

## Submissions to Dee Why Town Centre Planning Controls

### Issue related submissions

Issue	Comments	Response	Amendments
<b>Probity</b> <i>Community</i>	Council has a conflict of interest with respect to the Civic Site, Site A and Site E (x 3).	See attached Probity Report and External Assessment.	None
<b>Traffic</b> <i>Community</i>	Raise street level from May Road to Lismore Road – on roof entrances to shops at one storey high.	Amendments to Pittwater Road are outside the scope of this Planning Proposal. This is a State Road managed by the Roads and Maritime Services. Significant changes are currently being made by Transport for NSW to accommodate the new B-Line Bus Service (see <a href="https://yoursay.b-line.transport.nsw.gov.au/dee-why">https://yoursay.b-line.transport.nsw.gov.au/dee-why</a> ).	None
<i>Community</i>	New roads through Key Site C (Woolworths) and Site A (Oaks/Howard Car Park) will not assist in alleviating already congested local street.	The new link roads are essential to improve traffic flow through the town centre and allow greater dispersion of traffic to the north and south of the town centre.	None
<i>Community</i>	Road capacity should be increased prior to any new development x 2.	The Planning Proposal does not allow for significant further development in light of existing traffic network constraints.	None
<i>Community</i>	Traffic reduction schemes should be implemented instead of new roads.	The new through-roads will improve traffic connectivity within the town centre and alleviate the use of residential streets such as Avon Road. Other initiatives to reduce traffic within the town centre include: <ul style="list-style-type: none"> <li>- TfNSW's B-Line Service</li> <li>- Council's proposed DCP controls encouraging the provision of car share</li> <li>- Council's street and open space upgrades</li> </ul>	None
<i>Community</i>	Council should consider local transport and shuttle bus service.	This feedback is not relevant to the Planning Controls and should be provided in response to Council's Move Transport Strategy.	None
<i>Internal</i>	The proposed bonus controls have the potential to impact on targets set within the Brookvale Structure Plan, which takes into account limits set by the 2012 Transport management and Accessibility Study (TMAS).	The minor increase in densities on Key Sites C and D are required at this time in exchange for essential community infrastructure to improve the local traffic network. These bonus density controls were developed having regard to sensitivity analysis testing by GHD in 2014. It is noted that the widening of Pittwater Road is already taking place as a result of the B-Line road network improvements. This was a recommended large scale network improvement identified in the 2012 TMAS along with the potential need for grade separation at the intersection of Warringah Road and Pittwater Road.	None

Issue	Comments	Response	Amendments
		Council is currently working with TfNSW and the RMS to progress a revised Transport Management and Accessibility Study (TMAS) for the combined strategic centre of Brookvale – Dee Why. Until the TMAS is updated, Council cannot consider significant increases in density in the Town Centre.	
<b>Pedestrian safety</b>			
<i>Community</i>	There is a missing North-South link between Site C and Stony Range (particularly between Sturdee & Delmar Parades).	Changes have been made to the exhibited DCP to encourage further pedestrian connections.	DCP Updated
<i>Community</i>	New roads will not improve pedestrian amenity and should be pedestrian only x 3.	Council's adopted traffic scheme requires new roads through Site A and Site C to cater for future development within the Town Centre. As part of the Development Assessment process with the redevelopment of these sites, Council will ensure the new roads are designed for pedestrian safety, including wide footpaths, landscaping and traffic calming measures. Provisions in the DCP have been updated to promote pedestrian safety.	DCP Updated
<i>Community</i>	New pedestrian bridge required over Pittwater Road.	A new pedestrian bridge over Pittwater Road was earmarked to link the new Meriton development with Key Site F (the Carlyle, formerly known as Cobalt). As the Carlyle chose to proceed under the existing planning controls, this concept did not progress. However, further pedestrian connections should be considered with any new developments in the Town Centre. Whilst Council has no power to enforce this as a requirement, the DCP has been strengthened to encourage further pedestrian connections, including pedestrian bridges where feasible.	DCP Updated
<i>Community</i>	Lack of accessibility provisions in the DCP, particularly for the Civic Centre Site.	Accessibility provisions will be addressed upon redevelopment of individual sites (Building Code of Australia). However, the DCP has been updated to ensure the public domain provides accessibility for people of all ages and abilities.	DCP Updated
<i>Community</i>	Improvements needed to make Dee Why pedestrian friendly.	Council has commenced a program of street and public open space works to improve pedestrian amenity (see <a href="https://yoursav.northernbeaches.nsw.gov.au/DYTC-streetscape">https://yoursav.northernbeaches.nsw.gov.au/DYTC-streetscape</a> ).	None
<b>Parking</b>			
<i>Community</i>	Council should provide more public car parking spaces (x2).	Council has recently opened the PCYC which includes a 348 space carpark with 120 commuter parking spaces, and the provision of public parking will also be a consideration in the sale of Site A. For future developments, the provision of parking for users of retail and commercial spaces within mixed use development is the responsibility of said development. This reduces the reliance on publicly owned land for the provision of parking, allowing more space for community facilities, and more funds to improve the public domain.	None
<i>Community</i>	Developer Contributions Plan should	A Contributions Plan is being prepared concurrently. A draft Plan will be exhibited late 2018	None

