

23 Fisher Road Dee Why Response to Submissions

On behalf of
Rose Group Pty Ltd
November 2018



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This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

This 'Response to Submissions' report has been prepared in response to the submissions received following the public exhibition of development application DA/2018/1574 for a mixed use development at 23 Fisher Road Dee Why.

The application proposes construction of a mixed use development comprising:

- 34 x 1 bedroom apartments/townhouses;
- 70 x 2 bedroom apartments/townhouses;
- 21 x 3 bedroom apartments;
- Lower-ground commercial floor space at corner of St David Ave and Civic Parade;
- 191 car parking spaces proposed in basement structures; lower ground level non-residential floor space at the corner of St David's Avenue and Civic Parade; and
- Use of Pacific Lodge for residential uses and subdivision of land (fit-out to be subject to a future application).

The DA was publically exhibited from 10 October to 3 November 2018, receiving a total of 3 submissions as provided on Council's DA tracking provided online.

1.1 Purpose and Structure of Report

This Report responds to the matters raised in the submissions. In consideration of the community submissions has been structured as follows:

- site description; and
- response to submissions.

2 Site Description

The subject site is located at 23 Fisher Road, Dee Why and is legally known as Lot 11 DP 577062. The site covers an area of approximately 10,620m² and is currently occupied by a disused aged care and assisted living facility previously operated by the Salvation Army.

The site is undulating in nature providing a relatively steep topography owing to its location on the spur between major hills to the west and south of the Dee Why town centre basin. The site ground level is elevated above adjoining street levels in most locations, especially along the St David Avenue and Civic Parade frontages, where retaining brick walls, rock faces, escarpments and outcrops occur at varying heights.

The site is located on the fringe of the Dee Why Town Centre as identified in the current LEP controls and the Dee Why Town Masterplan (draft LEP) and associated documents.

Varying land uses of both a public and private nature are located within the vicinity of the site. To the east and south of the site are a series of civic buildings including the Northern Beaches Civic Centre, Dee Why Police Station and Dee Why Fire Station. Immediately to the north is a three storey, with basement, residential flat building and beyond that the recently redeveloped Northern Beaches PCYC. To the west of the site is predominately low density residential development.



Figure 1: Subject Site
Source: SIX Maps

3 Proposed Development

The proposal is for the construction of 131 dwellings; use of an existing heritage item known as Pacific Lodge for residential purposes; lower-ground non-residential uses at corner of St David's Avenue and Civic Parade; and subsequent subdivision of that land. In summary the proposal will provide the following:

- o 39 x 1 bedroom apartments (30%)
- o 70 x 2 bedroom apartments (53.5%)
- o 21 x 3 bedroom apartments (16.5%)
- o Lower-ground commercial floor space at corner of St David Avenue and Civic Parade
- o Residential use of 'Pacific Lodge' and subdivision
- o 191 car spaces proposed all in the basement structure including
 - o 157 resident car spaces
 - o 34 visitor/business spaces
- o 150 bicycle parking spaces
- o Landscaping and establishment of communal open space

The proposed development has been sited and designed to suitably integrate with the wider development of the Dee Why Civic and Town Centre. The proposal is sympathetic to the existing and future character of the locality, providing an appropriate transition from a mixed use strategic centre into a residential area.

4 Response to Submissions

A total of 3 submissions from individual members of the community were received during the public exhibition period following lodgement of the Application. A number of the issues raised were similar in nature and have been grouped accordingly as illustrated in **Figure 2** below.

Submission No.	Bulk, Scale & Visual Impact	On Street Parking	Heritage	Land Use
1	✓		✓	
2	✓		✓	✓
3		✓		

Figure 2: Summary of Submissions Received
Source: Mecone

4.1 Bulk, Scale & Visual Impact

2 submissions raised the issue of bulk and scale of the site as well as visual impacts as a result of the site's location in an elevated location.

