



northern  
beaches  
council

# PLANNING PROPOSAL

Dee Why Town Centre Masterplan

Warringah Local Environmental Plan 2011

August 2018

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# Introduction

## Background

A planning proposal was prepared by Council and submitted to the Department of Planning and Environment (the Department) on 6 November 2014 (Original Planning Proposal) for amendments to Warringah Local Environmental Plan 2011 (WLEP 2011) to implement a number of recommendations contained within the Dee Why Town Centre Master Plan 2013.

A conditional Gateway determination was issued by the Department on 1 April 2015. In summary, the conditions of the Gateway required Council to:

- Demonstrate a consistency with 'A Plan for Growing Sydney'
- Remove draft clauses from the planning proposal and replace with a plain English summary of the intended effect of the changes
- Remove references to the provision of contributions, infrastructure improvements, dedication of land and / or undertaking of works in exchange for additional development density
- Clearly articulate both the existing controls and proposed planning controls for each 'Key Site'
- Ensure the Key Sites Map is consistent with the Department's technical mapping requirements for local environmental plans.

In May 2016, Council forwarded a revised planning proposal to the Department for an amended Gateway determination.

An amended Gateway determination was issued on 22 September 2016. In summary, the conditions of the Gateway required Council to:

- Remove draft clauses from the planning proposal and include a plain English explanation of the intended planning outcomes
- Clarify that the legal drafting has not been determined and is subject to drafting by Parliamentary Counsel
- Remove references to the provision of contributions, infrastructure, improvements dedication of land and/or undertaking of works in exchange for additional development density
- Justify and explain the inclusion of Key Site F
- Consult with state agencies and the community
- Submit a copy of the revised planning proposal to the Department and seek agreement prior to public exhibition

From October 2016 to November 2017, Council liaised with public authorities, with significant delays in receiving advice from Transport for NSW (TfNSW) and Roads and Maritime Services (RMS). Final comments, raising no objection to the Planning Proposal, were received from these authorities by letter dated 10 November 2017.

The Planning Proposal was subsequently updated by Council and approved for public consultation by the Department in February 2018. Council placed the planning proposal on statutory public exhibition from 24 February to 25 March 2018.

A total of 25 submissions were received by the public as well as internal submissions and submissions from Sydney Water, Transport for NSW, Roads and Maritime Services and the Office of Environment and Heritage.

This planning proposal has been revised to respond to the public exhibition, actions in the District Plan and recommendations from an external assessment of submissions relating to probity concerns.

The Department granted an Amendment to the Gateway Determination on 15 March 2018 and 20 June 2018 to update the timing for completion of the Planning Proposal. The amended timeframe for completion of the Planning Proposal is 15 February 2019.

## **About the Dee Why Town Centre Masterplan (2013)**

The Dee Why Town Centre Masterplan (Masterplan) was adopted by Council on 6 August 2013. The Masterplan aims to transform Dee Why into the Northern Beaches' premier commercial and residential district.

The Masterplan builds on a range of previous studies including:

- The Government Architects' Master Plan (2004)
- Dee Why Urban Form Study (2007)
- WLEP2000 amendment 21 (2008)
- Expert design reviews (2008)
- Dee Why Town Centre Traffic Study (2014).

Input from Council-run community consultations, including Talk of the Town Forums and the 2010 Dee Why Town Centre Visioning Forum also informed the Masterplan.

The Masterplan will guide the creation of an attractive, liveable and thriving centre by the sea, featuring new community facilities, better roads and new Council public car parking spaces.

Key features of the Masterplan are:

- A central community hub on the Civic Centre site with multipurpose meeting rooms, new library facilities, community health services and a landmark Civic Plaza (corner of Pittwater Road and St David Avenue)
- A new Police Citizens Youth Club Centre on the Civic Centre site (corner of Kingsway and Fisher Road)
- 560 Council public car park spaces in and around the town centre, with good quality pedestrian connections
- A Water Sensitive Urban Design approach to development to better manage storm water and make water an attractive, calming and green feature of the town centre
- A place that is attractive and easy to get around with new bike paths, laneways and wider footpaths
- New open spaces and improvements to existing parks
- Building heights within the current allowed range with taller buildings considered on larger sites, subject to strict conditions and in return for community infrastructure in the form of connected, open public spaces at the ground level
- Enhanced visual appeal at street level through wider footpaths, new spaces and lower building podiums
- Sculptural landscaping in key areas incorporating green landscaping on median islands and nature strips, creating a sense of arrival and departure
- Opportunities for public art

## Part 1 – Objectives or Intended Outcomes

This planning proposal seeks to amend Warringah Local Environmental Plan 2011 to implement the recommendations of the Dee Why Town Centre Masterplan (2013), and actions from the North District Plan. The proposed amendments can be summarised as follows:

1. To apply certain planning controls to a wider area within the Dee Why Town Centre, including all land zoned B4 Mixed Use under WLEP 2011.
2. Establish planning controls for new key sites C, D and E in the Dee Why Town Centre.
3. Increase the overall building height across the Dee Why Town Centre by 3 metres, in exchange for a reduction in building podium height.
4. Introduce floor space ratios across the Dee Why Town Centre.
5. Consequential amendments to Part 7 Dee Why Town Centre of WLEP 2011.

The amendments seek to achieve the following outcomes:

- (a) Strengthening the Dee Why Town Centre as a premier commercial and residential centre as part of the Brookvale-Dee Why Strategic Centre and making it the focus for economic investment and cultural/civic activities.
- (b) Reinforcing retail and commercial functions to meet the employment needs of the Brookvale-Dee Why Strategic Centre.
- (c) Enabling the future redevelopment of key sites to encourage the revitalisation of the Dee Why Town Centre.
- (d) Encouraging slimmer, slightly taller buildings in order to achieve a high quality and activated public domain with good solar access.
- (e) Consolidating the built form into a unified and identifiable place with a defined core and consistent surroundings.
- (f) Ensuring an attractive and vibrant town centre that generates investment.
- (g) Achieving high quality building design.
- (h) Monitoring the quantum of gross floor area and associated incremental increase of traffic generation in the context of overall road network and transport capacity.
- (i) Ensuring a well-connected town centre with a variety of movement networks, which allow good quality and safe accessibility to all areas at all times.
- (j) Providing a range of local infrastructure to improve traffic and pedestrian circulation and serve community and visitor needs.
- (k) Allow for the provision of Green Infrastructure

## Part 2 – Explanation of Provisions

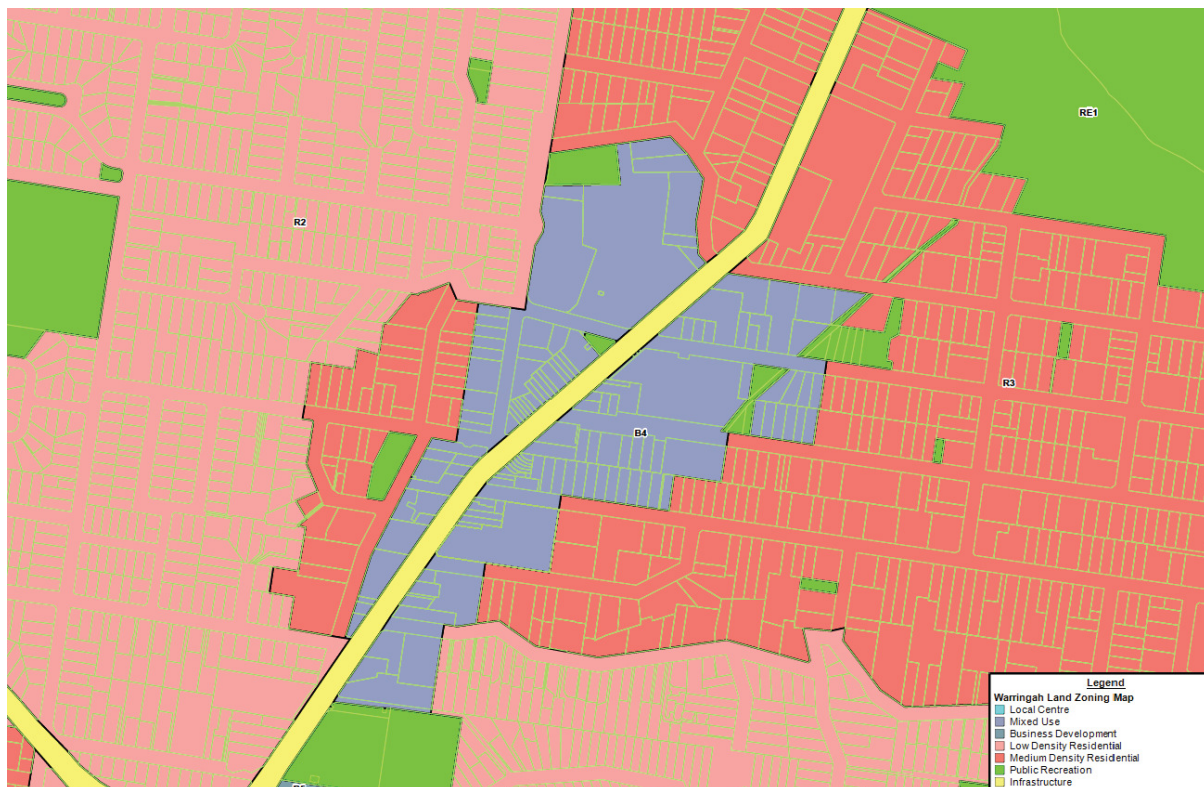
The objectives of this planning proposal are proposed to be achieved by amending Warringah Local Environmental Plan 2011 (WLEP 2011) in the manner outlined below. It should be noted that the final drafting of the proposed amendments is subject to consultation with the Parliamentary Counsel's Office.

### To apply certain planning controls to a wider area within the Dee Why Town Centre

WLEP 2011 currently defines the Dee Why Town Centre as comprising two key sites, known as Site A (Council carpark) and Site B (Meriton Development). These sites are subject to specific controls under Part 7 of WLEP 2011, including design excellence, height and setback of building elements, town square and pedestrian connections, promoting retail activity, podium roof access and external plant design/ location, and traffic and parking management.

It is necessary to redefine the boundaries of the Town Centre to enable Council to apply a range of planning controls to this area in accordance with the Masterplan. The Masterplan focuses on the creation of a new Town Centre in the block bounded by Pittwater Road, Oaks Avenue and Howard Avenue, as well as the broader 36-hectare study area including Pittwater Road from Stony Range Flora Reserve to the south, Dee Why RSL Club, Hawkesbury Avenue in the North and the Civic Centre, bordered by Kingsway, Fisher Road and St David Avenue (refer to page 71 of Masterplan).