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<i>Community</i>	include public car parking provision. Object to reduced car parking and car share spaces for larger development as on street parking is difficult in the area x2.	to advice on what public infrastructure will be provided. A reduction in parking rates within the Dee Why Town Centre is proposed for the following reasons: - The 2012 TMAS identified the need for parking in new developments to be more restrictive than the rates currently applied by Council to manage traffic demand arising from future developments; and, - In any assessment of future developments, Council cannot refuse the application if it complies with the minimum car parking requirements as specified in the RTA Guide to Traffic Generating Developments (GTTGD - see Clause 30 of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and Part 31 of the Apartment Design Guide). As a consequence, the proposed parking requirements merely reflect the minimum required rates in the GTTGD. There is also scope to further reduce parking in the future as people become more reliant on public transport and the sharing economy (initially car share and eventually autonomous vehicles). In recognition of changing trends, the exhibited DCP contained provisions encouraging car share spaces to reduce reliance on private vehicle ownership.	None
<i>Community</i>	Propose further reductions in car parking requirements within the Town Centre, particularly in relation to 3-bedroom or more dwellings. Car parking rates to also be <i>maximum</i> rates.	Council cannot encourage any further reduction in parking in the absence of further traffic analysis or updated Policy from the NSW Government. Council understands the NSW Government will be releasing Policy in this space in the near future.	None
<i>Community</i>	The proposed reduction in car parking provision should not be limited to shopping centre complexes.	Reduced parking rates for office and business premises may be considered as part of a merit based assessment.	None
<i>Internal</i>	Provision should be a made for more car share spaces.	More car share spaces can be considered as part of a merit based assessment.	DCP Updated
<i>Internal</i>	Above ground parking should be discouraged. If required, it can be considered as part of a merit based assessment.	The Masterplan recommended that all car parking will be required to be provided underground or not be visible from public streets, thoroughfares, parks or plazas and only be permitted to be underground or within a maximum of 1 podium level above ground level. It is proposed to remove this allowance as this can be considered on a case by case basis part of a merit based assessment. If above ground parking is proposed, provisions in the Apartment Design Guidelines will ensure adequate screening is provided to improve the public domain.	Planning Proposal and DCP updated
<i>Internal</i>	Allowance should be made for electric	The DCP has been updated to reflect this requirement.	DCP Updated

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	vehicles charging points in recognition of the North District Plan Actions and to accommodate emerging transport technology.		
<b>Drainage</b>			
<i>Community</i>	Renewal of clay pipes is required.	Council has commenced works to improve major public drainage infrastructure in the Town Centre. Visit <a href="https://yoursav.northernbeaches.nsw.gov.au/dee-why-town-centre-drainage">https://yoursav.northernbeaches.nsw.gov.au/dee-why-town-centre-drainage</a> .	None
<i>Community</i>	Extensive excavation for underground car parking may not be possible due to high water table, sea level rise and potential flooding of Dee Why Lagoon.	The water table is shallow in many parts of the CBD. Any excavation that intercepts the water table is Integrated Development and requires the approval of Water NSW. Flooding in Dee Why Town Centre is driven by overland flooding as opposed to backwatering from the lagoon. In this regard sea level rise is not expected to exacerbate flooding of excavations in the Town Centre.	None
<i>Community</i>	Concerns regarding subsidence.	Council is unaware of any subsidence in the town centre. Any reports of subsidence need to be reported through to the correct parties (i.e. Council's compliance division, the Principal Certifying Authority and Water NSW).	None
<i>Community</i>	Replace concrete culvert with more natural design.	'Daylighting' of the culvert through Dee Why Town Centre was investigated in the Dee Why South Catchment Floodplain Risk Management Study, 2014. It was not progressed however due to the high costs of having to completely rebuild the culvert. This would also increase flood levels as the culvert is under pressure in sections and can pose a safety risk during flood events.	None
<b>Community Infrastructure</b>			
<i>Community</i>	Provide new swimming baths and showers.	There are no plans for the provision of new swimming baths and showers in addition to those provided at Dee Why beach.	None
<i>Community</i>	3m height increase for public space needs to be quantified.	The Planning Proposal explains that the additional height is compensated for by lower podiums which will allow for better sunlight access to public places and a better urban design outcome.	None
<i>Community</i>	Community and recreation facilities should be distributed. The eastern side of Pittwater road should be considered given this is highly utilised.	Council adopted a position to place community facilities on the Civic Site with the 'Community Hub' concept adopted in a report to Council December 2012 and in the 2013 Masterplan.	None
<i>Community</i>	Council should consider the provision of open space.	Council has acquired open space in the Town Centre and has also recently completed the expanded, new Walter Gors Park. As well, the new road through Site C and laneway through Site E will contribute to more open space in the Town Centre.	None
<i>Internal</i>	Clarification sought as to where the	A detailed description of the public works associated with the Key Sites C, D and E was	DCP Updated

