

8 August 2018

Lashta Haidari  
Principal Planner  
Northern Beaches Council  
PO Box 82  
Manly NSW 1655

Dear Ms Haidari

**SECTION 4.55(1A) APPLICATION TO MODIFY DEVELOPMENT CONSENT NO. DA2018/1006 TO AMEND APPROVED SIGNAGE AND SHOP FRONT ALTERATIONS TO COMMONWEALTH BANK TENANCY SHOP/TENANCY 2, 884-896 PITTWATER ROAD, DEE WHY (LOTS 10 AND 11 DP 231418 AND LOT 1 DP 504212)**

We refer to the abovementioned site and submit a Section 4.55(1A) Application to modify Development Consent No DA2018/1006 issued by Northern Beaches Council (Council) on 31 July 2018. This Modification Application is required to amend the stamped approved signage and the shopfront works of the Commonwealth Bank tenancy. This Modification Application has been prepared for the operator of the tenancy, Commonwealth Bank, by Milestone (AUST) Pty Limited (Milestone).

Please find enclosed with this Section 4.55(1A) Application the following:

- Completed Development Application Form, including Credit Card Authorisation Form for Application Fee of \$826.91 (according to Northern Beaches Council Fees and Charges 2018-2019), to lodge the Section 4.55(1A) Application (1 copy).
- Land Owner's Consent (1 copy).
- This Statement of Environmental Effects letter prepared by Milestone (1 copies), including:
  - Architectural Plans (A3) prepared by A&P Parkes Constructions Pty Limited dated 8 July 2018 (**Appendix A**), including:
    - Title Sheet, Drawing No. DA-01, Issue B.
    - Proposed Floor Plan, Drawing No. DA-02, Issue B.
    - Proposed Pittwater Road Elevation, Drawing No. DA-03, Issue B.
    - External Signage Details, Drawing No. DA-04, Issue B.
- State Environmental Planning Policy No. 64 – Advertising and Signage Assessment prepared by Milestone dated August 2018 (**Appendix B**).
- Notice of Determination and Stamped Approved DA Plans for DA2018/1006 (**Appendix C**).
- A4 Notification Plans (1 copy).
- One (1) USB containing electronic copies of Section 4.55(1A) lodgement material.

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

### **1. BACKGROUND**

#### **1.1 Site Description**

The subject site is located at Tenancy 2 884-896 Pittwater Road, Dee Why. The proposed development will be situated on Lot 1 DP 504212, Lot 10 and 11 DP231418. The proposed subject tenancy has an approximate area of 293m<sup>2</sup> and is largely regular in shape.

The site has a 11.48m frontage to Pittwater Road and is within a large mixed use development still under construction.

The subject tenancy is located at the western corner of the site (also known as Shop 2). The tenancy has the primary frontage and entry from the Pittwater Road frontage at ground level.

## 1.2 Site Development History

Development Consent No DA2018/1006 was issued by Council on 31 July 2018 for “alterations to a business premises and new business identification signage”.

## 2. PROPOSED MODIFICATION

### 2.1 Overview

The proposed modification seeks Council’s consent to amend the design of the approved signage and shop front works. The modifications are required due to the incorrect plan revisions being submitted with the original approved DA, DA2018/1006.

The modification to the approved signage involves relocation of two signs and the installation of a new Commonwealth Bank logo sign. The approved top hamper sign will be removed and relocated with a similar sized sign along the northern side of the shop front measuring 2.63m (h) x 0.435m (w) and will sit flush with the wall (no protrusion). This sign will not be illuminated. The approved illuminated projecting wall sign at the northern end of the shop front above the entrance will be deleted from this DA.

The new Commonwealth Bank illuminated logo sign will be placed on a new wall panel and has dimensions of 1.2m x 1.2m. A new disabled sticker will be added to the shopfront and the information regarding the bank “street level locator” will be moved to the entrance doors. The modifications are required to enhance the visual presentation, reinforce the business use of the site by Commonwealth Bank, and attract customers to the Commonwealth Bank premises. The cantilevered logo sign will be removed from the modified proposal.

