



PLANNING PROPOSAL

Dee Why Town Centre

September 2014

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Background

The Dee Why Town Centre Planning Proposal (Planning Proposal) seeks to implement the findings contained within the Dee Why Master Plan 2013 (Master Plan). The method of implementation is to amend the Warringah Local Environmental Plan 2011 (WLEP 2011) and Development Control Plan (DCP) with land use objectives and planning provisions.

The Master Plan process was managed by Council and compiled after a considerable process which included the engagement of urban design consultants, Place Design Group.

The Master Plan incorporates a review of previous design studies, an assessment of constraints and opportunities and ultimately identifies the best possible way to achieve feasible and sustainable outcomes for the centre.

The Master Plan was also influenced by a purposely formulated Working Party and was the subject of an extensive community consultation process which included advertisements in the Manly Daily, letters to over 1,400 property and business owners and pamphlets dropped to over 95,000 households and businesses.

The Master Plan was adopted by Council at its meeting held 6 August 2013.

Key Features of the Master Plan include:

- Creation of a civic centre “Community Hub” with an attractive outdoor plaza, amphitheatre and new library facilities on Councils existing library and administration site
- New Police Citizens & Youth Club
- 560 public car park spaces
- New bicycle lanes and road changes to improve traffic flow and accessibility
- Interconnected public open space and plaza areas
- Emphasis on improving streetscape through landscaping
- Use of water-sensitive urban design
- Encouraging the development of taller and ‘slimmer’ buildings on large sites
- Encouraging developers to provide public benefits, including the possibility of building taller and slimmer towers in exchange for the delivery of public benefits.
- Revising parameters surrounding building design and encouraging distinct podium and tower elements to encourage additional ground level open space and solar access.

Town Centre characteristics

Figure 1 below illustrates the Dee Why Town Centre boundaries.

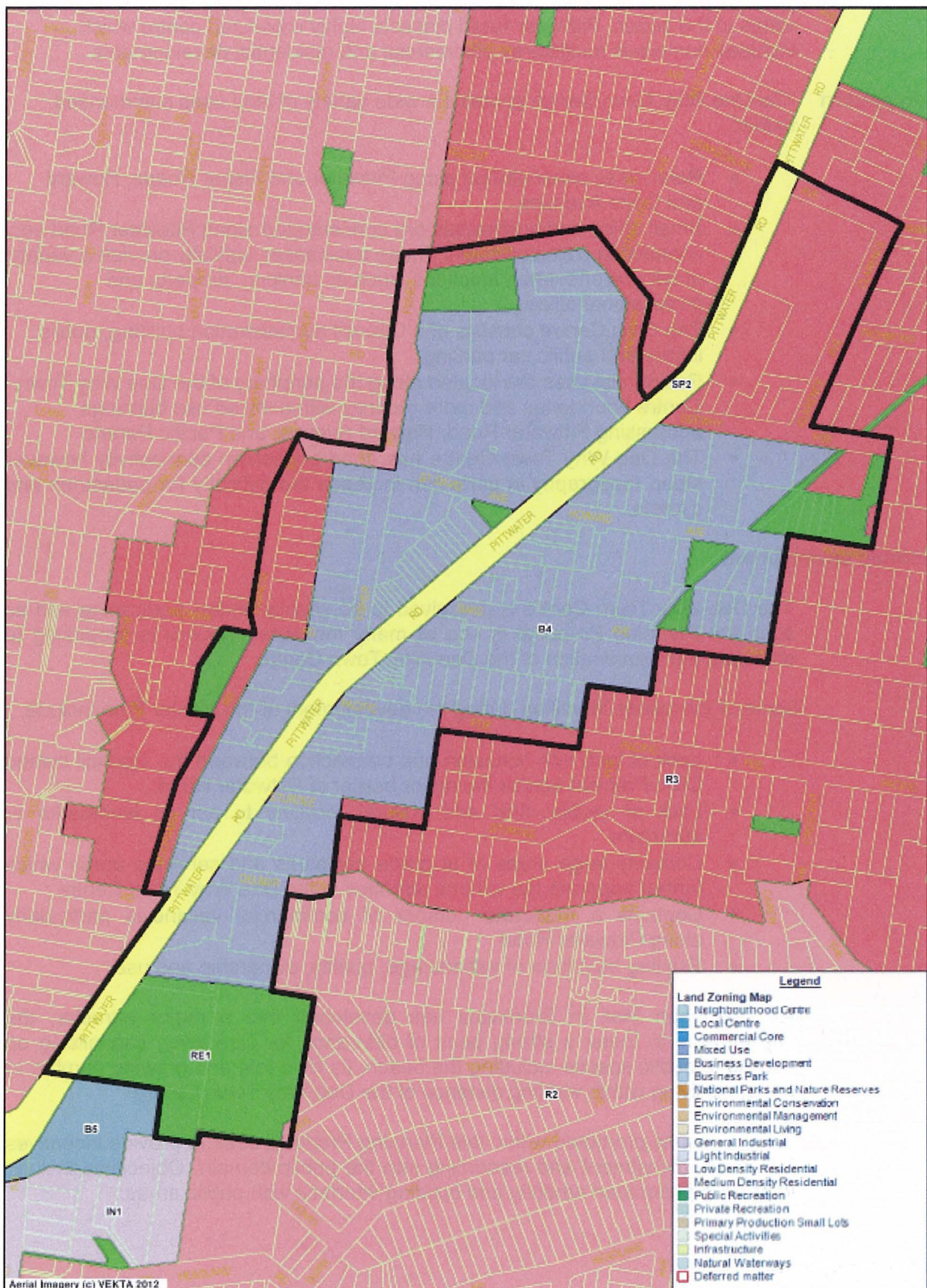


Figure 1. Dee Why Town Centre

The key features and characteristics of the Dee Why Town Centre are summarised below;

Land size Approximately 36 hectares

Land use zone The Dee Why Town Centre is predominately zoned B4 Mixed Use with some areas along the periphery zoned R3 Medium Density Residential. Other land use zones that apply to town centre land include RE1 Public Recreation (parks) and SP2 Infrastructure (major roads).