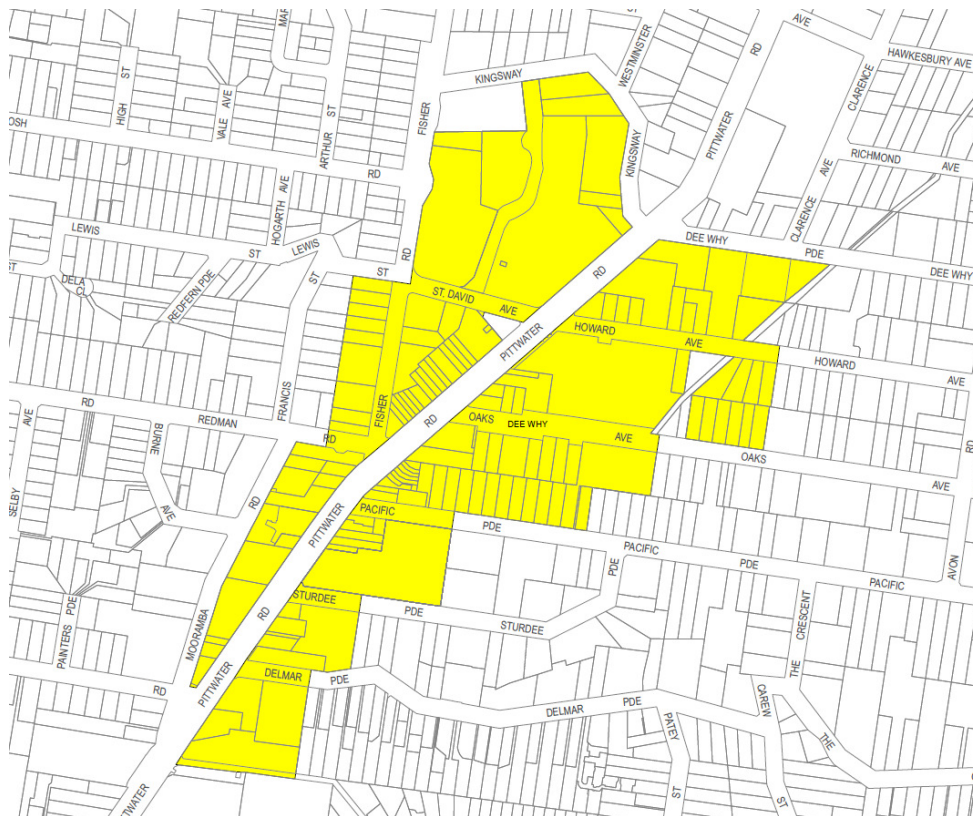
The proposed outcome will be achieved by extending the boundary of Dee Why Town Centre to include all land zoned B4 Mixed Use under WLEP 2011 (Figure 1). A new local provision will refer to the Dee Why Town Centre as shown in Figures 2 and 3 and the attached draft Centres Map (Sheet CEN\_010)



**Figure 1 – B4 Mixed Use Boundary - Dee Why Town Centre**



**Figure 2 – Dee Why Town Centre Aerial Map**



**Figure 3 – Dee Why Town Centre Centres Map**

Currently, Dee Why Town Centre is the only B4 Mixed Use Zone under WLEP2011. Residential flat buildings are permitted within this zone however the zone objectives require the promotion of 'active building fronts, contributing to the life of streets and public spaces' and 'a land use pattern that is characterised by shops, restaurants and business premises on the ground floor'. These objectives are re-enforced by Clause 6.7 of the WLEP 2011 which states the following:

*Development consent must not be granted to a residential flat building in Zone B4 Mixed Use with a dwelling at the ground floor level.*

Although relevant for the commercial component of the Town Centre, the above zoning does not take into account those sites which share a boundary with the Civic Site and that contain

apartment style housing with landscape setbacks, and which are a similar scale to the adjacent R3 Medium Density Zone (see Figure 4). This includes 15-23 Fisher Road which is currently occupied by an aged care and assisted living facility. These sites do not contain active building fronts and are not characterised by shops, restaurants and business premises on the ground floor. They are also physically and functionally separated by their topography to neighbouring civic uses.

Council does not consider it necessary for commercial uses to be contained on these sites. Although it may be appropriate to rezone these sites to R3 Medium Density Residential, this may require re-exhibition of the Planning Proposal creating further delays. Consequently, it is recommended to exclude certain planning controls from these sites, namely, controls promoting retail and economic activity and also, the proposed increase in building height discussed further below.

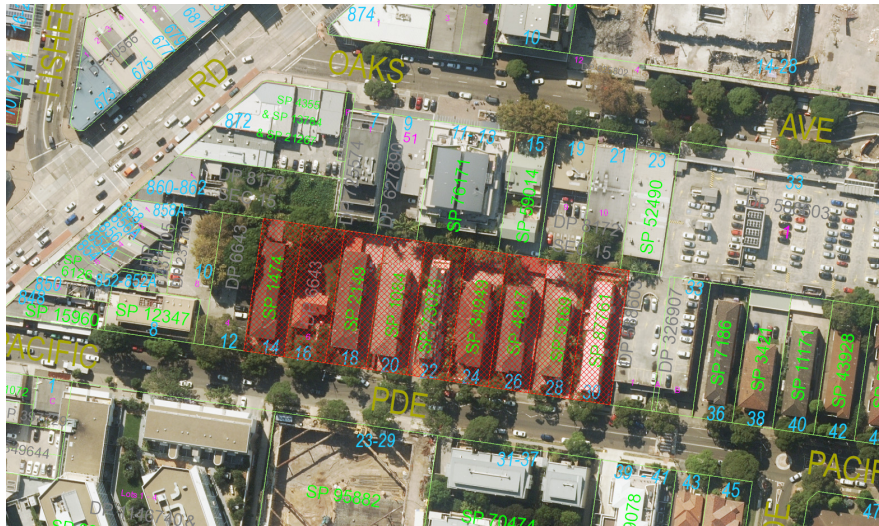
The subject sites shown within Figure 4 include the following lots:

- Part Lot 11 DP 577062 (23 Fisher Road)
- Lot CP SP 81758 (25 Fisher Road)
- Lot CP SP 75040 (20 Kingsway)
- Lot CP SP 4066 (18 Kingsway)
- Lot CP SP 83379 (4-16 Kingsway)
- Lot CP SP 1902 (Kingsway Court 2 Kingsway)



**Figure 4 – Lots that share a boundary with the Civic Site that are physically and functionally separated by their topography to neighbouring civic uses**

Note also, there are a number of residential flat buildings located on the northern side of Pacific Parade that do not currently provide any shops, restaurant and business premises on the ground floor. In any future redevelopment, Council considers it appropriate for these sites to accommodate commercial uses as they share a rear boundary with commercial premises fronting Oaks Avenue (Figure 5).



**Figure 5 – Lots zoned B4 Mixed Use on Pacific Parade within Dee Why Town Centre which currently contain apartment style housing**

### **Establish planning controls for new Key Sites C, D and E in the Dee Why Town Centre**

The Masterplan outlines Key Sites, which are specific areas that have strategic importance to the renewal of the Town Centre. These areas include private landholdings, Council owned buildings, pedestrian connections, open space and streetscape works. It is proposed to create site specific planning controls for these areas to encourage the provision of key public infrastructure. Key Sites C to E are identified in the Masterplan as:

- Key Site C (Woolworths site) – Identified as a key site as redevelopment will provide an opportunity to create a new shared pedestrian/vehicular roadway mid-block between Oaks Avenue and Pacific Parade (refer to page 66 of Masterplan).
- Key Site D (Corner of Pittwater Road and Pacific Parade) – Identified as a key site as redevelopment will provide an opportunity to create an additional bus turning lane on the corner of Pittwater Road (refer to pages 66-67 of Masterplan).
- Key Sites E (Triangular site): Identified as a key site as redevelopment will provide an opportunity to create through site shared pedestrian /vehicular link, landscaped open space areas and other pedestrian connections to Pittwater Road. This would encourage pedestrian connections within the site linking the Civic Centre and Redman Road Plaza/pocket park and onward through to the Mooramba car park site (refer to pages 67 and 81 of the Masterplan). The block is located in a visually prominent position in the town centre and is in close proximity to the Civic Centre.

**Note:** In historical versions of this Planning Proposal, the triangular site was split into Key Sites E and F to correspond with the development application for 697-701 Pittwater Rd Dee Why 'HighLine' (formerly Cobalt), which was approved by the Joint Regional Planning Panel for a mixed-use development with basement parking up to 9 storeys in height (refer to DA2011/0887 and 2011SYE080DA, as modified by Mod 2012/0087).

Works associated with this consent commenced late 2016 and are almost complete. The new development will provide community facilities by way of public toilets within the development, and a right of way to facilitate access to the rear of Key Site E. As these benefits are now secured, it is no longer necessary to consider this as a Key Site and provide bonus provisions as previously proposed.



**Figure 6 – Key Site Map**

The proposed outcome will be achieved by:

1. Amending the Key Sites Map, in accordance with the proposed Key Sites Map, as shown in Figure 6 and the attached draft Key Sites maps (KYS\_010AA and KYS\_010AB)
2. Including a new local provision that:
  - a) Confirms that the clause only applies to certain key sites, including:
    - i. Key Site C
    - ii. Key Site D
    - iii. Key Site E
  - b) Confirms that the clause applies only to all land identified within the relevant Key Site.
  - c) Confirms the objectives of the clause, which are to:
    - i. Provide an appropriate mechanism to ensure the development of the site delivers certain public improvement works.
    - ii. Encourage additional development within the Dee Why Town Centre coordinated with adequate access networks.
    - iii. Provide a range of local infrastructure to service community and visitor needs.
  - d) Includes development standards for the new key sites as follows:

**Key Site C:**

A maximum building height of 46 metres and maximum floor space ratio of 3.6:1 where a pedestrian and vehicular access network is provided that will allow a suitable level of connectivity to the satisfaction of Council.

**Key Site D:**

An additional maximum gross floor area of 240 square metres where sufficient space for articulated vehicles turning left from Pittwater Road onto Pacific Parade is provided to the satisfaction of Council.

**Key Site E:**

A maximum building height of 49 metres for land fronting Pittwater Road and 20 metres for land fronting Fisher Road and St David Avenue where:

- a pedestrian and vehicular access network that will allow a suitable level of connectivity is provided to the satisfaction of Council;
- vehicular access does not compromise the function and flow of arterial roads;
- pedestrian access is prioritised at the ground level.

The above changes create potential additional floorspace of 240m<sup>2</sup> and 3,607.76m<sup>2</sup> and for Key Sites D and C respectively. This would equate to approximately 48 additional dwellings based on an 80m<sup>2</sup> per dwelling average. Bonus development controls have been developed having regard to sensitivity analysis testing by Council's traffic consultants.

Table 1 provides a comparison of the existing and proposed height of buildings and floor space ratio (FSR) controls and the 'bonus controls' if certain conditions are met.

**Table 1 - Comparison of current and proposed height of building and floor space ratio provisions**

Key site		Existing control	Proposed		Standards/controls subject to provision of community infrastructure
Site A	FSR	Nil	No FSR exists for this site. No FSR proposed.	NA for this Planning Proposal	
	Height of Buildings	RL 52.5m	No proposed change to maximum height of buildings. No proposed change to podium heights – 3 and 4 storeys	NA for this Planning Proposal	
Site B	FSR	Nil	No FSR exists for this site. No FSR proposed.	NA for this Planning Proposal	
	Height of Buildings	RL 78m	No proposed change to maximum height of buildings. No proposed change to podium heights – 3 and 4 storeys	NA for this Planning Proposal	
Site C	FSR	No current FSR	Proposed FSR - 3.4:1 for land fronting Oaks Avenue - 1.8:1 for land fronting Pacific Parade	Proposed Site C provision: - 3.6:1	
	Height of buildings	Current Height of Buildings control: - 21m for land fronting Oaks Avenue - 13m for land fronting Pacific Parade	Proposed 3m increase for land within the Dee Why Town Centre (except for Sites A & B): - 24m for land fronting Oaks Avenue - 16m for land fronting Pacific Parade	Proposed Site C provision: - 46m	
Site D	FSR	No current FSR	Proposed FSR of 4:1	Proposed Site D provision: - Allow the development to exceed the maximum floor space ratio by 240m <sup>2</sup> .	

Key site	Standard / control	Existing	Proposed	Standards/controls subject to provision of community infrastructure
	Height of Buildings	Current Height of Buildings of 24m	Proposed 3m increase for land within the Dee Why Town Centre (except for Sites A & B) to 27m	Proposed Site D provision: - No proposed change to height.
Site E	FSR	No current FSR	Proposed FSR of: - 4:1 for land fronting Pittwater Road - 2.4:1 for land fronting Fisher Road and St David Avenue	Proposed Site E provision: - No change is proposed to the FSR
	Height of Buildings	Current Height of Buildings: - 24m for land fronting Pittwater Road - 13m for land fronting Fisher Road or St David Avenue	Proposed 3m increase for land within the Dee Why Town Centre (except for Sites A & B): - 27m for land fronting Pittwater Road - 16m for land fronting Fisher Road and St David Avenue	Proposed Site E provision: - 49 metres for land fronting Pittwater Road - 20 metres for land fronting Fisher Road and St David Avenue

## **Increase the overall building height across the Dee Why Town Centre by 3 metres, in exchange for a reduction in building podium height**

The current maximum building height for Dee Why Town Centre is 60m on Key Site B (i.e. the Meriton site). Excluding Key Sites A and B, WLEP 2011 currently permits building heights of between 16 metres and 27 metres within the B4 Mixed Use area.

The Master Plan recommends that an additional 3 metres (equivalent to one storey) in building height should be allowed across the whole of the Town Centre in exchange for a reduction in building podium heights (except for Key Sites A and B). The objective is to encourage 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.

However, the additional 3 metres increase in building height is not considered relevant or necessary for lots that share a boundary with the Civic Site as discussed above (Figure 4).

The Master Plan recognises the need to improve the pedestrian experience in the town centre and recommends development controls for podium heights, setbacks and awnings.

The recommended podium heights are proposed to be included in the WLEP 2011, while provisions for setbacks and awnings are proposed to be included in the accompanying DCP.

