

# STATEMENT OF ENVIRONMENTAL EFFECTS

145 OLD PITTWATER  
ROAD, BROOKVALE |  
WARRINGAH MALL  
STAGE 2

20 AUGUST 2018  
SA5939  
FINAL  
PREPARED FOR SCENTRE GROUP

**URBIS**

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# TABLE OF CONTENTS

1.	Introduction .....	1
1.1.	Overview .....	1
1.2.	Report Structure.....	1
1.3.	Project Team.....	1
1.4.	Consent Authority .....	2
2.	Site and Surrounding Locality.....	3
2.1.	Locality .....	3
2.2.	Subject Site.....	3
2.3.	Surrounding Context.....	6
2.4.	Transport Network .....	6
3.	Background.....	8
3.1.	Previous Approvals.....	8
3.2.	Prelodgement Discussions .....	9
3.3.	Stakeholder Consultation.....	20
4.	Proposed Development .....	22
4.1.	Development Summary .....	22
4.2.	Proposed Retail reconfiguration & Expansion .....	22
4.3.	Cinema Relocation.....	23
4.4.	Access, Parking and Loading .....	23
4.5.	Pedestrian Access .....	23
4.6.	Bus Interchange Upgrades .....	24
4.7.	Landscaping, Tree Removal and Public Domain .....	24
4.8.	Signage.....	25
4.9.	Materials and Finishes.....	25
4.10.	Demolition .....	25
4.11.	Stormwater.....	25
4.12.	Construction Staging .....	25
4.13.	Public Art Strategy .....	25
5.	Section 4.15 Assessment .....	26
5.1.	Statutory Policy and Compliance.....	26
5.2.	State Environmental Planning Policy (State and Regional Development) 2011 .....	26
5.3.	State Environmental Planning Policy No. 55 – Remediation of Land.....	26
5.4.	State Environmental Planning Policy (Infrastructure) 2007.....	27
5.5.	Warringah Local Environmental Plan 2011 .....	27
5.6.	Warringah Development Control Plan 2011 .....	29
5.7.	Built Environmental Impacts .....	48
5.8.	Natural Environment Impacts .....	52
5.9.	Social and Economic Impacts.....	52
5.10.	Suitability of the Site for Development.....	52
5.11.	The Public Interest.....	53
6.	Conclusion .....	54
	Disclaimer .....	55

Appendix A	Architectural Plans
Appendix B	Architectural Design Statement
Appendix C	Landscape Plans
Appendix D	Landscape Design Statement
Appendix E	Survey Plans – Subject Site
Appendix F	Survey Plans – Adjoining Land
Appendix G	Stormwater Concept Plans
Appendix H	Stormwater Management Report
Appendix I	Flood Risk Assessment Report
Appendix J	Traffic and Parking Impact Assessment Report
Appendix K	Arborist Report
Appendix L	Accessibility Report
Appendix M	BCA Assessment Report
Appendix N	Fire Engineering Report
Appendix O	Sustainability Management Plan
Appendix P	Contamination Assessment
Appendix Q	Geotechnical Report
Appendix R	Acid Sulfate Soils
Appendix S	Acoustic Assessment Report
Appendix T	Social Impact Assessment
Appendix U	CPTED Report
Appendix V	Lighting Strategy
Appendix W	Construction Management Plan
Appendix X	Operational Waste management Plan
Appendix Y	Security Management Plan
Appendix Z	Public Art Strategy

## FIGURES:

Figure 1 – Locality diagram .....	3
Figure 2 – Aerial image.....	4
Figure 3 – Site photographs .....	5
Figure 4 – Zoning map extract.....	28
Figure 5 – Setback encroachment Level 1 .....	44
Figure 6 – Setback encroachment Level 2 .....	44
Figure 7 – Building height model .....	47
Figure 8 – Looking north from Condamine Street .....	48
Figure 9 – Looking south from Condamine Street.....	49
Figure 10 – Visual impact assessment extract.....	49
Figure 11 – Shadow impact at 9am.....	50
Figure 12 – Shadow impact at midday .....	51

## TABLES:

Table 1 – Supporting Documentation .....	1
Table 2 – Pre-lodgement meeting comments .....	9
Table 3 – Numeric Overview of Proposal .....	22
Table 4 – Warringah DCP compliance table .....	29

# 1. INTRODUCTION

## 1.1. OVERVIEW

This Statement of Environmental Effects (**SEE**) has been prepared by Urbis Pty Ltd on behalf of AMP Warringah Mall Pty Ltd and Scentre Group (**the applicant**) and accompanies the development application (**DA**) submitted to Northern Beaches Council (**council**) for the second stage expansion of Warringah Mall located at 145 Old Pittwater Road, Brookvale (**the site**).

The first stage of the Warringah Mall retail expansion opened in November 2016 and was focussed on fashion retail. The proposed second stage expansion will be characterised by expansion of hospitality and lifestyle uses and entertainment spaces. The proposed development is described in detail in **Section 4** of this SEE.

Warringah Mall is an important sub-regional shopping centre servicing a large catchment area in the Northern Beaches Local Government Area. This proposed redevelopment works respond to the shifting demands of the market which call for a more refined dining and lifestyle offering. The proposal will integrate the expanded dining and restaurant offering with an enhanced cinema complex in a building form that is appropriate to context and aesthetically superior to the existing development.

## 1.2. REPORT STRUCTURE

This Statement of Environmental Effect identifies the subject site and surrounding locality, describes the proposed development and provides an assessment it against the relevant matters for consideration, pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This report is structured, as outlined below:

- **Section 1:** Introduction
- **Section 2:** Site and surrounding context
- **Section 3:** Background
- **Section 4:** Proposed Development
- **Section 5:** Statutory Planning Framework
- **Section 6:** Conclusion

## 1.3. PROJECT TEAM

This Statement of Environmental Effects should be read in conjunction with associated architectural plans and specialist reports identified in **Table 1**.

Table 1 – Supporting Documentation

Document title	Consultant	Appendix
Architectural Plans	Scentre Design and Construction	<b>Appendix A</b>
Architectural Design Statement	Scentre Design and Construction	<b>Appendix B</b>
Landscape Plans	Arterra Design	<b>Appendix C</b>
Landscape Design Statement	Arterra Design	<b>Appendix D</b>
Survey Plans – Subject Site	RPS Group	<b>Appendix E</b>
Survey Plans – Adjoining Land	D&C Surveying	<b>Appendix F</b>
Stormwater Concept Plans	Cardno	<b>Appendix G</b>
Stormwater Management Report	Cardno	<b>Appendix H</b>

<b>Document title</b>	<b>Consultant</b>	<b>Appendix</b>
Flood Risk Assessment Report	Cardno	<b>Appendix I</b>
Traffic and Parking Impact Assessment Report	The Transport Planning Partnership (TTPP)	<b>Appendix J</b>
Arborist Report	Arterra Design	<b>Appendix K</b>
Accessibility Report	Access Australia Planning & Design	<b>Appendix L</b>
BCA Assessment Report	Steve Watson & Partners	<b>Appendix M</b>
Fire Engineering Report	Fire Engineering Professionals	<b>Appendix N</b>
Sustainability Management Plan	Scentre Design and Construction	<b>Appendix O</b>
Contamination Assessment	Douglas Partners	<b>Appendix P</b>
Geotechnical Report	Douglas Partners	<b>Appendix Q</b>
Acid Sulfate Soils	Douglas Partners	<b>Appendix R</b>
Acoustic Report	Acoustic Logic	<b>Appendix S</b>
Social Impact Assessment	Urbis	<b>Appendix T</b>
CPTED Report	Urbis	<b>Appendix U</b>
Lighting Strategy	Scentre Design and Construction	<b>Appendix V</b>
Construction Management Plan	Scentre Design and Construction	<b>Appendix W</b>
Operational Waste Management Plan	Veolia	<b>Appendix X</b>
Security Management Plan	Scentre Group	<b>Appendix Y</b>
Public Art Strategy	Scentre Design and Construction	<b>Appendix Z</b>

## **1.4. CONSENT AUTHORITY**

The project has a capital investment value of more than \$30 million and therefore Sydney North Planning Panel will determine the application.

It is anticipated that Council will notify RMS as part of the development assessment process in accordance with the relevant legislation and guidelines. Refer to the Parking and Traffic Assessment provided at **Appendix J** for a summary of the consultation undertaken by the applicant with RMS.

The proposed works are within 40m of a mapped watercourse, however the water course is piped through the site. Nonetheless, it is understood that the application is Integrated Development and requires the general terms of approval from the NSW Office of Water pursuant to Section 91 of the *Water Management Act 2000*.

## 2. SITE AND SURROUNDING LOCALITY

### 2.1. LOCALITY

The site is located in the suburb of Brookvale in the Northern Beaches Local Government Area (LGA). Brookvale approximately 18kms from the Sydney CBD and is identified in the North District Plan as a Strategic Centre.

The site is situated at the junction of several land use zones and therefore land use in the locality is varied. Along Pittwater Road land use is characterised by low scale commercial development. Beyond the subject site to the north, to the west and to the east, land use is characterised by industrial development. Low density residential development interspersed by public and private reserves is located at the perimeter of the above described commercial and industrial lands.

A locality diagram indicating the location of the site relative to Sydney CBD is provided at **Figure 1**.

Figure 1 – Locality diagram



### 2.2. SUBJECT SITE

#### 2.2.1. Site Description

The site is situated on a large irregularly shaped parcel of land known as 145 Old Pittwater Road, Brookvale with a legal description of Lot 100 in DP 1015283. The site is bound to the north by Cross Street and adjacent industrial lands, to the south by Old Pittwater Road and to the east by Condamine Street and Pittwater Road. The site area is approximately 170,600sq.m.

The site has a gradual natural slope that falls from the northwest to the southeast of the site and contains limited vegetation, with the only substantial planting located along the street frontages of the site and within

the open-air car parking areas. Vehicle access to the site is currently available at several locations along the Old Pittwater Road, Pittwater Road and Cross Street frontages of the site.

An aerial image of the site is provided at **Figure 2**.

Figure 2 – Aerial image



## 2.2.2. Existing Development

The site accommodates Warringah Mall which is a partially enclosed centre with provision of open-air and undercover multi-storey car parking. Development including the Mall itself and associated decked parking is generally positioned on the central and western thirds of the site. The eastern third contains at grade parking and vehicular access ramps to upper level car parking.

The Stage 1 retail expansion approved as part of D/2008/1741 included extensive refurbishing and improvement of existing circulation spaces such as Centre Court, ground floor and first floor extensions comprising the parallel mall, restructuring and refurbishing the Myer tenancy, the construction of a new multi-deck car parking facility, and various other ancillary works including signage, landscape and traffic management works.

Following the Stage 1 redevelopment works Warringah Mall has a total floor area of 136,221sq.m.

Photographs of existing development on the site are provided at **Figure 3**.

Figure 3 – Site photographs



Picture 1 – Southern pedestrian to Warringah Mall  
Source: Urbis



Picture 2 – View of car park from Old Pittwater Road  
Source: Urbis



Picture 3 – Looking south along Green Street  
Source: Urbis



Picture 4 – Existing bus stop and collection zone  
Source: Urbis



Picture 5 – Existing at grade car park from Condamine  
Source: Urbis



Picture 6 – Looking north from junction of Condamine Street and Old Pittwater Road  
Source: Urbis

## 2.3. SURROUNDING CONTEXT

The surrounding land use context is characterised by a diverse mix of commercial, industrial, residential, recreational and education uses.

A piped drainage system carries water through the site from the northwest to the southwest and generally follows the alignment of what was once a natural watercourse, Brookvale Creek.

The Beach School, Brookvale Public School and St Augustines College are located within a 1 kilometre radius of the site. Allenby Park and Manly Dam Reserve are situated to the northwest and southwest of the site.

Adjacent and adjoining land uses are described as follows.

### 2.3.1. North

To the north of the site is a large industrial area. Super Cheap Auto and Bunnings Warehouse is located within the site boundaries on the northern portion of the site however this land is not subject to the proposed redevelopment works.

Freestanding retail and non-retail shopfronts as well as the Brookvale Hotel are located along the eastern and western sides of Pittwater Road to the north of the site i.e. from Orchard Road in the south to Winbourne Road in the north.

### 2.3.2. East

Warringah Golf Course is located on the eastern side of Condamine Road and is bound to the east by Pittwater Road and Brookvale Creek.

The Brookvale bus depot is located on the eastern side of Pittwater Road, opposite the Cross Street intersection, and the recently constructed Brookvale Community Health Centre is situated on the eastern side of Pittwater Road opposite the B-Line Bus Stop.

### 2.3.3. South

The Northern Beaches TAFE is located on the southern side of Old Pittwater Road, as well as a series of detached dwelling houses.

### 2.3.4. West

To the west of the site along Old Pittwater Road are several industrial and office premises uses characterised by larger scale, multi-story buildings.

## 2.4. TRANSPORT NETWORK

### 2.4.1. Pedestrian Access

Existing pedestrian access is provided at the following locations via marked pedestrian crossings and footpaths:

- Off Condamine Street at the southern portion of the site near the Mall Music Building;
- Off Cross Street, via Green Street
- Off Old Pittwater Road, via the multi-deck car parking at this location

The subject site is bounded by pedestrian footpaths along the edges of the major roadways, however, pedestrian access into the shopping centre site is currently limited owing to the design of the development away from the street frontages surrounded by car parking.

As described in **Section 4**, the proposed development seeks to improve the pedestrian experience and access to the subject site.