Issue	Comments	Response	Amendments
	<p>'certain public works' in the 'new local provision' are listed/stated.</p>	<p>excluded from the Planning Proposal as Gateway conditions required Council to remove any references to the provision of contributions, infrastructure, improvements, and dedication of land and/or undertaking of works in exchange for additional development density. This is unlike the detailed description of the Town Square and Pedestrian Connection associated with Key Site B described in clause 7.11 of WLEP2011. Consequently, the Planning Proposal does not include a detailed description of the public benefits required in exchange for additional building heights. However, it is recognised that there is a need for adequate description of the intended public works in the planning controls. The DCP has been updated to detail the community infrastructure requirements for development bonuses on Key Sites.</p>	
<p><b>Building Heights</b></p> <p><i>Community</i></p>	<p>Additional building height will block views x 2.</p>	<p>The principles of view sharing have formed the basis for the proposed building height limits set within the Dee Why Town Centre. As well, building height increases on Key Sites C and E are based on a trade-off for open space as demonstrated in the Meriton development. The intent is to provide a gradation of built form height from the Meriton towers to the perimeter 3-storey residential apartments surrounding Dee Why Town Centre.</p>	None
<p><b>Podiums and setbacks</b></p> <p><i>Community</i></p>	<p>Most new developments do not have podiums – does this mean developments will simply get a one floor increase?</p>	<p>The 3m increase in building height is linked to the reduction in podium levels, with the objective of encouraging floor space into slimmer, slightly taller buildings in order to activate the ground level, allow greater solar access and reduce the visual dominance of buildings at the street level. Although podiums are encouraged throughout the commercial Town Centre, they may not be suitable on all sites and this can be determined via a merit assessment. In these cases, building bulk will be assessed using floor space ratios and design criteria in the Apartment Design Guidelines. However, podiums are not considered appropriate on lots that share a boundary with the Civic Site containing apartment style housing and landscape setbacks. These sites are separated from the Town Centre and are unlikely to be redeveloped with an active building front. Recommendation: Amend the publicly exhibited building heights map by excluding a 3m height increase for lots that share a boundary with the Civic Site containing apartment style housing.</p>	Planning Proposal updated
<p><i>Internal</i></p>	<p>Minimum setbacks for podiums facing roads – is the extent of greater setback defined? i.e. is 100mm additional setback satisfactory.</p>	<p>With respect to the setbacks, recommendations in the Masterplan set minimum kerb and tower setbacks that were narrower than the desired setbacks under the WDCP2011. For example, the current DCP requires setbacks from the kerb of 5m on Pittwater Road and 8m on the northern side of Oaks Avenue, whereas the Masterplan proposes minimum setbacks</p>	Planning Proposal and DCP updated

Issue	Comments	Response	Amendments
		<p>from the kerb of 4m wide and 3.6m wide. If the Masterplan recommendations relating to setbacks were adopted as part of the WLEP2011 as recommended, there is concern that these requirements would over-ride the desired setbacks in the DCP, with a risk that new developments would be inconsistent with setbacks of existing developments. It would also erode the opportunities for enhanced pedestrian safety, landscaping and outdoor dining.</p> <p>Recommendation:</p> <ul style="list-style-type: none"> <li>Retain provisions within the existing WDCP2011 that allow greater setbacks than the minimum specified in the Masterplan;</li> <li>Exclude provisions from the Planning Proposal relating to setbacks for podiums and podium elements (i.e. towers) as these will be included in the DCP.</li> </ul>	
<b>Floor Space Ratios</b>			
<i>Community</i>	Does the introduction of FSRs mean there will be more open space for community or the environment?	FSRs have been introduced into the Dee Why Town Centre to control the scale and density of development. The provision and embellishment of open space has been identified through the Master Plan process. This includes the recently completed Walter Gors Park and Redman Road Plaza and proposed traffic and streetscape improvements. The development of Key Sites will provide more open space in the form of roads and access ways.	None
<i>Community</i>	That the exclusion of clause 4.6 variations to the height control be extended to exclude variations to the floor space ratio controls.	Although this matter did not specifically raise a conflict of interest, this submission was considered via an external assessment as it raised probity concerns. In summary, the external assessment concluded there no justification for excluding the floor space ratio controls from the application for clause 4.6 and the beneficial planning outcomes outweigh the implicit lack of certainty. Council will review the effectiveness of the proposed FSRs in the development of the new Local Environmental Plan to be submitted to the Department by June 2021.	None
<b>Amenity</b>			
<i>Community</i>	Dee Why has poor amenity.	Through the implementation of the Dee Why Town Centre Master Plan, Council is seeking to revive Dee Why Town Centre by providing improved street and public open space upgrades and updated planning controls to ensure amenity is improved. It is the vision of the Master Plan to create an attractive, liveable and thriving centre by the sea, featuring new community facilities, attractive streetscapes and new open spaces and additional car parking spaces.	None
<b>Retail Activity</b>			
<i>Community</i>	That the heading of clause 7.12 of WLEP 2011 "Provisions promoting retail activity" be amended to include the promotion of commercial activities.	This submission was considered via an external assessment as it referred to a potential conflict of interest. In summary they recommended that the heading to clause 7.12 be amended. Suggested wording is "Provisions promoting non-residential activities" or "Provisions promoting non-residential activities at ground and first floor levels". This	Planning Proposal updated