Characteristics Dee Why is located on the southern side of a basin with the Pacific Ocean to the east. The centre's layout responds to its topography by following natural contours with the higher points on natural outcrops providing commanding views and

vistas to the ocean. Pittwater Road dissects highly urbanised centre which includes numerous multistorey commercial and residential developments.

Urban pattern The Dee Why Town Centre contains a wide variety of land uses summarised below;

- Retail uses concentrated along Pittwater and Fisher Roads, Howard and Oaks Avenues
- Small office and businesses are concentrated along Pittwater Road and connecting collector roads. These businesses typically provide a variety of service orientated functions such as banking, property and professional offices
- The Civic Centre consists of a Council administration building, public library and public car parking
- Residential uses are located along the periphery of the Dee Why Town Centre boundaries and more recently within mixed use buildings addressing Pittwater Road, Howard Avenue, and Pacific Parade
- The Dee Why Town Centre has good pedestrian connectivity however steep topography in parts can increase the difficulty for pedestrian and cyclists.

Economic environment

The Dee Why Town Centre is perceived to be slightly under- performing and as such the Planning Proposal is one of many measures Council is proposing to stimulate the rejuvenation of the Dee Why Town Centre.

Some of the issues identified during the development of the Master Plan include;

- Lack of land use cohesion and connection between the Council owned Civic Precinct across the major barrier of Pittwater Road
- Lack of visible civic and cultural facilities to act as landmarks or attractors
- Contains large areas of at grade car parks and servicing areas which further separate the various activities in the Dee Why Town Centre
- Contains a moderate number of commercial vacancies particularly along Pittwater Road
- Existing built form of various age, quality, ownership and use.

As Warringah Mall in Brookvale has developed into a major attractor, the challenge is to foster a strong point of difference for Dee Why, capitalising on access to public spaces including the beach, its civic role and growing number of residents living within walking distance of the Dee Why Town Centre.

The provisions promoted within this Planning Proposal seek to provide incentives for private investment and resourcing into the public domain. Objectives include improving pedestrian amenity and building interface with public areas.

Natural constraints

A piped drainage system follows the road network which functions as overland flow in case the piped network fails. A number of new developments incorporate piped or covered channels to convey flood flows underground but are without designated overland flow paths which have decreased the tolerance for flooding in Dee Why.

Groundwater in the North East occurs in two main settings: unconsolidated sediments (coastal sand beds) and porous rocks (sandstones). If groundwater discharges are modified by urban development there will be potential impacts on the four coastal lagoons. It is acknowledged that in some parts of the Dee Why Town Centre, groundwater may impact upon excavation and basement construction.

A large proportion of the Dee Why Town Centre is under the flood planning level. This creates constraints in terms of floor levels, road and public domain design and construction, hazard and evacuation and water quality treatments.

Other constraints

Constraints which may influence the scale and design of future development include:

- Pittwater Road as a physical and visual barrier
- Natural landforms and mature tree plantings that contribute to local character
- The linear layout of the Town Centre along Pittwater Road makes circulation difficult for pedestrians
- Lack of overland flow drainage with flood hazard during high rainfall events
- Drainage pipes, channels and easements
- Lack of north - south pedestrian links
- Retention of views of natural features
- Bushfire prone land.

The Planning Proposal

Section 55 (2) *Environmental Assessment & Planning Act 1979* outlines what a planning proposal must include. To comply with these requirements, this Planning Proposal comprises four main parts;

- Part 1 - Objectives or intended outcomes
- Part 2 - Explanation of provisions
- Part 3 - Justification
- Part 4 - Community consultation

Part 1 – Objectives or Intended Outcomes

The Master Plan considers previous strategies and studies in addition to new analysis developed with a stakeholder working party. Previous studies considered within the Master Plan include;

- Dee Why Town Centre Traffic Model Update by GHD, March 2014
- Government Architects Office Master Plan Review, September 2004
- Warringah LEP 2001 Amendment No.21 (November 2008).

The proposed amendments to the WLEP 2011 and DCP are a result of the recommendations contained within the Master Plan in addition to the Traffic Model conclusions and Councils experience in considering recent development proposals.

In essence, the Planning Proposal seeks implement a positive planning framework which facilitates innovative and negotiated outcomes in line with the overarching vision of revitalisation and rejuvenation.

In developing the desired planning framework, a number of amending WLEP 2011 and DCP provisions and maps have been prepared and are enclosed as Attachments 1-3. A summary of the key WLEP 2011 amendments is contained within Part 2 of this Planning Proposal.

Part 2 – Explanation of Provisions

A summary of the key amendments to the WLEP 2011 are outlined below. A full list of the intended amendments with associated explanatory notes is enclosed as Attachment 2.

A. Introduction of Floor Space Ratio (FSR) planning controls and maps

Objective

- i. To regulate the density of development to suit the desired future character of the Dee Why Town Centre
- ii. To provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure within and around the Dee Why Town Centre.
- iii. To ensure that new development minimises adverse impacts on amenity.
- iv. To allow Council to closely monitor the delivery of additional floor space and its associated traffic generation. This allows for accurate monitoring of road network performance and identification for the appropriate road upgrades.

Note that the draft Floor Space Ratio (FSR) map represents the maximum gross floor area currently permitted within the existing WLEP 2011. (Refer to Attachment 1)

B. Amend the planning controls that relate to buildings setbacks and reduce the number of permissible 'podium' building levels

Objective

- i. Reducing the number of podium building levels aims to ensure that solar access to adjoining properties and ground level public space is maximised. The controls also allow for a development with no podiums
- ii. To encourage a less dominant built form when viewed from open space and the street
- iii. To promote the opportunity for additional ground level pedestrian circulation space
- iv. To promote adequate building separation and the retention of development potential for lots adjoining a development.

C. Amend the Height of Building Map to increase the maximum permissible building height across the Dee Why Town Centre (excluding Key Site A and B) by one building level (i.e. three metres)

Objective

- i. As a result of mandating one less podium level, an additional storey of building height is permitted to allow for the 'transplanting' of podium floor space. The option of delivering a building without a podium element is also available however extra building height is not justified on this basis alone.
- ii. To encourage buildings that have 'slimmer' tower elements and are better proportioned.