No changes in maximum building heights are proposed for Key Sites A and B in this planning proposal.

The proposed outcome will be achieved by:

1. Amending the Height of Buildings Map, in accordance with the attached draft Height of Buildings Map (HOB\_010AA and HOB\_010AB),
2. Amending the objectives for development within the Dee Why Town Centre to reflect a reduction in podium heights as follows:
  - a) Key Sites A and B – A podium height of 3 and 4 storeys.
  - b) Land fronting Pittwater Road – A podium height of 3 storeys.
  - c) All other roads – A podium height of 2 storeys.
3. Including a new local provision that confirms development controls for podium heights
4. Confirms the objectives of the clause, which are to:
  - a) Achieve a consistent street frontage and create a less dominant built form along the streetscape.
  - b) Maximise solar access to adjoining properties and the public domain.
  - c) Maximise building separation and amenity for residents.
5. Includes development standards for podium heights in number of storeys (including ground floor):
  - a) Key Sites A and B – 3 and 4 storeys.
  - b) Land fronting Pittwater Road – 3 storeys.

- c) All other roads – 2 storeys.

### **Introduce floor space ratio controls across the Dee Why Town Centre**

Floor space ratio is the ratio of a building's floor area to the area of the land on which it is located. WLEP 2011 does not currently contain floor space ratio standards for development. The Masterplan recommends adopting floor space ratio standards in the Dee Why Town Centre to control the amount of floor area so that traffic generation rates remain within the capacity of the overall road network.

It is noted that the floor space ratio controls are maximum standards which may not always be achieved due to other building controls such as height limits and setbacks.

The proposed outcome will be achieved by:

- (a) Applying the floor space ratio control to the Dee Why Town Centre (excluding Sites A & B).
- (b) Including a Floor Space Ratio Map, in accordance with the attached draft Floor Space Ratio Map (FSR\_010).

### **Consequential amendments to Part 7 Dee Why Town Centre of WLEP 2011**

#### ***Prohibiting variation of development standards on key sites***

Clause 4.6 of WLEP 2011 currently allows exceptions to development standards (e.g. height) to allow for improved building outcomes in certain circumstances. However, for Key Sites A and B, the WLEP2011 provides an exclusion to prevent variations to building heights that could compromise the positive planning outcomes resulting from key site bonus provisions. This planning proposal proposes to extend this exclusion to Key Sites C to E. This will ensure the maximum building height is upheld for all Key Sites and prevents any compromise of planned outcomes.

The proposed outcome will be achieved by excluding Clause 4.6 (8A) *Exceptions to Development Standards* to all Key Sites within the Dee Why Town Centre.

#### ***Including a definition for Green Infrastructure***

Reference to 'Green Infrastructure' is proposed to address the State Government's position on the importance and benefits of recognising Green Infrastructure as an integral component of urban development, as recognised in the Draft Greener Places Policy produced by the NSW Government Architect. The document identifies Green Infrastructure as being as fundamental to city development as transport and utilities in the development and growth of modern urban areas.

This Planning Proposal provides an important opportunity to develop a vibrant, attractive and sustainable Town Centre by including Green Infrastructure considerations in all relevant planning controls. In this way, development within the Centre can contribute meaningfully to the creation of a truly world class place at the forefront of Urban Design.

The proposed outcome will be achieved by, firstly:

- (a) Adding a definition for Green Infrastructure as defined in the Draft Greener Places Policy:

*Green Infrastructure is the network of greenspaces, natural systems and semi-natural systems including parks, rivers, bushland and private gardens that are strategically planned, designed and managed to support a good quality of life in an urban environment.*

*Green Infrastructure should be envisioned as a three-dimensional envelope that surrounds and connects buildings, streets and utilities.*

Inclusion of this definition will allow reference to be made to Green Infrastructure within the objectives for the Town Centre and parameters for design excellence (detailed below). Further controls are proposed in the supporting Development Control Plan.

### ***Amending objectives for development in the Dee Why Town Centre***

The objectives for development in the Town Centre are proposed to be amended so that they apply to the redefined Dee Why Town Centre.

The proposed outcome will be achieved by:

- (a) Amending the objectives for development within Dee Why Town Centre to resolve the following matters:
  - i. Clarify that Clause 7.3 (d) applies to Key Sites A & B only =. This objective relates to podiums of 3 and 4 storeys in height and above podium elements.
  - ii. Clarify that all other objectives are relevant to the redefined Dee Why Town Centre.
  - iii. Add the following objectives:
    - i. For Dee Why Town Centre excluding Key Sites A&B, to define street edges by the establishment of podiums to create a built environment that has unified and consistent building form.
    - ii. That development considers the existing capacity of transport infrastructure servicing the Dee Why Town Centre through the implementation of a floor space ratio.
    - iii. To ensure that development is designed to contribute to the provision of Green Infrastructure within Dee Why Town Centre.

### ***Applying 'design excellence' requirements to all of the Dee Why Town Centre***

WLEP 2011 currently requires Council to consider 'design excellence' criteria in the assessment and determination of development applications for Key Sites A and B in the Town Centre.

Applying design excellence requirements to all land within the Dee Why Town Centre is consistent with the Masterplan and the Town Centre's role as a combined Strategic Centre (with Brookvale) as identified in the *North District Plan*.

The proposed outcome will be achieved by:

- (a) Applying the local provisions relating to design excellence (cl 7.4 and cl 7.5) to all land within the Dee Why Town Centre.
- (b) Including additional design excellence matters, as follows:
  - i. Whether the development connects with and provides a high-quality interface with surrounding streets and public domain areas at the pedestrian level
  - ii. Whether the development provides for improvement to the provision of Green Infrastructure

### ***Clarifying that certain height controls apply to Key Sites A and B only***

Clarification is required that the existing local provision relating to height of buildings for the Dee Why Town Centre (Cl 7.6) relates only to Key Sites A and B.

The proposed outcome will be achieved by amending the heading of the clause 7.6 to make clear that it applies only to Key Sites A and B.

### ***Applying existing provisions for external ancillary plant and roof access to all of the Dee Why Town Centre***

The existing local provision that controls the size and location of ancillary plant and podium roof access for Key Sites A and B (cl 7.10) will apply to all buildings in the Town Centre.

No changes are required to cl 7.10 to achieve this outcome.

### ***Applying provisions promoting retail activity to Dee Why Town Centre***

As discussed above, residential flat buildings are permitted within the B4 Mixed Use zone however the zone objectives require the promotion of retail activity and Clause 6.7 of the WLEP 2011 prevents the dwellings on the ground floor of residential flat buildings.

Except for those developments with apartment style housing adjoining the Civic Site (Figure 4), and existing residential flat buildings such as those on the northern side of Pacific Parade (Figure 5), Clause 6.7 can lead to the reduction of employment floor space as older developments with two levels of retail and/or commercial floorspace are replaced with new developments with just one floor (see DA2017/1063). 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 employment growth target within the Brookvale – Dee Why Town Centre.

However, by applying provisions promoting retail activity to the entire Town Centre, Clause 6.7 becomes redundant. Also, Council is able to outline more specific provisions relating to retail and economic activity in the Town Centre, and align with the following actions in the North District Plan:

- Action 19b, Councils must recognise and balance the dual function of streets as places for people and movement, enhancing opportunities for social and economic participation.
- Action 11, Councils must deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by providing walkable places at a human scale with active street life.
- Action 36, Councils must provide access to jobs, goods and services by (i) creating the conditions for residential development within strategic centres and within walking distance (up to 10 mins), but not at the expense of the attraction and growth of jobs, retailing and services.

In light of the above, the following amendments are proposed to reinforce the capacity for business and employment functions, and support the renewal of the Town Centre:

1. Amending Clause 7.12 'Provisions promoting retail activity', as follows:
  - a) Amending the title to emphasise employment generating uses in addition to retail. For example, 'provisions promoting economic and retail activity'
  - b) For all sites within Dee Why Town Centre, require at least 2 levels of employment generating floorspace (including the ground floor)
  - c) For Key Sites, prohibiting residential accommodation, medical centres and offices from the ground floor
  - d) Clarifying that uses at the ground floor must contribute to an active street life in accordance with the Actions of the North District Plan, for example requiring retail

- uses that provide opportunities for alfresco dining, casual seating and recreation, particularly on new roads, laneways and pedestrian access ways
- 2. Excluding the following lots from the above requirements (Figure 4):
  - a) Part Lot 11 DP 577062 (23 Fisher Road)
  - b) Lot CP SP 81758 (25 Fisher Road)
  - c) Lot CP SP 75040 (20 Kingsway)
  - d) Lot CP SP 4066 (18 Kingsway)
  - e) Lot CP SP 83379 (4-16 Kingsway)
  - f) Lot CP SP 1902 (Kingsway Court 2 Kingsway)
- 3. Removing Clause 6.7 'Residential Flat Buildings in Zone B4 Mixed Use'.

### ***Amending requirements for Mobility, traffic management and parking***

Amendments are proposed to the current local provision dealing with mobility, traffic management and parking to reflect the Dee Why Town Centre Masterplan and updated traffic studies. In particular, changes are proposed to the objectives of the Clause and the removal of references to a one-way traffic pattern (as Council will no longer be adopting a one-way traffic circulation pattern)..

The proposed outcome will be achieved by amending Clause 7.13 'Mobility, traffic management and parking', as follows:

- (a) Amending the objectives in Clause 7.13 (1) to include the following requirements:
  - i. To ensure increased road network capacity and improved vehicle circulation through the Dee Why Town Centre
  - ii. To encourage alternate forms of transport from private vehicle use
  - iii. To minimise the disruption of pedestrian movement and safety
  - iv. To reduce the visual scale of parking and servicing facilities
- (a) Clarifying that provisions 7.13(2)(a-b) refer to Site A only, as these provisions relate to Proposed New Road on Site A only
- (b) Deleting the provision relating to an on-street traffic circulation pattern (Clause 7.13(2)(c)) that is one way in an anti-clockwise direction around the centre via Oaks Avenue, the Proposed New Road, and Howard Avenue
- (c) Clarifying that existing provision 7.13(2)(d) applies to all Key Sites as these sites will provide new roads and pedestrian connections. This provision requires developments to improve vehicle access and circulation within Dee Why Town Centre and prioritise of pedestrian movements and networks to make the Centre safe, enjoyable and attractive.
- (d) Clarifying that the following existing provisions apply to the entire Dee Why Town Centre:
  - a. 7.13(2)(e) - car parking will be provided principally underground and will accommodate the demand generated by the additional residential, retail and commercial uses.
  - b. 7.13(2)(g) - if car parking adjoins a street frontage, the amenity of the adjoining and nearby uses is protected
  - c. 7.13(2)(h) – regarding loading facilities and waste collection facilities and visual amenity
  - d. 7.13(2)(i) – regarding minimal disruption to retail and commercial activity at the street level.

- (e) Deleting the provision relating to above ground parking on Site B (Clause 7.13(2)(f), as above ground parking has not been accommodated in the development that is almost completed.

## **Part 3 – Justification**

### **Section A – Need for the planning proposal**

#### **1. Is the planning proposal a result of any strategic study or report?**

Yes. This planning proposal is a result of Council's resolution of 23 September 2014 to forward the planning proposal to the Department for a Gateway determination. This planning proposal also implements the Dee Why Town Centre Masterplan (Masterplan), which was adopted by Council on 6 August 2013. The Masterplan identifies key sites, building design controls, maximum floor space ratio requirements and development incentives through public domain improvements.

#### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. The Masterplan recommends this planning proposal as the best means to achieve the intended outcomes.

### **Section B – Relationship to strategic planning framework**

#### **3. Is the planning proposal consistent with the objective and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

##### **3.2 Regional and District Plans**

Yes. This planning proposal is consistent with the Greater Sydney Commission's recently released Regional Plan - *A Metropolis of Three Cities and North District Plan*.

The *North District Plan* is a guide for implementing the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning. The intent is to inform the assessment of planning proposals as well as community strategic plans and policies.

Consistency of this Planning Proposal with reference to both documents is discussed together as their themes, objectives and Planning Priorities are interrelated. .

The North District Plan recognises Dee Why as follows:

*Dee Why is a mixed-use area and offers a vibrant local night-time economy.*

The planning proposal was found to be consistent with the priorities and actions of the North District Plan and the objectives of the Greater Sydney Region Plan. A summary is provided on the following page.

## Theme 1. Infrastructure and Collaboration

The planning proposal is consistent with the Infrastructure and Collaboration priorities and objectives outlined in Table 2.