Issue	Comments	Response	Amendments
<i>Internal</i>	Any further development in Dee Why must have regard to the North District target of providing an additional 6000 jobs within the Brookvale-Dee Why Strategic Centre by 2036 with a strong emphasis on maintaining the existing mix of uses so that “Brookvale-Dee Why continues to perform strongly as a well-balanced, self-sustaining combined centre”.	<p>recommendation is supported by Council and it is suggested the title be amended to ‘provisions promoting retail and economic activity’.</p> <p>Currently, developments in Dee Why outside of Key Site A and B are only required to provide non-residential uses on the ground floor as required under Clause 6.7 ‘Residential Flat Buildings in Zone B4 Mixed Use’.</p> <p>Except for those developments with apartment style housing adjoining the Civic Site, and existing residential flat buildings such as those on the northern side of Pacific Parade, Clause 6.7 can lead to the reduction of employment floor space as older developments with two levels of retail and/or commercial floor space are replaced with new developments with just one floor. This would be inconsistent with the Ministerial Direction 1.1 Business and Industrial Zones and would be in conflict with Actions of the North District Plan to contribute to the employment growth target within the Brookvale – Dee Why Town Centre.</p> <p>Recommendation: Amendments are made to the Planning Proposal to clarify:</p> <ul style="list-style-type: none"> <li>For Key Sites, prohibiting residential accommodation, medical centres and offices from the ground floor, and residential accommodation on the first floor.</li> <li>For all other sites within Dee Why Town Centre, require at least 2 levels of employment generating floorspace (including the ground floor), excluding those developments with apartment style housing adjoining the Civic Site.</li> </ul>	Planning Proposal updated
<i>Internal</i>	Is there a conflict with provision for car-parking above ground and the provision of business and employment functions? This space could conceivably be occupied by parking throughout the Town Centre rather than street activating uses.	<p>The Planning Proposal and DCP have been amended to remove the allowance of parking one-level above ground level. This can be considered on a case by case basis.</p>	Planning Proposal and DCP updated
<b>Green Infrastructure</b>			
<i>Community</i>	Development in Dee Why has allowed for the removal of several street trees without their replacement.	<p>Within the public domain, the removal of street trees along Pittwater Road has been conducted by the TfNSW to accommodate the B-Line. As well, Council’s upgrades have resulted in the removal and replacement of all but a few existing street trees, the roots of which had displaced roads and footpaths creating trip hazards and safety issues. However, Council’s Phase 1 Streetscape Upgrades propose new trees and garden beds, see <a href="https://yoursay.northernbeaches.nsw.gov.au/DYTC-streetscape">https://yoursay.northernbeaches.nsw.gov.au/DYTC-streetscape</a>.</p>	None
<i>Internal</i>	Propose to include ‘Green Infrastructure’ considerations in all relevant planning controls.	<p>With the release of the Government Architect’s draft Greener Places Policy, and the Greater Sydney Commissions’ North District Plan, an opportunity exists to include provisions promoting green infrastructure within the planning controls.</p> <p>Recommendation:</p>	Planning Proposal and DCP updated