### 2.4.2. Vehicular Access and Parking

The surrounding road network provides good access to Warringah Mall for residents of the surrounding area with Pittwater Road/Condamine Street/Spit Road being the major north-south carriageway. This provides

direct access to the centre for residents from Mosman in the south through to Mona Vale in the north. Warringah Road provides access to the centre from the west for residents of Forestville, Glenrose and Frenchs Forest.

Existing and operating vehicular access into the site is provided at various locations along Old Pittwater Road, Pittwater Road, Condamine Street, and off Cross Street. Vehicular access to the site off Pittwater Road and Condamine Street is currently not available due to the stormwater augmentation works that are being undertaken on the site.

Changes to the vehicle access arrangements are proposed as part of this development application as described in detail within **Section 4**.

### **2.4.3. Public Transport Access**

Public Transport access to the site is provided by way of bus stops along Pittwater Road and an internal bus stop within the Warringah Mall site.

Public transport accessibility to the centre is relatively good at a local level, with many bus routes leading to Warringah Mall. A total of 20 bus services operated by Sydney Buses and Forest Coaches currently service the site. Six of these services provide direct access to the bus interchange within the centre operating at a frequency of 15-minutes during peak times and at hourly intervals during off-peak times.

Part of the site accommodates a B-Line bus interchange on Pittwater Road.

## **3. BACKGROUND**

### **3.1. PREVIOUS APPROVALS**

#### **3.1.1. DA2008/1741 – Stage 1 Expansion**

DA2008/1741 sought development consent for major alterations and additions to the western part of the existing shopping centre and the construction of a new multi-deck car park in the northern part of the site.

These works comprised the first major expansion of the shopping centre, and is known as the Stage 1 retail expansion. The key elements of the proposal included:

- Construction of a ground and first floor extension providing a parallel north/south mall providing a direct link between Myer and the Woolworths Food Court precinct. The additional retail floor area replaced part of an area currently utilised as decked car parking (referred to as the 'Starfish Car Park'). The car parking structure was cut back to accommodate the additional retail floor area.
- Restructured and reduced frontage to Myer to allow a single pedestrian entrance.
- Construction of a new Level 2 roof top car park above the new retail floor area which connects with the existing roof top parking to the north. The roof top car park is designed with skylights to allow natural daylight down into the retail mall areas.
- Construction of a new multi-deck car parking facility on the existing surface car park fronting Cross Street and Green Street (Palm Tree Car Park). This car park is designed to integrate with the other decked and roof top parking areas of the centre. The car park structure is setback from the Cross and Green Street frontages to accommodate the new stormwater culvert which runs along the site perimeter around the new car park structure.
- Conversion of existing Level 2 Myer to a Mini Major.
- New landscaping to replace that proposed to be removed for the stormwater augmentation works.

DA2008/1741 was approved on 24 April 2010.

Since the approval, several modification applications were submitted to and approved by Council to address changes necessitated by design development. All the works relating to DA2008/1741 have now been finalised, and Stage 1 was opened in November 2016.

#### **3.1.2. DA2008/1742 – Stormwater Works**

DA2008/1742 sought consent for the construction of drainage works through the Warringah Mall Shopping Centre site extending under Condamine Street and linking into the existing infrastructure located within the adjoining Warringah Golf Club site to the east.

The key elements of the proposal included:

- Alterations to the existing head wall located within the site where Brookvale Creek intersects with the Mall ("the upstream interface");
- The construction of two 3.6m x 1.5m culverts running underground through the shopping centre site.
- The construction of the culverts under Condamine Street located immediately north of those existing and works with the Warringah Golf Club site to connect into the existing drainage infrastructure located in this area ("the downstream interface");
- Removal of existing landscaping along the frontage to Cross Street.
- Minor demolition works to facilitate the construction of the stormwater drainage system.
- Other drainage works around the western side of the centre including new inlets and pipes.

DA2008/1742 was approved on 16 May 2012. The works approved as part of this DA have recently been completed.

### 3.1.3. Master Plan DCP

Warringah Mall underwent a major master planning exercise in 2007/08 with the intention to articulate the future planning direction of the centre over an approximate 15-20-year period (i.e. to around 2020-2025).

This master plan was supported by retail floor space forecast analysis and detailed traffic analysis. The master plan identified the opportunity for a further 35,000sqm of retail floor space (**GLA**) over this planning period. The master plan was adopted by Council in the form of a site specific DCP for Warringah Mall, which provides controls and guidance in relation to:

- Built Form, including heights and setbacks;
- Overall expected floor space;
- Traffic and transport;

This Masterplan DCP was submitted concurrently with the Stage 1 DA (DA2008/1741) and came into effect on 19 December 2009 and is provided within 'Part G4 Warringah Mall' of the *Warringah Development Control Plan 2011 (WDCP 2011)*.

As addressed in detail within **Section 4**, the proposed Stage 2 DA seeks to expand the existing shopping centre generally in accordance with this approved Masterplan DCP.

## 3.2. PRELODGEMENT DISCUSSIONS

A Pre-Lodgement Meeting was held between the project team and Northern Beaches Council on 15 December 2016 to discuss the proposed development. Council's formal meetings were provided on 31 January 2017.

**Table 2** below provides a summary of the discussion at this meeting and provides responses to the various points raised by Council. The below responses are to be read in conjunction with associated supporting information as referenced in the **Table 2**.

It is noted that the scope of the proposal the subject of this application has been drawn back substantially compared to the proposal presented to the Council at the Pre-Lodgement meeting. Therefore, several of the comments in the Council feedback are no longer relevant. Where feedback is no longer relevant due to adjustments to the proposal, this has been explained in the responses provided below.

Table 2 – Pre-lodgement meeting comments

Requirement	Council Comment	Response
G4 Warringah Mall Objectives	The design proposed is considered to generally achieve the objectives of the site-specific DCP, subject to further supporting information.	The proposal aligns with the high level objectives for the Warringah Mall site as detailed throughout this report and in supporting documentation.
Building Setbacks and Street Frontages	The design appears to generally comply with setbacks in most areas. The undulating Condamine Street/Pittwater Road façade encroaches within this setback at varying locations given the non-linear design. If appropriate landscaping and pedestrian usability is available along this entire edge, the setbacks are supported.	The proposal complies with setback requirements other than the curved façade at the Condamine Street frontage. This aspect of non-compliance is described in detail at <b>Section 5.6.1</b> of this Report. Substantial landscaping is provided at this interface as illustrated in Landscape Plans provided at <b>Appendix C</b> .

Requirement	Council Comment	Response
Building Height	The site is subject to an 11m building height as per the WLEP 2011, however the WDCP 2011 dictates maximum envelope RLs of the site that, in principle, govern the maximum height. Should the development exceed 11m at any point, a Clause 4.6 Exceptions to the Development Standards is required.	<p>It is noted that, at the time of preparing this Report, there is no building height limit shown for the site under WLEP 2011. Rather, the building height controls are contained in WDCP 2011 and expressed as maximum RLs.</p> <p>The development exceeds the Maximum RLs prescribed in WDCP 2011 and this is discussed in detail at <b>Section 5.6.2</b> of this Report. The building height control is not a development standard and therefore it is open to the consent authority to vary the control in the absence of a clause 4.6 variation request.</p>
	From the images shown in the meeting, the scale by height is generally supported. Architectural treatment to boundary-abutting facades will be required to reduce the overall bulk of facades and to reduce the visual massing of the development.	The eastern façade has an ‘organic’ curvilinear elevation which provides visual interest. Façade materials and integrated landscaping serve to ameliorate the visual mass of the eastern elevation, achieving a scale that is suitable given the nature of the development
	The design as proposed appeared to satisfy the above, however further perspectives of the development should be provided with the lodgement of any development application.	Perspectives of the development have been produced to illustrate scale and architectural design and are provided within the Architectural Plans at <b>Appendix A</b> .
	The requirements for Access to Sunlight to ensure that surrounding residential properties are not unreasonably overshadowed by the height.	Discussion regarding the overshadowing impacts of the development are provided at <b>Section 5.7.3</b> . of this Report. In summary, dwellings to the south will experience some overshadowing on the winter solstice however impacts are limited to the morning period and compliance with relevant numeric controls are still achieved.

Requirement	Council Comment	Response
Floor Space	This current proposal seeks an additional 21,000m <sup>2</sup> GLFA, resulting in a total increase (Stage 1 and 2) of 29,000m <sup>2</sup> GLFA and thereby achieving compliance with the requirements of the control.	<p>The development application proposes an additional 9,847sq.m of GFLA.</p> <p>The proposed development will result in a total GLFA of 146,069sq.m (both stages), which is less than the maximum permissible total GFLA of 162,878sq.m.</p>
Landscaping	In summary, the provision of landscaping is considered complementary to both the site and the Northern Beaches vernacular. Any increase in the provision of landscaping would be supported, and this should be a key feature throughout the design both internally and externally and throughout the varying levels of the development.	Landscaping will be provided at the perimeter of the site, along the Condamine and Pittwater Road frontages with more significant planting at the Condamine Street/Pittwater Road vehicular entry and the remodelled southern pedestrian entry. Landscaping is illustrated in the Landscape Plans provided at <b>Appendix C</b> .
	Proposed landscaping should provide a lush, verdant, relaxing character to the site. As such, liberal use of tropical feel plants such as <i>Livistona australis</i> , <i>Howea fosteriana</i> and lush evergreen trees shrubs and groundcovers are supported.	Landscaping incorporates feature plans including the Cabbage Tree and Kentia Palms endorsed by council's landscape officer. Species selection is detailed in the Landscape Plans and the rationale for species selection and arrangement is described in the Statement of Landscape Intent provided at <b>Appendix D</b> . In summary, the proposed landscaping design ensures development sits comfortably within its coastal and highly urbanised setting, and has a simple yet functional structure responsive to microclimatic and soil conditions. The landscaping screens and softens buildings, helps to direct people to and define centre entries, and actively contributes to the creation of a high quality and safe public streetscape.
	The use of green walls to carpark façade may be considered to	Upper level perimeter planters are proposed along the upper levels of

Requirement	Council Comment	Response
Public Art	<p>assist in softening the building and creation of a special character to the site.</p> <p>This is to be considered and shown in any development application to satisfactorily achieve the objectives and requirements of the control. The two most prominent locations suitable for public art (outside of the Mall itself) are the bus stop and the Condamine Street and Old Pittwater Road intersection.</p>	<p>the building to provide cascading climbers and trailing plants to soften the edges of the building. Exposed facades are also earmarked as public art opportunities.</p> <p>A Public Art Plan has been prepared and is provided at <b>Appendix Z</b>. The Plan identifies locations that have been earmarked for public art installations, including the Condamine Street vehicular entry and the remodelled southern pedestrian entry, as per council staff suggestions.</p>
Advertising and Signage	<p>A detailed signage plan is required to be submitted with any future development applications.</p>	<p>No tenant signage is proposed as part of this development application with the exception of the Westfield logo for which indicative locations are shown on the elevations supplied with the Architectural Plans. A further development application will be lodged in relation to future signage proposals.</p>
Safety and Security	<p>Consideration should be given to the safety and security of pedestrians and patrons. Dark corridors and isolated areas are not supported and are to be replaced by a more suitable measure with sufficient lighting.</p> <p>A referral will be sought from local Police to further assess during the assessment of a development application.</p>	<p>The redevelopment works have been designed to eliminate opportunities for concealment such as dark corridors and isolated areas. A CPTED Report has been prepared and is provided at <b>Appendix U</b>. This Report makes recommendations for improving security and safety of pedestrians and patrons. A Security Management Plan has also been prepared and is provided at <b>Appendix Y</b>. This Plan describes the various security measures that are proposed to be implemented to maintain a safe and secure mall environment and responds to CPTED recommendations.</p>

Requirement	Council Comment	Response
Social Impacts	The design and concept presented is considered to have no unreasonable or detrimental social impacts.	A Social Impact Assessment has been prepared and is provided at <b>Appendix T</b> . The Assessment demonstrates that social impacts of the proposed development are overwhelmingly positive. Where impacts are negative, they are temporary and can be mitigated e.g. temporary impacts associated with construction works.
Road Infrastructure	A network modelling comprising all surrounding streets is to be undertaken. The access driveways are to be considered in the traffic modelling. A micro-simulation modelling is suggested to be able to visualise the impact.	A Traffic and Parking Assessment Report has been prepared and is provided at <b>Appendix J</b> . The Report provides an analysis of traffic modelling undertaken in relation to the redevelopment works and concludes that there will be no adverse impact on the function or efficiency of the local road network.
	The driveway design including width, queuing area and etc. is to be in compliance with Australian Standards AS2890.1:2004.	The Traffic and Parking Assessment Report indicates that the car park and associated elements are designed to accord with the requirements of AS2890.
	Adequate number of service bays accommodating the largest vehicle anticipated to access the site is to be provided on-site and designed in accordance with AS2890.2:2002. A swept path analysis is to be provided demonstrating that the largest vehicle would be able to manoeuvre in and out of the service bays as well as the driveway in forward direction. Service vehicles internal circulation area is to be separated from other vehicles.	The proposal incorporates the provision of three service vehicle loading bays to accommodate vehicles up to 19m semi-trailers plus three compactors. These service bays are designed to accord with AS2890.  Swept path diagrams are provided within the Traffic and Parking Assessment Report.
	A comprehensive traffic and parking report is to be provided including the traffic analysis and implication on surrounding road network, as well as parking	A Traffic and Parking Assessment Report has been prepared and is provided at <b>Appendix J</b> . The Report includes traffic analysis,