D. Introduction of three additional 'Key Sites' (creating a total of five key sites) inclusive of required 'through-site' pedestrian access ways and road network upgrades.

Objective

- i. To highlight catalyst sites that offer significant potential of fulfilling the objective of revitalising the Dee Why Town Centre
- ii. To highlight sites that may deliver considerable public benefit including pedestrian and road network upgrades in exchange for additional development rights
- iii. To implement the endorsed road network 'Option 2a2' outlined in the GHD Traffic report provided in Attachment 4.

E. Location of on-site car parking

Objective

- i. To stipulate the criteria and circumstances of when new development may locate parking above ground
- ii. To stipulate the proportion of parking which may be permitted in above ground structures
- iii. To stipulate the requirements to visually screen above ground parking structures.

F. Provide criteria for the provision of infrastructure items and public benefits in exchange for additional development rights

Objective

- i. To promote the delivery of public benefits by developers and landowners
- ii. To list the criteria in which additional development such as building height and gross floor area may be granted in exchange for public benefits
- iii. To establish a process to assess development proposals that seeks to deliver public benefits
- iv. To implement the endorsed road network 'Option 2a2' outlined in the GHD Traffic report provided in Attachment 4.

G. To create WLEP 2011 maps that support and facilitate the amending WLEP 2011 provisions.

Warringah LEP 2011 Maps	Proposed Amendments
No current FSR map	Introduce FSR maps to illustrate the maximum gross floor area currently achievable under the existing WLEP 2011 and DCP planning controls
WLEP 2011 – Height of Buildings Map (HOB-010AA & HOB-010AB)	Except for Key Site A and B*, increase the maximum height of buildings for all land zoned B4 Mixed Use by three metres. *Key Sites A and B are the subject to specific planning proposal and separate analysis in terms of potential future development
WLEP 2011 – Key Sites (KYS- 010AA & KYS-010AB)	Retain Key Site A and B as per the existing Key Site notation and add the following properties as Key Sites; • Site C- 33 Oaks Avenue Dee Why (Lot 1, DP 588603, Lot B DP 326907) • Site D- 848 & 850 Pittwater Road Dee Why (Lot CP SP 15960, Lot 1 DP 539517) • Site E- Total of 20 lots bounded by Pittwater and Fisher Road and St David's Avenue Dee Why

Table 1. List of amending WLEP 2011 maps

A full list of draft amendments to the WLEP 2011 is enclosed as Attachment 2. In addition to the new WLEP 2011 provisions, some existing clauses have also been re-drafted to reduce duplication and clarify intent.

Note that the specific controls that relate to Site A and Site B (identified on WLEP 2011 Key Sites Map) are not being amended as part of this Planning Proposal. The owners of Site B have recently lodged a planning proposal (Reference No. PEX2014/ 0004) seeking to alter provisions as they relate to that particular site while Site A is currently owned by Council who is preparing to seek

expressions of interest for potential sale. Until such time the future of Site A is determined, the existing planning provisions are being retained.

In addition to the proposed changes to the WLEP 2011, amendments to the DCP are also proposed and set the desired character of the Dee Why Town Centre, provide a range of new parking requirements for certain land uses, to further communicate the Master Plan intent and to complement the amending WLEP 2011 provisions.

Part 3 – Justification

A. Need for the Planning Proposal

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

Yes. The Planning Proposal seeks to implement the aims and objectives contained within the Master Plan (adopted 6 August 2013). The Master Plan was formulated after the development and testing of various development scenarios, community and stakeholder consultation and consideration by Councils elected representatives.

Recommendations of the Dee Why Master Plan (July 2013)

The Master Plan has a number of recommendations, some of which are to be implemented through the WLEP 2011 and DCP. Other outcomes that are outside the scope of a planning proposal are being implemented separately through community programmes, public exhibitions and economic development strategies.

Master Plan recommendations reflected in the proposed WLEP 2011 and DCP amendments include;

- The provision of developer incentives to encourage applicants to provide public open spaces, laneways and other community facilities in return for additional building height on Key Sites.
- To quantify development potential by introducing maximum FSR development standards in recognition of the existing capacity of transport infrastructure
- Require that all development in the Dee Why Town Centre display design excellence
- Reducing the number of building podium levels to three for lots fronting Pittwater Road and two levels for development fronting other roads in the Dee Why Town Centre. The reduction in podium height seeks to reduce the visual scale of buildings at ground level as well as to facilitate increased levels of solar access to public spaces.
- To increase the permissible heights within the Dee Why Town Centre in recognition of the removal of one podium level.
- To stipulate a minimum building setbacks between the kerb of the road to private property boundary.
- To stipulate building setbacks between towers and the podium edge in order to maximise solar access and associated amenity for neighbouring residents
- Provision of updated development standards for on-site car parking which reflect the increased accessibility to a range of transport options compared to the remainder of the Warringah Local Government Area (LGA).

Further to the Master Plan, the Planning Proposal and DCP amendments have also been influenced by the conclusions of the GHD Dee Why Town Centre Traffic Model Update (March 2014) and the assessment of specific development proposals.

Traffic Analysis

The Traffic Model Update (March 2014) was commissioned to update the 2007 Study carried out by GTA consultants. The purpose of the study was to gauge the required road network upgrades to cater for maximum development capacity (achieved under the existing WLEP 2011) and to determine whether those works also allow for any additional gross floor area and the associated traffic generation. Key conclusions of the assessment include:

- Additional traffic generated by approved and pending development applications can be accommodated by road network design 'Option 2A2' which is illustrated in the GHD Traffic report (Attachment 4) however the intersection of Pittwater Road and Howard

Avenue will operate close to capacity after the delivery of approved and pending development applications.