Issue	Comments	Response	Amendments
		<ul style="list-style-type: none"> <li>That updates are made to the Planning Proposal to include a definition of Green Infrastructure and reference to Green Infrastructure within the objectives and design excellence criteria.</li> <li>That updates are made to the DCP to encourage the retention and provision of Green Infrastructure within the Town Centre.</li> </ul> <p>The DCP has been updated to encourage the retention of street trees. Further bonus provisions cannot be considered at this stage.</p>	
<i>Internal</i>	Proposed controls for the retention of significant street trees on Fisher Road, potentially linked to bonus provisions.		DCP Updated
<b>Sustainability</b>			
<i>Internal</i>	Proposed sustainability provisions do not address sustainability for residential development.	<p>The publicly exhibited DCP included controls requiring new commercial developments to achieve a minimum 5 star Green Star Design and As Built rating in the Green Building Council of Australia rating system. This would require new commercial developments to demonstrate Australian excellence in sustainability. They also proposed a 3.5 Star Energy Rating with NABERS for building refurbishment for commercial office buildings with a gross floor area greater than 1,000 square metres.</p> <p>However, a large portion of future development in Dee Why Town Centre will be residential and there is no requirement in BASIX to address apartment style housing. It is therefore proposed that provisions in the DCP be expanded to require all new developments with a cost of works over \$5 million to achieve a minimum Green Star Design and As Built rating which is currently 4 Stars. This would ensure that new larger developments demonstrate best practice in sustainability, regardless of whether they include residential or commercial uses.</p>	DCP Updated
<b>Other</b>			
<i>Community</i>	Buses should have conductors.	The Planning Proposal does not include provisions for public transport within its scope. TfNSW should be contacted for further discussion.	None
<i>Community</i>	Allow 'surf clubs' to become 'Nippers learning to become our Naval and Police cadets.	The Planning Proposal does not include any provisions for the existing Surf Life Club in Dee Why.	None
<i>Community</i>	Notification letter unclear on details of Planning Proposal.	This respondent was contacted to provide further information. The notification letter was drafted to advise residents of the Planning Proposal and provided key facts while directing readers to Council's customer service centres or webpage which contained further information regarding the project. Staff contacted this applicant by telephone and provided further information.	None

## Site Specific Submissions

Submission Summary	Response	Status
<p><b>Site A</b></p> <p><i>Note - The publicly exhibited planning controls did not propose any changes to existing planning provisions for this site, except for some design parameters within the DCP.</i></p> <p>Site A should be reclassified to “Community Land”, or an Independent Review be established by the Minister for Planning and Environment into the development of Site A, including the relative merits of an alternative “Open Space development”.</p> <p>Site A should accommodate some community facilities.</p>	<p>Site A comprises both the Council car park between Howard and Oaks Avenue (Oaks/Howard Car Park) and the Australia Post site on Oaks Avenue. With respect to the Oaks/Howard Car Park, in 1967 the Catholic Church sold land to Warringah Council which equates to 13.5% of the current car park site. Changes to the planning controls for this site were made in 2008, including a reclassification from “Community Land” to “Operational Land” in order to achieve benefits included in the 2004 Masterplan including a library, Council shopfront and public parking.</p> <p>However, in December 2012, Council endorsed the concept of a regional Community Hub for the Northern Beaches including a range of community, recreation and public services adjacent to activated public space on the corner of St Davids Ave and Pittwater Road. The report to Council explains the change in approach stating the 2004 Masterplan proposal was no longer viable as Site A and B were not developed together. To date, the Community Hub has resulted in Council providing 348 parking spaces and the new PCYC. The sale of Site A is required to fund further works associated with the Community Hub and the new link road through Site A which is essential for traffic improvements.</p> <p>The adopted 2013 Masterplan demonstrates further endorsement of the ‘Community Hub’ on the Civic Site. Community facilities are still being considered in the redevelopment of Site A by way of a new road and public parking. This is demonstrated by Council’s resolution in March 2015.</p> <p>The independent consultant made the following comment with respect to this issues:</p> <p><i>In the current situation, where the current planning proposal does not seek to alter the planning controls with regards to Site A, it would be inappropriate to change the classification of the land or conduct an enquiry that would change Council’s previous resolutions for the future development of Site A.</i></p> <p>Consequently no changes have been made to the Planning Controls.</p>	None
<p>Opposition to removal of car parking, particularly for patrons of neighbouring St. Kevins.</p>	<p>The DCP has been updated in accordance with the external assessment recommendation: <i>That the draft DCP be amended to recognise the need for parking/standing facilities for wedding vehicle, funeral vehicles, etc, to be provided adjacent to St Kevins Church.</i></p>	DCP Updated