Requirement	Council Comment	Response
	provision, road safety matters and car parking and driveway design.	assessment of parking provision and car park design.
Pedestrian Access	<p>A comprehensive Construction Traffic Management Plan is to be submitted as part of the DA.</p> <p>Stage Two must incorporate a formal, clear and desirable pedestrian entrance into the Mall in a prominent position. The most logical location for this would be adjacent to the bus stop.</p>	<p>A Construction Management Plan has been prepared and details traffic management objectives during the construction phase of the project. A detailed Traffic Management Plan will be prepared by traffic consultants post-consent once details concerning construction methodology, delivery and timing are refined.</p> <p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall. The works proposed under this development application are less extensive and therefore no opportunity to provide a new pedestrian entry adjacent to the B-Line bus stop. Notwithstanding, pedestrian paths of travel between the B-Line and community bus stops and the existing centre entry will be enhanced. The southern entry is however significantly enhanced and presents as a legible and desirable pedestrian entry to the mall.</p>
	At grade access should be provided at multiple points. Should the pedestrian access be via a series of escalators, the entry on the main shopping level should be into a lively public area.	At grade access is provided at the northern and southern pedestrian entry points.
Public Transport	Discussions should be had with Transport for NSW and the RMS for any roadworks or provision for public transport.	<p>Discussions have been held with the RMS concerning proposed vehicular ingress and egress arrangement and correspondence is appended to the Traffic and Parking Assessment Report at <b>Appendix J</b>.</p> <p>Discussions with TfNSW concerning the B-Line interchange</p>

Requirement	Council Comment	Response
Parking Facilities	Car parking – 21,000m2 GLFA – therefore requiring 861 additional car parking spaces – 900 provided	<p>and associated land acquisition matters are ongoing. Works associated with the B-Line interchange do not form part of this development application.</p> <p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall.</p> <p>The additional GFLA proposed by this development application requires the provision of an additional 406 car parking spaces and a net additional 418 spaces are proposed.</p>
Stormwater Management	<p>The proposed works are located over the proposed twin culverts that were approved under DA2008/1742. Council’s Water Policy and Technical specification – Building over or adjacent to Constructed Council drainage systems and easements, outlines the following:</p> <p>Council does not favour structures over pipelines / culverts</p> <p>Council may permit structures over if they meet the minimum access / clearance requirements</p> <p>Structural clearances for footings including zone of influence</p>	<p>The Stormwater Management Report provided at <b>Appendix H</b> addresses this comment. It is noted that the infrastructure referred to in this comment are assets owned by Scentre Group as opposed to being council owned assets. It is therefore submitted that the Technical Specification does not technically apply in this instance.</p>
	Council also does not approve tree planting over Council drainage systems.	The location of drainage infrastructure is shown on the landscape plans to demonstrate that substantial trees are positioned to avoid these assets.
	In DA2008/1742 – Condition 65 outlines that the land owners are responsible for the ongoing maintenance, structural inspections and renewal of the trunk drainage network through the site. It is recommended that	Technical specifications will be considered during detailed design stage as discussed in the Stormwater Management Report provided at <b>Appendix H</b> .

Requirement	Council Comment	Response
Urban Design	<p>the applicant carefully considers Council's water policy in the design process to ensure that adequate provisions are made for maintenance, structural inspections and renewals.</p> <p>Proposed building height to comply with 11m LEP2000 requirement and DCP masterplan.</p>	<p>It is noted that, at the time of preparing this Report, there is no building height limit shown for the site under WLEP 2011. Rather, the building height controls are contained in WDCP 2011 and expressed as maximum RLs.</p> <p>The development exceeds the Maximum RLs prescribed in WDCP 2011 and this is discussed in detail at <b>Section 5.7.2</b> of this Report. The building height control is not a development standard and therefore it is open to the consent authority to vary the control in the absence of a clause 4.6 variation request.</p>
	<p>Coordinate link bridge connection across Pittwater Road to Community Health building under construction. It would be preferable to be able to access shopping centre at the elevated crossing level to activate/encourage pedestrian usage.</p>	<p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall.</p> <p>The proposed mall area no longer extends to the Pittwater Road frontage and therefore no opportunity to integrate bridge connection with upper levels of the centre as part of this development application.</p>
	<p>Majority of shoppers would be arriving by public transport in the future with the starting of the B-line bus services. As such entrance to the shopping centre from the Pittwater bus stop area should be well defined.</p>	<p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall. The works proposed under this development application are less extensive and therefore no opportunity to provide a new pedestrian entry adjacent to the B-Line bus stop. The southern entry is however significantly enhanced and presents as a</p>

Requirement	Council Comment	Response
		legible and desirable pedestrian entry to the mall.
	Existing Mall Music/ cineplex building located at Condamine Street and Pittwater Road junction is a prominent visual approach point. As such, proposed new building form should acknowledge symbolic gateway to Brookvale centre. Original proposal to demolish Mall Music/ cineplex and replace the corner with a landscaped treatment as a bookend to the golf course green on the other side of Condamine street is commendable especially with the difficulty in locating deep soil for decent size trees on the Pittwater/ Condamine street setback areas due to stormwater works.	The development application seeks to retain the existing Mall Music / Cineplex building. Existing landscaping at the southern corner of the site will be retained.
	Shadow diagrams to be submitted for shadow impact to surrounding residential areas.	Shadow diagrams have been prepared and are included with the Architectural Plans provided at <b>Appendix A</b> .
Flood Engineering	The Stage 2 area of works is partially flood affected, with low to extreme flow hazard in the vicinity (according to Cardno’s “Managing Flood Risk at Warringah Mall – Flood Management Plan”, Sept 2015). There are some areas identified as high or extreme hazard near the north-west corner of the proposed car park.	A Flood Report has been prepared and is provided at <b>Appendix I</b> . The Stage 2 works proposed in flood affected areas are identified in the Report.
	Applicant needs to ensure:  Car park floor levels are set at or above the 1 in 100 year flood level. The installation of movement devices may be required;  New habitable floor levels are set at or above the Flood Planning Level, which is 0.5m higher than the 1 in 100 year level;	A Flood Report has been prepared and is provided at <b>Appendix I</b> . The Report addresses the comments made by council flood engineers and demonstrates that the development is compatible with the flood hazard.

Requirement	Council Comment	Response
	<p>There is no net reduction of flood storage on the floodplain below the Flood Planning Level, and no detrimental impact on flooding for neighbouring properties;</p> <p>There is an overland flow route available for flood events larger than the 1 in 100 year event;</p> <p>New building works and services are designed to withstand the hydraulic forces of the 1 in 100 year flood event; and</p> <p>Hazardous chemicals are not to be stored in areas under the Flood Planning Level.</p>	
Strategic Planning	Strategic Planning supports the Urban Design comments provided in these notes and requests that the Stage 2 design particularly addresses the following areas of concern:	
	<p>Pedestrian access - Pittwater Road/ Condamine Street site frontage.</p> <p>This should be readily accessible from the proposed B-Line stop, catering for all mobility needs with the minimum of difficulty. It should be pedestrian friendly and safely separated from vehicular access. There should be safe, clear and mobility friendly access both into and out of the shopping centre. It should contribute to an active street frontage and integrate good urban design so that, at the street presentation, it adds to the quality of the streetscape. Multiple pedestrian access points are desirable to create site permeability and hence integration of the site with the wider Brookvale centre, however, the main pedestrian entry point should be at the B-line stop/bus interchange.</p>	<p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall. The works proposed under this development application are less extensive and therefore no opportunity to provide a new pedestrian entry adjacent to the B-Line bus stop. The southern entry is however significantly enhanced and presents as a legible and desirable pedestrian entry to the mall.</p> <p>It will be more appropriate to revisit potential connections between Warringah Mall and the B-Line bus stop as part of any future redevelopment proposals over the eastern portion of the site.</p>

Requirement	Council Comment	Response
	<p>The design of this access is important as this will be the main point of arrival for those not driving to the shopping centre.</p> <p>Activation of the Pittwater Road/Condamine Street frontage.</p> <p>The plans propose a building located along the Pittwater Road frontage that provides a car park at its first two levels and extends some 150m along this frontage. This runs the risk that the development will visually 'turns its back' to Pittwater Road. Architectural solutions are needed to ensure that this frontage, at the street level, promotes pedestrian activity and thereby contributes to the creation of an active and safe pedestrian environment. This will be one of actions that the proposed Brookvale Structure Plan will seek to encourage throughout the Brookvale retail centre. The location of the B-line stop on the Warringah Mall site, makes this street activation even more important and provides a great opportunity to create an attractive, integrated and functional design solution, as the pedestrian gateway to Warringah Mall.</p>	<p>This comment was provided in relation to the earlier scheme which involved a more substantial expansion of the mall. The works proposed under this development application are less extensive and the elevation presenting to the Condamine Street / Pittwater Road frontage remains generally unchanged. Substantial works are proposed to improve the entry point at the southern end of the Condamine Street frontage and this will enhance activation of the area and aesthetic quality of the building.</p>
	<p>Public Transport (buses and taxi) interchange within the site</p> <p>Plans indicate that the interchange will be located adjacent to the Pittwater Road frontage of the site. Architectural solutions are needed to ensure that the interchange will be of adequate size and seating capacity, will provide all weather protection and be able to cater for all current and future bus and taxi movements. It must also address all mobility needs optimising ease</p>	<p>Works associated with the B-Line interchange are not included within this development application. Discussions with TfNSW concerning land acquisition for the interchange are ongoing.</p>

Requirement	Council Comment	Response
	and safety of use. The interchange presents a further opportunity to provide articulation within the street presentation and contribute to a visually active street frontage.	
Concluding Comments	Should the Mall Music building be kept as opposed to becoming landscaped space, a brief concept plan for what is envisioned for this space should be provided to Council with any application, so as to demonstrate how the objectives of the DCP can be achieved.	There are no plans to redevelop this building in the medium term and it is therefore premature to supply council with a concept plan for the building as part of this development application.
	The scale of the Condamine Street/Pittwater Road frontage should be relative to human scale and not appear imposing or overbearing. Appropriate architectural treatment and landscape buffers can achieve this.	The scale of the development is dictated to some degree by existing mall and also by the use, which inherently requires a larger scale form of development. The external facades have been appropriately articulated along both horizontal and vertical planes and materiality and integrated landscaping mitigates visual bulk. The design achieve a 'human' scale to the extent that it is possible for a large mall building to be scaled to human proportions.
	Emphasis on pedestrian entrance nodals should be made to create clear and desirable entry points, particularly from the bus stop and sky bridge landing. An at-grade entry point into the Mall from the bus stop would be desirable.	The southern pedestrian entry to the mall will be substantially remodelled to create a clear and desirable entry point. Pedestrian entry points to the site are well delineated and logically positioned under the proposed scheme.

### 3.3. STAKEHOLDER CONSULTATION

#### 3.3.1. RMS

The Traffic and Parking Impact Assessment prepared by The Transport Planning Partnership and provided in **Appendix J** provides details on the ongoing consultation and discussions undertaken with RMS on the proposed Stage 2 works.

Regarding the proposed Condamine Street ingress, written 'in principle' support has been provided as follows:

*Roads and Maritime has reviewed the preliminary design for the PRE DA application and provides “in-principal” support. Final approval and detailed comments will be subject to the DA being officially lodged.*

The new Condamine Street ingress will be designed to RMS requirements.

### **3.3.2. Private/Local bus operators**

The local bus routes and existing bus shelter internal to the site are proposed to be maintained as part of the development scheme.

Closer to the construction period, the proponent will engage with the local and private bus operators that access the site to ensure these services are not disrupted, with interim solutions to enable smooth operation during construction.

## 4. PROPOSED DEVELOPMENT

### 4.1. DEVELOPMENT SUMMARY

The key elements of the proposal can be summarised as follows:

- 9,847m<sup>2</sup> additional GLA (net increase), including demolition and additions to the existing facility to enable the following new and reconfigured facilities:
  - 15 speciality retail tenancies
  - 35 food premises, including additional licenced premises
  - 3 kiosks
  - 10 mini majors
  - 1 major tenant
  - New upper level cinema complex;
- Modification of existing grade and multi-deck car parking and associated vehicle access to create 418 additional car spaces (net increase); and
- Associated public malls and amenities.

Architectural Plans prepared by Scentre Design and Construction are included at **Appendix A**. Key numeric aspects of the proposal are provided at **Table 2** and the various components of the proposed development are described in the following sections.

Table 3 – Numeric Overview of Proposal

Component	Existing	Proposed
Gross Lettable Floor Area	136,221sq.m	146,069sq.m
Maximum Height	RL 30	RL 45.3
Minimum Setbacks	Pittwater Road/Condamine Street – 13 m	Pittwater Road/Condamine Street – 4m
	Old Pittwater Road – no change	Old Pittwater Road – no change
Car parking spaces	4,675 spaces	5,093 spaces (+418spaces)

### 4.2. PROPOSED RETAIL RECONFIGURATION & EXPANSION

#### 4.2.1. Ground Level

The proposed works at this level include:

- Modifications to the existing Target Store and new mini-majors to its north and south,
- Row of specialty tenancies along the existing north-south mall from Green Street to Coles;
- Ancillary storage and amenity spaces;
- Reconfigurations and improvements to the north-south mall at the Target entrance; and
- New food outlets to the north east of Coles addressing the southern (Condamine Street) entrance to the mall.
- New amenities to the west of Coles

### **4.2.2. Level 1**

The proposed uses at this level include:

- Expanded food court at the southern end;
- A new mini-major adjacent to expanded food court;
- New amenities; and
- Rationalised vertical access.

### **4.2.3. Level 2**

A new Level 2 restaurant precinct is proposed as part of this development application.