**Table 2 – Theme 1 Infrastructure and Collaboration**

North District Plan	Greater Sydney Region Plan
Planning Priority N1 - Planning for a city supported by infrastructure	Objective 1: Infrastructure supports the three cities; Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact; Objective 3: Infrastructure adapts to meet future needs; Objective 4: Infrastructure use is optimised and the corresponding strategies.
Planning Priority N2 - Working through collaboration	Objective 5: Benefits of growth realised by collaboration of governments, community and business

The planning proposal is consistent as it:

- Implements the Dee Why Town Centre Masterplan, a collaborative and place based study which identified the necessary level of investment to support growth, based on input from relevant infrastructure agencies
- Facilitates an integrated planning approach, together with the NSW Government's plans for Dee Why as a Strategic Centre, to ensure employment and job creation opportunities are maximised
- Supports the NSW Government's significant transport infrastructure investment on the Northern Beaches (i.e. B-Line and bus service improvements)
- Supports new infrastructure – including cultural infrastructure (new PCYC), health (new Northern Beaches Hospital), community (Walter Gors Park and future Civic Hub) and water infrastructure (Oaks Avenue Drainage Improvements)
- Identifies infrastructure that is closely aligned with land use planning at its earliest stages
- Trials opportunities to share value created by the planning process and increase collaboration with the private sector to assist in funding infrastructure
- Enables collaboration for the delivery of specific infrastructure projects identified through a collaborative Masterplan approach based on community and stakeholder engagement
- Sequences infrastructure with growth, through restricting significant growth in an area with transport network constraints and introducing Floor Space Ratios to manage growth

## Theme 2. Liveability

The planning proposal is consistent with the Liveability priorities and objectives outlined in Table 3.

**Table 3 – Theme 2 Liveability**

North District Plan	Greater Sydney Region Plan
Planning Priority N3 - Providing services and social infrastructure to meet people's changing needs	Objective 6: Services and infrastructure meet communities' changing needs
Planning Priority N4 - Fostering healthy, creative, culturally rich and socially connected communities	Objective 7: Communities are healthy, resilient and socially connected; Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation
Planning Priority N5 - Providing housing supply, choice and affordability, with access to	Objective 10: Greater housing supply Objective 11: Housing is more diverse and affordable

North District Plan	Greater Sydney Region Plan
jobs and services	
Planning Priority N6 - Creating and renewing great places and local centres, and respecting the District's heritage	Objective 12: Great places that bring people together and Objective 13: Environmental heritage is conserved and enhanced

The planning proposal is consistent as it:

- Provides residents with access to services, programs and social infrastructure at the heart of a walkable neighbourhood to support them to live socially connected, active and healthy lives
- Supports a fine grain urban form and land use mix which provides greater diversity of uses and users
- Provides housing in proximity to local health services and regional health infrastructure
- Improves accessibility for public places including streets, parks, shopping precincts and community facilities so that people of all ages and abilities can participate in community life
- Provides housing in proximity to the District's artistic and cultural experiences and facilities (e.g. Northern Beaches Music Festival, Dee Why New Year's Eve Fireworks and Brookvale Oval)
- Provides a focus for strengthening and adding new social connectors in an area recognised as having social strengths including social infrastructure, educational facilities, sharing spaces and street life
- Provides housing in an area with high cultural diversity
- Contributes to the diversity of housing mix (with larger housing provided on the periphery)
- Provides housing coordinated with local infrastructure to create liveable, walkable and cycle friendly neighbourhoods with shops, services and public transport
- Provides for additional apartments to provide compact housing for seniors, homes for single people and more affordable homes for key workers, young people and young families
- Contributes to the provision of the Northern Beaches 5-year housing supply target of 3,400
- Integrates site-specific proposals with precinct-wide place and public domain outcomes identified through collaboration and meaningful community participation
- Creates new streets and renews existing streets that will function as places important for moving people and goods and for people and street life
- Recognises the District's important natural heritage values including the beaches, water catchment areas and ridgelines

The planning proposal does not propose affordable rental housing targets as no significant uplift is proposed.

### Theme 3. Productivity

The planning proposal is consistent with the Productivity priorities and objectives outlined in Table 4.

**Table 4 – Theme 3. Productivity**

North District Plan	Greater Sydney Region Plan
Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres	Objective 22: Investment and business activity in centres
Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city	Objective 14: A metropolis of three cities – integrated land use and transport create walkable and 30-minute cities

The planning proposal is consistent as it:

- Creates the conditions for growth in an existing centre which will create opportunities to attract retail and office development locally bringing jobs closer to where people live
- Delivers housing within a strategic centre encouraging non-vehicle trips to foster a healthier community
- Helps to stimulate development which will create the capacity for Dee Why to contribute to the Northern Beaches jobs target of an additional 3000-6000 jobs by 2036
- Contributes to the actions of the Brookvale-Dee Why Strategic centre by maintaining a mix of uses; encouraging revitalisation of the Pittwater Road commercial strip and activation and creation of local streets
- Encourages the growth of a strategic centre, reducing the need for people to travel long distances to access jobs and local services

#### Theme 4. Sustainability

The planning proposal is consistent with the Sustainability priorities and objectives outlined in Table 5.

**Table 5 – Theme 4. Sustainability**

Revised Draft North District Plan	Draft Greater Sydney Region Plan
Planning Priority N19 - Increasing urban tree canopy cover and delivering Green Grid connections	Objective 30: Urban tree canopy cover is increased Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths
Planning Priority N20 - Delivering high quality open space	Objective 31: Public open space is accessible, protected and enhanced
Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiently	Objective 33: A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change; Objective 34: Energy and water flows are captured, used and re-used
Planning Priority N22 - Adapting to the impacts of urban and natural hazards and climate change	Objective 36: People and places adapt to climate change and future shocks and stresses Objective 37: Exposure to natural and urban hazards is reduced Objective 38: Heatwaves and extreme heat are managed

The planning proposal is consistent as it:

- Supports an urban tree canopy cover to improve amenity, air quality and cooling and help slow and store stormwater and improve water quality
- Provides walking and cycling connections the Greater Sydney Green Grid (e.g. Dee Why Lagoon as a recreation asset and wildlife sanctuary and the Barrenjoey Head to Manly coastal walk and cycleway)
- Delivers connectivity of walking and cycling trails to maximise utility of surrounding open spaces
- Locates new homes near public transport, walkways and cycle paths, helping to slow emissions growth
- The accompanying draft DCP Amendments propose a reduction in parking rates to accommodate emerging transport technologies and reduce congestion
- Encourages high efficiency buildings and adaptation to climate change through the introduction of design excellence criteria
- Recognises that flooding will continue to be a hazard and does not encourage a significant increase in density in an area of risk

#### **4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

Yes. This planning proposal is consistent with the adopted Dee Why Town Centre Masterplan, although the Masterplan has not been endorsed by the Secretary.

The following local strategic plans and their relevance is discussed below:

##### ***4.1 Draft Warringah Housing Strategy 2011***

This Strategy was developed with extensive community consultation to implement the NSW Government's housing target for Warringah in the Metropolitan Plan for Sydney to 2031. In 2011, Warringah Council voted to stop work on the Housing Strategy until the State Government committed to funding the extra transport and infrastructure costs. Nonetheless, it contains important findings based on significant research and community engagement.

The Strategy recognised that development in Dee Why Town Centre had stagnated in the three years before 2011 and that Dee Why had not yet been developed to its full capacity. It recognised Dee Why's likely potential for approximately 1,245 additional dwellings within the B4 Mixed Use area.

The proposal is consistent in that it does not propose any significant increase in Dee Why Town Centre, but rather aims to stimulate development to its existing capacity.

##### ***4.2 Dee Why Town Centre Development Contributions Plan***

The former Warringah Council resolved to endorse a 5% Section 94A Levy for the Dee Why Town Centre at its meeting on 24 November 2015, following public exhibition of a draft Section 94A Plan. The proposed increase was to fund works associated with implementing the Masterplan.

The draft Section 94A Plan was accompanied by a Planning Report which concluded that the increased levy, combined with several other sources of funding and works, was required to fund the Program over the next 20 years. This report estimated the town centre had capacity for the redevelopment of an estimated 142,795m<sup>2</sup> residential gross floor area (approx. 1,786 dwellings) and 31,273m<sup>2</sup> of retail GFA (see GLN Report S94A). The Planning Report included an economic analysis which found that the increased levy would not make developments 'unfeasible'.

As Council has been unable to determine a clear approval pathway for the requested changes through the Department, it subsequently resolved at its meeting of 25 July 2017, to prepare a draft Section 94 Plan for Dee Why Town Centre in place of the proposed amendment to the current Section 94A Plan. A report will be provided to Council on the draft Section 94 Plan prior to its public exhibition.

Resolution of the Dee Why Town Centre Development Contributions Plan is essential to ensure that Council receives funds for required infrastructure. Many of the required upgrades are critical, particularly flood mitigation, stormwater management and road network upgrades. The full potential of Dee Why under the existing planning framework cannot be realised without significant expenditure towards these works.

##### ***4.3 Community Strategic Plan SHAPE 2028***

The Northern Beaches Council adopted its Community Strategic Plan (CSP) – Shape 2028, in April 2018.

The planning proposal is consistent with the vision based on passionate conversations with the community, as follows:

*Northern Beaches - a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment*

The planning proposal is also considered to be consistent with the community outcomes, goals and strategies as identified in Table 6.

**Table 6 – Consistency of Planning Proposal with Northern Beaches Council's Community Strategic Plan (CSP)**

Community Outcome	SCP Goal	Consistency
<b>Protection of the Environment</b>	Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations:	<ul style="list-style-type: none"> <li>- Facilitates sustainable access to the natural environment, Dee Why Lagoon</li> <li>- Supports the renewal and further growth of an established Strategic Centre rather than develop non-urban land or environmentally sensitive areas</li> </ul>
	Goal 2 Our environment and community are resilient to natural hazards and climate change	Incorporates design principles in response to flooding and the urban heat island effect
<b>Environmental Sustainability</b>	Goal 5 Our built environment is developed in line with best practice sustainability principles	Helps to create a green and resilient urban environment by improving tree cover and water management systems
	Goal 6 Our community will continue to work towards sustainable use of resources	Encourages ecologically sustainable design to promote and support opportunities for sustainable living
<b>Places for People</b>	Goal 8 Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing	<ul style="list-style-type: none"> <li>- Aims to create a vibrant, welcoming, accessible centre that supports our quality of life, designed in collaboration with the community</li> <li>- Provides apartments to match the identified demand for smaller, low maintenance dwellings to complement the low density residential areas found through the majority of the former Warringah Local Government Area</li> </ul>
	Goal 9 Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities	Facilitates recreational opportunities through provision of pedestrian and cyclist connections to support people and stimulate well-being
	Goal 10 Our community is stimulated through a diverse range of cultural and creative activities and events	Encourages the use, and in selected cases, the dedication of privately owned land for additional roads, pedestrian links, civic and open spaces, enabling creative opportunities for nightlife, events and young people to socialise
<b>Vibrant Local Economy</b>	Goal 13 Our businesses are well-connected and thrive in an environment that supports innovation and economic growth	<ul style="list-style-type: none"> <li>- Retains employment lands to cater for mixed use allowing a diverse range of businesses and industry</li> <li>- Renews commercial floor space in line with market demand</li> </ul>
	Goal 14 Our economy provides opportunities to match the skills and needs of the population	<ul style="list-style-type: none"> <li>- Provides improvements to help promote Dee Why as an attractive place to establish business</li> </ul>

Community Outcome	SCP Goal	Consistency
		- Facilitates an active and safe urban environment through increased economic activity
<b>Transport, Infrastructure and Connectivity</b>	Goal 16 Our integrated transport networks meet the needs of our community	Demonstrates integrated transport and land use planning through provision of new roads
	Goal 17 Our community can safely and efficiently travel within and beyond Northern Beaches	<ul style="list-style-type: none"> <li>- Enhances pedestrian and cyclist connectivity to promote a safe network and reduce car-based transport</li> <li>- Improves parking options by stimulating development requiring public car parks</li> </ul>

#### 4.4 Warringah Employment Lands Study

The Warringah Employment Lands Study was prepared in 2013. It acknowledges the Brookvale-Dee Why Major Centre as containing 30% of Warringah's jobs.