- The complete implementation of road network Option 2a2 will allow 105% WLEP 2011 floorspace realisation, that is, the full realisation of the WLEP floorspace with the delivery of up to an extra 5% of floorspace. Any further development above the 105% quantum is likely to result in unacceptable traffic delays, particularly at the intersection of Howard Avenue and Pittwater Road.
- The original traffic modelling undertaken by GTA in 2007 indicated that the road network could accommodate approximately 85% of the maximum development permitted under the WLEP 2011. The difference between the two outcomes (85% and 105% floorspace capacity) is due to the combination of;
 - Updated traffic generation rates for residential development as published by Roads and Maritime Service (RMS),
 - The market driven trend for less commercial floorspace (which generates more traffic) in exchange for residential development
 - The optimisation of traffic light signal phasing

Although the Master Plan emphasizes that there shall be no increase in gross floor area from that currently achievable under the existing WLEP 2011, the 2014 GHD traffic analysis concludes that an additional 5% of gross floor area can be delivered with the implementation of the upgraded road network known as 'Option 2a2' (Refer to Attachment 4 for Option 2a2 map). As a consequence of the report findings, Council proposes to now introduce provisions within WLEP 2011 to permit, in certain circumstances, development that exceeds the stipulated maximum FSR.

Draft WLEP 2011 Clause 7.16 (within Attachment 2), the DCP amendments (Attachment 3) stipulate the criteria which must be addressed when seeking to develop additional floor space.

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

The Planning Proposal process is the only way to implement amendments to the WLEP 2011.

Significant Council, State Government and stakeholder resources have been expended in developing the Master Plan. The Master Plan has been adopted by Council and it is fundamentally important that the findings are implemented through planning policy.

The momentum of the Master Plan has continued with the establishment of a committee to oversee the 'quick win' recommendations which include community events. The delivery of planning policy amendments (WLEP 2011 and DCP) will set the statutory framework to deliver a revitalised public domain while achieving Dee Why's and Warringah's employment and population targets.

B. Relationship to strategic planning framework

Is the Planning Proposal consistent with the objectives and actions contained within applicable Regional and sub-regional strategies?

Metropolitan Plan for Sydney to 2036 (2010)

Through consecutive versions of the Metropolitan Strategy, the Department of Planning and Environment have designated Brookvale and Dee Why collectively as a Major Centre. Although grouped as the one centre, Dee Why and Brookvale vary in their offer and character. This is recognised in the Strategy which states:

"Dee Why contains the majority of civic, cultural and social amenities, whilst Brookvale contains the major regional shopping mall, some medical and community services as well as the regional TAFE. Dee Why will provide additional high density housing, retail and some commercial space in a mixed use development as proposed in the current Town Centre master plan."

The Metropolitan Plan for Sydney to 2036 (Metropolitan Plan) identifies a number of challenges for Sydney including the need to house and provide employment and infrastructure for an average annual rise of 56,650 people to the year 2036.

The Planning Proposal seeks to stimulate development in a major centre that provides for retail, business, recreation, civic and health services. The consolidation of development density and activity also justifies further expenditure on the public domain and infrastructure such as utilities and the bus network.

Themes discussed in the Metropolitan Plan include;

- *A changing population: By 2036 the number of people aged 65 and above will more than double.*

The Planning Proposal seeks to increase the supply of high density mixed-use development within the existing land use zones. When appropriately designed, apartments can provide housing for the aged, and caters for those generally wishing to 'downsize' to properties are affordable and require less active maintenance.

- *More suitable and affordable accommodation: while Sydney's population is growing, the average household size is falling, creating demand for additional affordable homes.*

All of the future dwellings within the Dee Why Town Centre are expected to be developed in the form of residential apartments. The delivery of these smaller housing units will improve the balance of housing types within Warringah LGA, which is characterised by predominately detached dwellings.

- *More jobs, closer to home: Sydney's growth will require 760,000 more jobs*

The Planning Proposal supports employment targets by improving the climate for redevelopment within the B4 Mixed Use zone. The B4 zone permits a range of uses including commercial premises which generate employment. The increased delivery of residential dwellings within this zone also increases the demand for business and retail premises within the Dee Why Town Centre.

- *More efficient transport: the location of new homes and jobs to match transport capacity*

Dee Why Town Centre is a major hub within the regional bus network with frequent services to the Sydney Central Business District, North Sydney, Chatswood and other employment nodes. Improvements in transport efficiency can be achieved through the establishment of a Bus Rapid Transport as identified in the NSW Long Term Transport Master Plan 2010.

The maximum floor space that is permissible through the Planning Proposal has been influenced by the GHD Traffic Assessment (Attachment 4). That is, although a moderate increase in floor space (5% above the currently permissible gross floor area) can be achieved, the ultimate quantum of development is constrained by the road network capacity. Council will have to responsibly monitor the delivery of floor space in order to gauge the road network capacity moving forward.

The draft DCP revised car parking rates in also seek to deliver a balance between providing adequate parking whilst incentivising an increased proportion of residents, commuters and visitors utilising public transport and other alternate means of travel such as cycling.

- *A more sustainable Sydney: Sydney's central challenge is to grow sustainably – Protect natural environment and containing its urban footprint....promote the intensification of density in centres accords with the Departments Policy for areas that are well serviced*

The growth and rejuvenation of the centre relies upon continued investment by government and private landowners. Investment confidence is cultivated through consistent decision-making that supports centres.

As Dee Why/Brookvale has been long established as the major centre for the Northern Beaches, the Master Plan continued the investigation and implementation of growth strategies and improved user experience.

A range of commercial development should be consolidated in town centres such as Dee Why as it encourages multi-purpose trips. Permeability through the centre also attracts pedestrian movement and improves business viability.

Intensifying Dee Why Town Centre and existing urban areas also releases the pressure from developing existing suburbs and non-urban land in the context of meeting State Government housing targets.

This Planning Proposal seeks to implement the aims of the Metropolitan Plan through localised and innovative planning policy encouraging investment and intensification.

Draft North East Subregional Strategy (2007)

The Draft North East Subregional Strategy (Subregional Strategy) remains the latest sub-regional strategy developed by NSW Department of Planning and Environment. The Subregional Strategy designates Dee Why and Brookvale as a 'Major Centre' which is to provide for;

'major shopping and business centre serving immediate subregional residential population usually with a full scale shopping mall, council offices, taller office and residential buildings, central community facilities and a minimum of 8000 jobs'.

Key Directions and actions include employment targets for the subregional the LGA and the Brookvale/Dee Why Town Centre specifically, set at an additional 4,000 jobs to the year 2031.

In terms of housing the Subregional Strategy states that *'higher density housing in centres will achieve a greater mix of housing and create liveable and sustainable communities'*.