Submission Summary	Response	Status
	The DCP has been updated to reflect the recommendation.	
<b>Dee Why RSL Club</b>		
Urbis Pty Ltd on behalf of Dee Why RSL Club		
The Dee Why RSL Club should be considered as part of Dee Why Town Centre in recognition of their function of providing entertainment and recreation land uses that support the centre and their intent to consider providing tourist and visitor accommodation in the future.	The current uses on the site are permissible as they are an existing use. Any changes to these lots would require a separate Planning Proposal. Council notes the developer's intention to submit a future planning proposal applicable to their land holding.	None
Sites surrounding the Dee Why RSL should be considered as part of Dee Why Town Centre as they are isolated and overdue for refurbishment.	Any changes to these lots would require a separate Planning Proposal.	None
<b>KFC Site</b>		
BD Architecture & Interiors on behalf of owners of 36 Fisher Road		
Zoning for 36 Fisher Road (KFC Site) is currently part B4 Mixed Use Zone and R3 Medium Density Residential which is unusual for a single titled lot. Request Council consider extending B4 Mixed Use Zone to the entire site to allow future redevelopment for shop top housing.	The existing Planning Proposal does not involve changes to zoning for any properties therefore this cannot be considered at this stage.  The owners are recommended to contact Council and discuss whether future development on that site requires a Planning Proposal to change the zoning or if current uses can be recognised as 'existing use'.	None
<b>Site C</b>		
Community		
Object to height bonus increase for Site C due to view impacts to Dee Why Grand residents x 3.	The increased heights on Key Sites C and E formed part of the Masterplan recommendations which were adopted by Council in August 2013. The increased height on Key Sites is required in exchange for essential community infrastructure to improve the local traffic network.	None
Dickson Rothschild on behalf of Owners of 27-33 Oaks Avenue (Site C)		
Support for provision of a new road and height restrictions on Pacific Parade.	Noted. As above, Traffic Modelling has identified the need for this road to improve traffic circulation within the Town Centre. The DCP has been updated to outline specific requirements for this road.	DCP Updated
Propose to increase height limit to be consistent with Site B (62m or RL 78).	This would be inconsistent with the objectives of the Dee Why Town Centre Master Plan Planning Proposal to ensure gradation of built form height from the Meriton towers to the perimeter 3 storeys residential apartments surrounding Dee Why Town Centre.	None

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<p>Objection to proposed and bonus FSRs and DCP controls – mismatch between the two as DCP controls and other site restrictions would not allow for development to reach FSR potential.</p>	<p>The FSR of 3.6:1 applied to Key Site C (DWTCM PP) is based on earlier designs provided by the owner.</p>	None
<p>Car parking cannot be accommodated in basement due to existing culvert and need to be considered as part of above-ground development.</p>	<p>Council is in discussion with the Owner to determine the feasibility of an earlier design which demonstrated underground parking could be accommodated taking into account the constraints of the culvert.</p>	None
<p>Object to maximum podium height of 2 storeys and request 3-4 storeys. Object to proposed podium setbacks and podium uses for commercial/retail above ground level.</p>	<p>Any proposed height increases to the podium will be considered on a merit basis for Key Site C.</p>	None
<p>Request for flexibility in providing through road on site.</p>	<p>Previous PLM discussions have led to the assumptions that the new road through the site can be delivered to Council as a public benefit in return for the increase in building height and FSR.</p>	None
<b>23 Fisher Road</b>		
Mecone on behalf of owners of 23 Fisher Road		
<p>Overall support for the intent and vision of the plan.</p>	<p>Noted</p>	None
<p>Object to requirement for ground and first-floor non-residential uses across entire site – limit to St David Ave and Civic Parade frontages and include additional local infrastructure and/or public domain upgrades.</p>	<p>The Dee Why Town Centre Masterplan did not highlight any specific change or intent for this site, as it was the subject of a Stage 1 Development Approval and Conservation Management Plan. This includes a Stage 1 DA for demolition works and construction of residential flat buildings with associated car parking, landscaping and site works that was approved for the site on 15 February 2012 by the JRPP (DA2011/1274). A subsequent Stage 2 DA has also been activated relating the demolition and construction of driveways in accordance with the above approval (DA2016/1101).</p> <p>The Stage 1 JRPP Development Approval intended for a future Development Approval to address matters relating to the mix of land uses within the development. The approval included the following commentary regarding the existing WLEP2011 Clause 6.7 which stipulates that “Development consent must not be granted to a residential flat building in Zone B4 Mixed Use with a dwelling at the ground floor level”:</p> <p><i>...the generic requirement to not permit dwellings on the ground floor within the Mixed Use zone does not take into account the location of the site relative to the core area of the zone where shop-top-housing is</i></p>	<p>Planning Proposal updated</p>

