
Sent: 28/06/2015 11:04:41 PM
Subject: PEX2014-0004 Site B DYTC
Attachments: PEX2014-0004 proposed changes Site B DYTC.doc;

Submission attached.

77 Brighton Street
Curl Curl NSW 2096
Phone: 9938 3459
Email: aesharp@bigpond.net.au

28th June 2015

To: Warringah Council
Civic Centre, 725 Pittwater Road
Dee Why NSW 2099

RE: PEX2014/0004

Planning Proposal for 'Site B' Oaks and Howard Avenue Dee Why
Amended as per Gateway and Additional Proposed Changes

Dear Sir/Madam

I wish to object to site specific changes to the WLEP2011 that would allow the following:

- An increase in residential development on the site.
- Tall buildings that cover a larger area than the footprint of the approved towers.
- The loss of commercial floor space that would reduce the capacity for the site to fulfil the intended function of the Dee Why Town Centre as a regional commercial centre.

The proposal would result in substantial changes to the mixed use development, notably a substantial reduction in commercial and retail uses.

Site 'B' has special advantages for commercial use, including

- Proximity to major bus stops in Pittwater Road
- Proximity to 136 bus route between Manly and Chatswood
- DY Town Square, which provides a focal point for pedestrian activity

The site is strategically located to provide convenient access for jobs, as it located at the intersection of bus routes travelling along both north-south and east-west directions.

The retention of commercial and retail floor space is consistent with the B4 Zone Objective:

- *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.*

Ceiling heights for floors identified for commercial use should be of sufficient height to accommodate that use. This allows for flexibility of use and retains scope for employment.

To replace the commercial and retail floor space with residential use would reduce the opportunity and capacity to provide jobs in the Dee Why Centre. A target of 4,000 additional jobs in the Dee Why–Brookvale Major Centre is included as an action in the Draft North East Subregional Strategy.

Dee Why has been identified as a commercial centre and complements the role of Brookvale, which has areas set aside for light industrial use.

The 'mixed use' development (approved under DA2007/1247) is predominantly for residential use. The planning proposal seeks to reduce the commercial component by more than two thirds so that considerably less floor space would be allocated for non-residential use.

The proposed reduction in commercial floor space is very short-sighted and does not consider the longer term employment prospects or opportunities for employment growth in DYTC.

The reduced scope for employment would also compromise the strategic objective to achieve greater self-containment of employment on the Northern Beaches.

Commercial uses on the three lower floors are an integral part of the approved land mix for the site.

“The surrounding building topology is of a mixed gain with older style commercial buildings generally ranging in height from two to three stories with a mixture of retail on the ground floor and commercial above.” (Economic Report)

For Site B, ground floor retail and commercial on the two floors above is consistent with existing commercial buildings in DYTC. Older style commercial buildings are likely to be replaced progressively. Non-residential use should continue to apply to Site B to ensure the ongoing provision of commercial premises.

“As Dee Why is defined as a Strategic Centre in Sydney’s Metropolitan Plan 2014, it will need to ensure integrated retail, office and employment opportunities that stimulate economic growth for the Northern Beaches and wider subregional locality.” (Economic Report)

The planning proposal would result in a significant decrease in employment potential on the site. The resulting net increase of jobs (est. 127) would be very small for such a large development in a key location. The employment potential for development on Site B should not be reduced.

Re Section 117 Direction 1.1 Business and Industrial Zones.

S117 Direction 1.1 objectives are to:

- a) encourage employment growth in suitable locations;*
- b) protect employment land in business and industrial zones;*
- c) support the viability of identified strategic centres.*

The planning proposal is not consistent with the objectives of this Direction. The proposal would reduce rather than encourage employment growth on a key site; would not protect employment land in a commercial precinct; and would undermine the viability of the strategic centre.

The planning proposal reduces [significantly] the total potential floor space area for employment uses and related public services in business zones.

The Economic Report does not justify inconsistency with this Direction.

PROPOSED AMENDMENTS to WLEP2011 – Part 7 Local Provisions
Clause 7.3 – *Objectives for Development within Dee Why Town Centre*

Clause 7.3 (i): *To establish ground floor levels that are occupied by retail uses that:*

(ii) provide a mix of retail shops, cafes and restaurants at the edges of street, pedestrian areas and open spaces, and

The proposed change to replace retail 'shops, cafes and restaurants' with retail 'uses' would increase the range of permissible retail uses, but this in turn could reduce the level of activation at the edges of street, pedestrian areas and open spaces. Interestingly, the WLEP2011 dictionary includes a definition of 'retail premises', but 'shops' is only included in a list of uses under 'retail premises'.

Clause 7.3 (j)

“To accommodate additional employment opportunities, service functions and space for business, consistent with the role of Dee Why as a major centre, by providing at least 2 levels (excluding the ground floor) of development for non-residential purposes”.

The Planning Proposal seeks to change this sub-clause to:

“To accommodate additional employment opportunities, service functions and space for business, consistent with the role of Dee Why as a major centre”.

I do not support the amendment to this sub-clause to remove the prohibition of residential development on building levels above the ground floor. This amendment would reduce the provision of employment generating (commercial) floorspace on the site from 37,600 sqm to only 11,536sqm i.e. less than a third.

The requirement for *“at least 2 levels (excluding the ground floor) of development for non-residential purposes”* is an important provision for employment on Site B and should be retained.

Clause 7.12 – *Provisions promoting retail activity*

Clause 7.12 (2)

I do not support the proposed changes. The prohibition of certain land uses on the lower floors of the development has a practical outcome in matching certain usages with pedestrian activity.

Increasing the range of permissible commercial uses by allowing medical centres and office premises on the ground floor would allow commercial usages that do not “provide active and engaging shopfronts”. Medical centres usages are better located on the first floor of the development and office premises on the second floor – as required in the existing clause.

Introducing “land use flexibility” as proposed will compromise employment generating outcomes for the site.

Delivering 'active and engaging shopfronts' is a land use issue to be considered in conjunction with the LEP not at the DA stage.

Medical centres and office premises on the ground floor would not activate the Town Square as well as shops / retail uses. Medical facilities and office premises are likely to continue to be located in DY, which is a convenient location for residents living in surrounding areas, and for those who can easily access the N-S transport corridor.

PROPOSED ADDITIONAL CHANGES

I do not support the following proposed amendments to the WLEP2011:

Amend the LEP height map to achieve the following:

- *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.

The development is already of a substantial size and scale and the proposed increase in height would have a greater impact within the site and surrounding area. The tall towers on Site B were a concession in return for open space in the form of DY Town Square. Additional height increase is not warranted.

The increase in street wall height to Pittwater Road would be visually intimidating and exceed the desired podium height limit, which is intended to be at a human scale, adjacent to Pittwater Road.

The increase in the quantum of floor space would intensify development on the site, increase the bulk and scale of the building, and have adverse impacts on surrounding areas.

The following amendment, to include a pedestrian footbridge at first floor level, has a functional advantage and could be acceptable, providing that site specific controls are included in the LEP and the pedestrian footbridge has architectural merit.

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.

Yours sincerely

Ann Sharp