This level will feature restaurants along the perimeter of the floor plate, with seating spaces covered by light-weight metal pergolas. The restaurants and seating spaces will feature frontages to the south and southeast providing views out to the golf course and Brookvale Creek. Several restaurants will be licenced premises.

Three mini-major spaces as well as specialty tenancies and amenities are also proposed on this level.

### **4.2.4. Level 3**

A new cinema complex is proposed on Level 3. The proposal also includes two mini-major tenancies accessed from the food court below.

## **4.3. CINEMA RELOCATION**

It is proposed to construct a new cinema complex on Level 3 to the northwest of the restaurant precinct. The cinema complex will contain several movie theatres of varying sizes. The standalone building to the south of the main shopping centre development at the corner of Condamine Street and Old Pittwater Road is proposed to be retained, however the existing cinema use contained therein will not.

## **4.4. ACCESS, PARKING AND LOADING**

### **4.4.1. Vehicular Access**

In terms of vehicle access arrangements, it is proposed to:

- install a new vehicle access off Condamine Street (left-turn entry only), of which RMS has provided in-principle approval
- provide a direct exit to Condamine Street and Pittwater Road at the William Street signalised intersection including a third northbound traffic lane to facilitate the efficient operation of the intersection, and
- convert Dale Street to permit two-way traffic flows.

### **4.4.2. Parking**

Following the completion of the Stage 1 development, Warringah Mall now has a total of 4,675 car parking spaces. It is proposed to provide 418 additional car parking spaces for a total of 5,093 spaces across the site. Additional parking will be provided in a decked structure as part of an extension to existing Level 1 and Level 1M car parks in an area south of the Aldi site as indicated on architectural plans.

### **4.4.3. Service vehicle access and loading**

It is proposed to provide additional service vehicle loading bays to accommodate vehicles up to an Australian Standard 19m semi-trailers plus three compactors. These loading bays are designed in accordance with requirements set out in AS2890.2:2002.

## **4.5. PEDESTRIAN ACCESS**

Direct pedestrian access from outside the shopping centre into the proposed Stage 2 development will be provided at these locations:

- **Condamine Street entrance:** the existing at-grade pedestrian entrance associated with Coles will be reconfigured and improved to create a forecourt with architectural treatment and landscaping.
- **Condamine Street escalators & lift:** escalators and a lift are also proposed at this location to provide access to expanded food court at Level 1, and subsequently to the restaurant precinct at Level 2.
- **Pittwater Street entrance:** the pedestrian entry at ground level adjacent to the bus layoff will be retained and legibility improved by way of footpath upgrades creating an improved connection between Pittwater Road and the centre.

Pedestrian connections will also be provided internally at various locations from the existing shopping centre including the Stage 1 mall circulation spaces.

## 4.6. BUS INTERCHANGE UPGRADES

### 4.6.1. Internal Bus Interchange & Taxi Rank

A bus interchange will continue to be provided within the Centre and will be relocated slightly to the north of the current location near the eastern boundary of the site and beneath the Target car park as shown in the Architectural Plans provided at **Appendix A**. The proposal will ensure that the amenity and ease of access of the existing bus interchange and taxi rank is maintained, with the provision of seating, shade and the taxi call button as per current arrangements.

### 4.6.2. B-Line Bus Interchange

It is also noted that the NSW Government's B-Line project has resulted in the redevelopment of the bus stop that is currently located on the site adjacent to Pittwater Road. The redevelopment of the bus stop is not part of the proposed works covered under this development application.

The bus stop and associated land will be acquired by the government for construction of the required infrastructure. Transport for NSW (TfNSW) are responsible for the construction of all off-road infrastructure improvements for the B-Line, including the new B-Line bus stop at this location. The proponent has held regular discussions with TfNSW to ensure that adequate land is allocated for these works.

### 4.6.3. Pedestrian Bridge by Health Infrastructure

The Brookvale Community Health Centre is opposite the site on Pittwater Road. A pedestrian bridge is proposed over Pittwater Road that will provide a pedestrian connection between the health centre with the western side of Pittwater Road. The pedestrian bridge is not part of the proposed works covered under this development application.

## 4.7. LANDSCAPING, TREE REMOVAL AND PUBLIC DOMAIN

Extensive tree planting and landscaping works are proposed as part of the proposed development.

The main landscaping elements include:

- **Street frontage screening** – Brush Box and Weeping Lilly Pilly are proposed along the street frontage to screen and soften the built form, particularly along the northern portion of the development close to the Pittwater Road bus interchange.
- **Signature planting at nodes** – the main entry nodes fronting Pittwater Road/Condamine Street are to be planted with Cabbage Tree and Kentia Palms to define these locations with a recognisable landscape element, that will soften and frame views into and out of the shopping centre.

The existing trees towards the Cross Street intersection are to be retained to screen and soften the existing Bunnings and associated car park.

Refer to the Landscape Plans and the Statement of Landscape Intent at **Appendix D** for further information and detail.

The proposed development will necessitate the removal of a number of trees and this has been described in the Arboricultural Impact Assessment and associated Tree Removal Plans provided at **Appendix K**.

56 trees are proposed to be removed as they are either located within the footprint of the proposed Stage 2 construction works or are likely to suffer unacceptable impacts as a result of their proximity to the proposed works and the associated changes in levels.

## 4.8. SIGNAGE

Signage is not proposed as part of this development application with the exception of Westfield signage which is indicated on the elevations supplied with the Architectural Plans. Future signage will be addressed through a separate application to Council at a later date.

## 4.9. MATERIALS AND FINISHES

A schedule of materials and finishes is included on elevations contained within the Architectural Plans provided at **Appendix A**.

Materials include several precast concrete and blockwork treatments, primarily at lower levels, and metal cladding with custom patterns providing a 'skin' to the upper levels. The colour palette is neutral comprising primarily of greys and whites.

## 4.10. DEMOLITION

The proposed works will require demolition of a portion of the hardstand car parking spaces, and part of the existing façade and built form along the eastern portion of the shopping centre to enable the construction of Stage 2.

The proposed demolition is shown in detail within the Architectural Plans at **Appendix A**.

## 4.11. STORMWATER

The construction of the Stage 2 built form will necessitate stormwater diversion works to ensure any adverse stormwater and flooding impacts are managed and mitigated.

Refer to the Stormwater Plans and Stormwater Report at **Appendix H** for further details.

## 4.12. CONSTRUCTION STAGING

The Construction Management Plan at **Appendix W** provides details on proposed construction staging which is summarised below:

- Phase 1 (month 1 to month 7.5): The existing Bus interchange will stay in use whilst the new carpark structure and ramps are built to the north. Target will retract to smaller footprint whilst the southern part of their store is refurbished. The new Cinema structure will also be completed in this Phase and construction of the new Retail structure commenced.
- Phase 2 (month 7.5 to month 13): The new Bus interchange will come into operation and the existing Interchange will be closed for demolition. Target will start trading in the south part of their refurbished store and the north part of their store will be closed for reconfiguration. The fitout of the new L3 Cinemas will continue and fitout for new Retail / restaurant areas will commence in this Phase. Dale St will start operating two-way in this Phase.
- Phase 3 (month 14): The Target loading Dock will come into operation in this phase and the reconfigured Green St and Dale St roundabouts will be operating in their final arrangements. Final fitout and landscaping works will be completed in this phase.

## 4.13. PUBLIC ART STRATEGY

A Public Art Plan has been prepared by Scentre Group, and is provided at **Appendix Y**.

The purpose of the Public Art Plan is to set out the key considerations relating to the context of the site, its history, and analysing potential locations and concepts for public art.

## 5. SECTION 4.15 ASSESSMENT

### 5.1. STATUTORY POLICY AND COMPLIANCE

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as follows:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- Warringah Local Environmental Plan 2011 (WLEP 2011)
- Warringah Development Control Plan 2011 (WDCP 2011)

This SEE demonstrates that the proposed development is generally consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions. Where departures are proposed these have been justified by way of demonstrating consistency with objectives. Departures from the controls relate to building height and setback from Condamine Street.

### 5.2. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

*State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)* applies to the State and aims to identify development that is State significant and regionally significant development.

Schedule 7 of the SRD SEPP specifies development declared to be regionally significant for the purposes of the EP&A Act. General development that has a capital investment value (CIV) of more than \$30 million is specified as regionally significant development.

The proposed works has a capital investment value of over \$30 million and therefore will be determined by the Sydney North Planning Panel.

### 5.3. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

The requirements of *State Planning Policy No. 55 – Remediation of Land (SEPP 55)* apply to the Site. In accordance with Clause 7 of SEPP 55, the consent authority must not consent to development on land unless it has considered if the land is contaminated and, if so, whether it is suitable, or can be made suitable, for the proposed use.

A Phase 2 Contamination Assessment Report has been prepared by Douglas Partners and is provided at **Appendix P**.

The Report explains that fieldwork and testing revealed a series of contaminants at the site and recommends the preparation and implementation of a Remediation Action Plan to address contaminants. The Report concludes that the site can be made suitable for the development provided recommendations are implemented.

A condition of consent is anticipated in relation to the preparation and implementation of a Remediation Action Plan.

## 5.4. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) sets out requirements for various public authority and infrastructure works throughout the State. In addition, it requires the referral of certain development applications to the Roads and Maritime Services (RMS) during the DA assessment process.

Clause 101 of ISEPP requires referral to the RMS in relation to development proposals for land with a frontage to a classified road. Pittwater Road and Condamine Street are classified roads and therefore referral to and concurrence of the RMS will be required in relation to the development application which proposes adjusting vehicular ingress and egress arrangements to the site.

It is noted that the RMS has agreed in principle to the adjusted arrangement as described in the Traffic and Parking Assessment Report provided at **Appendix J**.

Clause 104 of ISEPP require referral to and concurrence of the RMS in relation to certain types of traffic generating development with vehicular access to local road or a classified road. The proposed development triggers referral by virtue of the commercial floor area proposed.

The Traffic and Parking Assessment provided at **Appendix J** considers the impact of the development in terms of traffic generation and subsequent implications for local road network function and efficiency. The Assessment demonstrates that traffic impacts will be acceptable.

## 5.5. WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The Warringah Local Environmental Plan 2011 (**WLEP 2011**) is the local environmental planning instrument applying to the site. The proposal aligns with the relevant zone objectives and complies with relevant development standards, noting that no height of building or floor space ratio development standards apply to the site.

### 5.5.1. Zoning and Permissibility

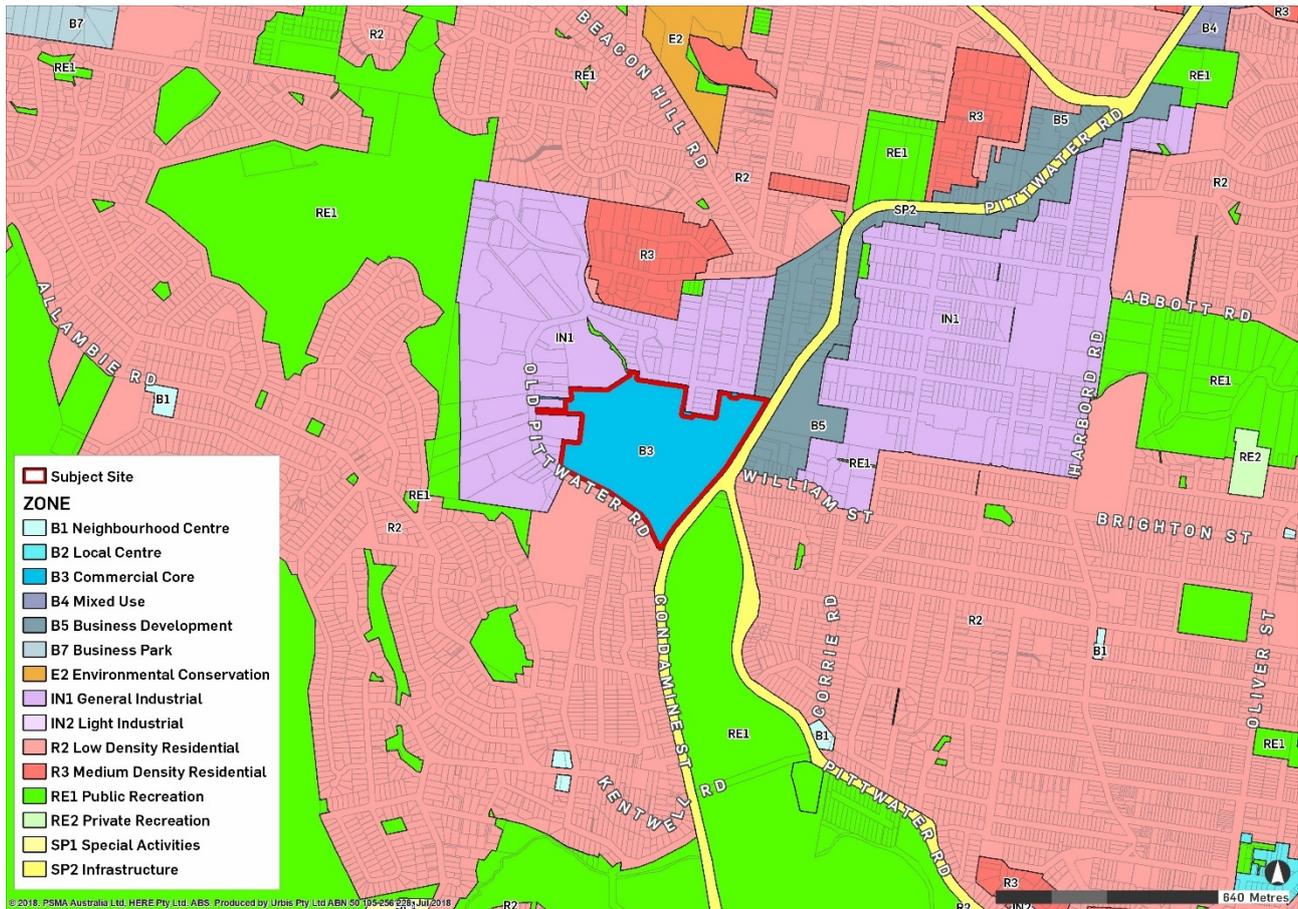
The site is zoned B3 Commercial Core and *commercial premises* are permissible with consent. An extract of the zoning map is provided at **Figure 4**.