The Planning Proposal supports the Key findings of this study, including:

- Brookvale-Dee Why Major Centre has the greatest theoretical floorspace capacity under the current controls, although additional job capacity has been capped at 3,500 jobs by 2036 due to the traffic constraints (in line with findings of the draft Dee Why/Brookvale Transport Management and Accessibility Study (TMAS))
- The revised projection shows that there will be demand for additional floorspace of 34,131 square metres in Dee Why by 2036.
- Over half of the additional floorspace demand is forecast to occur in Brookvale-Dee Why Major Centre, with around 60% of the additional demand in Dee Why for main street retail (mainly along the Pittwater Road).
- The public domain in Dee Why is in need of major upgrade, with improved foot traffic and street activation required to attract pedestrians to the area

It is consistent with the Strategy 4: Promote Dee Why as a civic and community centre, in particular the following actions:

- Action 4.1: Improve public domain within the centre
- Action 4.2: Plan for a 'fine grain' of retail and commercial development
- Action 4.3: Increase residential densities in the immediate vicinity of Dee Why centre to support the viability of public transport
- Action 4.4: Ensure that parking rates reflect neighbouring land uses
- Action 4.5: Council to investigate 'catalyst' sites for major redevelopment

#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. This planning proposal is consistent with following applicable state environmental planning policies (SEPPs). See also Attachment 2 – SEPPs.

- **State Environmental Planning Policy No. 55 – Remediation of Land**

*State Environmental Planning Policy No. 55 (Remediation of Land)* (SEPP 55) provides that land must be remediated to an appropriate level to cater for its proposed use.

The planning proposal is not inconsistent with the SEPP. The SEPP will be a matter for assessment of future development proposals within Dee Why Town Centre.

- **State Environmental Planning Policy (Infrastructure) – in relation to traffic generating characteristics**

*State Environmental Planning Policy (Infrastructure) 2008*, sets out requirements for various public authority and infrastructure works throughout the State.

In addition, it requires the referral of certain traffic generating development to RMS during the Development Application process.

Council has consulted with public authorities through the development of the Masterplan and more recently in the drafting of this Planning Proposal (see Part 11).

The planning proposal is not inconsistent with the SEPP. The SEPP will also be a matter for assessment of future development proposals within Dee Why Town Centre.

- **SEPP No 65—Design Quality of Residential Flat Development**

The planning proposal supports the redevelopment and amalgamation of land holdings for principally mixed use and apartment development. As such the SEPP and its accompanying Apartment Design Guide will guide future development outcomes within the Dee Why Town Centre.

The planning proposal is consistent and compatible with the SEPP. The SEPP and Warringah Development Control Plan 2011 (WDCP 2011) will guide the design and assessment of future residential flat development within Dee Why Town Centre. Council has exhibited amendments to WDCP 2011 (WDCP 2011 Amendments) in conjunction with this Planning Proposal.

- **SEPP No 70—Affordable Housing (Revised Schemes)**

SEPP 70 Affordable Housing (Revised Schemes) allows specified councils to prepare an affordable housing contribution scheme for certain precincts, areas or developments associated with an “upzoning” within its local government area. Schemes currently operate in the City of Sydney at Green Square, Ultimo-Pyrmont and the Southern Employment Lands and in Willoughby Council.

In 2018, the Northern Beaches Local Government Area was included as a Local Government Area in SEPP 70, enabling Council to include requirements for affordable housing in its LEPs in areas subject to rezoning uplift. Currently, this includes Frenchs Forest, Ingleside, and Brookvale subject to the adoption of the Brookvale Structure Plan.

As the Planning Proposal does not propose any significant “upzoning” (other than Key Site C in exchange for community infrastructure), SEPP70 will not apply for the changes to Dee Why Town Centre.

Council will encourage the provision of Affordable Housing in accordance with its Affordable Housing Policy. In Dee Why Town Centre, this will be facilitated through the development of any Voluntary Planning Agreements, subject to feasibility.

## **6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Yes. This planning proposal is consistent with the following applicable Ministerial Directions. See also Attachment 3 – Ministerial Directions.

**Table 7 – Consistency with s9.1 Ministerial Directions**

<b>S9.1 Direction</b>	<b>Requirement</b>	<b>Comment</b>
1.1 Business and Industrial Zones	1) The objectives of this direction are to: (a) encourage employment growth in suitable locations,	The planning proposal will retain and protect employment land within a business zone by ensuring new developments promote retail activity with at least 2 levels (including the ground floor) for non-residential purposes.

S9.1 Direction	Requirement	Comment
	<p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified strategic centres.</p>	<p>This is consistent with the aims of this Direction, A Plan for Growing Sydney, and was supported by the Department for the Merriton Site B Planning Proposal (PP_2015_WARRI_002_00).</p> <p>The above measures will reinforce the Dee Why Town Centre's capacity for business and employment functions and support wider urban renewal. No reduction in the total potential business floor space is proposed.</p>
2.3 Heritage Conservation	(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>Known heritage sites, such as the Commonwealth Bank on Site E at 691 Pittwater Road, will be conserved through existing provisions within clause 5.10 of the WLEP2011.</p> <p>Additionally, when listed, the Civic Precinct (Civic Hub) will have State Heritage Listing, providing additional protection under the provisions of the Heritage Act, 1977.</p>
3.4 Integrating Land Use and Transport	<p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>The Dee Why Town Centre will be a compact Centre that is well connected to the communities that it will serve. It is intersected by the main north south arterial road providing public transport services to the Northern Beaches region.</p> <p>The planning proposal is consistent with the aims and objectives of the Direction as it involves development within a designated Strategic Centre.</p> <p>The planning proposal promotes additional 'through-site' links to facilitate a safer and interconnected access network within Dee Why Town Centre, supporting the use of all available transport modes.</p> <p>Accompanying WDCP 2011 amendments will allow reduced parking provision in recognition of the Centre's access to frequent public transport. The provision of car share spaces will be encouraged to reduce the growth in vehicle kilometres travelled.</p>
4.1 Acid Sulphate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	<p>The Dee Why Town Centre is not mapped as having Acid Sulfate Soils, however these soils may be detected during excavation.</p> <p>The planning proposal does not propose any change in land use or any intensification of use that is not already permitted under existing provisions.</p> <p>If relevant, Acid Sulfate Soils will a matter for consideration in the assessment of future development proposals.</p> <p>No changes are proposed to Acid Sulfate Soil provisions under clause 6.1 of WLEP2011.</p>

S9.1 Direction	Requirement	Comment
		The planning proposal does not trigger or warrant further assessment of this Direction.
4.2 Mine Subsidence and Unstable Land	(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Council is unaware of any Mine Subsidence or Unstable land issues which could render the land unsuitable for its continued function as a town centre.  The planning proposal does not trigger or warrant further assessment of this Direction.
4.3 Flood Prone Land	The objective of this direction is to ensure development is consistent with policy and commensurate with the level of prevailing risk.	The majority of the land within the study area is flood prone. The planning proposal is consistent in that it: <ul style="list-style-type: none"> <li>- Does not propose the rezoning of land or any significant increase in the development of land that is not already permitted under existing planning controls.</li> <li>- Does not impose flood related development controls above the residential flood planning level for residential development on land.</li> <li>- Incorporates design measures to facilitate water movement through the town centre in times of flood (e.g. proposed new road through Site C).</li> </ul>
6.1 Approval and Referral Requirements	Encourage the efficient and appropriate assessment of development.	The planning proposal does not propose any additional consultation, consultation or referral requirements, nor does it identify any designated development.
6.2 Reserving Land for Public Purposes	To facilitate the provision of public services and facilities by reserving land for public purposes  To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition	The planning proposal does not create, alter or reduce an existing zone, nor does it propose the reservation of land for public purposes.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	The planning proposal proposes WLEP2011 amendments to allow a particular development proposal to be carried out.  The planning proposal is consistent in that it: <ul style="list-style-type: none"> <li>- Will allow any land use that can be carried out within the B4 Mixed Use Zone without imposing any development standards or requirements in addition to those already contained in WLEP 2011</li> <li>- Does not contain or refer to drawings that show details of the development proposal</li> </ul>
7.1 Implementation of 'A plan for growing Sydney'	(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in 'A plan for	The planning proposal is consistent with A Plan for Growing Sydney as addressed in the draft Planning Proposal placed on exhibition in February 2018.  This Planning Proposal addresses the updated Regional Plan – A Metropolis of Three Cities as

S9.1 Direction	Requirement	Comment
	growing Sydney'.	addressed within Section B Question 3 of this report.

## Section C – Environmental, social and economic impact

### 7. 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?

A species impact statement (SIS) for proposed public works in Dee Why Town Centre describes the urban centre as having no remnant vegetation (including canopy trees), no threatened flora, and no soil seed bank capable of supporting remnant native vegetation. The SIS study area represents the highly urbanised nature of the Town Centre that is subject of this Planning Proposal.

However, the Dee Why Town Centre contains significant underground stormwater infrastructure (pits, pipes and culverts) found to contain habitat for two threatened species of microbat:

- *Miniopterus australis* (Little Bentwing-bat)
- *Miniopterus schreibersii oceanensis* (Eastern Bentwing-bat)

Any development proposals for Dee Why Town Centre will need to address any critical habitat or threatened species, populations or ecological communities, or their habitats as part of the environmental assessment process. This includes any potential impacts on the adjoining Dee Why Lagoon Wildlife Refuge, Stony Range Regional Botanic Garden and Dee Why beach rock platform.

The assessment process under either Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979* should satisfactorily consider and verify any potential impacts. Any future assessment should be in accordance with the requirements of the new *Biodiversity Conservation Act 2016*.

### 8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

#### 8.1 Flooding and Water Management

The majority of the land within the Dee Why Town Centre is flood prone (see Figure 6).

Council has undertaken extensive flood investigations for Dee Why Town Centre, the most recent of which is the Dee Why South Catchment Floodplain Risk Management Plan, 2015 (Plan). This Plan recommends a range of floodplain management measures to reduce flooding risks in the precinct. It is used by Council to prioritise and implement public and private infrastructure improvements, such as the recently completed Oaks Avenue Drainage Works.

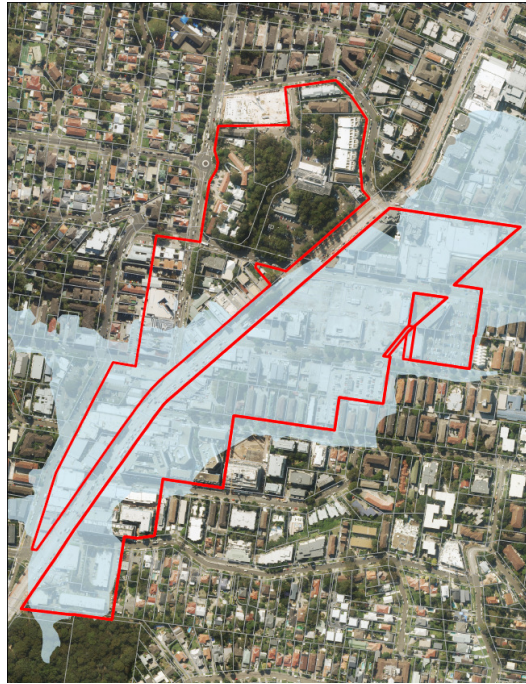
Private developments will need to address this Plan as well as existing Flood Planning provisions with the WLEP2011 (clause 6.3). Additionally, future developments must address Water Sensitive Urban Design provisions with the accompanying WDCP 2011 Amendments. This includes the requirement for new developments to demonstrate a neutral or beneficial effect to water management over the existing scenario.

No additional flood investigations are required to progress the planning proposal. The planning proposal responds to the flood hazard as it:

- Does not propose significant increase in the development of land that is not already permitted under existing planning controls.

- Incorporates design measures to facilitate water movement through the town centre in times of flood (e.g. proposed new road through Site C)
- Facilitates development that will contribute to improvements in the stormwater system.

The progression of this Planning Proposal is essential to ensure Council receives adequate developer contributions to fund these improvements.



**Figure 6 - Flood Planning Level for Dee Why Town Centre**

## **8.2 Traffic**

Substantive traffic modelling has been carried out to understand and plan what changes can be made to the existing roads to better cater for increased pressures from traffic and population growth in the Dee Why Town Centre.