This Planning Proposal supports the delivery of residential units which only form a relatively small proportion of available housing (26% at 2011) within Warringah.

Under the Subregional Strategy, Warringah is estimated to provide 10,300 additional homes to year 2031. The Subregional Strategy also expresses that the majority of the recommended housing across Sydney shall be provided within the existing urban area (60-70%). This will take advantage of existing services such as shops and public transport and reduce development pressures in other parts of Sydney.

Although Council has not adopted a housing strategy inclusive of the Subregional Strategy targets, the planning proposal complies with Councils strategic documents and the current Metropolitan Strategy which encourage urban consolidation within the Dee Why Town Centre.

Draft Metropolitan Strategy for Sydney to 2031 (2013)

The Draft Metropolitan Strategy for Sydney to 2031 (draft Strategy) sets out a revised sub-region and associated employment and housing targets. Although individual local government targets have not as yet been developed, the draft Strategy expresses that Dee Why Town Centre should

provide an additional 3,000 jobs by year 2031. The jobs target has been reduced compared to the Metropolitan Plan and Subregional Strategy due to the acknowledgement of public transport and road network constraints.

The planning proposal accords with the objective of urban consolidation of Major Centres.

Is the Planning Proposal consistent with the local council's community plan or other strategic plan?

The Warringah Community Strategic Plan (CSP) 2013-2023 sets out Council's objectives and aspirations for the next 10 years. The plan has been developed from intensive community consultation and ensures Council allocates its resources towards the community's aspirations and legislative requirements.

Table 2 outlines an assessment of how the Planning Proposal fulfils relevant CSP objectives.

Outcome	CSP Objective	Response
Lifestyle and Recreation	2.2 We have access to attractive parks and natural areas that encourage and support a safe healthy lifestyle	The proposed WLEP 2011 and DCP amendments encourage the use and in selected cases the dedication of privately owned land for additional roads, pedestrian links, open space and civic spaces
	2.3 We have inviting public spaces that are clean, green and well designed	
Healthy Environment	3.1 We value the health of our beaches, foreshores and waterways as natural habitats and for our enjoyment	The Planning Proposal does not seek to develop non-urban land or environmentally sensitive areas
	3.2 We protect and sustain our diverse bushland as valuable habitats, and provide for a variety of wildlife to thrive and migrate	
	3.3 We strive to live and work more sustainably to reduce our environmental footprint	
	3.4 We effectively plan for and respond to natural hazards and climate change in a sustainable way.	
Connected Transport	4.1 We have an effective interconnected public transport system that is safe, efficient and affordable	Intensifying the Dee Why Town Centre enables the full utilisation of existing and justifies the case for future investment into transport infrastructure
	4.2 We use a well-designed and functioning road network	Specific planning controls applied to Key Site A and C promote the construction of a revised road network "Option 2a2" which will improve the traffic management in and around the Dee Why Town Centre
	4.3 We can conveniently access parking near transport hubs and close to urban centres	The Planning Proposal does not reduce the provision of public parking.
	4.4 We can safely and conveniently walk or ride around Warringah	The Planning Proposal promotes additional 'through-site' walkways to facilitate a safer and interconnected network

Outcome	CSP Objective	Response
Liveable Neighbourhoods	5.1 We have attractive and functional urban and commercial centres that adapt to the needs of residents and business 5.3 We offer a variety of housing choices that meet the needs of our community and complements local neighbourhoods and the Warringah lifestyle	Redevelopment of part of the Dee Why Town Centre will renew commercial floor space in line with market demand Additional dwellings within the Dee Why Town Centre will most likely consist of residential flat buildings. The provision of unit dwellings matches the identified demand for smaller, low maintenance dwellings to complement the low density residential areas found through the majority of Warringah's LGA.

Table 2: Warringah Community Strategic Plan 2013-2023 compliance.

Warringah Section 94A Development Contributions Plan

Monetary contributions collected under the Warringah Section 94A Development Contributions Plan are allocated to build and improve community facilities, provide critical infrastructure and improve the public domain.

In line with continuing studies and detailed assessment, it has been identified that significant funding is required for a number of key projects within the Dee Why Town Centre including;

- Flood mitigation and stormwater management
- Multipurpose community facility and car park (colloquially known as the PCYC- Police Citizens Youth Club)
- Streetscape upgrades
- Public art
- Road, bicycle and footpath upgrades.

These and many other projects require significant resourcing above the funding forecasted to be delivered through the S94A developer contributions scheme. In turn, this Planning Proposal provides innovative planning provisions which will allow, in certain circumstances, the consideration of additional development in exchange for desirable public benefits, which may include the payment of monetary contributions towards, or the construction of priority projects.

An attachment to Councils adopted Voluntary Planning Agreement Policy will contain a list of potential public benefits and guide planning agreements based on these site value uplift planning provisions.

Is the Planning Proposal consistent with applicable state planning policies?

The following table provides an assessment of the Planning Proposal with the relevant State Environmental Planning Policies (SEPP):

SEPP	Consistency
SEPP (Infrastructure) 2007	The SEPP aims to facilitate a process for the assessment and development of infrastructure and community assets. The amplification of certain utility infrastructure will be determined during the formulation and subsequent assessment of specific development applications. The Planning Proposal does not exclude the application of this Policy
SEPP (Building Sustainability Index: BASIX) 2004	The SEPP requires residential development to achieve mandated levels of energy and water efficiency. The Planning Proposal does not override the requirements of this SEPP
SEPP No 65—Design Quality of Residential Flat Development	(The SEPP aims to improve the design quality of residential flat development in New South Wales. The proposed WLEP 2011 and DCP amendments mirror some objectives contained within the SEPP. The Planning Proposal does not exclude the application of this SEPP
SEPP (Affordable Rental Housing) 2009	The SEPP establishes a consistent planning regime for the provision of affordable rental housing facilitates the retention of existing affordable rentals and expands the role of housing providers. The SEPP also confirms that commercial and mixed use centres (such as Dee Why) is best positioned to provide housing for local employees, and others in housing stress. The Planning Proposal does not exclude the application of this SEPP

Table 3: SEPP compliance table

Is the Planning Proposal consistent with Ministerial Directions?