The zone objectives are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To recognise and support the role of Warringah Mall as a retail centre of sub-regional significance.*

The proposed alterations and additions to Warringah Mall align with the above zone objectives in that the expanded Mall will provide a broader range of retail and entertainment offerings and will generate additional employment opportunities in a location which is accessible by public transport. The proposed works will reinforce Warringah Mall as a retail centre of sub-regional significance.

Figure 4 – Zoning map extract



### 5.5.2. Development Standards

There are no principal development standards that apply to the site under Part 4 of the WLEP 2011. This is because the key development envelope controls for the site are contained within the Warringah DCP 2011, which has been addressed in **Section 5.7**.

### 5.5.3. Acid Sulfate Soils

Under Clause 6.1 of the WLEP 2011:

(2) *Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

(3) *Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.*

The site is identified as being partly affected by acid sulfate soils class 4 and class 5.

An Acid Sulfate Soil Management Plan has been prepared by Douglas Partners and is provided at **Appendix R**. The management plan provides recommendations for managing acid sulfate soils, and is submitted to Council for approval as part of this development application.

### 5.5.4. Earthworks

Under Clause 6.2 of the WLEP 2011:

(2) *Development consent is required for earthworks unless:*

(a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*

*(b) the work is ancillary to other development for which development consent has been given.*

The proposed development will necessitate ancillary excavation works to enable the demolition and construction of Stage 2. The proposed works will include:

- Some minor re-grading of existing site levels for new buildings and slab levels;
- Installation of new foundations for new or extended structures; and,
- Some local deeper excavation at the southern edge of the Stage 2 area, for an access road.

It is anticipated that a detailed Construction Waste Management Plan conditioned by council for construction certificate stage and that the document will adequately address any concerns regarding the safe disposal of the extracted material.

### 5.5.5. Flood planning

Under Clause 6.3 of the WLEP 2011:

*(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*

*(a) is compatible with the flood hazard of the land, and*

*(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*

*(c) incorporates appropriate measures to manage risk to life from flood, and*

*(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*

*(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

Cardno have undertaken extensive analysis of the stormwater and flooding impacts of the proposed Stage 2 works, and have prepared plans and a report detailing the proposed stormwater works, provided at **Appendix I**. These stormwater works will ensure that there are no adverse flooding impacts as a result of the proposed Stage 2 works.

## 5.6. WARRINGAH DEVELOPMENT CONTROL PLAN 2011

Part G4 of the Warringah Development Control Plan 2011 (**WDCP 2011**) contains the site specific development controls for Warringah Mall. The proposed Stage 2 works are assessed against the provisions of Part G4 in **Table 3**.

The proposed works achieve a high degree of compliance with relevant development controls and where departures are proposed these have been justified by way of demonstrating consistency with objectives. Departures from the controls relate to building height and setback from Condamine Street.

Table 4 – Warringah DCP compliance table

Section	Control	Comment	Compliance
Part G4 Warringah Mall			
Design quality and excellence	1. Future development on or adjacent to the perimeter of the site must be designed to positively address the street, relate to the natural environment and create a	Development work adjacent to the perimeter site includes adjustments to existing at grade car park and will clearly delineate between public and private domain.	Yes

Section	Control	Comment	Compliance
	clear distinction between the public and the private domain.		
	2. Future development on the site is to incorporate design elements that optimise the use of natural light and the ambient environment to the pedestrian malls within the centre.	The expanded component to the centre will incorporate void and open air element allowing for natural light and ventilation.	Yes
	3. New development along the southern edge of the site must not result in any unreasonable impacts on the amenity of residential properties in Old Pittwater Road and Smith Avenue.	The proposed cinema complex is situated at the southern end of the site however will not result in any significant adverse amenity impacts with regard to shadow or visual bulk. These are discussed in detail at <b>Section 5.7</b> .	Yes
	4. New development along the eastern frontage to Pittwater Road/Condamine Street must incorporate a legible pedestrian connection from the street into the centre that is conveniently located in relation to existing bus stops.	Limited development is proposed at the eastern frontage however upgraded pedestrian routes to the centre entry will be provided.	Yes
	5. All future development must be designed to strongly and positively reinforce the corners of the site and street alignment and frame the street. Incorporating landmark or distinctive building elements on "Gateway" street corners is encouraged.	The southern entry to the Mall will be markedly improved and will become a landmark building element.	Yes
	6. Long continuous walls are to incorporate design treatments to reduce their visual mass and bulk. Such design treatments may include the use of architectural treatments or elements that serve to provide building articulation and modulation and the use of a variety of high quality external colours and materials.	External facades will incorporate appropriate design treatments and finishes to mitigate visual bulk and promote visual interest.  The Public Domain Strategy provided at <b>Appendix Z</b> describes opportunities for public art which includes installations on continuous elevations as described by this control.	Yes
	7. Views of the ground level car parking areas must be suitably screened from the street by either landscaping or an appropriate	The at grade car park at the eastern portion of the site will be retained and enhanced to improve functionality and safety. The upgrade works will improve the	Yes

Section	Control	Comment	Compliance
	architectural building facade treatment.	aesthetic qualities of the car park and perimeter landscaping will soften visual impacts.	
	8. High quality, attractive and durable materials are to be used. The selection of colours is to respond to the natural landscape. A detailed schedule of external colours and finishes, a sample board and photomontages are to be submitted with any application to alter or extend the external façade and roof of Warringah Mall.	High quality materials and finishes are proposed and are detailed on the materials and finishes schedule included with the Architectural Plan set at <b>Appendix A</b> .	Yes
	9. The roof is to be designed so that the visual impact of the roof form is minimised.	The roof is not a prominent feature insofar as a standard parapet style roof form has been adopted as is appropriate for development of this form.	Yes
	10. Rooftop plant and equipment are to be integrated into the building/roof forms or screened in a manner compatible with the building design to minimise visual and acoustic impacts on the surrounding properties, including elevated properties which have views over the centre.	Service zones are yet to be determined however can be positioned and screen such that they are not visible from surrounding locations and to mitigate acoustic impacts on neighbours.	
Building Setbacks and Street Frontages	11. Setbacks are to be consistent with those shown in Figure 2.	Figure 2 indicates that the setback to Condamine Street is to be 10m. A portion of level 1 and level 2 will project within the 10m setback zone. This aspect of non-compliance is detailed and justified at <b>Section 5.6.1</b> .	No (refer to justification at <b>Section 5.6.1</b> )
	12. In the event that there is a change to the current title boundary, the setback as nominated in Figure 2 is to be measured from the new boundary alignment.	No boundary adjustments in proximity to proposed building works.	n/a
	13. Corner of Condamine Street and Old Pittwater Road  Future development at the corner of Condamine Street and Old	The land at the corner of Condamine Street and Old Pittwater Road will not be	No in relation to tree removal  (refer to tree Arborist Report

Section	Control	Comment	Compliance
	<p>Pittwater Road is to create a defined built edge to address the street.</p> <p>The existing mature trees along the eastern boundary of the site adjoining Condamine Street are to be retained.</p> <p>Any future development at the corner of Condamine Street and Old Pittwater Road is to be designed to strongly define the corner and reinforce the prominence of this “Gateway” site arrival point.</p> <p>An illustrative example of possible future development outcomes at this location is shown at Figure 3</p>	<p>redeveloped as part of this proposal.</p> <p>A new cinema complex will be constructed over parking to the north and northwest of the existing cinema building at this intersection. The visual impact of this structure is discussed at <b>Section 5.7.2</b>.</p> <p>A cluster of trees along the eastern boundary are proposed to be removed to accommodate a new vehicular access way. Tree removal is discussed in detail within the Arborist Report at <b>Appendix K</b>.</p>	<p>for discussion on tree removal)</p>
	<p>14. Junction of Condamine Street and Pittwater Road</p> <p>A distinctive entry node is to be provided at the junction of Condamine Street and Pittwater Road which incorporates a high quality public space flanked by buildings, landscaping in scale with the building form and public art. The entry node will be the primary pedestrian entrance to the shopping centre.</p> <p>An illustrative example of possible future development outcomes at this location is shown at Figure 4.</p>	<p>The proposed redevelopment works do not expand into this location and therefore no opportunity to deliver the outcome described in the DCP as part of stage 2 development.</p>	<p>n/a</p>
	<p>15. Pittwater Road</p> <p>Future development along Pittwater Road is to create a defined built form edge to address the street.</p> <p>The built form is to be setback from the street to allow for the provision of a soft landscaped strip to soften and screen non-active building facades.</p> <p>Any future development at the corner of Pittwater Road and Cross</p>	<p>Limited building works proposed along Pittwater Road. Works in the eastern portion of the site with frontage to Pittwater Road is generally limited to car park and entry upgrades and consists of at-grade facilities.</p>	<p>n/a</p>

Section	Control	Comment	Compliance
	<p>Street is to be designed to strongly define and reinforce the prominence of this “Gateway” site arrival point.</p> <p>An illustrative example of possible future development outcomes at this location is shown at Figures 5 and 6.</p>		
	<p>16. Corner of Cross Street and Green Street</p> <p>Future development at the corner of Cross Street and Green Street is to be designed to strongly and positively identify this location as a key “Gateway” entry to the centre. An illustrative example of possible future development outcomes at this location is shown at Figure 7.</p>	<p>The existing multi-level car park at the corner of Cross and Green Streets will not be modified by the stage 2 development works.</p>	n/a
Building Height	<p>17. New development is to comply with the maximum building heights as shown at Figure 2 except where provided for in the following requirement.</p>	<p>The building envelope plan shows a maximum RL30 for development at the southern corner of the site and a maximum RL26 for development along a portion the Old Pittwater Road frontage.</p> <p>The proposed Stage 2 works include construction of a cinema at roof top level and this structure will project beyond the building envelope with a maximum RL45.3.</p> <p>A model indicating the building envelope prescribed by the control and the extent of the proposed development has been produced. Discussion regarding this aspect of non-compliance is provided at <b>Section 5.6.2.</b></p>	<p>No</p> <p>(refer to justification at <b>Section 5.6.2)</b></p>
Floor Space	<p>19. The existing centre currently provides 127,878m<sup>2</sup> of Gross Leasable Floor Area (GLFA). The existing shopping centre may be expanded by 35,000m<sup>2</sup> GLFA subject to compliance with all other</p>	<p>The proposed development will result in a total GLFA of 146,069sq.m (both stages), which is less than the maximum permissible total GFLA of 162,878sq.m.</p>	Yes

Section	Control	Comment	Compliance
	relevant planning objectives and requirements.		
Landscaping	20. Landscaping is to be retained and enhanced and provided generally in the zones shown in Figure 8.	Figure 8 indicates that landscaping zones are generally located at the perimeter of the site. The proposed landscape concept is illustrated in Landscape Plans provided at <b>Appendix C</b> and aligns with the zone locations indicated in Figure 8.	Yes
	21. The existing mature landscaping at the junction of Pittwater Road/Condamine Street is to be retained where practical and functional for the future design of this precinct. An illustrative example of possible future development outcomes at this location is shown at Figure 9.	The mature landscaping in this location will, for the most part, be retained and additional landscaping provided to enhance the appearance of this point of entry. The proposal includes vehicular access and egress improvements near the junction of Condamine Street and Pittwater Road. Details provided in Landscape Plans at <b>Appendix C</b> .	Yes
	22. New development along Condamine Street and Pittwater Road is to incorporate landscaping that screens or softens non-active facades or building elements.	Perimeter landscaping will be enhanced and will 'soften' the existing and proposed facades of the centre. In addition, perimeter planters are proposed along the upper levels of the new building to provide cascading climbers and trailing plants.	Yes
	23. Landscaping treatments are to be integrated into the design of new entries to the centre.	The landscape design seeks to define and create a sense of arrival at each major entry point. Density of planting and integrated seating is provided at entry nodes.	Yes
	24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas.	All planting will be irrigated via a sub-surface drip system. Rainwater will be collected from roof areas and directed to concealed rainwater storage tanks to supply irrigation system.	Yes
	25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.	Landscaping is designed to complement and expand on the themes and characters developed within the Stage 1 landscaping.	Yes