Table 1. Response to Over Development and Visual Impact Issues	
Issue	Response
Bulk and Scale	<p>The proposed development largely complies with all key building controls for the site relating to bulk and scale and will result in a positive development outcome at the site. Where the proposal does not meet or exceeds controls relating to bulk and scale, this has been adequately addressed in the SEE or in the Clause 4.6 variation statement submitted with the Development Application.</p> <p>The proposed development results in a minor exceedance of the height of building control which applies to the site. The minor exceedances occur at various points and can be attributed to the staggered ground levels caused by the site's topography. The areas exceeding the height plane include roof, plant equipment, upper level walls, and a small area of balcony fronting the northern boundary. No full levels are outside of the height plane. The highest point above the height plane is 2.9m above the 13m height standard (22.3% exceedance) however this is concentrated in a small portion of the site and will not result in any issues associated with bulk and scale.</p> <p>Overall, while minor non-compliances with development standards and building envelope controls are acknowledged, it is considered that these occur as a result of presenting a coherent and architecturally uniform development across the site. As demonstrated in the SEE, the bulk and scale of the development will not have an adverse impact on the surrounds and the proposal responds appropriately to the undulating nature of the subject site.</p> <p>It should also be noted that the proposed development is of a lower height than a scheme previously approved by Council in 2016.</p>
Visual Impact	<p>The proposal responds to the context of the area, topography of the site and utilises existing mature vegetation, as well as proposed further vegetation to ensure development integrates into the area at a scale appropriate for the Dee Why Town Centre. The development provides a scale of development appropriate to transition accordingly into more predominantly residential areas to the west.</p> <p>Furthermore, the proposal will not result in any view loss or result in development which reduces the visual quality of the site, rather it will replace aging building stock surplus to requirements for the purpose of an aged care facility.</p>

4.2 Traffic and Parking

1 submission raised issues about on street parking provisions within the area.

Table 2. Response to Access, Traffic and Parking Issues	
Issue	Response
On Street Parking	It is considered that on-street parking is a matter for Council and not of relevance to the subject application. The development is wholly compliant with DCP car parking controls and is located close to public transport services provided in the area. Therefore, the impact on on-street parking is expected to be minimal.

4.3 Heritage

2 submissions raised the issue of the impact of the development on the the Heritage listed Pacific Lodge.

Table 3. Response to Heritage Issues	
Issue	Response
Character and landscape setting of Pacific Lodge	<p>The proposed development has been designed to respond appropriately to Pacific Lodge through the implementation of appropriate setbacks, responsive landscape design and continued heritage conservation intentions in line with the conservation management plan.</p> <p>The development retains the landscape setting and curtilage of the heritage building, with the residential development set back significantly from the heritage item.</p> <p>The proposal also retains significant landscape elements, (both natural and cultural) including the switchback path from Civic Parade, and proposes further landscaping to compliment and provide buffer zones between the heritage item and new built form.</p>
Future Use	<p>The proposed development is not anticipated to have any adverse social or economic impacts on the heritage item.</p> <p>The building was built for the purpose of being a residence, with the proposed reintroduction of residential use considered to be the optimal heritage outcome.</p>

4.4 Land Use

1 submission raised the issue development consent not being granted to a residential flat building in a B4 Mixed Use zone with a dwelling on the ground floor.

Table 4. Response to Land Use Issues

Issue	Response
LEP Clause 6.7 – dwellings on ground floor of B4 Zone	<p>The proposed development will vary the WLEP 2011 Clause 6.7 development standard by limiting commercial uses to the south east corner of the site adjacent to the civic site. This will ensure commercial activation of land closest to the civic centre.</p> <p>The remainder of the site will comprise ground floor residential uses due to the sloping, undulating nature of the subject site which makes commercial uses unlikely to be desirable or viable. Furthermore, limiting the provision of commercial development to the south east corner will ensure that the remainder of the site transitions appropriately between the residential areas located to the west.</p> <p>This view is shared by Council who have recently proposed amendments to the WLEP 2011 to discount the application of this clause to the subject site.</p> <p>Nevertheless, a detailed Clause 4.6 variation has been submitted as part of the development application requesting that this development standard be varied.</p>

5 Conclusion

This Report has been prepared in response to the submissions received following the public exhibition of the DA/2018/1574.

The DA was publicly exhibited from 11 October to 14 November 2018. A total of 3 submissions were received during this period. This Report provides a direct response to the issues raised in the submissions.

The proposal will provide a residential mixed use development of appropriate scale and intensity, which will encourage the use of public transport as well as walking and cycling. The land use mix of predominantly residential uses with a commercial component has been proposed in response to the transitional nature of the site, being located between low density residential zoning to the west and the Dee Why town centre mixed use zone to the east.

The proposal is considered consistent with the objectives of the current B4 mixed use zone and future land uses as set out in the Dee Why Town Centre Master Plan and generally complies with relevant planning and environmental controls applicable to the project site, as outlined in the Warringah LEP 2011 and Warringah DCP 2011.

Overall, it is considered that the proposed development will provide a positive urban development outcome within the locality which appropriately responds to the context of the area. Furthermore, we trust that the issues raised in submissions have been adequately addressed in this response document.