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	<p><i>regarded as a secondary use to the more primary non-residential premises on the ground floor. The site is located on the western periphery of the core area of the zone which runs along Pittwater Road and is physically and functionally separated by its topography and neighbouring civic uses. The combination of proximity and elevated topography render the site as an undesirable location to establish extensive non-residential uses beyond what may be accommodated within the Pacific Lodge.</i></p> <p><i>Additionally, the inclusion of extensive non-residential uses within the development will result in an intensification of the site which may have exacerbating undesirable impacts on the use of this part of Fisher Road and associated intersections and the amenity of the neighbouring R2 Low Density Residential zone to the west (across Fisher Road).</i></p> <p>Recommendation Exclude 23 Fisher Road and existing residential flat buildings that share a boundary with the Civic Site, in recognition of the physical and functional separation of these lots by their topography to neighbouring civic uses.</p>	
<p>Inclusion of Fisher Road and Civic Parade as access points in DCP.</p> <p>Standard Instrument clause relating to 'architectural roof features' be included in Town Centre section of LEP.</p>	<p>Access points can be considered within the Development Assessment</p> <p>The provision relating to 'architectural roof features' is not required as the existing Clause 7.10 (Allowance for external ancillary plan and roof access) along with Clause 7.4 relating to Design Excellence would ensure innovative and high quality design solutions</p>	None
<p>Community member</p> <p>The adjoining Pacific Lodge, the Salvation Army building on the ridge is an historic icon in Dee Why. The heritage building and trees on the ridge should remain a prominent landmark.</p>	<p>Pacific Lodge is protected by a local heritage listing.</p>	None
<p><b>Civic Site</b></p> <p>Community</p> <p>Concerns of losing views of the ridge, loss of trees, increase in traffic and provision of commercial and residential development compromising its civic and community function.</p>	<p>The NSW Heritage Office has recommended listing of the Dee Why Civic Precinct on the State Heritage Register. The NSW Heritage Council has endorsed this action and it is currently with the Minister for Heritage for gazettal. Once this occurs, the Civic Precinct (Civic Hub) within the Dee Why Town Centre will have additional protection under the provisions of the Heritage Act, 1977.</p> <p>The impending State Heritage listing will provide additional protection to this site, in particular the Library, Civic Centre and landscaping. Redevelopment of this site would be subject to a detailed design and public consultation process to ensure the redevelopment maintains the Masterplan's intent for a Civic Precinct.</p>	None
<p>An underground car parking facility will</p>	<p>The Master Plan concluded that Dee Why contained large areas of at grade car parks which created a barrier</p>	None

Submission Summary	Response	Status
<p>not be convenient.</p>	<p>separating the various activities in the centre. The Masterplan intends for basement parking on this site to provide more open space at the ground level for pedestrians.</p>	
<b>OEH</b>		
<p>Concern that increase in building heights will impact on the heritage significance of the site.</p>	<p>This submission was considered via an external assessment. They did not concur with the recommendation to reduce building heights. No changes are proposed to the building heights as impacts on views will be assessed under a Heritage Impact Assessment and assessment of building design.</p>	None
<p>That the site layout for the Civic Centre Site in the DCP (Figure 10) be amended to ensure significant views and view corridors to and from the Warringah Civic Centre Precinct be retained.</p>	<p>This submission was considered via an external assessment. Their comments were as follows: <i>Unless and until further master planning of the Civic Centre Precinct is undertaken it is considered that the diagram taken from the adopted Master Plan is the most appropriate provision to be included in the DCP.</i> Notwithstanding the above recommendation, updates have been made to the DCP to address the impending State Heritage Listing of the Civic Site.</p>	DCP Updated
<p>That the requirement for a 6 metre setback from Kingsway (Requirement 1(a)(iii)) be removed.</p>	<p>This submission was considered via an external assessment. Their comments were as follows: <i>Recommendation: The requirement for a 6 metre setback to Kingsway be relocated from the provisions of the draft DCP relating to the Civic Centre site (Requirement 1(a)(iii)) to the general provisions relating to land zoned B4 within the Dee Why Town Centre.</i> The DCP has been updated to reflect the above.</p>	DCP Updated
<p>That the reference to a “civic building” (Requirement 1(b)) be clarified.</p>	<p>This submission was considered via an external assessment. Their comments were as follows: Recommendation: <i>That the reference to a “civic building” in Requirement 1(b) of the provisions relating to the Civic Centre site in the draft DCP be reworded to apply to any building.</i> The DCP has been updated to reflect the above.</p>	DCP Updated
<p>That Requirement 1(g) is reworded to read “retains and enhances the heritage significance of Dee Why Public Library and the Dee Why Civic Centre and retains the view corridors to and from the buildings”.</p>	<p>This submission was considered via an external assessment. Their comments were as follows: <i>That Requirement 1(g) of the provisions relating to the Civic Centre site in the draft DCP be reworded as suggested in the submission:</i> g. <i>Retains and enhances the heritage significance of Dee Why Public Library and the Dee Why Civic Centre and retains the view corridors to and from the buildings.</i> The DCP has been updated to reflect the above.</p>	DCP Updated
<b>Key Site E &amp; F</b>		
<p>Object to height increase for Sites E &amp; F unless adequate access to rear of properties is provided.</p>	<p>The height increase on Key Site E and F is conditional on providing adequate access to the rear of the property.</p>	None
<p>Key Site E &amp; F: Pedestrian access to rear of properties should be segregated from vehicle access to improve pedestrian</p>	<p>The DCP has been updated to prioritise pedestrian access.</p>	DCP Updated