Section	Control	Comment	Compliance
		Species selection is documented on the planting palette provided with the Landscape Plans at <b>Appendix C</b> .	
Amenity of Surrounding Residential Properties	26. The overspill from artificial illumination or sun reflection is to be minimised. A 'Lighting Strategy' is to be submitted with any development application incorporating new or modified roof top parking or for new development which is adjacent to existing residential areas. The 'Lighting Strategy' is to demonstrate that the development will not result in lighting glare or overspill from artificial illumination.	Lighting will be provided in accordance with AS1158 and the Scentre Group Specification.  A memorandum from the Scentre Group Lighting Designer is included at <b>Appendix V</b> and describes the lighting strategy for car park and footpath lighting.	Yes
	27. The development is to be designed and managed so that it does not result in an unreasonable adverse acoustic impact on surrounding and nearby residential properties.	A Noise Impact Assessment is provided at <b>Appendix S</b> and considers the acoustic impact of the proposed development.  The Assessment concludes that the proposal will accord with relevant noise and vibration criteria.	Yes
Public Art	28. Public art is to be integrated into the design of the primary pedestrian entry adjacent to the intersection of Pittwater Road and Condamine Street.	The area adjacent to the intersection of Pittwater and Condamine Road has been identified as a location for public artwork installation.	Yes
	29. Public art is to be incorporated into new development where appropriate. It could include murals to blank walls, freestanding sculpture, pavement art and the like.	A Public Art Plan has been prepared and is included at <b>Appendix Z</b> . The Plan refers to case studies, including Stage 1 Warringah Mall works, and identifies potential type of artworks envisaged including murals, sculptures and dynamic facades.	Yes
	30. A 'Public Art Plan' is to be submitted with all future development applications which involve the creation of new public spaces at the interface of the shopping centre and the public domain. The plan is to identify	A Public Art Plan has been prepared and is included at <b>Appendix Z</b> . The Plan indicates that the public art locations will focus on nodal points, entry points and key façade applications.	Yes

Section	Control	Comment	Compliance
	opportunities for the integration of public art in the publicly accessible areas of Warringah Mall, themes for public art, relevance to the local area, durability, robustness and longevity. The public art concepts shall be prepared by a person with demonstrated expertise in public art.		
Advertising and Signage	31. A 'Signage Strategy' is to be submitted with all development applications proposing a significant increase in floor area or change to external façades of the building. A Signage Strategy must also be submitted with any development application for the provision of signs. The Signage Strategy shall identify the number and location of proposed signs, and demonstrate how the signs will be integrated into the design of the development.	No signage is proposed as part of this development application with the exception of Westfield signage as per locations identified on elevations contained within the Architectural Plans. A future signage DA will be submitted to address this matter at a later date.	n/a
	32. All illuminated signs are to comply with any relevant Australian Standards.	As above, no signage proposed by this application. Future illuminated signage, if proposed, will accord with relevant Australian Standards.	n/a
Safety and Security	33. Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting particularly in public spaces and carparks, and the appropriate landscaping of public areas.	The proposal involves the enhancing the southern point of entry to the centre which will increase activation in this location.  Landscaping is designed so as not to adversely impact sight lines or preclude casual surveillance.  A CPTED report has been prepared and is included at <b>Appendix U</b> . The Report provides various recommendations relating to natural surveillance.	Yes
	34. The need for technical surveillance which is achieved through mechanical/electronic measures such as the provision of closed circuit television (CCTV), help points and mirrored building	A Security Management Plan has been prepared and is provided at <b>Appendix Y</b> . The Plan describes the proposed strategy regarding installation of CCTV including camera locations.	Yes

Section	Control	Comment	Compliance
	panels, is to be addressed in future developments.		
	35. New development is to be designed to remove any opportunities for the concealment of crime.	A CPTED report has been prepared and is included at <b>Appendix U</b> . The Report contains recommendations relating to crime management. The proposed development has been designed to reduce opportunities for concealment of crime.	Yes
	36. The incorporation of crime prevention measures in the design of buildings and spaces is not to detract from the quality of the urban design of the development and the streetscape.	The proposed development is of a high quality design incorporating façade treatments, public art and integrated landscaping. Crime prevention measures such as CCTV cameras and the like will not compromise design quality.	Yes
	37. The development is to be consistent with CPTED principles. A report providing an assessment of the proposal against CPTED principles is to be submitted with all development applications for additions to Warringah Mall.	A CPTED report has been prepared and is included at <b>Appendix U</b> . The Report provides as assessment against CPTED principles.	Yes
	38. A draft Operational Plan of Management that outlines the potential measures to be implemented to ensure the safety and security of the public is to be submitted with any development application involving a major expansion of Warringah Mall.	A Security Management Plan has been prepared and is provided at <b>Appendix Y</b> . This Plan outline measures proposed to be implemented to ensure security and safety of the public, including CCTV, security staff, lighting strategy and so on.	Yes
Social Impacts	39. A Social Impact Assessment (SIA) is to be submitted with a development application where there is the likelihood that the proposed development may significantly impact on the following matters:	A Social Impact Assessment has been prepared and is provided at <b>Appendix T</b> . The Assessment considers the social impacts of the proposed development and concludes that the development will generally have a positive social impact.	Yes
Road Infrastructure	40. Significant additions to the floor area on the site will only be supported if traffic modelling is submitted with the development	A Traffic and Parking Impact Assessment Report has been prepared and is provided at <b>Appendix J</b> . The Report provides	Yes

Section	Control	Comment	Compliance
	application which demonstrates that the surrounding road network can accommodate the additional traffic generated and that the network can continue to operate at a satisfactory level as determined by Council and the RTA.	details of traffic modelling which demonstrates that the surrounding network can continue to operate at a satisfactory level post redevelopment works.	
	41. New development applications for the significant expansion of Warringah Mall are to identify road upgrades and traffic management works in areas adjoining and nearby to the site to adequately accommodate growth in vehicle movements to and from the site.	The Traffic and Parking Impact Assessment Report describes the future transport infrastructure upgrades proposed adjacent and nearby the site, including the B-Line bus service and associated Brookvale interchange proposed adjacent to the site on Pittwater Road.	Yes
	42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.	The proposal seeks to modify existing ingress and egress arrangements at the Condamine Street and Pittwater Road intersection. These adjustments will improve circulation within the site and on the local road network, as described in the Traffic and Parking Impact Assessment Report.	Yes
	43. Vehicle access points from surrounding roads shall be provided in accordance with Figure 10.	Vehicle access is generally provided as per Figure 10. A new vehicular ingress is proposed at the southern end of the site from Condamine Street and has in principle approval from the RMS. The benefits of this new ingress from a traffic management perspective is described in the Traffic and Parking Impact Assessment Report.	No  (although in principle support from RMS for new ingress)
	44. No additional vehicular entries are permitted from Pittwater Road or Condamine Street excluding any future access or egress arrangements for buses associated with the proposed new bus interchange.	As above, a new ingress is proposed from Condamine Street and has been endorsed by the RMS. The proposed ingress has traffic benefits as described in the Traffic and Parking Impact Assessment Report.	No  (although in principle support from RMS for new ingress)
Pedestrian Access	45. Main building entry points are to be clearly visible from primary	The proposal involves enhancing the mall entry point at the southern	Yes

Section	Control	Comment	Compliance
	street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve the clarity of a building's address and contribute to visitor and occupant safety and amenity.	end of the site. The entry will be clearly visible from Condamine Street and will have a high degree of architectural quality, supplemented by public art and integrated landscaping.	
	46. New development is to ensure that existing pedestrian links from the surrounding area into the site are strengthened in the locations shown in Figure 11.	The proposed works involve improving pedestrian access from the surrounding area, through the car park and into the centre by clearly delineating pedestrian footpaths therefore enhancing legibility of these routes.	Yes
	47. New development shall incorporate measures to achieve safe and continuous paths of travel from existing or proposed bus stops to the Shopping Centre and throughout Warringah Mall.	The existing bus stops within the site provide direct access from drop off and collection points to within the site for commuters. Pedestrian routes from the Pittwater Road bus stops to the centre entry points are also improved. The location of bus stops is described in the Traffic and Parking Assessment Report.	Yes
	48. New development along the Cross Street / Green Street frontage shall incorporate enhanced pedestrian link(s) through to the existing centre.	No new development is proposed at the Cross Street and Green Street frontages.	n/a
	49. Safe pedestrian access is to be provided through the car parks.	Pedestrian access will be improved as described above and will enhance safety and security by improving legibility, visibility and lighting.	Yes
	50. Where new development is proposed along the Old Pittwater Road frontage of the site, an improved pedestrian link is to be provided from the TAFE site to the pedestrian entrance of the centre.	Other than the cinema complex at roof level, development is not proposed along the Old Pittwater Road frontage, therefore no opportunity to improve pedestrian links along this frontage as part of this redevelopment proposal.	Yes
Public Transport	51. A single integrated bus interchange for the site is to be provided. The interchange is to be located on the eastern side of the	The NSW Government's B-Line project will result in the redevelopment of the bus stop that is currently located on the site	Yes

Section	Control	Comment	Compliance
	<p>site, generally north of the intersection of Pittwater Road and Condamine Street. The interchange is to be capable of accommodating both the existing local and commuter bus networks and growth in the number of bus services to the Mall. The indicative integrated bus interchange zone is illustrated in Figure 11.</p>	<p>adjacent to Pittwater Road. <u>The redevelopment of the bus stop is not part of the proposed works covered under this development application.</u></p> <p>This is because, as part of the B-Line project, the bus stop and associated land will be acquired by the government for construction of the required infrastructure.</p> <p>Transport for NSW are responsible for the construction of all off-road infrastructure improvements for the B-Line, including the new B-Line bus stop at this location.</p> <p>The proponent has held regular discussions with Transport for NSW to ensure that adequate land is allocated for these works. The future B-Line bus stop has been shown on the architectural plans for Council's information.</p> <p>Refer to further details on these matters in the Traffic and Parking Assessment report at <b>Appendix J.</b></p>	
<p>Parking Facilities</p>	<p>52. Car parking is to be provided at the rate of 4.1 spaces per 100 square metres of Gross Leasable Floor Area unless it can be demonstrated that a lesser rate can still achieve sufficient parking provision to meet the needs of the shopping centre.</p>	<p>The Stage 2 expansion of the mall will result in an additional 9,847sq.m of GLFA and therefore requires 406 spaces based on the rate stipulated by this control. The proposal includes the provision of a net additional 418 car parking spaces.</p>	<p>Yes</p>
	<p>53. Provision is to be made for the parking of motorcycles in easy to access and clearly visible locations.</p>	<p>The car park has capacity to accommodate requisite motorcycle parking, noting surplus of car parking spaces.</p>	<p>Yes</p>
	<p>54. Car and motorcycle parking space dimensions must comply with the relevant Australian Standard. Note. AS/NZS 2890.1:2004 Parking Facilities - Off-street car parking applied at the time this DCP was adopted.</p>	<p>A Traffic and Parking Assessment Report is provided at <b>Appendix J</b> and explains that the parking layout complies with design requirements specified in AS2890.</p>	<p>Yes</p>

Section	Control	Comment	Compliance
	<p>55. Bicycle parking and storage facilities shall be provided for any additional floor area proposed to allow parking or storage of a minimum number of bicycles, in accordance with the following;</p> <p>Bicycle storage facility – 1 per 300sqm</p> <p>Bicycle parking facility – 1 per 500sqm</p> <p>This required provision may be reduced having regard to:</p> <p>(a) The expected number of employees, and their likely or desired use of bicycles for travel to and from work.</p> <p>(b) The expected number of visitors, and their likely or desired use of bicycles to visit the development.</p>	<p>Based on an additional GLFA of 9,847sq.m, an additional 33 bicycle storage spaces and 20 bicycle parking spaces are required. The Traffic and Parking Assessment explains that the development will comply with these requirements and spaces will be designed to accord with AS2890.</p>	Yes
	<p>56. Bicycle parking and storage facilities shall be designed in accordance with the relevant Australian Standard. Note. AS2890.3 - 1993 Parking facilities – Bicycle parking facilities applied at the time the DCP was adopted.</p>	<p>As per above, Traffic and Parking Assessment Report indicates that bicycle storage and parking will be designed to comply with AS2890.</p>	Yes
	<p>57. Adequate shower and change room facilities for staff shall be located close to secure bicycle storage facilities.</p>	<p>New and upgraded amenities will be delivered as part of the Stage 2 works.</p>	Yes
Stormwater Management	<p>58. Water quality control measures are to be provided in accordance with the adopted Northern Beaches Stormwater Management Plan and Council's Water Sensitive Urban Design Policy.</p>	<p>A Water Quality Report is contained within the Stormwater Management Plan provided at <b>Appendix H</b>. The Report details the water quality devices and measures that have been incorporated in order to improve or maintain the quality of stormwater discharged from the site.</p>	Yes
	<p>59. Ground level development is to be avoided in the locations of the proposed concept drainage</p>	<p>Ground level development, other than car park modification works, is</p>	Yes

Section	Control	Comment	Compliance
	augmentation system as conceptually illustrated in Figure 12 and in accordance with Council policy PAS – PL 130: Building Over or Adjacent to Constructed Council Drainage System and Easements.	not proposed in the locations indicated in Figure 12.	
	60. Ensure that all new development on the site does not adversely impact upon the stormwater drainage system and any overland flow path through the site.	A Flood Risk Assessment Report is provided at <b>Appendix I</b> and indicates that the earlier stormwater augmentation works achieved a significant reduction in flood levels and overland flows.	Yes
	61. Ensure that all new development on the site does not adversely affect flooding conditions in existing development located both internal and external to the site.	A Flood Risk Assessment Report confirms that the proposed development will not have an adverse impact on flood behaviour in relation to adjoin land.	Yes
	62. New buildings or extensions involving habitable areas are to be designed to prevent the entry of stormwater for floods up to 100 year ARI and all new habitable floor levels are to have a 500mm freeboard to the 100 year ARI flood.	The Flood Risk Assessment Report provides commentary on flood planning levels and indicates that the habitable areas will achieve the required 500mm freeboard.	Yes
	63. Structural measures are to be implemented on the site as part of any significant alterations to existing buildings that will ensure affected habitable floor levels have a 300mm freeboard to the 100 year ARI flood.	Necessary structural works to achieve freeboard are described in the Flood Risk Assessment Report.	Yes
	64. Structural measures are to be implemented on the site that ensure that overland flows are conveyed through the site in a low hazard nature for floods up to 100 year ARI. All new structural measures are to be confined, as far as is deemed practicable, to the site.	As above.	Yes
Environmental Sustainability	65. Development involving an increase in floor space is to achieve a 'Green Star' rating (or equivalent) reflecting Australian 'Best Practice'	An Ecologically Sustainable Development Report has been prepared and is provided at <b>Appendix O</b> . The Report describes	Yes

Section	Control	Comment	Compliance
	in environmentally sustainable design and construction for retail centres.	the environmental commitments proposed to achieve a 4-star Green Star Design.	
	66. Shading devices are to be incorporated where practical, to reduce solar energy loads.	Light weight canopy structures are proposed over the mall at roof level reducing energy loads on the centre. These are detailed on the Architectural Drawings at <b>Appendix A.</b>	Yes
	67. Buildings are to be designed and oriented to maximise the use of daylight and solar energy for illumination. This may be achieved through the provision of light wells, skylights and voids.	The redeveloped portion of the mall will incorporate a void which will extend through the levels of the building and provide daylight within the mall.	Yes
	68. The thermal performance of buildings is to be optimised by using efficient methods of heating and cooling such as insulation and passive solar access.	The design initiatives proposed to reduce energy consumption are detailed in the Ecologically Sustainable Development Report.	Yes
	69. The following water saving measures are to be incorporated into all development:  (a) Water fixtures (low flow shower heads and taps, dual flush toilets, low flush/waterless urinals, etc) are to be 3 stars (WELS Scheme) or better rated.  (b) Stormwater capture and reuse, including water quality management to be in accordance with Council's Policy Water Sensitive Urban Design.  (c) Select water efficient plants and / or locally indigenous vegetation.  (d) Use recycled or harvested rainwater for watering new gardens and landscape features.	Water conservation strategies proposed are detailed in the Ecologically Sustainable Development Report. These include the selection of water efficient equipment, planting of water efficient species, and rainwater harvesting.	Yes

### 5.6.1. Setbacks

Part G4 Warringah Mall of Warringah DCP 2011 contains controls relating to building setbacks and street frontages.

