

21 October 2025

Regional Dooh Pty Ltd
3/281 Brunswick Street
FITZROY NSW 2065

Dear Sir/Madam,

Development Application No: DA2025/1227 for Construction of Business Identification Signage at 79 Barrenjoey Road MONA VALE.

An assessment has been undertaken of your application. The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

Issues

The following is a list of the issues and concerns identified in the assessment that cannot be supported:

State Environmental Planning Policy (Industry and Employment) 2021 (SEPP (I&E))

Chapter 3, Section 3.11 of the SEPP states that the consent authority ***must not*** grant consent unless (***emphasis added***).

- (a) *it is consistent with the objective of chapter 3 section 3.(1)(a).*
- (b) *has been assessed by the consent authority in accordance with the assessment criteria in **Schedule 5** and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and*
- (c) *satisfies any other relevant requirements of this Chapter.*

Section 3.1 sets out the aims, objectives of the chapter. The relevant objectives are listed as follows:

3.1 Aim, objectives, etc

(1) *This Chapter aims—*

(a) *to ensure that signage (including advertising)—*

- (i) ***is compatible with the desired amenity and visual character of an area, and***
- (ii) *provides effective communication in suitable locations, and*
- (iii) *is of high quality design and finish, and*



- (b) to regulate signage (but not content) under Part 4 of the Act, and*
- (c) to provide time-limited consents for the display of certain advertisements, and*
- (d) to regulate the display of advertisements in transport corridors, and*
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.***

Due to the excessive size of the hoarding sign within the front setback and considering the existing signs in the frontage of the site the proposal will result in visual clutter and is incompatible with the desired amenity and visual character of an area.

Further, approval would set an undesirable precedent which would have the potential to further erode the desirable character of the locality.

As such, the proposal is inconsistent with objective (a) (i).

No public benefits will be derived from the approval of the large third-party commercial hoarding sign adjacent to the Barrenjoey Road transport corridor. As such, the proposal is inconsistent with the objectives (e).

In accordance with section 3.11 (a) the consent authority (Council) does not have the power to grant consent.

Schedule 5 SEPP (I &E) assessment

The proposal is inconsistent with the following assessment criteria.

1 Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The site is located with the Mona Vale Commercial Centre Locality and is mapped as a Scenic Protection Area (General). To assess compliance with character the following controls of the Pittwater 21 DCP (PDCP) are relevant.

A4.9 Mona Vale Locality – Desired Character PDCP

The DFC for the Mona Vale Commercial Area includes the following requirement:

The design, scale and treatment of future development within the Mona Vale commercial centre will reflect principles of good urban design.

As above, due to the excessive scale of the sign and its location within the frontage, the proposal will add to visual clutter and set an undesirable precedent for third party signage. As such, the proposal fails to reflect good urban design and is inconsistent with the DFC of the Mona Vale Locality. In summary, the proposal is inconsistent with Clause A4.9 of the PDCP.



Clause D9.1 Character as viewed from a public place PDCP

As above, the proposal does not contribute to any public benefit, conversely it detracts from the public interests as it presents a third party hoarding adjacent to the public street which will result in adverse visual impacts. As such, the proposal is inconsistent with the outcomes of the control, including the following.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land.

D9.6 Front Building Line

The hoarding sign is setback 3.5m from the frontage and is inconsistent with the 10m setback requirement and outcomes of the control.

C5.9 Signage

The proposal is inconsistent with the control which restricts the area of hoarding signs to 4.5m² and does not permit illumination. The sign has a display area of 16.7m and will be illuminated with digital advertising.

Clause C5.11 Third Party Signage PDCP

The proposal third party digital freestanding hoarding sign is inconsistent with Clause C5.11 of the PDCP which **prohibits third party signage**.

In summary, the proposal is inconsistent with assessment criteria 1 – Character of the area of Schedule 5 of SEPP (I&E).

2. Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

The site is mapped as Scenic Protection (General) and Clause D9.2 of the PDCP is therefore relevant in the consideration of this assessment criteria.

D9.2 Scenic protection – general (PDCP)

Control - Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.,

As detailed above, the proposal will result in visual clutter when viewed from the road. The proposal does not achieve the DFC of the Mona Vale locality and will approval will result in an undesirable precedent. The proposal is therefore inconsistent with both the requirements and outcomes of clause D9.2.

In summary, the proposal is inconsistent with assessment criteria 2 – Special areas of Schedule 5 SEPP (I&E).

5. Streetscape, setting (relevant considerations below)



- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*

As detailed above, the scale, proportion and form of the proposal is not appropriate for the streetscape. The proposal does not contribute to the visual interest of the streetscape. The proposal does not reduce visual clutter by rationalising or simplifying existing advertising. Conversely, the proposal adds to visual clutter noting the existing large freestanding sign associated with the petrol station within the front northern setback and the canopy sign on the frontage. Approval would create an undesirable precedent which has the potential to lead to additional visual clutter.

In summary, the proposal is inconsistent with assessment criteria 4 -streetscape and setting of Schedule 5 SEPP (I&E).

7 Illumination (relevant considerations below)

- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*

The digital display has the potential to detract from the amenity of residents by way of light spill and glare, refer to the objection online which raises issues with light spill.

Given the location close to the traffic lights at the intersection of Barrenjoey Road and Basset Street has the digital illumination has the potential to impact on road safety.

8 Safety

As above, due to the scale of the digital sign and its location near the traffic lights on a classified road may reduce the safety for the public road.

Transport Corridor Advertising and Signage Guidelines 2017

Part Section 2.4 Sign Clutter Controls

As above, the proposal will add to visual clutter noting the existing signs on the site.

Objector's concerns

You are encouraged to review the submissions that have been lodged in relation to the application and consider any design solutions that may resolve relevant concerns.

Submissions that are available online in accordance with the Northern Beaches Community Participation Plan can be viewed on Council's website at the following link, using the application number as a reference:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchApplication.aspx>



Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application.

Please advise of your selected option by responding **within 7 days of the date of this letter** by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive your response by this date, Council will determine the application in its current form.

Submitting further information/amendments

Council will offer one opportunity to provide feedback on conceptual amendments addressing the issues raised in this letter. We strongly request that you contact the assessment officer directly for a 'without prejudice' discussion on your proposed resolution of the issues and the submission requirements before lodging any documentation on the NSW Planning Portal.

Conceptual amendments must be provided to Council for feedback **within 14 days of the date of this letter**. If conceptual amendments are deemed sufficient, we will then provide you with a timeframe upon which an amended application is to be lodged on the NSW Planning Portal (generally 14 days).

Please ensure that the amended/additional information submitted on the NSW Planning Portal is a genuine attempt to resolve the issues as Council will generally not seek any further information/amendments after that point. Council will proceed to assess and determine the application based on the submitted information without further consultation. Whilst we will provide feedback on your conceptual amendments in good faith, this cannot guarantee the approval of the amended application.

As part of any amended application, it may be necessary to update your supporting documentation. Failure to do so may affect Council's ability to determine the application favourably.

Please ensure that any amendments are accompanied by a summary/schedule of amendments cover sheet.

Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.

This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's 23A



Guidelines on withdrawal of Development Applications 2023, Ministerial Orders Statement of Expectations 2021 and the Development Assessment Best Practice Guide 2017.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 3 September 2025 and 48 days in the assessment period have now elapsed.

This letter will be released on Council's webpage as part of the application's documentation.

Should you wish to discuss any issues raised in this letter, please contact Anne-Marie Young on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

Anne-Marie Young
Principal Planner