Refer to the revised drawings held at **Appendix A** of this report for further details.

### 2.2 Modification of Condition 1(a) of DA2018/1006

The proposed revisions to Condition 1(a) are provided below for clarity (proposed changes in strikethrough and red):

#### 1. **Approved Plans and Supporting Documentation**

*The development must be carried out in compliance (except as amended by any other condition of consent) with the following:*

##### a) *Approved Plans*

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
<del>DA-01, A2-02, DA-03, DA-04 (issue A)</del> <b>DA-01, DA-02, DA-03, DA-04 (Issue B)</b>	<del>March 2018</del> <b>8 July 2018</b>	A & P Parkes Construction Pty Ltd
GA Ground Level -0007 (Revision L)	19/04/2017	Crone Architects

The proposed modified design including the new Commonwealth logo is similar to other Commonwealth Bank tenancies across Australia as well as in the Northern Beaches Local Government Area including but not limited to existing branches at 503 Pittwater Road, Brookvale and 1314 Pittwater Rd, Narrabeen (refer to **Photos 1 and 2**).



Photo 1: Existing Commonwealth Bank, Brookvale



Photo 2: Existing Commonwealth Bank, Narrabeen

### 3. ASSESSMENT UNDER SECTION 4.55 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

#### 3.1 Substantially the Same Development

This proposal constitutes assessment under Section 4.55(1A) of the Act and Council can modify the consent where:

- “(a) it is satisfied that the proposed modification is of minimal environmental impact, and  
 (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and  
 (c) it has notified the application in accordance with:  
     (i) the regulations, if the regulations so require, or  
     (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and  
 (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.”

The proposed modification does not alter the approved use and development of the proposed new Commonwealth Bank. The proposal seeks only to include revised signage and shop front works associated with the new Commonwealth Bank (approved use). It is considered the proposed modification results in substantially the same development as originally approved which is described by Development Consent DA2018/1006 as “alterations to a business premises and new business identification signage”.

The modification will be publicly notified in accordance with Council’s notification policies and the proponent will respond to any submissions received by Council if required. The development is therefore consistent with the requirements of Section 4.55(1A) of the Act.

### 4. ASSESSMENT UNDER SECTION 4.55 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

In accordance with Section 4.15(1) of the Act, the following section provides an appraisal of the proposed modification, having regard to the statutory planning instruments that apply to this site.

#### 4.1 State Environmental Planning Policy No 64 – Advertising and Signage

The aims and objectives of *State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64) are set out at Clause 3(1)(a) as follows:

- “(1) This Policy aims:  
 (a) to ensure that signage (including advertising):  
     (i) is compatible with the desired amenity and visual character of an area, and  
     (ii) provides effective communication in suitable locations, and  
     (iii) is of high quality design and finish.”

Clause 8 of SEPP 64 states that:

“A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- “(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and  
 (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.”

The proposed modified signage meets the overall aims and objectives of SEPP 64 as set out at Clause 3(1)(a). The proposed modified signage is of a high quality finish and has appropriate consideration of the site and surrounding commercial uses along Pittwater Road.

The proposed modification is required to enhance the presentation of the approved Commonwealth Bank to Pittwater Road and to communicate to the public and passing traffic the Commonwealth Bank tenancy. All signage relates directly to the use of the Commonwealth Bank.

A full assessment of the proposed lifestyle graphic against the assessment criteria listed in Schedule 1 of SEPP 64 has been undertaken and is held at **Appendix B**. The assessment has shown that there is no impediment under SEPP 64 to Council approving the proposal.

#### 4.2 Warringah Local Environmental Plan 2011

##### Zoning

The site is zoned B4 Mixed Use under LEP 2011. The proposal will directly support the achievement of the B4 Zone objectives

##### Floor Space Ratio & Building Height

The proposed modifications will have no implications in relation to building height and FSR.