The stated objectives of the setback and street frontages control are to protect the visual quality of streetscapes and public domain spaces, to ensure an appropriate interface with adjoining and surrounding land uses and to allow for site landscaping to be retained and enhanced.

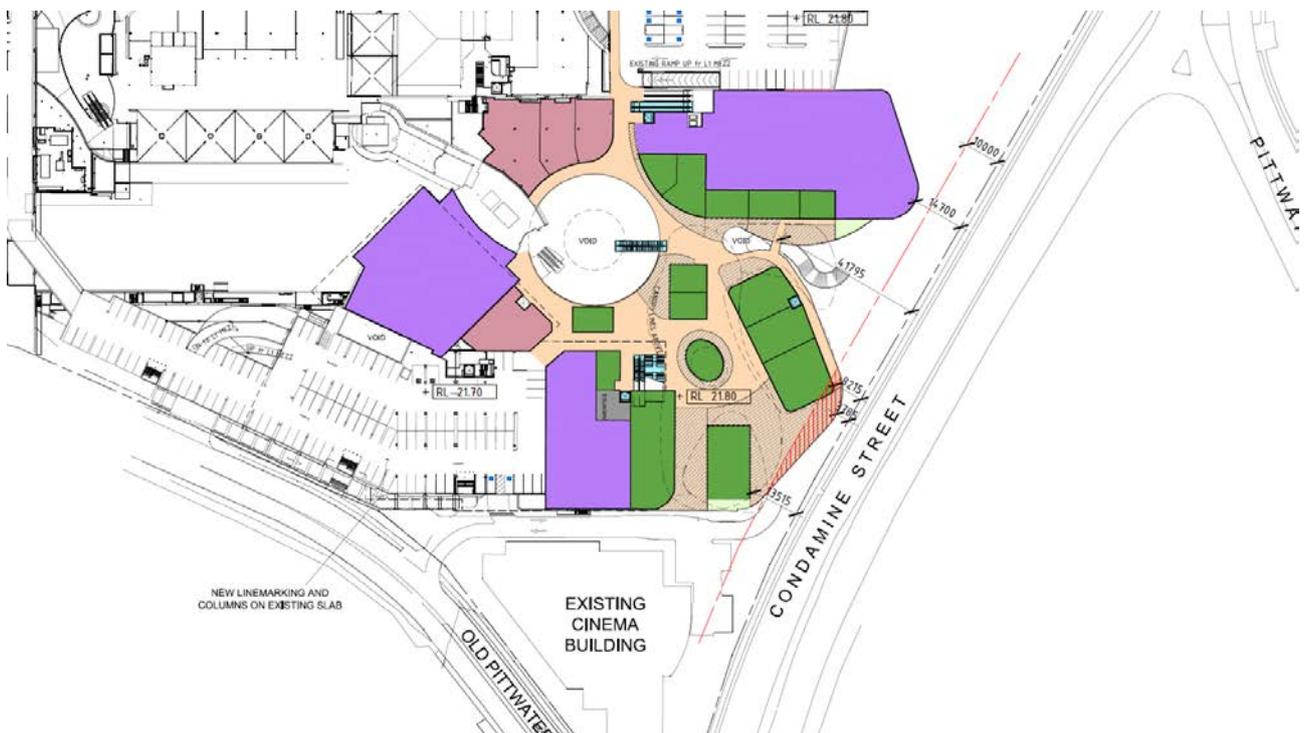
The controls require that development be setback a distance of 10m from Condamine Street. A portion of the Stage 2 works at Level 1 and Level 2 will extend to within 3.785m of the Condamine Street property boundary and therefore is numerically non-compliant.

**Figure 5 and Figure 6** demonstrate the extent of non-compliance being the area hatched in red. The 10m setback line from Condamine Street is indicated by a dashed red line on the plan extracts. **It is noted that at ground level, the building is setback a compliant distance.** Levels 1 and 2 cantilever over the ground level.

Figure 5 – Setback encroachment Level 1



Figure 6 – Setback encroachment Level 2



The proposed non-compliance is acceptable for the following reasons:

- The extent of non-compliance is contained to a relatively small portion of the east-facing elevation and the building envelope is otherwise comfortably compliant with the setback requirements prescribed in WDCP 2011. The non-compliant element relates to a projecting portion of the building adjacent to the remodelled southern pedestrian entrance. The average setback of the building to Condamine Street is significantly greater than the required 10m.
- This portion of the building is situated in what could be described as a “gateway” location and for this reason a prominent and architecturally bold structure is considered to be visually appropriate. The projecting façade has superior architectural qualities in terms of its curvilinear arrangement and custom external finishes and will positively contribute to the streetscape, despite numeric non-compliance. Refer to **Figure 8** and **Figure 9** for perspective illustrating the anticipated appearance of the façade in question.
- The reduced setback does not preclude the planting of trees and vegetation. Substantial tree planting is provided within the setback area and considerable integrated landscaping is proposed in the form of raised planters which will cater for wall climbers and hanging species. Landscaping will serve to ameliorate the visual bulk of the structure.
- The projecting element of the building provides an appropriate interface with the street and with neighbouring properties in the sense that it does not contribute unduly to overshadowing. Shadow cast by the proposed development will extend over the edges of the adjacent golf course in the afternoon, however is not substantially greater than a shadow cast by a compliant development.

In summary, notwithstanding numeric non-compliance with the building setback controls, the proposed development achieves the underlying objectives of the controls and is acceptable on this basis. Specifically, the development will contribute positively to the streetscape in a “gateway” location and provides for a suitable degree of landscaping.

### 5.6.2. Building heights

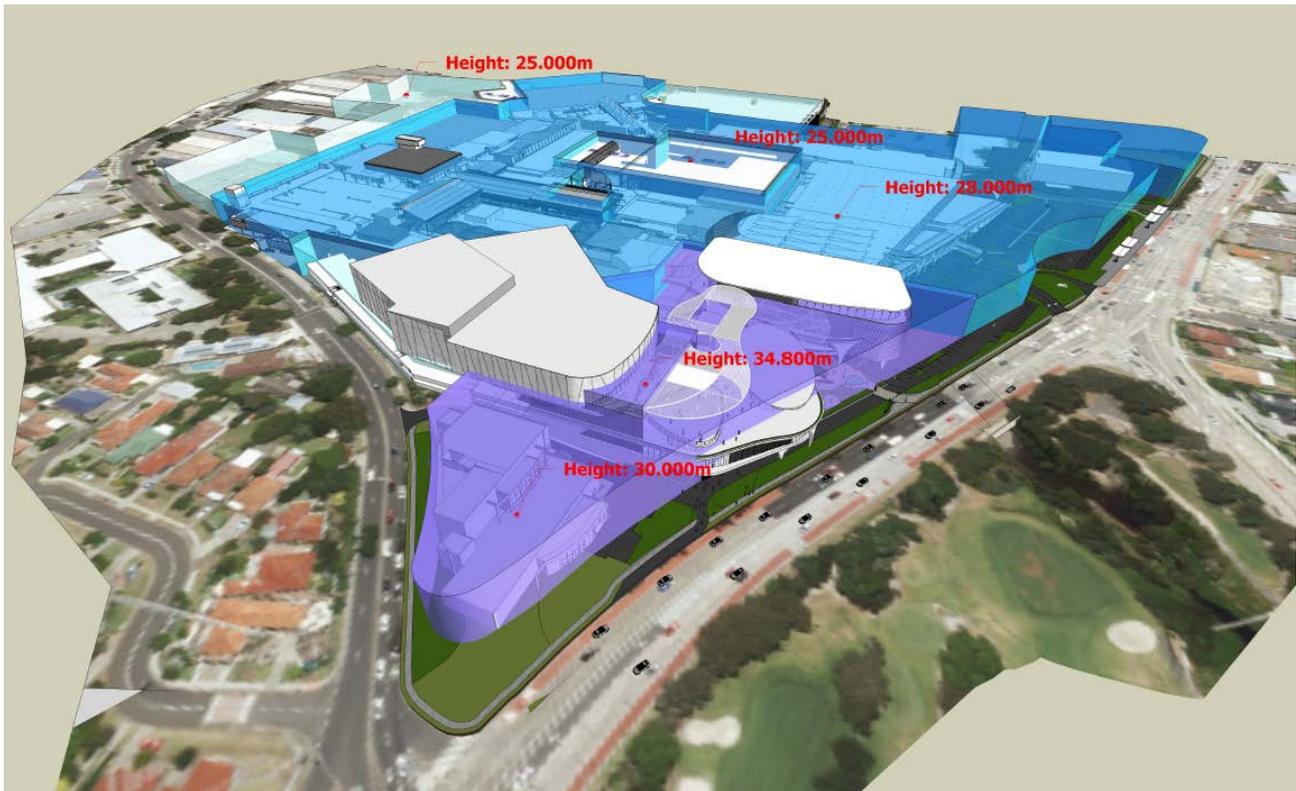
Part G4 Warringah Mall of Warringah DCP 2011 contains controls relating to building height. It is noted that the Master Plan upon which the site specific DCP controls have been modelled is over a decade old and shifting retail priorities now dictate additional leisure and food and beverage offering.

The stated objectives of the building height control are to provide street edge definition along the main eastern frontage of the site, to provide street edges which reinforce, improve and support the hierarchy and character of streets, to achieve comfortable street environments for pedestrians in terms of daylight, human scale, sense of enclosure and to ensure solar access to residential properties and public open spaces is protected.

The controls stipulate maximum buildings heights across the site by way of a building envelope plan. The building envelope plan shows a maximum RL30 for development at the southern corner of the site and a maximum RL26 for development along a portion the Old Pittwater Road frontage.

The proposed Stage 2 works include construction of a cinema at roof top level and this structure will project beyond the building envelope with a maximum RL45.3. A three dimensional model illustrating the building envelope prescribed by the control and the extent of the proposed development is provided at **Figure 7**. The model clearly illustrates where the proposal will project beyond the specified RLs.

Figure 7 – Building height model



The proposed non-compliance is acceptable for the following reasons:

- The objectives of the building height control seek to provide “street edge definition” along the main eastern frontage of the site. The DCP prescribes a maximum building height of RL 30 along the main eastern frontage in the vicinity of the proposed works, being towards the southern end of the Condamine Street frontage. The roof over the proposed Level 3 mini major tenancies is at RL 34.8 and is therefore numerically non-compliant. The Level 3 footprint is setback and from the edge of Level 2 below and will be screened in part by the ‘skin’ of custom metal cladding that wraps lower levels. Although non-compliant, the building design is such that the additional building height will not be visually overwhelming or imposing when perceived from the main eastern frontage. The proposal achieves suitable street edge definition and aligns with this particular objective.
- Also proposed and visible from the main eastern frontage are several upper level light-weight canopy structures erected over the raised balcony are at cinema level and the food court at Level 3. The canopy structures have a maximum height of RL 35.8 and are for shade purposes. The DCP allows for architectural roof features, such as canopy structures, to project above the building envelope. The projections are suitable in that they do not contribute substantially to visual bulk, will cast minimal additional shadow, and make a positive contribution to the aesthetic qualities of the proposal. The canopies also enhance the functionality of the space and the amenity of the centre.
- The objectives also seek to encourage street edges which reinforce, improve or support the hierarchy and character of streets. The building height diagram indicates that maximum building height along a portion of the Old Pittwater Road frontage is RL 25. The development application proposes a new cinema tenancy at Level 3 in this location which will have a maximum building height of RL 45.3, and is therefore numerically non-compliant. Although numerically non-compliant, additional building height in this location is considered suitable in the sense that the resultant built form is somewhat characteristic of the industrial development that is predominant along Old Pittwater Road. Further, the built form outcome is a visual improvement on existing development in this location with respect to the quality of external finishes. For these reasons, the proposal provides a suitable street edge to Old Pittwater Road and aligns with this objective.
- Although the proposed building will cast additional shadow over properties on the southern side of Old Pittwater Road, the degree of overshadowing is acceptable in that the affected properties will continue to achieve at least 3 hours of sunlight to 50% of their private open space areas, as illustrated in the shadow

diagrams supplied with the Architectural Plans and discussed at **Section 5.7.3** of this Report. In this regard the proposal aligns with the objective to ensure solar access to residential properties is protected.