A design considered to best cater for future traffic flows was included in the Dee Why Town Centre Master Plan adopted by Council in August 2013. This design proposed the creation of a circular one-way system, a new two-way link road between Oaks Avenue and Pacific Parade (i.e., the new road proposed at Site C), and other traffic improvements (see Attachment 1). A planning provision for the proposed one-way system is included in clause 7.3 of the WLEP2011, as follows:

*(c) the development is designed to respond to an on-street traffic circulation pattern that is one way in an anti-clockwise direction around the centre via Oaks Avenue, the Proposed New Road and Howard Avenue*

In late 2014, Council engaged traffic consultants to revise and update the previously developed Dee Why Town Centre traffic model as requested by RMS. This modelling tested a number of scenarios and concluded a two-way system offered better accessibility, route choice, reduced travel times, reduced stops and very similar travel speeds. The two-way system was also found to offer reduced potential for congestion over the one-way scheme. Council resolved to approve a two-way traffic scheme in lieu of the previously adopted one-way traffic scheme at its meeting 2 June 2016 (see Attachment 1).

Council has commenced a program to implement the traffic improvement works over the next few years in conjunction with a number of streetscape and public open space upgrades identified through the Dee Why Town Centre Masterplan. The progression of this Planning Proposal is essential to ensure Council receives adequate developer contributions to fund these improvements.

This Planning Proposal integrates the findings of updated traffic studies. Table 8 outlines the changes proposed under the Planning Proposal and the resulting impacts on traffic generation and movement.

**Table 8 – Impact on Traffic Generation from Planning Proposal Changes**

Planning Proposal Changes	Impacts on Traffic Generation and Movement
The redefined town centre area will include all sites currently zoned B4 Mixed Use under WLEP 2011	The expanded town centre will be subject to bespoke design controls that currently only apply to Key Site A and Key Site B. The new controls do not increase development potential/ traffic generation and encourage improved traffic movement.
Increase the overall maximum height of buildings in the town centre (excluding Key Sites A and B) by 3 metres (one storey) and introduce a new podium height control for these sites in WLEP 2011.	The proposed building height increase will not result in an increase in floorspace ratio (FSR) or density. If anything, the lower podium height will reduce the potential FSR for most sites due to the requirement for towers to comply with overshadowing and setback requirements in the Department of Planning and Environment's, Apartment Design Guide (ADG).
Establish FSR controls for the redefined town centre area in recognition of the need to better control development density to ensure the capacity of the road system is not exceeded.	<p>The establishment of FSR controls will have no impact on traffic generation or movement in the town centre as the controls are derived from the current setback, height and open space controls in WLEP 2011 and Council's Development Control Plan, and upon which previous traffic studies in the centre have been based.</p> <p>They do not result in an increase in development potential.</p>
Bonus development controls for Key Site C and D	<p>Bonus development controls have been developed having regard to sensitivity analysis testing by GHD in 2014. The results suggest a total of 10,581m<sup>2</sup> of additional floor space can be accommodated in the road network. The WSP Parson Brinckerhoff (PB) report in 2016 refined the model used by GHD and concludes that the proposed densities in the planning proposal can be accommodated within the constraints of the road network.</p> <p>Key Sites C and D have potential floorspace bonuses of 3,607.76m<sup>2</sup> and 240m<sup>2</sup> respectively, which is well within the boundaries of the GHD sensitivity analysis. This would equate to approximately 48 additional dwellings based on an 80m<sup>2</sup> per dwelling average.</p> <p>The bonus floor space for Site C has been accommodated in the revised traffic generations.</p>
Two-Way System and Road Upgrades	As above, Council resolved to approve a two-way traffic scheme in lieu of the previously adopted one-way traffic scheme at its meeting 2 June 2016 (see Attachment 5).

### 8.3 Other Environmental Constraints

The detailed environmental assessment of future development proposals within Dee Why Town Centre will satisfactorily consider and verify the nature, scale and appropriateness of any additional environmental effects arising from proposed development.

There are no other known environmental effects arising from the planning proposal.

## 9. Has the planning proposal adequately addressed any social and economic effects?

Yes. The changes presented within the planning proposal are the result of comprehensive community and stakeholder engagement and detailed analysis undertaken in the development of the Dee Why Town Centre Masterplan 2013.

The key social and economic considerations relating to the proposal are addressed below:

### 9.1 Social Effects

The planning proposal will lead to the following positive social benefits:

- The orderly redevelopment of land coordinated with the provision of much needed community infrastructure
- Investment that will stimulate growth in jobs and dwellings without the consumption of non-urban land (e.g. bushland) that is highly valued by the Northern Beaches Community.
- Provision of a vibrant and safe Town Centre with new and improved accessible connections
- Provision of a sustainable town centre driven by innovative design and performance
- The retention of significant views to landscape features such as the Lagoon, Long Reef headland, the coast line and Stony Range Reserve

As above, no significant increase in density is proposed within the Town Centre in recognition of existing transport network constraints. Rather, the Planning Proposal will stimulate existing development capacity in the centre and contribute to urban renewal. The proposed increase in building heights have been considered with respect to urban design studies as part of the Dee Why Town Centre Masterplan.

### 9.2 Heritage

The Dee Why Town Centre contains a number of local heritage items within its boundaries as well as in the surrounding area (Table 9, Table 10 and Figure 7). These items are listed in Schedule 5 of WLEP 2011.

In addition to these local items, the NSW Heritage Office has recommended listing of the Dee Why Civic Precinct on the State Heritage Register (see Figure 8 for precinct extent). The NSW Heritage Council has endorsed this action and it is currently with the Minister for Heritage for gazettal. Once this occurs, this Civic Precinct (Civic Hub) within the Dee Why Town Centre, will have additional protection under the provisions of the Heritage Act, 1977.

This planning proposal does not propose any amendments to WLEP 2011 for the protection of local environmental heritage, as it is considered that the listings in Schedule 5 and the provisions within clause 5.10 Heritage conservation are sufficient. In addition, the Civic Hub area will soon have State heritage listing protection.

However, to supplement these current LEP provisions, additional provisions relating to heritage protection are proposed in the accompanying Draft Development Control Plan (DCP).

**Table 9 – Local Heritage Items in the Dee Why Town Centre (listed in WLEP2011, Schedule 5)**

Location	Heritage Item	Address	Reference
Civic Hub	Civic Centre landscaping	Pittwater Road Lot 100, DP 1041823	I137
	Dee Why Public Library	Pittwater Road Lot 100, DP 1041823	I50
	Street tree	Corner of David Avenue and Pittwater Road Lot 100, DP 1041823	I39
Site E	Commonwealth Bank	691 Pittwater Road Lot 1, DP 166322	I48
Salvation	Pacific Lodge (Salvation Army)	15–23 Fisher Road	I43

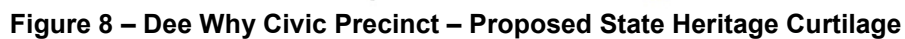
Location	Heritage Item	Address	Reference
Army Site		Part Lot 11, DP 577062	

**Table 10– Local Heritage Items in the vicinity of Dee Why Town Centre (listed in WLEP2011, Schedule 5)**

Heritage Item	Address	Reference
Dee Why Fire Station	38 Fisher Road Lot 23, DP 7413	I42
St Kevin's Catholic Church	46–50 Oaks Avenue Lot 1, DP 526306	I45
House	45 Pacific Parade (cnr Sturdee Parade)	I47
Stony Range Flora Reserve Heritage Conservation Area	802 Pittwater Road Lot 369, DP 752038; Lot 368, DP 752038; Lot 7, DP 523299	C6



**Figure 7 – Heritage Items within and adjoining the Dee Why Town Centre**



## **Section D – State and Commonwealth interests**

### **10. Is there adequate public infrastructure for the planning proposal?**

The planning proposal capitalises on existing access to utilities such as water, sewer, electricity and telephone services already serving the town centre.

Modern telecommunications infrastructure will be required through the proposed model condition recommended through the [Department of Planning and Environment's Planning Circular issued 17 November 2017](#).

The Planning Proposal seeks to facilitate the development of new and upgraded public infrastructure which is needed to support the existing and future residential and business communities within Dee Why Town Centre. It will also support the NSW Government's significant recent investment in the Northern Beaches bus network improvements.

This planning proposal aims to implement the Dee Why Town Centre Masterplan that demonstrates appropriate planning for community infrastructure. Council aims to progress the following public infrastructure improvements subject to the making of this planning proposal and receipt of adequate developer contributions:

- Stormwater infrastructure guided the Dee Why South Catchment Floodplain Risk Management Plan, 2015 and any updated studies
- Traffic infrastructure subject to RMS approval and the development of key sites
- Community infrastructure subject to the development of key sites as well as the proposed Civic Hub

### **11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

In accordance with the amended Gateway Determination issued 22 September 2016, Council consulted with TfNSW and RMS prior to undertaking community consultation.

Council sent referrals to these agencies in October 2016, along with Sydney Water, the Office of Environment and Heritage (OEH) and Energy Australia.

In February 2018, Council again sent referrals to TfNSW, RMS, Sydney Water, the Office of Environment and Heritage and Energy Australia.

A summary of feedback, and Council's response, is provided below.

Energy Australia advised they did not think it relevant for them to respond. .

#### **11.1 Office of Environment and Heritage**

OEH provided feedback on a draft Planning Proposal 9 November 2017 and again during the statutory public exhibition in March 2018.

The latest submission was referred to by an independent consultant to provide comment given the perceived conflict of interest in Council proposing an increase in building height on Council owned land.

In summary, OEH's main concerns were as follows:

- Increases in building height having the potential to adversely impact on the views from Pittwater Road to the Warringah Civic Centre Precinct, and
- Amendments to wording in the draft DCP to highlight the importance of the Civic Site.

In summary, the Independent Consultant recommended no changes to proposed building heights in the Planning Proposal on grounds that the location and design of buildings was of more relevance than building height. It was considered that existing provisions within clause 5.10 of the WLEP2011, the impending listing on the State Heritage Register, and DCP provisions would be significant to address any concerns.

The full report can be accessed by Appendix 1.

### **11.2 Sydney Water**

Feedback from Sydney Water dated 9 November 2017 provided the following comments:

- The trunk water and wastewater systems serving Dee Why Town Centre have adequate capacity to cater for the proposed changes in building heights, however extensions / adjustments of assets may be required to connect individual developments
- Amplification of the drinking water mains will be required within Dee Why Pde, Howard Avenue and potentially along side streets
- Existing wastewater mains in the Town Centre are generally available for connection and would only require minor extensions
- Detailed requirements will be provided at Section 73 application phase for individual development

No further comments were provided from Sydney Water in response to the statutory public exhibition. Council will ensure the above considerations are taken into account in the assessment of any future Development Application.

### **11.3 TfNSW and RMS**

In response to Council's referral sent October 2016, TfNSW and RMS wrote to Council in December 2016 questioning whether the traffic studies had taken into account any proposed increase to FSR and building height and associated impacts on the surrounding transport system.

In response, Council wrote to TfNSW and RMS in December 2016, clarifying the following:

- The proposed 3m increase in building height will not result in an increase in floorspace ratio or density.
- The lower podium height will reduce the potential FSR for most sites due to the requirement for towers to comply with overshadowing and setback requirements in the Department of Planning and Environment's Apartment Design Guide (ADG).
- The introduction of FSRs would ensure that the overall floor space and/or density in the town centre do not exceed the capacity identified in the traffic sensitivity analysis.

In January 2017, Council commissioned a further report from their traffic consultants as requested by TfNSW and RMS to summarise the results and history of the various traffic studies. The report was provided to TfNSW and RMS in April 2017. It concluded that additional modelling was not required as only minor changes to traffic generation will occur as a result of the Dee Why Town Centre Planning Proposal.

From April to July 2017, Council regularly sought updates from RMS and TfNSW in response to the above study. In August 2017, RMS and TfNSW wrote to Council seeking a meeting to discuss the changes to the traffic network.

Council wrote to RMS and TfNSW in October 2017 following a meeting at their premises and clarified the Planning Proposal would result in additional floorspace on three Key Sites as follows:

- Key Site C – 3,607m<sup>2</sup> (in exchange for a new road between Oaks Avenue and Pacific Parade)
- Key Site D – 240m<sup>2</sup> (in exchange for a for an additional bus turning lane on the corner of Pittwater Road)
- Key Site F – 3420m<sup>2</sup> (in exchange for community facilities)

Total = 7,267m<sup>2</sup> (90 dwellings based on 80m<sup>2</sup> per dwelling)

The letter explained the Bonus development controls had been developed having regard to sensitivity analysis testing by GHD in 2014. The results suggest a total of 10,581m<sup>2</sup> of additional floor space can be accommodated in the road network. The WSP Parson Brinckerhoff (PB) report in 2016 refined the model used by GHD and concluded that the proposed densities in the planning proposal can be accommodated within the constraints of the road network.