##### Heritage

The subject site is not a heritage item or located in a conservation area. The site is located in proximity to several heritage items to the north of the site on St David Avenue, however by virtue of the distance between the site and orientation of the shopfront, the proposal will not impact on the heritage values of any heritage items.

##### Dee Why Town Centre

The subject site is within Site B of the Dee Why Town Centre within the Key Sites Map of LEP 2011. The proposed modified shop front remains consistent with the relevant controls contained within Part 7 of the Warringah LEP 2011. The proposal will result in a minor reduction to the glazed area of the shop front however the majority of the shopfront will remain glazed. Acceptable street activation will be maintained by the proposal.

#### 4.3 Warringah Development Control Plan 2011

The relevant controls contained within Warringah Development Control Plan 2011 (DCP 2011) are discussed in the table below.

Control	Requirements	Outcome
<b>D10 Building Colours and Materials</b>	In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.	<b>Complies</b> The modified proposal is considered to be of a minimal visual impact, using subtle colours and finishes.
	The colours and materials used for <a href="#">alterations and additions</a> to an existing structure shall complement the existing external building façade.	<b>Complies</b> The colours and materials included in the modified proposal are standard and nonintrusive and capable of complementing the future building façade.
<b>D12 Glare and Reflection</b>	The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following: Selecting an appropriate lighting height	<b>Complies</b> There will minimal artificial illumination from the modified proposal signage.

	<p>that is practical and responds to the building and its neighbours;</p> <ul style="list-style-type: none"> <li>• Minimising the lit area of signage;</li> <li>• Locating the light source away from adjoining properties or boundaries; and</li> <li>• Directing light spill within the site.</li> </ul>	<p>Sun reflection will be substantially reduced by the dull colours and finishes proposed.</p>
	<p>Any glare from artificial illumination is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> <li>• Indirect lighting;</li> <li>• Controlling the level of illumination;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• Directing the light source away from view lines.</li> </ul>	<p><b>Complies</b></p> <p>The proposed logo sign will be internally illuminated through a durable plastic cover, substantially reducing the risk of glare.</p>
	<p>Sunlight reflectivity that may impact on surrounding properties is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> <li>• Selecting materials for roofing, wall claddings and glazing that have less reflection eg medium to dark roof tones;</li> <li>• Orienting reflective materials away from properties that may be impacted;</li> <li>• Recessing glass into the façade;</li> <li>• Utilising shading devices;</li> <li>• Limiting the use of glazing on walls and glazed balustrades and avoiding the use of highly reflective glass; and</li> <li>• Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls</li> </ul>	<p><b>Complies</b></p> <p>The colours and finishes to the facade are dull in colour and either matte or natural finishes consistent with the Australia-wide Commonwealth Bank branding. This will remove the possibility for sunlight reflection impacts.</p>
<b>D18 Accessibility</b>	<p>The design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided</p>	<p><b>Complies</b></p> <p>The modified proposal will result in a barrier free entrance to the shopfront.</p>
	<p>There are to be continuous, independent and barrier-free access ways incorporated into the design of buildings</p>	<p><b>Complies</b></p> <p>The modified proposal will result in a barrier free entrance to the shopfront.</p>
<b>D20 Safety and Security</b>	<p>There is to be adequate lighting of entrances and pedestrian areas</p>	<p><b>Complies</b></p> <p>The shopfront will have security lighting to ensure safety of the internal 24/hr lobby which will be fitted out via a CDC.</p>
	<p>After hours land use activities are to be given priority along primary pedestrian routes to increase safety</p>	<p><b>Complies</b></p> <p>The subject site is situated along a primary pedestrian route. The 24/hr entrance will increase safety of the area.</p>
	<p>Entrances to buildings are to be from public streets wherever possible.</p>	<p><b>Complies</b></p>
<b>D23 Signs</b>	<p>Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.</p>	<p><b>Complies</b></p> <p>The modified proposed signs are nonintrusive, minimal in size and do not obscure any views or create any clutter. The proposal removes two illuminated signs and results in only</p>