- In practical terms, the cinema tenancy, which represents the most significant non-compliant element, has been located at the southern end of the site adjacent to the enhanced food and beverage offering as these elements are considered to be highly complementary uses and consumer behaviour dictates that these uses be collocated. The cinema tenancy is well integrated with and presents to rooftop dining, leisure and entertainment precinct, maximising synergies between these functions.

In summary, despite numeric non-compliance with building height controls, the proposal is considered to achieve the intent of underlying objectives. In particular, the proposal achieves a suitable street edge definition along the Condamine Road and Old Pittwater Road street frontages in the sense that the additional building height in these locations are compatible with the character of adjoining development and is a suitable response to the 'gateway' status of the southern end of the site. Further, the proposal is of a high architectural standard and makes a positive contribution to streetscape character, despite additional building height.

## 5.7. BUILT ENVIRONMENTAL IMPACTS

The proposed development has been designed to be consistent with the surrounding built environment and to mitigate significant adverse impacts on adjoining development as described within the following subsections.

### 5.7.1. Built form and urban design

The proposal is a logical extension of the existing mall development and generally aligns with the built form and urban design outcomes described in WDCP 2011 with regard to building envelope. The building height and setbacks are numerically non-compliant however these departures have been justified by way of demonstrating that the development satisfies the underlying objectives of these controls.

The mall expansion and car park improvements will enhance the aesthetic qualities of the existing development as perceived from the Condamine Street and Pittwater Road frontage and will increase pedestrian activation of this area. Façade treatments are of a high quality and, in combination with curvilinear form of the eastern elevation, will create visual interest. Perspectives are provided at **Figure 8** and **Figure 9** to demonstrate the anticipated appearance of the development when perceived from Condamine Street and Pittwater Road.

An Architectural Design Statement has been prepared and details the design intent of the redevelopment works and is provided at **Appendix B**.

Figure 8 – Looking north from Condamine Street



Figure 9 – Looking south from Condamine Street



### 5.7.2. Visual impacts

The proposal will have positive visual impacts in that it is of a high quality design and will make a positive contribution to streetscape character.

The proposal seeks to deliver structures above the RLs prescribed in the DCP and therefore a visual impact assessment has been prepared to illustrate how the non-compliant element of the building will be perceived from adjacent residential areas to the south. The visual impact assessment is contained in the Architectural Plans at **Appendix A**, an extract of which is provided at **Figure 10**.

The orange shaded area in the visual impact assessment extract relates to the proposed cinema tenancy at upper level. The cinema tenancy will be evident from the location considered in the view loss assessment on Smith Avenue.

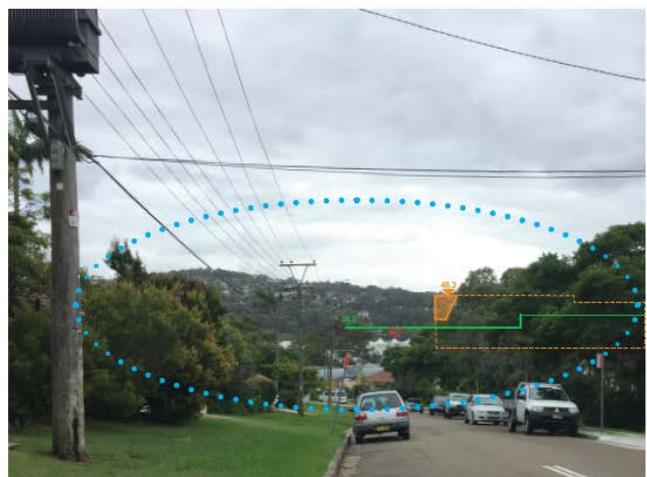
Given visibility of the structure from this location it is important that the building is not visually offensive with regard to its design and appearance. With this in mind, the project architects have proposed a custom metal cladding which will provide a high quality and aesthetically pleasing finish.

It is noted that the building will not obscure any significant views such as water views or views of iconic landmarks.

Figure 10 – Visual impact assessment extract



SATELLITE VIEW : WARRINGAH MALL/ VIEW POINTS



VIEW ANALYSIS : NEAR 65 SMITH

### 5.7.3. Overshadowing

Solar diagrams have been prepared and are included with the Architectural Plans provided at **Appendix A**. The diagrams indicate the extent of shadow cast by the proposed development at 9am, 10am, 11am, midday and 3pm on 21 June.

Part D6 of WDCP 2011 states that at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.

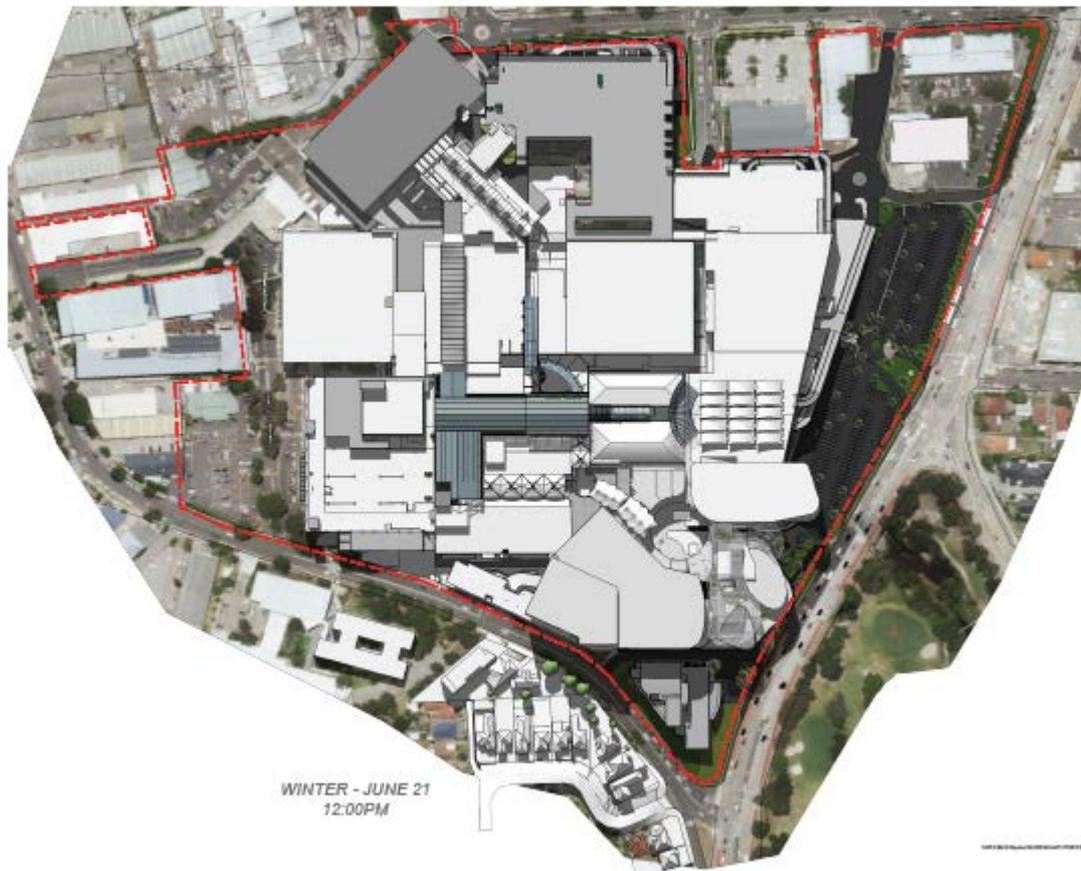
Shadow diagrams indicate that dwellings on the southern side of Old Pittwater Road, including dwellings fronting Smith Avenue, will experience additional overshadowing in the morning period however by midday will be unaffected. Extracts of shadow diagrams at 9am and midday are provided at **Figure 11** and **Figure 12**, respectively.

Therefore, the private open spaces of dwellings will continue receive the required sunlight to their private open space areas between midday and 3pm.

Figure 11 – Shadow impact at 9am



Figure 12 – Shadow impact at midday



#### 5.7.4. Acoustic impacts

A Noise Impact Assessment Report has been prepared and is provided at **Appendix S**. The Report considers environmental noise impact on the site including surrounding traffic noise from Condamine Street, and noise emissions from the site including mechanical plant noise to surrounding receivers.

Based on unattended and attended noise monitoring conducted at the site the Report prescribes “noise goals” for the development and it is anticipated that these goals will be translated into an acoustic performance condition imposed on the consent. The Report also makes recommendations with regard to construction noise and vibration.

The Report concludes that the development is capable of complying with all relevant noise and vibration criteria.

#### 5.7.5. Traffic impact

The proposal involves the provision of 418 additional parking spaces, the modification of existing access vehicular arrangements at the intersection of Condamine Street and Pittwater Road and a new vehicular access at the southern end of the site from Condamine Street.

A Traffic and Parking Assessment Report has been undertaken and is provided at **Appendix J**. The Report considers that impact of the proposed development on the efficiency and function of the local road network.

The Report concludes that proposed vehicular ingress and egress arrangements will result in critical intersections operating more efficiently and that SIDRA modelling confirms that all assessed intersections will continue to operate satisfactorily following the completion of the Stage 2 development.

## **5.8. NATURAL ENVIRONMENT IMPACTS**

### **5.8.1. Water quality**

Sediment and erosion controls will be installed and managed as per the Sediment and Erosion Control Plan contained within the Stormwater Concept Plans at **Appendix G**. Sediment and erosion controls will mitigate the potential for soil and sediment laden waters to move beyond the site boundary.

A Water Quality Management Plan has been prepared and is contained within the Stormwater Management Plan provided at **Appendix H**. The Plan explains that water quality devices including gross pollutant traps and filtration devices will be installed to ensure the proposal will satisfy pollutant targets established by the consent authority.

The development will have no significant adverse impact on water quality during construction and operational phases of the development.

### **5.8.2. Tree removal**

The proposed development will necessitate the removal of a number of trees and this has been described in the Arboricultural Impact Assessment and associated Tree Removal Plans provided at **Appendix K**.

56 trees are proposed to be removed as they are either located within the footprint of the proposed Stage 2 construction works or are likely to suffer unacceptable impacts as a result of their proximity to the proposed works and the associated changes in levels.

Substantial replacement planting is proposed as detailed in the Landscape Plans provided at **Appendix C**. Landscaping has been selected to respond to the microclimatic conditions of the site and the coastal character of the locality. Replacement planting will offset the loss of existing trees such that the impact on the natural environment is neutral.

## **5.9. SOCIAL AND ECONOMIC IMPACTS**

### **5.9.1. Economic impacts**

The proposed quantum of additional floor area is envisaged as part of the approved DCP masterplan, which was based on an economic impact assessment. The proposed development will introduce new business and employment options to the local area, and will have a significant economic benefit to Brookvale and the broader Northern Beaches region.

### **5.9.2. Social impacts**

A Social Impact Assessment has been prepared and is provided at **Appendix T**.

The Assessment considers the social impact of the development and concludes that the social impacts are generally positive with respect to strengthening the function of Warringah Mall as a sub-regional retail centre, improved accessibility and pedestrian amenity, continued provision of community facilities, and improved integration, amenity and activation.

It is also noted that the development will have some short term negative impacts in terms of construction traffic and noise, however it has been demonstrated through associated consultant reports that these impacts can be appropriately mitigated.

The development will have positive social impacts.

## **5.10. SUITABILITY OF THE SITE FOR DEVELOPMENT**

The proposed development is considered well suited to the site and locality for the following reasons:

- It will achieve an enhanced retail shopping experience on Sydney's Northern Beaches
- The subject site is zoned B3 Commercial Core. Retail, car parking and ancillary works are permissible with consent in this zone.

## 5.11. THE PUBLIC INTEREST

The proposed development meets the public interest for the following reasons:

- The proposal constitutes a permissible form of development in the locality and therefore meets the intent for development. It is a form of development that meets what the community could reasonably expect as an outcome to expand and modernise the centre.
- The proposal will benefit the wider community through greater retail choice, improved accessibility and enhance appearance and function of the site.
- The proposal will not only deliver wider choice of retail, entertainment, and community uses, it will improve the character of spaces surrounding the centre. The architectural design and building material treatments proposed will also ensure that the development creates a positive element in the landscape.
- The proposal represents a significant financial commitment by the proponent to the Northern Beaches Local Government Area and will result in creating in the local jobs and additional employment during the construction phase.

Having regard to the above, and the suitability of the site for the proposed development, we consider the proposal upholds the public's expectations for an expanded modern shopping centre on the site.

## 6. CONCLUSION

This application has been assessed in accordance with the provisions of the EP&A Act as well as the applicable state and local planning controls and policies that apply to the site. The assessment has demonstrated that the proposal generally complies with the applicable development controls, guidelines and objectives of the relevant policies.

The proposed development has been carefully designed to respond to the site character and surrounding locality resulting in an outcome that will have a positive impact on the local amenity, without resulting in any significant adverse environmental, social or economic outcomes. The proposal will also provide community benefits through greater choice of retail, entertainment and community spaces and convenience as well as new employment opportunities.

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