RMS and TfNSW wrote to Council 10 November 2017, stating they had reviewed the additional information and raise no further comment based on the understanding that the subject proposal does not result in an increase in overall density in the town centre.

As development of Key Site F is nearing completion, and the bonus provisions were not taken up, there will be a reduction in the proposed increase in density by removal of Key Site F. This means the Planning Proposal would now only result in a proposed increase of 3,847m<sup>2</sup> or 48 dwellings (from Key Site C and D). This recommendation was made by Council's independent consultant.

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. This TMAS will determine large scale road network upgrades required to cater for future development. It is noted that the widening of Pittwater Road is already taking place as a result of the B-Line road network improvements. Other large scale network improvements identified in the 2012 TMAS include the potential need for grade separation at the intersection of Warringah Road and Pittwater Road.

Until the TMAS is updated, Council cannot consider significant increases in density in the Town Centre. 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.

## Part 4 – Maps

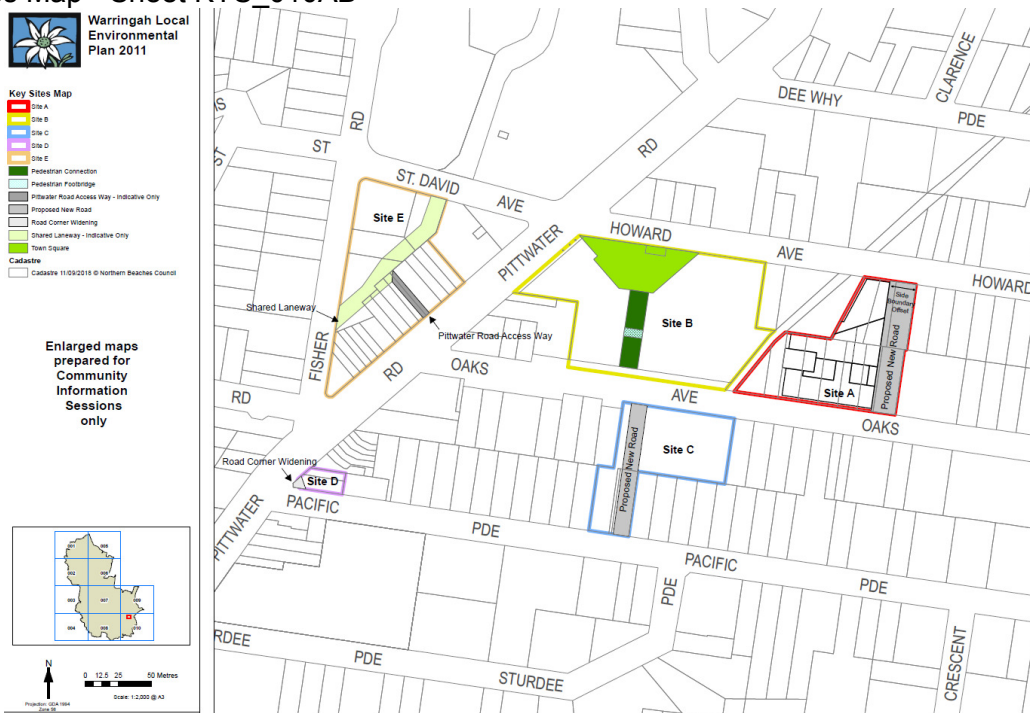
The maps that accompany this planning proposal (2016/157131) are:

Map 1 – Dee Why Town Centre Map - Centres Map - Sheet CEN\_010



Map 2 – Key Sites Map:

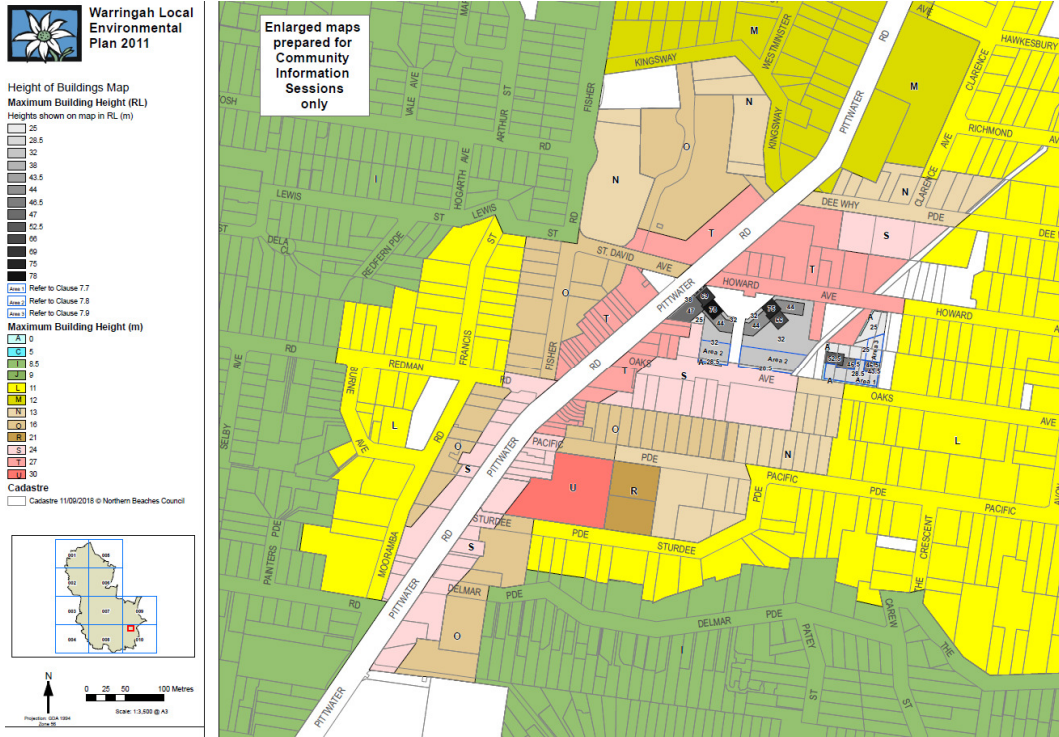
Key Sites Map - Sheet KYS\_010AA  
Key Sites Map - Sheet KYS\_010AB



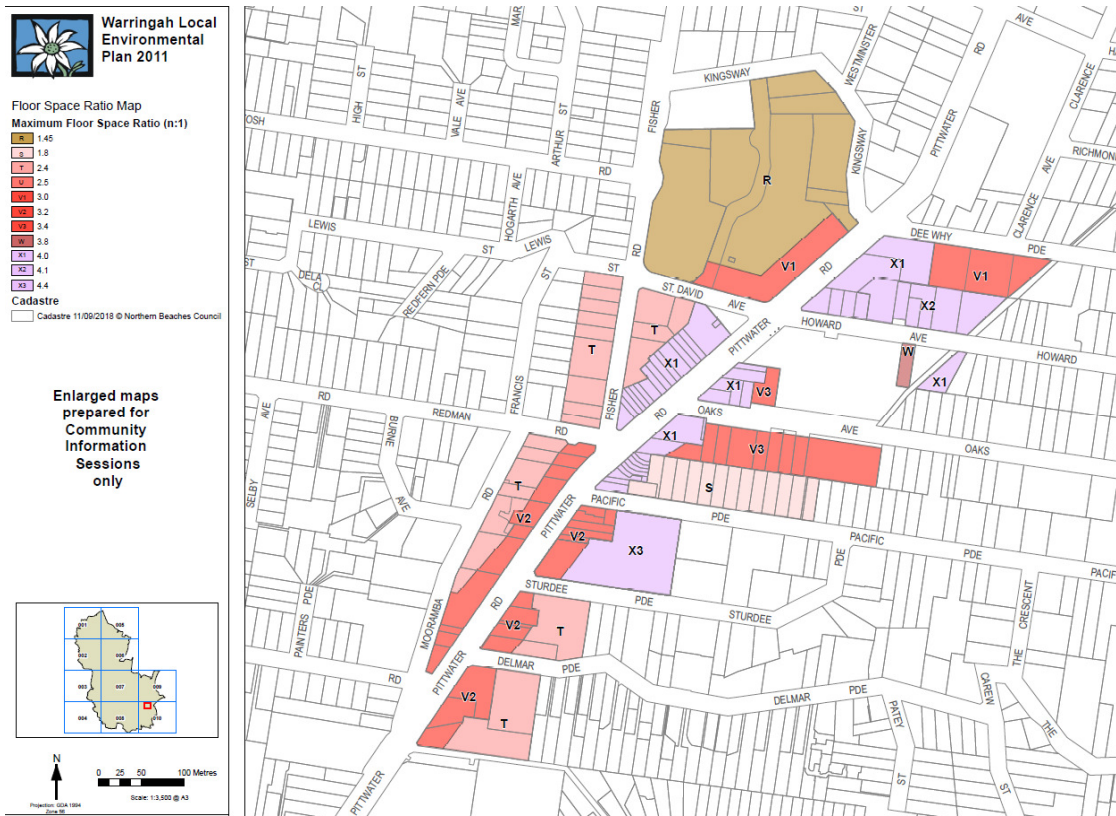
### Map 3 – Height of Buildings Map:

Height of Buildings Map - Sheet HOB\_010AA

Height of Buildings Map - Sheet HOB\_010AB



### Map 4 – Floor Space Ratio Map - Floor Space Ratio Map - Sheet FSR\_010



## Part 5 – Community Consultation

Extensive community consultation was undertaken on the Dee Why Town Centre Masterplan at the beginning of 2013. This included physical displays, online engagement, two community information sessions, briefings of key landowners and the working group, guided walking tours and a pamphlet mail out to over 95,000 households and businesses within the former Warringah LGA. In response, Council received 81 feedback form submissions, 25 email submissions and 10 long form submissions. Following a review of all submissions, the Dee Why Town Centre Masterplan was reported to and subsequently endorsed by Council at the 6 August 2013 Council meeting.

Council placed the Planning Proposal and draft WDCP2011 on statutory public exhibition from 24 February to 25 March 2018. During this time, Council engaged the community through the following activities:

- Updates to the project website with frequently asked questions and links to exhibition documents (<https://yoursay.northernbeaches.nsw.gov.au/dee-why-town-centre-planning-controls>)
- Targeted emails to respondents from the exhibition of the Master Plan, visioning forum and public domain improvements
- Email to Council's community engagement register
- Notices in the Manly Daily 24 February, 3 March and 17 March 2018
- Notification letters to 5,572 owners and occupiers within and adjoining the B4 Mixed Use area
- Two drop-in sessions at the Dee Why Civic Centre (attended by 8 people) on Saturday 3 March 2018 from 10am-12pm and Thursday 8 March 2018 from 5pm-7pm
- Availability of printed materials at Council's Customer Service Centres (Manly, Dee Why and Mona Vale) and Dee Why Library

A total of 25 submissions were received by the public as well as internal submissions and submissions from Sydney Water, Transport for NSW, Roads and Maritime Services and the Office of Environment and Heritage.

In summary, the main concerns included:

- Probity concerns for Council owned sites and sites benefiting the Police
- Traffic resulting from increased development
- Pedestrian safety
- Parking
- Community infrastructure
- Building heights, podiums and setbacks
- Floor space ratios
- Provisions promoting retail activity
- Green infrastructure
- Rezoning requests
- Site specific issues regarding:
  - 23 Fisher Road
  - Key Site A, C, D and F
  - Civic Site

A number of changes are proposed to the Dee Why Town Centre Planning Controls in response to the above feedback, actions in the District Plan and recommendations from an external assessment of submissions relating to probity concerns.

A summary of Council's response to the above submissions can be viewed in Council's report dated 25 September 2018, and supplementary attachments.

It is proposed to re-exhibit changes to the WDCP 2011 as the changes proposed vary significantly from those publicly exhibited. It is recommended that the amended Planning Proposal is forwarded directly to the Minister of Planning and Environment for the making of a local environmental plan as the proposed changes are not significant.

