

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number: 1800_COM_HOB_010AB_005_20150521



**Annexure 3: Schedule of LEP Clause
Additional Amendments**

LEP Clause Amendments

New text in **red bold**

Deleted text in ~~blue strikethrough~~

7.8 Site B Oaks Avenue above podium elements

7.8(3)

- (a) The total gross floor area of the components of the buildings above the podium level does not exceed ~~3,800~~ **4,600** square metres, and

7.10 Allowance for external ancillary plant and roof access

- (4) Despite clause 4.3, development consent may be granted to the erection of a building on land within Site B which exceeds the maximum building height on the Height of Buildings Map where:**

- (a) the component above the maximum building height accommodates plant and/or lift overruns.**
- (b) no additional floor space is provided above the maximum building height on the Height of Buildings Map.**

7.14 Pedestrian Footbridge

- (1) Despite clause 4.3(8A), development consent may be granted to the introduction of a foot bridge on land identified as Dee Why Town Centre Site B on the Key Sites Map to connect buildings within the site."***