Submission Summary	Response	Status
amenity.		
Key Site E - Provide incentives for existing church uses to remain.	Council cannot ensure private development is to retain church uses.	None
Key Site E - Heritage CBA building should not be dwarfed by adjoining buildings.	These impacts will be assessed under a Heritage Impact Assessment and assessment of building design as part of the Development Assessment process.	DCP updated
Key Site E - Conflict of interest in the new controls and ensuing value uplift for the Police Station which Council has resolved to relocate into Site A.	<p>This submission was considered via an external assessment. They concluded the following:  <i>The planning proposal does not seek to provide additional benefits to the land on the corner of Fisher Road and St Davids Avenue when compared to the remaining land within Site E.</i>  <i>In my opinion the planning proposal includes appropriate controls for the land on the corner of Fisher Road and St Davids Avenue in accordance with the recommendations of the Masterplan.</i></p> <p>No changes have been made to the DCP.</p>	None
Key Site E - The proposals for Site E should be amended to take into consideration the topography of the site.	<p>This submission was considered via an external assessment. Their comments were as follows:  <i>In my opinion no change is required to the planning proposal or draft DCP with regards to the provisions for that part of Key Site E fronting Fisher Road.</i></p> <p>No changes have been made to the DCP.</p>	None
Key Site F - Concern for the lack of justification for the inclusion of Site F.	<p>This submission was considered via an external assessment. Their comments were as follows:  <i>In my opinion, there is no valid town planning reason for the floor space ratio applying to Key Site F to be different to that which applies to the neighbouring land fronting Pittwater Road in Key Site E. This submission is concurred with and it is recommended that the planning proposal be amended to provide a maximum floor space ratio of 4.0:1 to Key Site F.</i></p> <p>Recommendation:  Remove references to Key Site F within the written controls and maps, as the publicly exhibited planning controls referred to a historical Voluntary Planning Agreement which proposed a skybridge, and the provision of retail units and parking spaces for community use. Development of the site has proceeded under existing planning controls and, as these facilities did not eventuate, the bonus provision is no longer required.</p>	DCP and Planning Proposal updated
Key Site F – no setbacks provided on this corner building.	This site has been subject to a merit assessment.	None

## Internal & Agency Comments

Authority / Council Division	Comment	Response	Status
TfNSW/RMS	No concerns on the understanding the planning proposal would not result in a substantially different intensity of development compared to what is permissible under the existing controls.	Noted	None
OEH	Comments relating to pending State Heritage Listing.	See responses above in reference to 'Civic Site'. Recommendations made by external consultant.	None
Parks and Recreation	Amendments to the desired character of Dee Why in the DCP with respect to: <ul style="list-style-type: none"> <li>- Water Sensitive Urban Design</li> <li>- Green Infrastructure</li> </ul>	DCP updated	DCP updated
Natural Environment and Climate Change	NECC – Biodiversity notes that the proposed new road at Site C will likely require specific assessment for the potential impacts on threatened species given its location proximal to one of the main culvert entrances used by the bats. Any future assessment undertaken should be in accordance with the requirements of the new Biodiversity Conservation Act 2016.	Planning proposal updated to make reference to the new Biodiversity Conservation Act 2016.	PP updated
Social Planning & Community Development	Propose to include Best Practice Accessibility in DCP controls with particular reference to the newly adopted Northern Beaches Council Disability Inclusion Action Plan.	While the Disability Inclusion Action Plan has been adopted by Council, it is a document that should be referenced by the entire Warringah DCP rather than the section for the Dee Why Town Centre. Nonetheless, the DCP has been updated to promote adaptable housing and accessibility in the public domain.	DCP updated
Social Planning & Community Development	Can the Mobility, traffic management and parking section be amended to reflect a desire to include Best Practice accessibility for the aged and people with disability or mobility problems, including parents/carers with prams, given the aging population and the high profile/high pedestrian traffic and density of the suburb?	Planning Proposal updated	PP Updated
Major	Ensure future development works are in accordance	This will occur through a DA Assessment.	DCP updated

Authority / Council Division	Comment	Response	Status
Projects/Traffic Strategic and Place Planning	with Council's Streetscape Upgrade Plans. Opportunity to update provisions relating to sustainability.	The DCP has been updated to require Green Star certification on new developments with a cost of works greater than \$5 million.	DCP updated