Table 4 provides an assessment of the Planning Proposal against relevant Section 117 Ministerial Directions.

Section 117 Direction	Consistency
1.1 Business and Industrial Zones The objectives of this direction are to: (a) Encourage employment growth in suitable locations (b) Protect employment land in business and industrial zones (c) Support the viability of identified strategic centres	The Planning Proposal is consistent with this Direction as it provides incentives for mixed use development within the B4 Mixed Use zone. The quantum of land that permits commercial uses (primarily the B4 Mixed Use zone) is not being altered under this Planning Proposal
2.3 Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance	The Planning Proposal does not seek to alter provisions relating to heritage conservation
3.1 Residential Zones The objectives of this direction are: (a) To encourage a variety and choice of housing types to provide for existing and future housing needs (b) To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services (c) To minimise the impact of residential development on the environment and resource lands	Complies. The Planning Proposal does not alter the quantum of land zoned for residential purposes however it does, as a whole, provide incentives for redevelopment of older stock in areas close to social and physical infrastructure, retail outlets and business uses
3.4 Integrating Land Use and Transport 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: (a) Improving access to housing, jobs and services by walking, cycling and public transport (b) Increasing the choice of available transport and reducing dependence on cars (c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car (d) Supporting the efficient and viable operation of public transport services	Dee Why is a central hub for an interconnected pedestrian and bus network. A number of WLEP 2011 and DCP provisions aim to improve the functioning of the existing road network, and encourage a shift from private vehicle car use. The intent of the draft provisions include; ○ Creating incentives for private development to provide required improvements to the road and footpath network ○ Allowing concessions on the required number of parking spaces in conjunction with development ○ Identifying critical through-site links and land dedication for road upgrades ○ Improving the climate for redeveloping
4.1 Acid Sulphate Soils	The north eastern portion of the Dee Why Town Centre (in the vicinity of the Dee Why RSL Club) is identified in the WLEP 2011 as Class 5 Acid Sulphate Soils. The redevelopment of the site would require site specific analysis and implementation of safeguards as determined by site testing

Section 117 Direction	Consistency
4.3 Flood Prone Land The objectives of this direction are: (a) To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (b) To ensure that the provisions of a WLEP 2011 on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	A large proportion of land within the Dee Why Town Centre is affected by the flood planning level and categorised as 'medium flood risk'. The recently adopted the <i>Dee Why South Catchment Flood Study 2013</i> stipulates that the benchmark for new development is to ensure that flooding hazard to vehicles and pedestrians is reduced. Following on from the Study, the Dee Why Floodplain Risk Management Plan will be developed to include parameters surrounding flood hazard reduction. The Planning Proposal does not rezone flood prone land, nor does it alter the considerations relating to developing such land. As per the existing process, a site by site assessment of development against Council policy is required at a Development Application stage
4.4 Planning for Bushfire Protection	The Warringah Bushfire Prone Land Map identifies the northern edge of the study area (in the vicinity of the Dee Why RSL Club) as a bushfire buffer area. Stony Range Flora Reserve is identified as Bushfire Prone Land Vegetation Category 2. Any future Development Applications in these areas will need to consider the Planning for Bushfire Protection 2006 published by the Rural Fire Service.
6.2 Reserving Land for Public Purposes The objectives of reserving land includes the provision of public services and facilities by reserving land for public purposes and facilitates the removal of reservations of land where the land is no longer required for acquisition	The Planning Proposal does not alter reservations for land acquisition
6.3 Site Specific Provisions	This Direction discourages unnecessarily restrictive site specific planning controls. The Planning Proposal results in less restrictive planning provisions as it expresses the option of negotiating development that exceeds the maximum building height and floor space ratio in certain circumstances. The proposed WLEP 2011 provisions are not seen to restrict development potential within the Dee Why Town Centre
7.1 Metropolitan Plan The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan	Dee Why is recognised in the Metropolitan Plan as part of the Dee Why/Brookvale Major Centre. Dee Why encompasses high density residential development, a range of retail, health, business and civic services within a confined radius. The Dee Why Town Centre is serviced by bus public transport and a network of road, bicycle and pedestrian infrastructure. Council and State policy has for a number of years identified Dee Why as the focus for further growth,

Section 117 Direction	Consistency
	particularly increasing population base and its role in civic administration. The Planning Proposal focuses on encouraging redevelopment along with the provision of public domain improvements. Many of the objectives of the planning proposal mirror those contained within the Metropolitan Strategy for the Brookvale/Dee Why and other Major Centres across Sydney.

Table 4: Ministerial Directions compliance table

C. Environmental, social and economic impact

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?

The Dee Why Town Centre is an urbanised mixed use centre with limited ecological or biodiversity qualities. The concentration of future development density within the town centre assists Council in fulfilling employment and dwelling targets set by the NSW Government whilst retaining ecologically sensitive areas on the urban fringe.

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

The Planning Proposal does not alter the existing legislative framework that applies to environmental constraints.

It is acknowledged that a large proportion of land within the Dee Why Town Centre is affected by the flood planning level and categorised as 'medium flood risk'.

The recently adopted the *Dee Why South Catchment Flood Study 2013* stipulates that the benchmark for new development is to ensure that flooding hazard to vehicles and pedestrians is reduced. Following on from the Study, the Dee Why Floodplain Risk Management Plan will be developed to include parameters surrounding flood hazard reduction.

As the Planning Proposal does not rezone land, the assessment of flood behaviour is more relevant during the detailed design and development application assessment stage.

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

Social effects

Significant community engagement has been carried out during the formulation of the Master Plan which included direct notification and the establishment of a Working Party.

The specific community consultation findings are documented within the Elton Consultation Outcomes Report (April 2013) which is attached to the Master Plan. The outcomes report analysed a range of social issues including the road congestion.

"By far the most commonly noted issue was traffic management at both the local and regional level."

In response, Council engaged GHD traffic consultants to update the 2007 GTA Traffic Study. GHD assessed the existing intersection and road network performance and modelled the predicted increase in traffic generation through approved and potential development that can be achieved under the existing WLEP 2011.