## Part 6 – Project Timeline

Task	Anticipated timeframe
Commencement date (date of Gateway determination)	Completed
Timeframe for the completion of required technical information	Completed
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	Completed November 2017
Commencement and completion dates for public exhibition period	February/ March 2018
Dates for public hearing (if required)	Not applicable
Timeframe for consideration of submissions	April 2018
Timeframe for the consideration of a proposal post exhibition	May/June 2018
Date of submission to the Department to finalise the LEP	September 2018
Anticipated date relevant planning authority (RPA) will make the plan (if delegated)	February 2019
Anticipated date RPA will forward to the Department for notification	Not applicable

## Attachment 1 - References

### Post Gateway Documentation:

1. Council Report 2018/501819
2. Chronology of Events 2018/502207
3. Probity Plan 2018/344136
4. External Assessment 2018/502226
5. Probity Report 2018/502244
6. Revised Planning Proposal to forward to the Department of Planning and Environment - 2018/350964
7. Revised Development Control Plan to be publicly re-exhibited - 2018/351046
8. Submissions Report - 2018/253870

### Gateway Determination

- [!\[\]\(477c29bdbe2d88a8f64662f3d3b8a4ff\_img.jpg\) Original Gateway Determination - 1 April 2015](#)
- [!\[\]\(68747eef5f56637116ca35a9b20a0d7c\_img.jpg\) Alteration of Gateway Determination - 22 September 2016](#)

### Council Reports

- [!\[\]\(b8ef35af9c8af010b648fe96daa1ad43\_img.jpg\) Council Report - Dee Why Town Centre Planning Proposal - 23 September 2014](#)
- [!\[\]\(3bf8fc9ed38d84e1829df764e5fafc79\_img.jpg\) Council Report Attachment 23 September 2014 - Chronology and Background \(9.36 MB\) \(pdf\)](#)
- [!\[\]\(f68f9813273d24e8595456fbdeffe9bc\_img.jpg\) Council Report Attachment - Draft WDCP2011 – Dee Why Town Centre – 23 September 2014](#)
- [!\[\]\(5ef08917696a53ccfae07575a445d17a\_img.jpg\) Council Resolution - Dee Why Town Centre Planning Proposal - 23 September 2014](#)
- [!\[\]\(853b4d373116b3014173323f6e9488b7\_img.jpg\) Council Report – Draft Amendments to WDCP2011 – Dee Why Town Centre – 19 December 2017](#)
- [!\[\]\(5943799e71cbe95cd679136b19a719bc\_img.jpg\) Council Report Attachment - Draft WDCP2011 – Dee Why Town Centre – 19 December 2017](#)

### Maps

- [!\[\]\(ad45157a1029d00e6afa7f3440f2a16d\_img.jpg\) Centres Map](#)
- [!\[\]\(0f3ac4bc4b4e8646eeec6671830a525d\_img.jpg\) Key Sites Map – 10AA](#)
- [!\[\]\(8d0818e8d3714f46a633a9a9c2922d76\_img.jpg\) Key Sites Map – 10AB](#)
- [!\[\]\(4dcf92a2ce2846d6c86bfc86d7980146\_img.jpg\) Height of Buildings 10AA](#)
- [!\[\]\(f13d15965302f4e7d8b5c2bb81609745\_img.jpg\) Height of Buildings 10AB](#)
- [!\[\]\(d59971c0471862b64d8ece7d4086f470\_img.jpg\) Floor Space Ratio](#)







### Public Authority Correspondence

- [!\[\]\(41484e08de23f5e2415d7d1eca0071e2\_img.jpg\) Office of Environment and Heritage Referral Response - 9 November 2016](#)
- [!\[\]\(74a58736895f94384ebc1eb110f0d3c9\_img.jpg\) Sydney Water Referral Response 30 November 2016](#)
- [!\[\]\(b8afe6794ba83a5e61caf510c7b03430\_img.jpg\) TfNSW Referral Response – 24 November 2016](#)
- [!\[\]\(b41e5b6c5f235cbac8be09ca39a35056\_img.jpg\) Council response to TfNSW Comments - 20 December 2016](#)
- [!\[\]\(6a883070682aeeae7050c491b07af2f3\_img.jpg\) Parson's Brickerhoff response to TfNSW & RMS Comments – 19 April 2017](#)
- [!\[\]\(126fc399e1b0ac693271c06e22682d84\_img.jpg\) TfNSW & RMS Referral Response 10 August 2017](#)
- [!\[\]\(60e8458552eab1e660b5aa0b3388ab16\_img.jpg\) Council response to TfNSW & RMS Comments – 3 October 2017](#)
- [!\[\]\(d1a29a65307d0651eb4fce146dfa47f3\_img.jpg\) TfNSW & RMS Referral Response 10 November 2017](#)

### Traffic Studies

- [!\[\]\(3e77018ad70b2f0cd833acc20e3ce226\_img.jpg\) Webpage - Dee Why Town Centre Traffic Changes](#)
- [!\[\]\(7595c65195bd31ba1d738c1d64099054\_img.jpg\) GHD Dee Why Traffic update study March 2014](#)
- [!\[\]\(b37e786359a1e5f8f5e59f0b3b1b8f7f\_img.jpg\) GHD Dee Why Town Centre Traffic Modelling October 2014](#)
- [!\[\]\(675b655a8249cc4d04767d14aa4501c7\_img.jpg\) Traffic Modelling Report by Parsons Brinckerhoff - Dee Why Town Centre Upgrades – April 2016](#)

## Dee Why Town Centre Masterplan

-  [Part 1 - Introduction and Context \(12 MB\) \(pdf\)](#)
-  [Part 2 - Vision and Framework \(5.17 MB\) \(pdf\)](#)
-  [Part 3 - Masterplan and Artists Impressions \(14.5 MB\) \(pdf\)](#)
-  [Part 4 - Implementation and Options \(13.5 MB\) \(pdf\)](#)
-  [Part 5 - Options, studies and community consultation \(10.2 MB\) \(pdf\)](#)
-  [Complete Dee Why Town Centre Masterplan \(51,463 KB\) \(50.6 MB\) \(pdf\)](#)

## Attachment 2 – SEPPs

SEPP	Relevant	Consistent	Explanation
<a href="#">SEPP No 1—Development Standards</a>	Yes	NA	Compliance with this SEPP would be reviewed at the development application stage.
<a href="#">SEPP No 14—Coastal Wetlands</a>	No	NA	
<a href="#">SEPP No 19—Bushland in Urban Areas</a>	No	NA	No bushland located within the Town Centre
<a href="#">SEPP No 21—Caravan Parks</a>	No	NA	
<a href="#">SEPP No 26—Littoral Rainforests</a>	No	NA	
<a href="#">SEPP No 30—Intensive Agriculture</a>	No	NA	
<a href="#">SEPP No 33—Hazardous and Offensive Development</a>	No	NA	
<a href="#">SEPP No 36—Manufactured Home Estates</a>	No	NA	
<a href="#">SEPP No 44—Koala Habitat Protection</a>	No	NA	
<a href="#">SEPP No 47—Moore Park Showground</a>	No	NA	
<a href="#">SEPP No 50—Canal Estate Development</a>	No	NA	
<a href="#">SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas</a>	No	NA	
<a href="#">SEPP No 55—Remediation of Land</a>	Yes	Yes	Refer Section 5
<a href="#">SEPP No 62—Sustainable Aquaculture</a>	No	NA	
<a href="#">SEPP No 64—Advertising and Signage</a>	No	NA	
<a href="#">SEPP No 65—Design Quality of Residential Apartment Development</a>	Yes	Yes	Refer Section 5
<a href="#">SEPP No 70—Affordable Housing (Revised Schemes)</a>	Yes	Yes	Refer Section 5
<a href="#">SEPP No 71—Coastal Protection</a>	No	NA	Town Centre not within Coastal Zone
<a href="#">SEPP (Affordable Rental Housing) 2009</a>	Yes	Yes	The proposal is not inconsistent with this SEPP
<a href="#">SEPP (Building Sustainability Index: BASIX) 2004</a>	Yes	NA	Compliance with this SEPP would be reviewed at the development application stage.
<a href="#">SEPP (Educational Establishments and Child Care Facilities) 2017</a>	Yes	Yes	The proposal is not inconsistent with this SEPP
<a href="#">SEPP (Exempt and Complying Development Codes) 2008</a>	No	NA	

SEPP	Relevant	Consistent	Explanation
<a href="#">SEPP (Housing for Seniors or People with a Disability) 2004</a>	Yes	Yes	The proposal is not inconsistent with this SEPP
<a href="#">SEPP (Infrastructure) 2007</a>	Yes	Yes	Refer Section 5
<a href="#">SEPP (Integration and Repeals) 2016</a>	No	NA	
<a href="#">SEPP (Kosciuszko National Park—Alpine Resorts) 2007</a>	No	NA	
<a href="#">SEPP (Kurnell Peninsula) 1989</a>	No	NA	
<a href="#">SEPP (Mining, Petroleum Production and Extractive Industries) 2007</a>	No	NA	
<a href="#">SEPP (Miscellaneous Consent Provisions) 2007</a>	No	NA	
<a href="#">SEPP (Penrith Lakes Scheme) 1989</a>	No	NA	
<a href="#">SEPP (Rural Lands) 2008</a>	No	NA	
<a href="#">SEPP (State and Regional Development) 2011</a>	No	NA	
<a href="#">SEPP (State Significant Precincts) 2005</a>	No	NA	
<a href="#">SEPP (Sydney Drinking Water Catchment) 2011</a>	No	NA	
<a href="#">SEPP (Sydney Region Growth Centres) 2006</a>	No	NA	
<a href="#">SEPP (Three Ports) 2013</a>	No	NA	
<a href="#">SEPP (Urban Renewal) 2010</a>	No	NA	
<a href="#">SEPP (Vegetation in Non-Rural Areas) 2017</a>	No	NA	
<a href="#">SEPP (Western Sydney Employment Area) 2009</a>	No	NA	
<a href="#">SEPP (Western Sydney Parklands) 2009</a>	No	NA	

## Attachment 3 – Ministerial Directions

	Direction	Applicable	Consistent?	Our Response
<b>1</b>	<b>Employment and Resources</b>			
1.1	Business and Industrial Zones	Yes	Yes	Refer Section 6
1.2	Rural Zones	No	NA	
1.3	Mining, Petroleum Production and Extractive Industries	No	NA	
1.4	Oyster Aquaculture	No	NA	
1.5	Rural lands	No	NA	
<b>2</b>	<b>Environment and Heritage</b>			
2.1	Environmental Protection Zones	No	NA	
2.2	Coastal Protection	No	NA	
2.3	Heritage Conservation	Yes	Yes	Refer Section 6 and Section 9.2
2.4	Recreation Vehicle Area	No	NA	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	NA	
<b>3</b>	<b>Housing, Infrastructure and Urban Development</b>			
3.1	Residential Zones	No	NA	
3.2	Caravan Parks and Manufactured Home Estates	No	NA	
3.3	Home Occupations	Yes	Yes	The proposal is not inconsistent with this Direction which aims to encourage the carrying out of low-impact small businesses in dwelling houses.
3.4	Integrating Land Use and Transport	Yes	Yes	Refer Section 6, Section 8.2 and Section 10
3.5	Development Near Licensed Aerodromes	No	NA	
3.6	Shooting Ranges	No	NA	
<b>4</b>	<b>Hazard and Risk</b>			
4.1	Acid Sulphate Soils	Yes	Yes	Refer Section 6
4.2	Mine Subsidence and Unstable Land	Yes	Yes	Refer Section 6
4.3	Flood Prone Land	Yes	Yes	Refer Section 6
4.4	Planning for Bushfire Protection	No	NA	
<b>5</b>	<b>Regional Planning</b>			
5.1	Implementation of Regional Strategies	No	NA	
5.2	Sydney Drinking Water Catchments	No	NA	
5.3	Farmland of State & Regional Significance Far North Coast	No	NA	
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	NA	
5.8	Second Sydney Airport: Badgerys Creek	No	NA	
5.9	North West Rail Link Corridor Strategy	No	NA	
5.10	Implementation of Regional Plans	No	NA	
<b>6</b>	<b>Local Plan Making</b>			
6.1	Approval and Referral Requirements	Yes	Yes	Refer Section 6
6.2	Reserving Land for Public Purposes	Yes	Yes	Refer Section 6
6.3	Site Specific Provisions	Yes	Yes	Refer Section 6
<b>7</b>	<b>Metropolitan Planning</b>			
7.1	Implementation of A Plan for Growing Sydney	Yes	Yes	Refer Section 6

	<b>Direction</b>	<b>Applicable</b>	<b>Consistent?</b>	<b>Our Response</b>
7.2	Implementation of Greater Macarthur Land Release Investigation	No	NA	
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	NA	
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	NA	
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	NA	
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	NA	