		one internally illuminated sign being proposed on the shop front.
	Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	<b>Complies</b> The modified proposed signage is of a standard Commonwealth Bank of Australia company branding design.
	Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists)	<b>Complies</b>
	Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices	<b>Complies</b>
	Signs are not to emit excessive glare or cause excessive reflection	<b>Complies</b>
	Signs should not obscure or compromise important views.	<b>Complies</b>
	No more than one sign is to be located above the awning level for business uses	<b>Complies</b>
	Top hamper signs shall not extend beyond any building alignment or below the level of the head of the doorway or window within the building upon which it is attached; Shall not exceed 600mm in height; and Shall not have an advertising area greater than 5sqm.	<b>Not applicable.</b>  The approved top hamper sign is removed from the modified proposal.

#### 4.4 Section 4.15(1) Assessment

4.4.1 *Impact of the development including the environmental impact of the development on both the natural and built environment and social and economic impacts on the locality.*

##### Visual Impact

The modified proposal not cause any adverse environmental impacts on the natural or built environment in respect to visual impact by virtue of its ground floor location and orientation to the busy Pittwater Road.

The proposal will have a positive visual impact through a high quality design which is consistent with the Commonwealth Bank branding for new branches. The modified proposal not result in any loss of visual amenity for the locality.

The signage illumination is limited to only one sign and is designed to complement the contemporary design of the Commonwealth Bank branch. The modified proposal removes two illuminated signs and provides one new illuminated sign. The proposed illumination is not obtrusive, will provide directional assistance and way finding function especially at night-time for the 24 hour ATMs on site.

##### Road Safety

The proposed will maintain road safety and the proposed illumination will not impact passing traffic as it is not located near any traffic signals, does not obstruct any street signs, does not flash and does not resemble traffic signals. All precautions will be taken during installation works and ongoing maintenance.

##### Social and Economic Impacts

The proposed development will have a positive economic and social contribution on the locality. The local community of Dee Why will benefit from modernised and easily identifiable banking facilities.

#### 4.4.2 Suitability of the site for the development

The site is located in an existing shopping centre and is suitable for the Commonwealth Bank use.

#### 4.4.3 Any submissions made in accordance with the Act or Regulation

The proposal requires public notified in accordance with Council's notification provisions under DCP 2011. Upon receipt of any submissions made during that exhibition period, the proponent will prepare a response to those submissions.

#### 4.4.4 The Public Interest

The modified proposed shopfront will support the function and operation of the approved new Commonwealth Bank and enhance the visual interest presented by the western elevation of the building. The proposed modified development is directly associated with the Commonwealth Bank and is in the public interest of the workforce and residents of Dee Why to ensure appropriate business identification without impacting on the amenity of the area.

### 5. CONCLUSION

This Section 4.55(1A) Modification Application seeks Council's consent to amend the approved drawings under Condition 1(a) of DA Consent No DA2018/1006, relevant to the approved Commonwealth Bank signage and shopfront alterations at the property known as Shop 2, 884-896 Pittwater Road, Dee Why.

The proposal does not seek to change the approved use and development of an Commonwealth Bank and is required to enhance the identification of the business and align with the new branding for all new Commonwealth Bank branches. The proposal will not give rise to any adverse impacts on the amenity of the subject land and surrounding area.

Based on the conclusions of the comprehensive assessment undertaken, the merits of the development and in the absence of any significant adverse environmental, social or economic impacts, Council's approval of the proposed modification is sought.

Should you require further clarification regarding this matter, please do not hesitate to contact the undersigned.

Yours sincerely

**Milestone (AUST) Pty Limited**



**Patrick Lebon**  
Director