The report concluded that traffic generated by the approved but not as yet built development approvals, plus the full delivery of gross floor area achievable under the existing WLEP 2011 can be accommodated under the 'Option 2A2' road network upgrade contained in the traffic report. Further, the GHD study calculated that the delivery of an additional 5% of floor space above the current WLEP 2011 maximum could theoretically be delivered without an unreasonable impact upon the networks level of service.

As a consequence of the report findings, the WLEP 2011 has been drafted to allow the possibility for development to exceed the gross floor area maximum on the proviso such development meets the stipulated criteria which includes the provision of certain road network upgrades, other general public benefits, the retention of acceptable amenity on private and public land and the consideration of the environmental capacity of the site.

An attachment to Councils adopted Voluntary Planning Agreement Policy will include the types of public benefits that can be provided during the development process. Any application utilising this process shall demonstrate the net social and community benefits.

Economic effects

Private investment is a critical component of delivering social and physical infrastructure required to support the growth and increase investment within the Dee Why Major Centre.

A number of the proposed draft WLEP 2011 and DCP planning controls aim to improve the viability of re-developing land within the Dee Why Town Centre by;

- Providing flexible planning controls that permit, in certain circumstances, additional floor space and/or building height in exchange for the provision of public benefits
- Allowing flexibility in building design
- Reducing the required number of on-site car parking for certain land uses
- Permitting above ground car parking in certain circumstances
- Improving investor confidence within the Town Centre through the reinforcement of development density and improved public amenity
- Providing certainty by implementing the findings of the Master Plan which were a result of extensive community consultation.

D. State and Commonwealth interests

Is there adequate public infrastructure for the Planning Proposal?

The Dee Why Town Centre is serviced by a range of social and physical infrastructure including bus services, connected open space areas, civic and health services etc.

Having designated Dee Why/Brookvale as a Major centre, the NSW Government also recognises the need to continue supporting the projected growth through revitalisation.

Community and stakeholder consultation frequently conclude that a major constraint to improving the performance and expansion of Dee Why is the limited road capacity and associated public transport constraints.

The road network design "Option 2a2" within the 2007 and 2014 Traffic Study (Refer to Attachment 4) illustrates the required road upgrades that would allow the Dee Why Town centre to reach its development potential under the WLEP 2011.

As some of the required new roads are located on privately owned (non-government) land, the ability to negotiate the delivery of the required roads during the development process is crucial and therefore a cornerstone of the amended WLEP 2011 controls outlined in this Planning Proposal.

Apart from the delivery of an improved traffic network, the Planning Proposal also promotes flexibility to permit a range of public infrastructure items in exchange for additional building height and gross floor area above that stipulated by the WLEP 2011 maps, including;

A) Traffic and streetscape

- Improvements to bus interchange
- Intersection upgrades
- Signal adjustments
- Streetscape improvement works
- Car park renewals
- New roads and road widening
- Kerb and gutter renewals
- Bus stop renewals
- Street tree replacement
- Street furniture
- Public art and gateway treatments
- Park embellishment
- Shared pathways
- Pedestrian bridge
- Pedestrian thoroughfares.

B) Drainage

- Total water management strategy integrated into public domain utilising Water Sensitive Urban Design principles
- Flood mitigation and prevention
- Undertaking studies regarding flooding, groundwater levels etc.

C) Other

- Car share scheme; permanent on-site designation of car spaces for share cars
- Provision of affordable housing under either freehold or leasehold title
- Facilitating or contributing to community programmes
- Monetary contributions for public works and programs.

In all cases, development that proposes public infrastructure in exchange for additional development rights are subject to a merit assessment set out under Section 79c of the *Environmental Planning and Assessment Act 1979*, relevant State Environmental Planning Policies and the WLEP 2011.

An attachment to Councils adopted Voluntary Planning Agreement Policy is being developed to assist in this process.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

State and relevant Commonwealth Public Authorities will be consulted in accordance with a gateway determination issued by the Department of Planning and Environment.

Part 4 – Community Consultation

Consultation of the Planning Proposal will occur in accordance with the gateway determination however it is important to note that the Master Plan was compiled after a considerable process coordinated through a working party which consisted of members from local businesses, landowners and community representatives. An extensive community and stakeholder consultation was also undertaken during the formulation of the Master Plan including;

- The distribution of 95,000 pamphlets and 1,400 letter to households and businesses
- Public mobile displays
- Website information and feedback forms
- Information sessions
- Weekly walking tours of the town centre
- Formulation of a Steering committee which included community representatives.

Feedback from the public consultation was considered prior to the finalisation of the Master Plan.

Council will exhibit the Planning Proposal in accordance with the gateway determination and requirements contained within Section 57 of the *Environmental Planning and Assessment Act 1979*.

Attachment 1 – Amending LEP maps

Attachment 2 – Amending WLEP 2011 2011 provisions

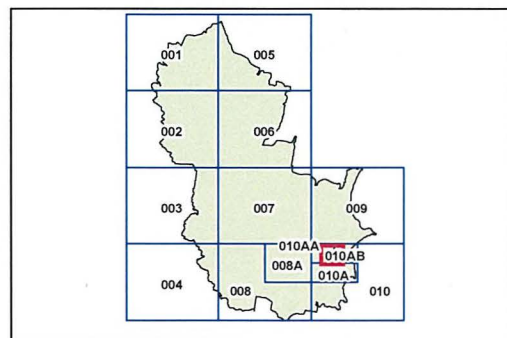
Attachment 3 – Development Control Plan Amendments

Attachment 4 – Dee Why Town Centre Traffic Model Update 2014

Key Sites Map

-  Dee Why Town Centre
-  Site A
-  Site B
-  Site C
-  Site D
-  Site E
-  Site F
-  Proposed Pedestrian Connection
-  Proposed New Road
-  Town Square
-  Cadastre 14/05/2014 © Warringah Council

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0 50 100 Metres

Scale: 1:4,500 @ A3

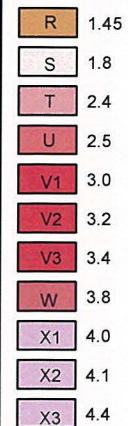
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Zone 56

Map identification number: Key Sites Draft



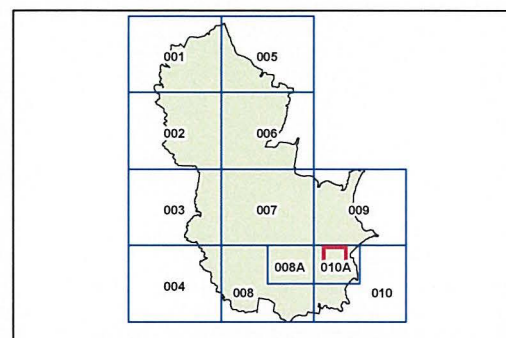


Maximum Floor Space Ratio (n:1)



Cadastre 16/06/2014 © Warringah Council

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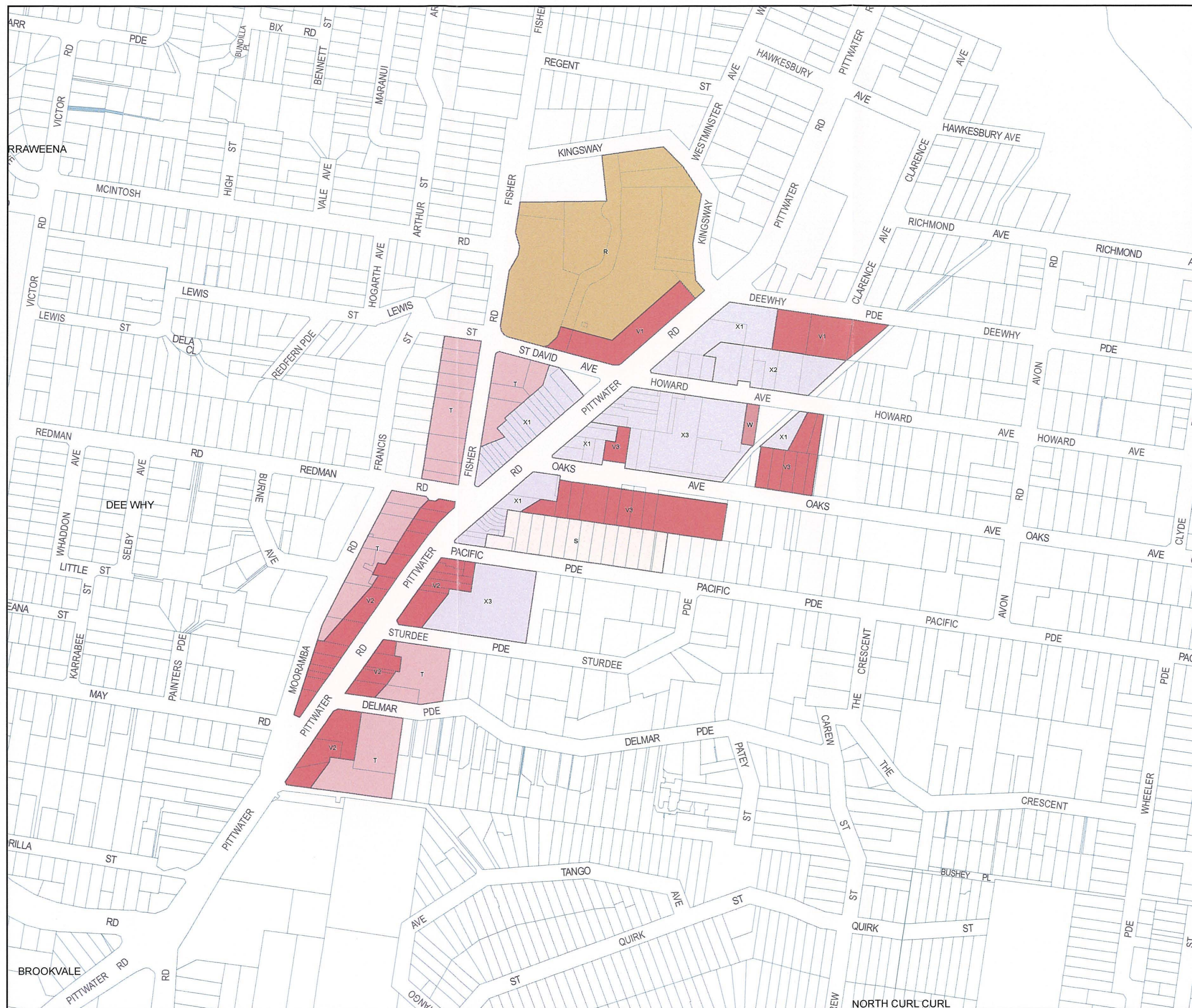


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Zone 56

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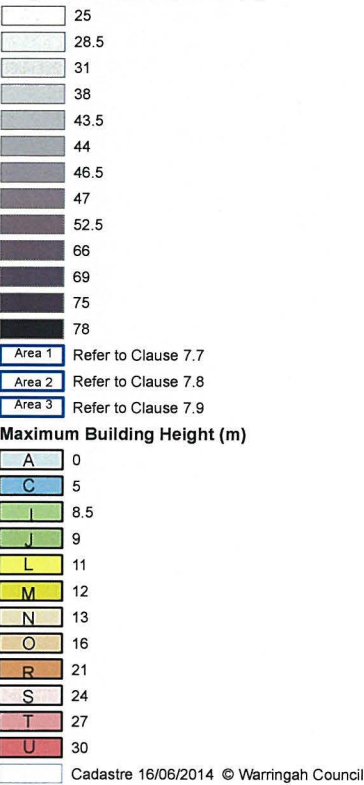
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Map identification number: Floor Space Ratio Draft

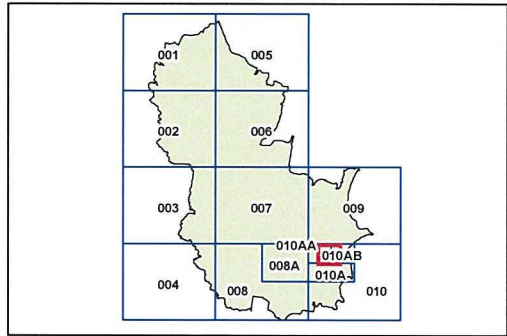




Maximum Building Height (RL)
Heights shown on map in RL (m)



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Projection: GDA 1994
Zone 56

Map identification number: Height of Buildings Draft

